

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 27, 2018**

Item 3, Report No. 27, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 27, 2018.

**3. OFFICIAL PLAN AMENDMENT FILE OP.18.004  
ZONING BY-LAW AMENDMENT FILE Z.18.001  
DRAFT PLAN OF SUBDIVISION FILE 19T-18V002  
SITE DEVELOPMENT APPLICATION DA.18.003  
VAUGHAN NW RESIDENCES INC.  
VICINITY OF MAJOR MACKENZIE DRIVE AND WESTON ROAD**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management, dated September 17, 2018:**

**Recommendations**

1. THAT Official Plan Amendment File OP.18.004 (Vaughan NW Residences Inc.) BE APPROVED, to amend Vaughan Official Plan 2010, Volume 2 Area Specific Policy 12.6, Northeast Quadrant of Major Mackenzie Drive and Weston Road, to increase the maximum permitted height for a townhouse dwelling (Buildings 1 - 26) from 2½ storeys to 3-storeys.
2. THAT Zoning By-law Amendment File Z.18.001 (Vaughan NW Residences) BE APPROVED, to amend Zoning By-law 1-88 for the Subject Lands, shown on Attachments #2 and #3, from C5(H) Community Commercial Zone with the Holding Symbol "(H)" to RT1 Residential Townhouse and OS2 Open Space Park Zone in the manner shown on Attachment #5, together with the site-specific zoning exceptions identified in Table 1 of this report.
3. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands comes into effect, to permit minor adjustments to the implementing Zoning By-law, if required.
4. THAT Draft Plan of Subdivision File 19T-18V002 (Vaughan NW Residences Inc.) BE APPROVED, to create one residential block, in the manner shown on Attachment #4, subject to the Conditions of Approval set out in Attachment #1 of this report.
5. THAT Vaughan Council adopt the following resolution for allocation of water and sewage servicing capacity:

## CITY OF VAUGHAN

### **EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 27, 2018**

#### Item 3, CW Report No. 27 – Page 2

“THAT Site Plan Development File DA.18.003 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 179 residential units (548 personsequivalent). The allocation of said capacity may be revoked by Council resolution and/or in accordance with the City’s current Servicing Capacity Distribution Protocol in the event that (at the discretion of the City) the development does not proceed to registration within a reasonable timeframe.”

6. THAT Site Development File DA.18.003 (Vaughan NW Residences Inc.) BE DRAFT APPROVED SUBJECT TO THE FOLLOWING CONDITIONS to the satisfaction of the Development Planning Department; to permit 179, 2 and 3-storey townhouse dwellings with frontage on a private common element condominium road, as shown on Attachments #4 to #8:

- a) That prior to the execution of the Site Plan Agreement:
  - i. the Development Planning Department shall approve the final site plan, landscape plan, landscape cost estimate, and building elevations;
  - ii. the Development Engineering Department shall approve the final grading plan, servicing plan, erosion and sediment control plan, Functional Servicing and Stormwater Management Report, geotechnical investigation report, external lighting plan, Noise Impact Study, Transportation Impact Study, and the Transportation Demand Management Plan;
  - iii. the Owner shall satisfy all requirements of the Environmental Services Department, Solid Waste Division;
  - iv. the Owner shall satisfy all requirements of the Fire and Rescue Service Department;
  - v. the Owner shall satisfy all requirements of the Parks Development Department;
  - vi. the Owner shall satisfy all requirements of York Region;
  - vii. the Owner shall satisfy all requirements of the Toronto and Region Conservation Authority; and,
  - viii. the Owner shall pay to the City a woodlot charge at the rate of \$1,000.00 per residential dwelling unit in accordance with the City’s Woodlot Acquisition Front-end Agreement.
- b) That the Site Plan Agreement shall include the following clauses:

## CITY OF VAUGHAN

### **EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 27, 2018**

#### Item 3, CW Report No. 27 – Page 3

- i. “The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with the *Planning Act* and the City’s Cash-in-lieu of Parkland Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the *Planning Act*, prepared by an accredited appraiser for approval by the Office of the Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment.”;
- ii. “Prior to the issuance of a Building Permit, the Owner shall pay to the City all applicable Development Charges in accordance with the Development Charges By-law of the City of Vaughan, York Region, York Region District School Board and the York Catholic School Board.”; and
- iii. “The Owner shall grant to Bell Canada any easements that may be required, which may include a blanket easement, for communication/telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.”

(A copy of the attachments referred to in the following report have been forwarded to each Member of Council and a copy thereof is on file in the office of the City Clerk.)

Item:



## Committee of the Whole Report

---

**DATE:** Monday, September 17, 2018

**WARD:** 3

**TITLE: OFFICIAL PLAN AMENDMENT FILE OP.18.004  
ZONING BY-LAW AMENDMENT FILE Z.18.001  
DRAFT PLAN OF SUBDIVISION FILE 19T-18V002  
SITE DEVELOPMENT APPLICATION DA.18.003  
VAUGHAN NW RESIDENCES INC.  
VICINITY OF MAJOR MACKENZIE DRIVE AND WESTON ROAD**

**FROM:**

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

**ACTION:** DECISION

---

### **Purpose**

To seek approval from the Committee of the Whole for Official Plan Amendment File OP.18.004, Zoning By-law Amendment File Z.18.001, Draft Plan of Subdivision File 19T-18V002 and Site Development Application File DA.18.003 (Vaughan NW Residences Inc.) for the Subject Lands shown on Attachments #2 and #3 to permit the development 179, 2 and 3-storey townhouse dwellings within with frontage on a private common element condominium road, as shown on Attachments #4 to #8.

### **Report Highlights**

- The Owner proposes to develop the Subject Lands with 179, 2 and 3-storey townhouse dwellings fronting onto a private common element road.
- The Owner proposes to amend the Official Plan to increase the permitted building height from 2½ to 3-storeys (Buildings 1 - 26) and to rezone the Subject Lands from C5(H) Community Commercial Zone with the Holding Symbol "(H)" to RT1 Residential Townhouse Zone with site-specific zoning exceptions. The Owner also seeks approval of the related Draft Plan of Subdivision and Site Development Applications.
- The Development Planning Department supports the approval of the Development subject to the Recommendations, as it is consistent with the *Provincial Policy Statement 2017*, the *Growth Plan for the Greater Golden Horseshoe 2014*, and the York Region Official Plan and townhouses are a permitted use by Vaughan Official Plan 2010.

## **Recommendations**

1. THAT Official Plan Amendment File OP.18.004 (Vaughan NW Residences Inc.) BE APPROVED, to amend Vaughan Official Plan 2010, Volume 2 Area Specific Policy 12.6, Northeast Quadrant of Major Mackenzie Drive and Weston Road, to increase the maximum permitted height for a townhouse dwelling (Buildings 1 - 26) from 2½-storeys to 3-storeys.
2. THAT Zoning By-law Amendment File Z.18.001 (Vaughan NW Residences) BE APPROVED, to amend Zoning By-law 1-88 for the Subject Lands, shown on Attachments #2 and #3, from C5(H) Community Commercial Zone with the Holding Symbol "(H)" to RT1 Residential Townhouse and OS2 Open Space Park Zone in the manner shown on Attachment #5, together with the site-specific zoning exceptions identified in Table 1 of this report.
3. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands comes into effect, to permit minor adjustments to the implementing Zoning By-law, if required.
4. THAT Draft Plan of Subdivision File 19T-18V002 (Vaughan NW Residences Inc.) BE APPROVED, to create one residential block, in the manner shown on Attachment #4, subject to the Conditions of Approval set out in Attachment #1 of this report.
5. THAT Vaughan Council adopt the following resolution for allocation of water and sewage servicing capacity:

"THAT Site Plan Development File DA.18.003 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 179 residential units (548 persons equivalent). The allocation of said capacity may be revoked by Council resolution and/or in accordance with the City's current Servicing Capacity Distribution Protocol in the event that (at the discretion of the City) the development does not proceed to registration within a reasonable timeframe."
6. THAT Site Development File DA.18.003 (Vaughan NW Residences Inc.) BE DRAFT APPROVED SUBJECT TO THE FOLLOWING CONDITIONS to the satisfaction of the Development Planning Department; to permit 179, 2 and 3-storey townhouse dwellings with frontage on a private common element condominium road, as shown on Attachments #4 to #8:
  - a) That prior to the execution of the Site Plan Agreement:
    - i) the Development Planning Department shall approve the final site plan, landscape plan, landscape cost estimate, and building elevations;

- ii) the Development Engineering Department shall approve the final grading plan, servicing plan, erosion and sediment control plan, Functional Servicing and Stormwater Management Report, geotechnical investigation report, external lighting plan, Noise Impact Study, Transportation Impact Study, and the Transportation Demand Management Plan;
  - iii) the Owner shall satisfy all requirements of the Environmental Services Department, Solid Waste Division;
  - iv) the Owner shall satisfy all requirements of the Fire and Rescue Service Department;
  - v) the Owner shall satisfy all requirements of the Parks Development Department;
  - vi) the Owner shall satisfy all requirements of York Region;
  - vii) the Owner shall satisfy all requirements of the Toronto and Region Conservation Authority; and,
  - viii) the Owner shall pay to the City a woodlot charge at the rate of \$1,000.00 per residential dwelling unit in accordance with the City's Woodlot Acquisition Front-end Agreement.
- b) That the Site Plan Agreement shall include the following clauses:
- i) "The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with the *Planning Act* and the City's Cash-in-lieu of Parkland Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the *Planning Act*, prepared by an accredited appraiser for approval by the Office of the Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment.";
  - ii) "Prior to the issuance of a Building Permit, the Owner shall pay to the City all applicable Development Charges in accordance with the Development Charges By-law of the City of Vaughan, York Region, York Region District School Board and the York Catholic School Board."; and
  - iii) "The Owner shall grant to Bell Canada any easements that may be required, which may include a blanket easement, for communication/telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the

Owner shall be responsible for the relocation of such facilities or easements.”

## **Background**

The subject lands (the “Subject Lands”) shown on Attachments #2 and #3 are located on the east side of Weston Road, north of Major Mackenzie Drive, and are municipally known as 10083 and 10101 Weston Road. The surrounding land uses are shown on Attachment #3.

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

On March 9, 2018, a Notice of Public Hearing was circulated to all property owners within 200 m of the Subject Lands, the Vellore Woods Ratepayers’ Association and the Millwood Woodend Ratepayers’ Association. A copy of the Notice of Public Hearing was also posted on the City’s website at [www.vaughan.ca](http://www.vaughan.ca) and Notice Signs were installed on the Subject Lands along Weston Road at the east and south property lines in accordance with the City’s Notice Signs Procedures and Protocols.

A Committee of the Whole (Public Hearing) was held on April 4, 2018, to receive comments from the public, and the Committee of the Whole. Vaughan Council on April 11, 2018, ratified the Recommendation of the Committee of the Whole to receive the Public Hearing report of April 4, 2018.

At the Public Hearing, deputations and written submissions were received from the following individuals regarding the Applications:

### **Deputations**

- Mr. Tim Sorochinsky, Millwood-Woodend Ratepayers Association, Millwood Parkway, Woodbridge;
- Mr. Richard Lorello, Treelawn Boulevard, Kleinburg; and,
- Mr. Vito Pedano, Timberland Drive, Woodbridge.

### **Written Submissions**

- Ms. Helen A. Mihailidi, Brattys LLP, Keele Street, Vaughan, dated March 29, 2018; and,
- Steven C. Ferri, Loopstra Nixon, Queens Plate Drive, Toronto, dated April 2, 2018.

## ***Summary of comments received regarding the Development***

The following comments were received from the community through the written submissions received by the Development Planning Department and by the deputations at the Public Hearing on November 7, 2017. The Development Planning Department

offers the following responses to the comments provided below and in the relevant sections throughout this report.

- i) 2-storey townhouses dwellings should be located along the existing residential development to the north to have a more compatible transition to the proposed 3-storey townhouse dwellings

Buildings 27-34 located adjacent to the existing residential development to the north, as shown on Attachment #5, will be 2-storey townhouse dwellings consistent with the 2-storey townhouse development to the north (Zachary Place), which is also zoned RT1 Residential Townhouse Zone.

- ii) The proposed amenity area is undersized and is not accessible to all residential users or emergency vehicles

The original submission included a linear amenity area at the center of the Development as shown on Attachment #9. The amenity area has been revised to address comments received from the public, with a larger centralized amenity area as shown on Attachments #5 and #6. The entrances and pathways within the amenity area have also been widened.

- iii) The site is too dense and the number of units should be reduced

The Subject Lands are designated “Mid-Rise Mixed Use” with a “Commercial District” overlay by Vaughan Official Plan 2010 (“VOP 2010”), Volume 2, Area Specific Policy 12.6, Northeast Quadrant of Major Mackenzie Drive and Weston Road. This designation permits a minimum residential density of 17 units per hectare and a maximum density of 40 units per hectare. The Development yields a density of 35.2 units per hectare, which conforms to the density permitted on the Subject Lands by the Official Plan.

- iv) The Owner shall enter into an agreement with the Block 33 West Group

A condition that the Owner shall enter into a Developer’s Group Agreement to satisfy all obligations, financial and otherwise, to the satisfaction of the Block Trustee has been included in the Draft Plan of Subdivision conditions on Attachment #1.

The Development Planning Department on August 31, 2018, mailed a courtesy notice of this Committee of the Whole meeting to all individuals who made deputations and at the Public Hearing, made written submissions or who requested notification regarding the Applications.

### **Previous Reports/Authority**

[April 4, 2018, Committee of the Whole Public Hearing Report \(Item 4, Report No. 15\)](#)



## **Analysis and Options**

### ***Official Plan and Zoning By-law Amendment, Draft Plan of Subdivision and Site Development Applications have been submitted to permit the proposed Development***

The Owner has submitted the following applications (the “Applications”) to permit the development (the “Development”) of 2 and 3-storey townhouse dwellings (179 units) fronting onto a private common element road, as shown on Attachments #4 to #8:

1. Official Plan Amendment File OP.18.004 to amend the Vaughan Official Plan 2010 (“VOP 2010”), Volume 2 Area Specific Policy 12.6, Northeast Quadrant of Major Mackenzie Drive and Weston Road, to increase the maximum permitted height for a townhouse dwelling (Buildings 1 - 26) from 2½-storeys to 3-storeys.
2. Zoning By-law Amendment File Z.18.001 to rezone the Subject Lands from C5(H) Community Commercial Zone with the Holding Symbol “(H)” to RT1 Residential Townhouse Zone in the manner shown on Attachment #5, together with the site-specific zoning exceptions identified in Table 1 of this report.
3. Draft Plan of Subdivision File 19T-18V002 (the “Draft Plan”) to create one block on a Draft Plan of Subdivision, as shown on Attachment #4; and,
4. Site Development Application File DA.18.003 to permit the development of the Subject Lands with 179 townhouse dwellings.

The Development Planning Department has reviewed the Development shown on Attachments #4 to #8 in consideration of the following policies:

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

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario "shall be consistent" with the PPS. The PPS provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong, healthy communities; the wise use and management of resources; and protecting public health and safety.

The PPS recognizes that local context and character is important. Policies are outcome oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. The *Planning Act* requires that Vaughan Council's planning decisions be consistent with the PPS. The Development Planning Department has reviewed the Development in consideration of the policies of the PPS and is of the opinion that the Development is consistent with the PPS, specifically:

- Section 1.1.1 - to accommodate an appropriate range of residential, employment, institutional, recreation, park and open space uses;

- Section 1.1.3 - settlement areas being the focus of development based on densities and land uses which efficiently use land;
- Section 1.4.1 - to provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents; and,
- Section 1.5.1 - planning for and providing publicly accessible built and natural settings.

The Development shown on Attachments #4 to #8 includes residential townhouse dwellings within a settlement area that would add to the range and mix of housing types in the community, efficiently utilizes the Subject Lands, and the proposed land use and density conforms with the “Low-Rise Mixed-Use” land use designation in VOP 2010. The Development also includes an amenity area and pedestrian connections from the Subject Lands to the existing community to the north and to the lands to the south. On this basis, the Development is consistent with the PPS.

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

The Growth Plan is intended to guide decisions on a wide range of issues, including economic development, land-use planning, urban form, and housing. The Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. Council's planning decisions are required by the *Planning Act* to conform, or not conflict with, the Growth Plan.

The proposed townhouse dwellings are consistent with the policy framework of the Growth Plan as the built form would utilize the Subject Lands more efficiently, make more efficient use of existing infrastructure, and provide housing at densities that are supportive of the Growth Plan objectives, specifically:

- Section 2.2.1 - directing growth to settlement areas with municipal water and wastewater systems, public service facilities, and public transit to support the achievement of complete communities;
- Section 2.2.2 - contributing to meeting 40% of residential development within a delineated built-up area by 2031; and
- Section 2.2.6 - providing a diverse mix of housing densities to meet the needs of current and future residents.

The Development shown on Attachments #4 to #8 is located within a settlement area and a delineated built up area that contributes to providing a mix of housing densities and unit types within the neighbourhood in accordance with VOP 2010. Accordingly, the townhouse dwellings conform and do not conflict with the Growth Plan.

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

The YROP guides economic, environmental and community building decisions across York Region. The Subject Lands are designated “Urban Area” on Map 1, “Regional Structure” of the YROP. Section 5.0 of the YROP states that “intensification within the Urban Area will accommodate a significant portion of the planned growth in the Region.”

Section 3.5.4 of the YROP requires that “local municipal official plans and zoning by-laws permit a mix and range of housing types, lot sizes, unit sizes, functions, tenures and levels of affordability within each community.” It also states that “the mix and range of housing shall be consistent with Regional forecasts, and intensification and density requirements.”

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

The Development will diversify housing options, including a mix and range of housing type, lot and unit sizes, and tenure in the community, provide for an urbanized streetscape along Weston Road, and create private and public amenities through the proposed private outdoor community amenity and pedestrian connections through the provision of private walkways and sidewalks. The Development conforms to the YROP.

***An amendment to Vaughan Official Plan 2010 (VOP 2010) is required to increase the permitted building height***

The Subject Lands are designated “Mid-Rise Mixed Use” with a “Commercial District” overlay by Vaughan Official Plan 2010 (“VOP 2010”), Volume 2, Area Specific Policy 12.6, Northeast Quadrant of Major Mackenzie Drive and Weston Road. This designation permits 2½-storey townhouse dwellings with a minimum residential density of 17 units per hectare and a maximum density of 40 units per hectare. The Development yields a density of 35.2 units per hectare. An amendment to VOP 2010 is required to increase the maximum permitted building height from 2½ to 3-storeys.

Sections 12.6.4.3 a) of Volume 2, Area Specific Policy 12.6, Northeast Quadrant of Major Mackenzie Drive and Weston Road, residential policies related to the “Commercial District” permit detached houses, semi-detached houses and townhouses, pursuant to 9.2.3. Section 9.2.3.2.a) of VOP 2010, a Townhouse is defined, in part, as *“a Low-Rise Residential Building with up to a maximum of 3-storeys in height, situated on a single parcel and part of a row of at least three but no more than six attached residential units, and shall generally front on a public street.”*

The proposed 3-storey townhouse dwellings, Blocks 1 to 26 as shown on Attachment #5, will establish a residential Development consistent in scale and built form with the policies set out in VOP 2010 and with the surrounding residential development to the north and west of the Subject Lands. The townhouses conform with the development

criteria in Section 9.2.3.2 of VOP 2010 for Low-Rise Buildings, as the proposed townhouse dwellings will not exceed 3-storeys.

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

The Subject Lands are zoned C5(H) Community Commercial Zone with the Holding Symbol “(H)” by Zoning By-law 1-88, subject to site-specific Exception 9(1327), which does not permit townhouses. The Owner proposes to rezone the Subject Lands to RT1 Residential Townhouse Zone in the manner shown on Attachment #4, and subject to the following site-specific zoning exceptions to Zoning By-law 1-88:

Table 1

	<b>By-law Standard</b>	<b>RT1 Residential Townhouse Zone Requirements</b>	<b>Proposed Exceptions to the RT1 Residential Townhouse Zone</b>
a.	Frontage on a Public Street	No person shall erect any building in any zone unless the lot upon which such building is to be erected fronts upon an improved public street.	No person shall erect any building in any zone unless the lot upon which such building is to be erected fronts upon an improved public or a private street.
b.	Definition “Dwelling Street Townhouse”	Means “a townhouse dwelling in which each dwelling unit is situated on its own lot, which abuts a public street”.	Means “a townhouse dwelling in which each dwelling unit is situated on its own lot or parcel of tied land (“POTL”), which abuts a public street or private common element road”.
c.	Minimum Lot Frontage	6 m/unit	5.6 m/unit (Buildings 1 to 12, and 17 to 22)  5.8 m/unit (Buildings 13 to 16, and 23 to 34)
d.	Minimum Lot Area	162 m <sup>2</sup>	140 m <sup>2</sup> (Buildings 2, 4 to 9, 11 to 22 and 27 to 34)

	<b>By-law Standard</b>	<b>RT1 Residential Townhouse Zone Requirements</b>	<b>Proposed Exceptions to the RT1 Residential Townhouse Zone</b>
e.	Minimum Front Yard	4.5 m	2.7 m (Buildings 2, 3, 5, 6, 13 to 16, 18 to 20, and 22 to 34)
f.	Minimum Rear Yard	7.5 m	2.8 m (Buildings 1, 2, 4 to 12, and 17 to 22)  7 m (Buildings 13 to 16, and 23 to 34)
g.	Minimum Interior Yard	1.2 m	1.0 m (Building 11, Unit 51)
h.	Minimum Interior Yard Setback to a Walkway or Greenway	3.5 m	1.2 m (Buildings 1, 4, 9, 19, 20 to 22, 31 and 32)
i.	Minimum Exterior Side Yard	4.5 m	1.5 m (Buildings 7, 12, 14, 15, 17, 18, 21, and 22 to 27)
j.	Minimum Setback to a Site Triangle	3 m	1.3 m (Buildings 1, 6, 7, 13 to 18, and 21 to 27)
k.	Minimum Lot Depth	27 m	25.2 m (Building 19)
l.	Maximum Building Height	11 m	3-storeys 12.5 m (Buildings 1 to 26)

	<b>By-law Standard</b>	<b>RT1 Residential Townhouse Zone Requirements</b>	<b>Proposed Exceptions to the RT1 Residential Townhouse Zone</b>
			2-storeys (Buildings 27 to 34)
m.	Maximum Garage Width	3.048 m for lots less than 11 m in frontage	5.6 m for all end units
n.	Maximum Driveway Width With Lots that have Less Than 9 m Frontage	3.75 m	5.96 m for all end units

The Development Planning Department has reviewed and supports the proposed site-specific zoning exceptions in Table 1 on the following basis:

#### Frontage on a Public Street and Definition

Zoning By-law 1-88 does not include standards for development utilizing a common element condominium road. The RT1 Residential Townhouse Zone permits units only on lots that front onto a public street. The proposed definition will permit a unit on a lot with frontage on a private common element road and facilitate the creation of Parcels of Tied Land (POTLs) for future individual ownership. The proposed definitions implement the Development on a private common element road.

#### Lot Frontage, Lot Area, Minimum Yard Setbacks, Lot Depth, Building Height, Maximum Interior Garage Widths, and Driveway Widths

The amendments to the lot frontage, lot area, and lot depth requirements recognize the creation of the Development blocks and POTLs for the townhouse dwellings, which is a building type that will facilitate a compact built form. The proposed yard setbacks, building heights and maximum interior garage and driveway widths standards make more efficient use of the Subject Lands and implements the compact built form. Many of the exceptions in Table 1 also apply only to certain buildings and/or units and not to the entire development.

The proposed zoning exceptions would implement a townhouse development which is a land use permitted by Vaughan Official Plan 2010, and is compatible with the existing and planned built form in the surrounding area.

***The Planning Act, permits Vaughan Council to pass a resolution to permit a landowner to apply for a future Minor Variance application(s), if required, within 2 years of a Zoning By-law coming into full force and effect***

Section 29(2) of the *Planning Act* restricts a landowner from applying for a Minor Variance Application to the Committee of Adjustment within two years of the day on which a Zoning By-law comes into effect. The *Planning Act* also permits Council to pass a resolution to allow an applicant to apply for a minor variance(s) within 2 years of the passing of a bylaw.

Should Council approve Zoning By-law Amendment File Z.18.001 the Development Planning Department has included a Recommendation to permit the Owner to apply for a Minor Variance application(s), if required, prior to the two-year moratorium in order to address minor zoning deficiencies that may arise through the finalization and construction of the subject Development.

***The Development Planning Department has no objection to the Draft Plan, subject to the Conditions of Approval of this report***

The Development Planning Department has no objection to the approval of the Draft Plan shown on Attachment #4, subject to the Conditions of Draft Approval included in Attachment #1. The primary purpose of the Draft Plan is to create one residential development Block (Block 1) for the overall Development. In order to facilitate the creation of the individual freehold townhouse lots, the Owner must submit a Part Lot Control Exemption application for Blocks 1 to 34, should the Applications be approved.

***A Draft Plan of Condominium application is required to establish the Common element condominium tenure of the Development***

Should Council approve the Applications, the proposed condominium tenure for the Development will be created through a future Draft Plan of Condominium application, which is subject to approval by Council. The future condominium corporation will be responsible for the maintenance of all common element areas in the development, including but not limited to, parking, private road, pedestrian connections, landscaping, sanitary and storm water connections, and amenity areas.

***The Development Planning Department is satisfied with the proposed site plan and building elevations, subject to the conditions in this report***

#### Site Plan

The proposed site plan and building elevations are shown on Attachments #4 to #7. The site plan includes 34 residential townhouse blocks consisting of 2 and 3-storey townhouse dwellings ranging from 4 to 6 units per block, for a total of 179 dwellings. A total of 23 layby parking spaces are located along Street "E" and 2 accessible parking spaces are located at north entrance of the amenity area, as shown on Attachments #5

and #6. Vehicular access to the site is proposed from Weston Road and Vellore Park Avenue from Streets “A” and “E”.

### Building Elevations

The proposed building elevations shown on Attachments #7 to #8 include a typical elevation for the proposed 2-storey and 3-storey townhouse dwellings. The site plan includes Buildings 27 to 34 to be 2-storey dwellings and Buildings 1 to 26 to be 3-storey dwellings. Buildings 1 to 12 will be constructed as a dual frontage unit (Attachment #7) given their front and rear exposures onto Weston Road and Streets “B” and “E” as shown on Attachment #5. The building elevations include stone, wood and brick, and will vary in tones between each townhouse block. The Development Planning Department will work with the Owner to finalize the building materials incorporated in the elevations. The final building elevations and materials must be to the satisfaction of the Vaughan Development Planning Department. A condition to this effect is included in the Recommendations of this report.

### Landscape Plan

The proposed Landscape Plan is shown on Attachment #6. The plan includes a buffer along the adjacent lands to the south (along Street “E”) and Weston Road. A 2,133 m<sup>2</sup> centralized amenity area accessible from Streets “A”, “B” and “D” is included in the development. The amenity area will be landscaped and include shaded seating areas with seat walls and benches, accessible picnic tables, waste receptacles and bike rings. The amenity area will also include a play structure and swings. A pedestrian connection provides connectivity from the existing residential development to the north (Zachery Place) to Street “E”. In addition, pedestrian connections and sidewalks are proposed throughout the Development.

The Vaughan Planning Department is satisfied with site plan, subject to the comments in this report and conditions of subdivision approval set out in Attachment #1.

***The Development Engineering (“DE”) Department has no objection to the Development, subject to conditions of approval***

The DE Department has no objection to the approval of the Applications, subject to the following comments:

a) Road Network

Site access is proposed from the external road network is proposed via an un-signalized, full-move access from Vellore Park Avenue and an un-signalized, full-move access from Bugatti Crescent. All units will be accessed by an internal common element (private) road.



b) Municipal Servicing

The Owner has submitted a Functional Servicing & Stormwater Management Report ("FSR"), dated December 2017, prepared by Schaeffer and Associates Ltd. in support of the Applications to illustrate the proposed servicing scheme for the Development. The report concludes that the proposed Development could be serviced by connections to the existing watermain and sanitary sewer on Vellore Park Avenue, and can outlet the storm drainage to existing storm sewer network on Vellore Park Avenue, as described below.

c) Water Distribution

The Subject Lands lie within Pressure District 7 ("PD7") of the York Water System. The Development is proposed to connect to the existing 400 mm diameter watermain which runs along Vellore Park Avenue. Internally, the Development will be serviced by a single 200 mm diameter looped domestic and fire line via a connection with a water meter chamber (as per City Standard I-5) internal to the property line.

The Site Servicing Drawing shows a single water connection for the Development. Based on the number of units, the Owner should provide a revised water service connection scheme which illustrates a second water service connection. In the current scenario, a single watermain connection is proposed to service approximately 627 people, hence the Owner and/or consultant should consider a provision of an additional feed(s) to maintain service integrity/fire-fighting and for redundancy. The revised FSR should include a hydrant flow and pressure test to confirm the existing infrastructure will meet the minimum requirements for both domestic and fire suppression requirements for the Development.

d) Sanitary Servicing

A sanitary service connection to the existing infrastructure at the south-east corner of the Subject Lands, under Vellore Park Avenue, via an existing 1200 mm diameter sanitary control manhole is proposed to service the site. The sanitary sewer on Vellore Park Avenue will convey flows south to the Langstaff Collector Sewer downstream from the Subject Lands.

e) Water and Sewer Allocation

Vaughan Council on February 21, 2018, endorsed the City's latest annual servicing capacity allocation strategy report. The report confirmed servicing capacity is available to support continued urban growth throughout the City.

Accordingly, servicing capacity to Site Development File DA.18.003 is available and unrestricted. Therefore, the following resolution to allocate capacity to the Development may be recommended for Council approval:

“THAT Site Plan Development File DA.18.003 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 179 residential units (548 persons equivalent). The allocation of said capacity may be revoked by Council resolution and/or in accordance with the City’s current Servicing Capacity Distribution Protocol in the event that (at the discretion of the City) the development does not proceed to registration within a reasonable timeframe.”

f) Stormwater Management & Storm Servicing

The Storm Water Management segment of the FSR proposes that the minor system will be conveyed by an internal storm sewer network that will connect to the Vellore Park storm sewer at the northeast corner of the Subject Lands and discharge at a controlled rate through an orifice pipe connected to a control manhole. The major system will be conveyed by the road network to ensure no private property has flooding up to the 100-year storm event. Excluding the uncontrolled areas, all events will be fully captured on site and excess volume will be stored in an underground storage facility also located on site and privately owned and maintained. Two full capture locations are proposed in the south end of the subject site and an inlet structure is proposed at the north entrance of the townhouse complex. Sizing of catchbasins and inlet structure are presented in Appendix A of the FSR. Uncontrolled runoff will be produced from areas which cannot be captured due to grading constraints.

In the post development conditions, a 0.21 ha area will drain towards the Weston Road storm sewer, which is regional infrastructure and will require York Region approval. The uncontrolled area from the backyards of Buildings 1-14, 0.02 ha from the north-east corner, and 0.01 ha from the south-east corner will contribute to the Vellore Park storm sewer and have been considered to adjust the allowable release rate at the control orifice/manhole. The DE Department is generally satisfied that the stormwater outflow from the Development can be adequately serviced and accommodated by the storm sewers, subject to the conditions and comments to be addressed by the Owner, to the satisfaction of the City.

g) Environmental

The Environmental Engineering Section of the DE Department has reviewed and is satisfied with the Site Screening Questionnaire and Environmental Site Assessment Report submitted with the Applications, and have no further concerns.

h) Environmental Noise and Vibration

A Feasibility Environmental Noise Study was prepared by Jade Acoustics, dated January 31, 2018. As noted in Section 4.2 of the report, noise mitigation measures are required to achieve the Ministry of the Environment and Climate Change (“MOECC”) sound level limits. The implementation of additional noise

mitigation features located on external lands may require supplementary noise warning clauses to be registered in the Site Plan Agreement and/or an additional agreement with the neighbouring property, registered on the Offers of Sale and Purchase or Lease for the benefit of future occupants of the Subject Lands.

As such, the City will require detailed noise and proximity warning clauses to be included in the corresponding Subdivision Agreement. Additionally, a final and approved Feasibility Environmental Noise Report will be required prior to the issuance of final site plan approval in which it will provide all the appropriate and necessary warning clauses for the future occupants of the Development and for inclusion in the corresponding Subdivision Agreement and in a schedule in all Offers of Purchase and Sale or Lease for all lots/units, to the satisfaction of the City.

The DE Department has no objections to the Development and will continue to work with the Owner to finalize all plans and reports subject to the conditions identified in the Recommendations of this report, and the conditions of Draft Plan approval identified in Attachment #1 of this report.

***Cash-in-lieu of the dedication of Parkland is required for the Draft Plan***

The Office of the City Solicitor, Real Estate Department has advised that the Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% or 1 ha per 300 units of the value of the Subject Lands, prior to the issuance of a Building Permit, in accordance with the *Planning Act* and the City's Cash-in-lieu of Parkland Policy. The Owner shall submit an appraisal of the Subject Lands, in accordance with Section 42 of the *Planning Act*, prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment. A condition to this effect is included in the Recommendations of this report.

***Development Charges are applicable to the Development***

The Financial Planning and Development Finance Department has provided the following conditions of approval:

“The Owner shall pay to the City, a woodlot charge at the rate of \$1,000.00 per residential dwelling unit in accordance with the City's Woodlot Acquisition Front-end Agreement”; and

“Prior to the issuance of a Building Permit, the Owner shall pay to the City the applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, York Region, York Region District School Board and the York Catholic District School Board.”

A condition to this effect is included in the Recommendations of this report.

***The Parks Development Department has no objection to the Development, subject to conditions in this report***

The Parks Development Department is satisfied with the Community Services and Facility Study submitted with the Applications, dated December 2017, subject to the conditions identified in the Recommendations of this report, and the conditions of Draft Plan approval identified in Attachment #1 of this report.

***The Environmental Services Department, Solid Waste Management Division has no objection to the Applications***

The Environmental Services Department Solid Waste Management has no objection to the proposed waste collection on the Subject Lands. Upon a successfully completed Application, site inspection and executed Agreement as determined by the City, the Condominium Corporation(s) will be eligible for municipal waste collection services. Should the Condominium Corporation(s) be deemed ineligible by the City or choose not to enter into an Agreement with the City for municipal collection service, all waste collection services shall be privately administered and shall be the responsibility of the Condominium Corporation(s). The following clause shall be included within the future Condominium Agreement:

“Prior to final approval, upon a successfully completed application, site inspection and executed registration of an Agreement with the Vaughan Environmental Services Department, Solid Waste Management Division, as determined by the City, the Condominium Corporation(s) will be eligible for municipal waste collection services. Should the Condominium Corporation(s) be deemed ineligible by the City or choose not to enter into an Agreement with the City for municipal collection service, all waste collection services shall be privately administered and shall be the responsibility of the Condominium Corporation(s).”

***The Fire and Rescue Service Department has no objection to the Development, subject to the Conditions of Approval***

The Fire and Rescue Services Department has no objection to the Development. The Fire and Rescue Services Department has advised that fire hydrants (municipal or private) are required to be installed in accordance with the Ontario Building Code, and the fire hydrants shall be unobstructed and ready for use at all time. In addition, access roadways shall be maintained and suitable for large heavy vehicles, and temporary municipal addresses must be posted and visible for responding emergency vehicles in a manner satisfactory to the City. A condition to this effect is included in the Recommendations of this report.

***The Toronto and Region Conservation Authority (TRCA) has no objection to the Development***

The Owner shall address the TRCA's comments outlined in Attachment #1c) prior to moving forward with detailed design. The TRCA has no objection to the Applications subject to the Conditions of Draft Approval set out in Attachment #1c).

### ***All school boards have no objection to the Development***

The York Region District School Board and York Region Catholic District School Board have no objection to the Development.

### ***The Canada Post Corporation has no objection to the Development***

The Canada Post Corporation has no objection to the Development subject to the conditions of Draft Plan approval identified in Attachment #1 of this report.

### ***All utility companies have no objection to the Development***

Alectra Utilities Corporation has indicated no objection to the Draft Plan. It is the Owner's responsibility to contact Alectra and discuss all aspects of the Draft Plan. Conditions to this effect are included in Attachment #1 of this report.

Enbridge Gas Distribution Inc. has no objection to the Draft Plan subject to the conditions included in Attachment #1.

Bell Canada and Alectra Utilities Corporation (formerly PowerStream Inc.) have no objection to the approval of the Development, subject to the Owner coordinating servicing, connections, easements and locates with the above noted utilities prior to commencement of site works.

### **Financial Impact**

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

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

York Region has reviewed the Official Plan Amendment Application and has determined that the proposed amendment is a matter of local significance, and does not adversely affect Regional planning policies or interest. On June 8, 2018, York Region exempted the Official Plan Amendment Application from approval by the Regional Committee of the Whole and Council.

York Region has reviewed the Zoning By-law Amendment, Draft Plan of Subdivision and Site Development Applications and has no objection to their approval. The Owner is required to satisfy all York Region requirements, subject to the comments and conditions of approval set out in the Recommendations section and in Attachment #1b) of this report.

### **Conclusion**

The Development Planning Department has reviewed Official Plan Amendment File OP.18.004, Zoning By-law Amendment File Z.18.001, Draft Plan of Subdivision File 19T-18V002, and Site Development Application DA.18.003 in consideration of the statutory Provincial Policies and applicable Regional and City Official Plan policies, the requirements of Zoning By-law 1-88, the comments received from City Departments, external public agencies, the public, and the surrounding area context. The Development Planning Department is satisfied that the proposed Development is

appropriate and compatible with the existing and permitted uses in the surrounding area. The Development is consistent with the PPS, conforms with the Growth Plan and the York Region Official Plan. The proposed townhouse use is permitted by VOP 2010.

On this basis, the Development Planning Department can support the approval of the Applications subject to the Recommendations in this report, and the Conditions of Draft Approval set out in Attachment #1.

**For more information**, please contact Mary Caputo, Senior Planner, Extension 8635.

### **Attachments**

1. Conditions of Draft Plan of Subdivision Approval File 19T-18V002
2. Context Location Map
3. Location Map
4. Draft Plan of Subdivision (File 19T-18V002)
5. Site Plan and Proposed Zoning
6. Landscape Plan
7. Typical 3-storey Townhouse Elevation Plan
8. Typical 2-storey Townhouse Elevation Plan
9. Original Site Plan Submission

### **Prepared by**

Mary Caputo, Senior Planner, ext. 8635

Carmella Marrelli, Senior Manager of Development Planning, ext. 8791

Mauro Peverini, Director of Development Planning ext. 8407

/CM