

Committee of the Whole (Public Hearing) Report

DATE: Tuesday, July 07, 2020

WARD(S): 3

**TITLE: BELMONT PROPERTIES (WESTON) INC.
ZONING BY-LAW AMENDMENT FILE Z.20.003
VICINITY OF WESTON ROAD AND MAJOR MACKENZIE DRIVE
WEST**

FROM:

Nick Spensieri, Acting Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To receive comments from the public and the Committee of the Whole on Zoning By-law Amendment File Z.20.003 (Belmont Properties (Weston) Inc.) to rezone the subject lands shown on Attachment 1. The Owner seeks approval to permit the development of 30 townhouse units accessed by a private common element road as shown on Attachments 2 to 4.

Report Highlights

- To receive input from the public and the Committee of the Whole on a Zoning By-law Amendment application to permit the development of 30 townhouse units accessed by a private common element road
- A Zoning By-law Amendment is required to rezone the subject lands from “C3(H) Local Commercial Zone” with the Holding Symbol “(H)” and subject to site-specific Exception 9(1291) to “RT1 Residential Townhouse Zone”, together with site-specific zoning exceptions to facilitate the development
- A technical report prepared by the Development Planning Department will be considered at a future Committee of the Whole meeting

Recommendations

1. THAT the Public Hearing report for Zoning By-law Amendment Z.20.003 (Belmont Properties (Weston) Inc.) BE RECEIVED; and that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Background

The subject lands (the 'Subject Lands') shown on Attachment 1, are located on the northwest corner of Weston Road and Chatfield Drive, and are currently developed with two presentation centres being used for the sale of homes. The surrounding land uses are shown on Attachment 1.

Vaughan Council on June 18, 2007, approved Zoning By-law Amendment File Z.06.045 to rezone the Subject Lands from "A Agricultural Zone" to "C3(H) Local Commercial Zone" with the Holding Symbol "(H)" and subject to site-specific Exception 9(1291).

A Zoning By-law Amendment application has been submitted to permit the proposed development

Belmont Properties (Weston) Inc. (the 'Owner') submitted Zoning By-law Amendment File Z.20.003 (the 'Application') to rezone the Subject Lands from "C3(H) Local Commercial Zone" with the Holding Symbol "(H)" and subject to site-specific Exception 9(1291) to "RT1 Residential Townhouse Zone", together with the site-specific zoning exceptions identified in Table 1 of this report. The Application would facilitate the development of 30 townhouse units within 5 blocks to be accessed by a private comment element road (the 'Development') as shown on Attachments 2 to 4.

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

- a) Date the Notice of Public Hearing was circulated: June 16, 2020

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

- b) Circulation Area: 150m radius from the Subject Lands, and to the Millwood Woodend and Vellore Woods Ratepayers Associations
- c) Comments Received:

The Development Planning Department has received written comments from the following individuals (as of June 12, 2020)

- A. Caruso, email address only, email dated April 17, 2020

- Y. Zhai, email address only, email dated April 20, 2020
- S. Pellegrini, Wardlaw Place, email dated April 20, 2020

The following is a summary of the comments that have been provided in the written correspondence received to date:

- properties were purchased with the expectation the Subject Lands would be a future commercial development given the commercial zoning
- the proposed Development will result in too many residential units in the area and increase traffic congestion
- there will be loss of privacy for residents whose backyards abut the site
- the proposed 3-storey townhomes are considerably higher than the existing 2-storey homes surrounding the site
- building setbacks to abutting residential properties are not sufficient
- there will be a loss of sunlight and property value

Any additional written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication. 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.

Previous Reports/Authority

The following link provides information related to this report:

[Item 94, Report No. 34, Committee of the Whole Meeting: June 18, 2007 – Zoning By-Law Amendment File Z.06.045, Draft Plan of Subdivision 19T-06V07](#)

Analysis and Options

The proposed Development conforms to Vaughan Official Plan 2010

The subject lands are designated “Low-Rise Mixed-Use” with a maximum permitted building height of 4-storeys and a maximum density (Floor Space Index (‘FSI’)) of 1.5 times the area of the lot by Vaughan Official Plan 2010 (‘VOP 2010’). This designation permits residential townhouse dwellings. The proposed Development consisting of 3-storey townhouses having an FSI of 0.76 times the area of the lot conforms to VOP 2010.

A Zoning By-law Amendment application is required to permit the proposed Development

The Subject Lands are zoned “C3(H) Local Commercial Zone” with the Holding Symbol “(H)” and subject to site-specific Exception 9(1291) as shown on Attachment 1. The proposed townhouse dwellings are not permitted. The Owner is proposing to rezone the

Subject Lands to “RT1 Residential Townhouse Zone” to permit the Development, together with the following site-specific exceptions to Zoning By-law 1-88:

Table 1:

	Zoning By-Law 1-88 Standard	RT1 Residential Townhouse Zone Requirements	Proposed Exceptions to RT1 Residential Townhouse Zone Requirements
a.	Definition of a “Lot”	Means a parcel of land fronting on a street separate from any abutting land to the extent that a consent contemplated by Section 50 of the <i>Planning Act</i> , R.S.O. 1990, c. P. 13. would not be required for its conveyance	Means a parcel of land fronting on a public or private street
b.	Definition of a “Porch, unenclosed (covered or uncovered)”	Means a platform with or without a foundation and with at least two sides open and is uncovered or covered by either a roof, balcony, or enclosed space or room, with or without a foundation	Means a platform with or without a foundation and with at least one side open and is uncovered or covered by either a roof, balcony or enclosed space or room, with or without a foundation
c.	Definition of a “Street”	Means a street under the jurisdiction and assumed by the City or being constructed under an Agreement with the City	Means a street or private road under the jurisdiction assumed by the City, or being constructed as a private road, owned and maintained by a Condominium Corporation on behalf of the unit Owners under an Agreement with the City

	Zoning By-Law 1-88 Standard	RT1 Residential Townhouse Zone Requirements	Proposed Exceptions to RT1 Residential Townhouse Zone Requirements
d.	Definition of a “Street Line”	Means the dividing line between a lot and a street or the dividing line between a lot and a reserve abutting a street	Means the dividing line between a lot and a street or private road or the dividing line between a lot and a reserve abutting a street or private road
e.	Definition of a “Dwelling, Street Townhouse”	Means a townhouse dwelling where each dwelling unit is situated on its own lot and abuts a public street	Means a townhouse dwelling where each dwelling unit is situated on its own and abuts a public or private street
f.	Minimum required soft landscaping in the Front and Exterior Yards	A minimum of 60% of the required Minimum Landscaped Front or Exterior Yard as defined in Section 4.1.4 f) shall be comprised of soft landscaping	A minimum of 37% of the required Minimum Landscaped Front or Exterior Yard as defined in Section 4.1.4 f) shall be comprised of soft landscaping
g.	Minimum Landscaped Strip Around a Parking Area	6 m	1 m
h.	Minimum Lot Frontage	6 m / unit	5.5 m / unit
i.	Minimum Lot Area	162 m ² / unit	140 m ² / unit
j.	Minimum Front Yard	4.5 m	3.8 m - Block 4

	Zoning By-Law 1-88 Standard	RT1 Residential Townhouse Zone Requirements	Proposed Exceptions to RT1 Residential Townhouse Zone Requirements
k.	Minimum Exterior Side Yard	4.5 m	1.2 m - Blocks 4 and 5
l.	Maximum Building Height	11 m	12 m
m.	Minimum Lot Depth	27 m	26 m
n.	Maximum Driveway Width	Not identified for lots with a 5.5m frontage	3.2 m for lots with a 5.5 m frontage

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

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

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Consistency and conformity with Provincial Policies, York Region and City of Vaughan Official Plan Policies	<ul style="list-style-type: none"> The Application will be reviewed for consistency and conformity with the applicable policies of the Provincial Policy Statement 2020, A Place to Grow: The Growth Plan for the Greater Golden Horseshoe 2019 (the 'Growth Plan'), the York Region Official Plan ('YROP') and Vaughan Official Plan 2010 ('VOP 2010') policies

	MATTERS TO BE REVIEWED	COMMENT(S)
b.	Appropriateness of the Rezoning and Site-specific Exceptions to Zoning By-law 1-88	<ul style="list-style-type: none"> The appropriateness of the rezoning and site-specific exceptions to Zoning By-law 1-88 to permit the Development will be reviewed in consideration of the existing and planned surrounding land uses, built form compatibility, and appropriate development standards
c.	Drawings, Studies and Reports	<ul style="list-style-type: none"> The following drawings, studies and reports were submitted in support of the Application and must be approved to the satisfaction of the City and/or respective public approval authority: <ul style="list-style-type: none"> Planning Justification Report Draft Zoning By-law Architectural Drawings Geotechnical Report Phase One Environmental Site Assessment Erosion Sediment Control Plan Urban Design Brief Signage Design and Lighting Plan Arborist Report Tree Preservation Plan Landscape Plan Parkland Dedication Summary Sustainability Summary Site Plan Accessibility Checklist Traffic Impact Study and Parking Impact Assessment Functional Servicing and Stormwater Management Report These studies/reports are available on the city's website at https://maps.vaughan.ca/planit/ (PLANit Viewer) <p>Additional studies/reports may be required as part of the application review process</p>

	MATTERS TO BE REVIEWED	COMMENT(S)
d.	Related Site Development File DA.20.009	<ul style="list-style-type: none"> • The Owner has submitted related Site Development File DA.20.009 to be reviewed concurrently with the Application in consideration of, but not be limited to, the following matters: <ul style="list-style-type: none"> - Appropriate built form, site design, building elevations and landscaping - Appropriate building setbacks to the surround land uses - Proper vehicle turning movements - Implementation of appropriate waste collection design standards - Appropriate site servicing, grading, and stormwater management - Provisions of sufficient snow storage areas - Access to public transportation and pedestrian connectivity with the surrounding area
e.	Approved Block Plan - Block 40 (South) Plan	<ul style="list-style-type: none"> • Vaughan Council on April 24, 2006, approved the Block 40 (South) Plan. The Subject Lands are designated "Local Commercial" as shown on Attachment 9. The Owner will be required to amend the Block 40 (South) Plan, should the Application be approved • The proposed amendment to the Block 40 (South) Plan conforms to VOP 2010 • The Owner will be required to fulfil all cost sharing and other obligations of the Block 40 South Developers' Group Agreement to the satisfaction of the Trustee for Block 40 (South) and the City of Vaughan.

	MATTERS TO BE REVIEWED	COMMENT(S)
f.	Urban Design and Architectural Guidelines	<ul style="list-style-type: none"> The Application will be reviewed in consideration of the City of Vaughan City-Wide Urban Design Guidelines with attention to the orientation of the built form and private roads The Application will be reviewed in consideration of the Block 40 (South) Landscape Master Plan, Block 40 (South) Urban Design Guidelines and Block 40 (South) Architectural Design Guidelines
g.	Sustainable Development	<ul style="list-style-type: none"> Opportunities for sustainable design, including CPTED (Crime Prevention Through Environmental Design), LEED (Leadership in Energy and Environmental Design), permeable pavers, bioswales, drought tolerant landscaping, energy efficient lighting, reduction in pavement etc., will be reviewed and implemented through the Site Plan process, should the Application be approved
h.	Parkland Dedication	<ul style="list-style-type: none"> The Owner will be required to pay to the City of Vaughan, cash-in-lieu of the dedication of parkland, prior to the issuance of a Building Permit, in accordance with the <i>Planning Act</i> and the City of Vaughan's Cash-in-lieu of Parkland Policy, should the Application be approved. The final value of the cash-in-lieu of parkland dedication will be determined by the Office of the Infrastructure Development Department, Real Estate Services
i.	Draft Plan of Condominium Application	<ul style="list-style-type: none"> A Draft Plan of Condominium Application will be required to establish the common elements of the proposed Development such as the private road, visitor parking and landscaping, should the Application be approved.

	MATTERS TO BE REVIEWED	COMMENT(S)
j.	Driveway Location and Potential Road Widening	<ul style="list-style-type: none"> The Application has been circulated for the review of the proposed driveway location and any potential road widening. The Owner must satisfy the requirements of York Region and the Development Transportation Engineering department.

Financial Impact

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

Broader Regional Impacts/Considerations

The Application has 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 Application will be considered in the technical review of the Application, together with comments from the public and Vaughan Council expressed at the Public Hearing or in writing and will be addressed in a comprehensive report to a future Committee of the Whole meeting.

For more information, please contact Jennifer Kim, Planner - Development Planning Department, at Extension 8592.

Attachments

1. Context & Location Map
2. Proposed Zoning and Site Plan
3. Proposed Landscape Plan
4. Typical Building Elevation (Block 5)
5. Block 40 (South) Plan

Prepared by

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