

Committee of the Whole (Public Hearing) Report

DATE: Tuesday, July 07, 2020

WARD(S): 3

**TITLE: NICK OPPEDISANO AND VINCENZO MACRI
ZONING BY-LAW AMENDMENT FILE Z.19.037
DRAFT PLAN OF SUBDIVISION FILE 19T-19V006
10590 AND 10620 PINE VALLEY DRIVE
VICINITY OF PINE VALLEY DRIVE & TESTON ROAD**

FROM:

Nick Spensieri, Acting 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 and Draft Plan of Subdivision Files Z.19.037 and 19T-19V006 (Nick Oppedisano and Vincenzo Macri) for the Subject Lands as shown on Attachment 1. The Owner seeks approval to permit a development consisting of 6 blocks of street townhouse dwelling units within a Plan of Subdivision that, when assembled with Blocks on abutting Draft Plan of Subdivision File 19T-03V25, would facilitate the development of 22 street townhouse units, as shown on Attachment 3.

Report Highlights

- To receive input from the public and the Committee of the Whole to permit 6 blocks of street townhouses that when assembled with Blocks on adjacent lands, would facilitate the development of 22 townhouse units, as shown on Attachment 3.
- Amendments to Zoning By-law 1-88 and a Draft Plan of Subdivision application are required to permit the Development.
- A technical report to be 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.19.037 and Draft Plan of Subdivision File 19T-19V006 (Nick Oppedisano and Vincenzo Macri) BE RECEIVED; and that any issues identified be addressed by the Development Planning Department in a comprehensive report to a future Committee of the Whole meeting.

Background

The 0.78 ha subject lands (the 'Subject Lands') shown on Attachment 1 are municipally known as 10590 and 10620 Pine Valley Drive and are generally located on the west side of Pine Valley Drive, south of Teston Road. The Subject Lands are currently occupied by two single detached dwellings. The surrounding land uses are also shown on Attachment 1.

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

Nick Oppedisano and Vincenzo Macri (the 'Owners') have submitted the following applications (the 'Applications') on the Subject Lands (Attachment 1) to permit 6 blocks of street townhouse units within a Plan of Subdivision, that when assembled with Blocks in the adjacent Plan of Subdivision, will facilitate the development of 22 street townhouse units, as shown on Attachment 3:

1. Zoning By-law Amendment File Z.19.037 to amend Zoning By-law 1-88 to rezone the Subject Lands from "A Agricultural Zone" (10620 Pine Valley Drive) and "A Agricultural Zone" subject to site-specific Exception 9(94) (10590 Pine Valley Drive) to "RT1 Residential Townhouse Zone" and the Subject Lands would be subject to site-specific Exception 9(1437) on the adjacent lands as shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 1 of this report.
2. Draft Plan of Subdivision File 19T-19V006, as shown on Attachment 2, for a residential Plan of Subdivision consisting of the following:

<u>Blocks</u>	<u>Land Use</u>	<u>Hectares</u>	<u>Units</u>
Blocks 1 to 6	Townhouse Dwellings (Minimum Lot Frontages of 6 metres)	0.498	22 units*
Block 7	Landscape Buffer	0.072	
Block 8	Road Widening	0.001	
Blocks 9-15	0.3 metre Reserve	0.003	
Roads		0.214	
Total		0.788 hectares	22 units*

*When assembled with Blocks on Draft Plan of Subdivision File 19T-03V25.

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 a Notice Sign was installed along Pine Valley Drive on the property in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: 150 m radius from the Subject Lands and to the Kleinburg and Area Ratepayers Association, Millwood Woodend Ratepayers Association and anyone on file with the Office of the City Clerk.
- c) Comments Received:

As of June 16, 2020, the Development Planning Department received a question in writing from C. Hall, no address provided, email dated March 5, 2020, asking whether or not the Subject Lands were located within the Greenbelt Plan. The inquirer was advised the Subject Lands are located outside of the Greenbelt Plan.

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.

Previous Reports/Authority

Not applicable.

Analysis and Options

The proposed Development conforms to Vaughan Official Plan 2010

The Subject Lands are designated "Low Density Residential" by Vaughan Official Plan 2010 ('VOP 2010'), Volume 2 – Section 12.13, Block 40/47. In accordance with Section 12.13.2.5.v.b., street townhouses are permitted within the "Low Density Residential" designation, and the maximum permitted density shall not exceed 18 units per net residential hectare. The Development, once combined with Blocks on adjacent lands, yields a density of 12 units per net residential hectare and therefore conforms to VOP 2010.

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

The Subject Lands are zoned "A Agricultural Zone" (10620 Pine Valley Drive) and "A Agricultural Zone" subject to site-specific Exception 9(94) (10590 Pine Valley Drive) as shown on Attachment 1. The "A Agricultural Zone" permits agricultural uses, a single family residence, institutional uses, recreational uses, limited commercial uses related

to agriculture, cottage industries and aggregate uses. The proposed Development is not permitted in the “A Agricultural Zone” and therefore, the Owner has submitted a Zoning By-law Amendment application to rezone the Subject Lands to “RT1 Residential Townhouse Zone” with the following site-specific zoning provisions identified in Table 1.

Table 1:

	Zoning By-law 1-88 Standards	RT1 Residential Townhouse Zone Requirements in Zoning By-law 1-88	Proposed Exceptions to RT1 Residential Townhouse Zone
a.	Lot Line, Front	Where a lot abuts more than two (2) street lines, the front lot line shall be the line facing the main entrance of the building unless the lot is a through lot.	The front lot line shall be deemed to be the lot abutting Brant Drive for Blocks 1 and 2.
b.	Permitted Yard Encroachments and Restrictions	Sills, air conditioners other than central air conditioning units, belt courses, cornices, eaves, gutters, canopies, chimney pilasters and windows, shall not project more than 0.5 m into a required yard	Fireplaces may also project into a required yard, but not more than 0.5 m
c.	Permitted Yard Encroachments and Restrictions (Bay Windows)	May extend into a required interior side yard to a maximum distance of 0.3 m and may extend into a required yard a maximum of 1.8 m	A bay or box window or similar window projection constructed with footings shall be permitted and may extend into a required front, exterior side or rear yard a maximum of 0.6 m
d.	No Encroachment Zone	No encroachment permitted in an interior side yard shall be closer than 1.2 m to a line except eaves, gutters, external central air condition and/or hear pump units	This clause shall not apply
e.	Permitted Yard Encroachments and	Eaves and gutters shall not project more than 0.5 m into	Eaves, gutters and steps may encroach an

	Zoning By-law 1-88 Standards	RT1 Residential Townhouse Zone Requirements in Zoning By-law 1-88	Proposed Exceptions to RT1 Residential Townhouse Zone
	Restrictions (eaves and gutters) for a Lot Abutting a Buffer Block	a minimum required front, exterior side or interior side yard for a lot abutting a buffer block	additional 0.5 m into a minimum required yard for a lot abutting a buffer block
f.	Permitted yard Encroachments and Restrictions (unenclosed porch – covered or uncovered) for a Lot Abutting a Buffer Block	An unenclosed porch (covered or uncovered) can encroach into the minimum required front yard, exterior side yard and interior side yard for a lot abutting a buffer block to a maximum of 2.5 m	An unenclosed porch (covered or uncovered) can encroach into a minimum required for a lot abutting a buffer block to a maximum of 2.5 m
g.	No Encroachment Zone for a Lot Abutting a Buffer Block or Site Triangle	A 1.5 m no encroachment zone shall be maintained inside the property line within the front yard and exterior side yard and within the interior side yard abutting a buffer block or sight triangle	A 1.5 m no encroachment zone shall be maintained inside the property line within a minimum required yard abutting a buffer block or sight triangle
h.	Maximum Finished Floor Elevation for an Unenclosed Porch for a Lot Abutting a Buffer Block	The maximum finished floor elevation of an unenclosed porch (covered or uncovered, with or without a cold cellar) located in the front yard, exterior side yard or interior side yard shall not exceed 1.2 m above finished grade for a lot abutting a buffer block	The maximum finished floor elevation of an unenclosed porch (covered or uncovered, with or without a cold cellar) located in any required yard shall not exceed 1.2 m above finished grade for a lot abutting a buffer block
i.	Minimum Lot Area	162 m ²	150 m ² for all lots
j.	Maximum Building Height	11 m	12 m for all units

	Zoning By-law 1-88 Standards	RT1 Residential Townhouse Zone Requirements in Zoning By-law 1-88	Proposed Exceptions to RT1 Residential Townhouse Zone
k.	Minimum Exterior Side Yard Setback	4.5 m	3.5 m for end units in Blocks 1, 2, 3 and 4 that abut a street or landscape buffer
l.	Minimum Interior Side Yard for a Lot Abutting a Buffer Block	3.5 m	1.5 m for lots in Block 2 that abut a buffer block
m.	Minimum Exterior Side Yard for a Lot Abutting a Sight Triangle or abutting Buffer Block	The minimum exterior side yard shall be 3.0 m abutting a public lane or a site triangle and shall be 3.5 m abutting a buffer block	The minimum exterior side yard shall be 3.0 m abutting a public lane; 1.5 m abutting a site triangle or buffer block

The proposed zoning and site-specific exceptions in Table 1 are the same as the zoning for the Blocks in Draft Plan of Subdivision File 19T-03V25, thereby allowing the creation of full lots with consistent zoning. Additional zoning exceptions may be identified through a detailed review of the Applications, which 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	COMMENTS
a.	Consistency and Conformity with Provincial Policies, York Region and City of Vaughan Official Plan Policies and Guidelines	<ul style="list-style-type: none"> The Applications will be reviewed for consistency and conformity with the Provincial Policy Statement 2020 (the 'PPS'); A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019 (the 'Growth Plan') and the policies of the York Region Official Plan ('YROP') and VOP 2010 The Applications will be reviewed for consistency and conformity with the Block 40/47

	MATTERS TO BE REVIEWED	COMMENTS
		policies of VOP 2010, Volume 2, Section 12.13, and the Block 40/47 Urban Design Guidelines
b.	Appropriateness of the Proposed Rezoning and Site-Specific Zoning Exceptions	<ul style="list-style-type: none"> • The appropriateness of the proposed rezoning of the Subject Lands and the site-specific exceptions to permit the Development will be reviewed in consideration of the existing and planned surrounding land uses and the existing zoning for the part lots in the adjacent Plan of Subdivision • The appropriate Zone category for Block 7 (landscape buffer) on the Draft Plan of Subdivision will be reviewed. Similar Blocks in the area are zoned "OS2 Open Space Park Zone". The dedication of Block 7 into public ownership is required
c.	Draft Plan of Subdivision	<ul style="list-style-type: none"> • Should the Applications be approved, the required Draft Plan of Subdivision conditions will be included to address site access, road alignments and connections, servicing and grading, environmental considerations, noise, and other municipal, regional and public agency and utility requirements
d.	Drawings & Reports	<ul style="list-style-type: none"> • The following drawings and reports submitted in support of the Applications must be approved to the satisfaction of the City and/or respective approval authority: <ul style="list-style-type: none"> - Draft Plan of Subdivision - Master Landscape Plan - Urban Design Brief - Functional Servicing and Stormwater Management Report - Geotechnical Report - Noise Report - Parkland Dedication Summary Chart

	MATTERS TO BE REVIEWED	COMMENTS
		<ul style="list-style-type: none"> – Sustainability Metrics & Summary Letter – Traffic Management Plan – Traffic Impact Study – Draft Zoning By-law Amendment – Arborist Report – Tree Inventory and Removals Plan – Phase 1 Environmental Site Assessment – Stage 1 & 2 Archaeological Assessment – Addendum to Block 40/47 Guidelines <ul style="list-style-type: none"> • The materials and studies are available on the city's website at https://maps.vaughan.ca/planit/ (PLANit Viewer) • Additional studies/reports may be required as part of the development application review process
e.	Development Coordination with Abutting Lands	<ul style="list-style-type: none"> • Should the Applications be approved, the Owner will be required to coordinate the Blocks on the Subject Lands with the Blocks of the surrounding Draft Plan of Subdivision (File 19T-03V25) to form full lots
f.	Allocation and Servicing	<ul style="list-style-type: none"> • The availability of water and sanitary servicing capacity for the Development must be identified and allocated by Vaughan Council, if the Applications are approved. If servicing allocation is unavailable, the Subject Lands may be zoned with a Holding Symbol "(H)", which will be removed once servicing capacity is identified and allocated to the lands by Vaughan Council • Email correspondence dated March 6, 2020, from the Owner indicates that servicing allocation will only need to be allocated to 17.5 out of the 22 units proposed, as 4.5 units already received an allocation through the adjacent Draft Plan of Subdivision (File 19T-03V25)

	MATTERS TO BE REVIEWED	COMMENTS
g.	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 Applications be approved. The final value of the cash-in-lieu of parkland dedication will be determined by the Real Estate Department
h.	Block40/47 Developers' Group Agreement	<ul style="list-style-type: none"> The Owner, a non-participating landowner in the Block 40/47 Block Plan process, will be required to satisfy all obligations, financial or otherwise, of the Block 40/47 Developers' Group Agreement to the satisfaction of the Block 40/47 Trustee and the City of Vaughan
i.	Site Development Application	<ul style="list-style-type: none"> A Site Development Application is required to be submitted to implement the Development, should the Applications be approved The review of the Site Development Application will consider, but not be limited to, the following matters: <ul style="list-style-type: none"> Appropriate built form, site design, building elevations, and landscaping Appropriate site servicing and grading, stormwater management and retention measures to ensure any runoff/drainage is properly maintained on the Subject Lands Urban Design and Architectural Design including the City-wide Urban Design Guidelines and Block 40/47 Guidelines Road widening of Pine Valley Drive

	MATTERS TO BE REVIEWED	COMMENTS
j.	Toronto and Region Conservation Authority ('TRCA')	<ul style="list-style-type: none"> The Subject Lands are not located within the TRCA's Regulated Area but are located within a Wellhead Protection Area (WHPA-Q2). A preliminary review of the submission materials identified the following: <ul style="list-style-type: none"> The analysis and mitigation strategy proposed in the Functional Servicing and Stormwater Management Report meets the intent of the Source Water Protection Plan The engineering drawings submitted with the Applications will be reviewed to consider over-flow provisions for rear-yard infiltration trenches

Financial Impact

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

Broader Regional Impacts/Considerations

The York Region Community Planning and Development Services has advised they have no objection to the Applications. Should the Applications be approved, York Region has requested the following conditions of approval:

- servicing capacity shall be allocated prior to final approval
- the Owner shall satisfy the Region of York conditions prior to final approval
- the Region of York shall confirm the final right-of-way width for Pine Valley Drive

The above noted and any additional issues identified through the processing of the Applications 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 these Applications will be considered in the technical review of the Applications. Comments from the public and Vaughan Council expressed at the Public Hearing or in writing will be addressed in a comprehensive report to a future Committee of the Whole meeting.

For more information, please contact: Rebecca Roach, Planner, Development Planning Department, ext. 8626.

Attachments

1. Context & Location Map
2. Draft Plan of Subdivision File 19T-19V006
3. Site Plan with Proposed Zoning

Prepared by

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