

## Committee of the Whole (1) Report

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**DATE:** Tuesday, May 04, 2021

**WARDS:** 5

**TITLE: 300 ATKINSON INC.**

**OFFICIAL PLAN AMENDMENT FILE OP.19.001**

**ZONING BY-LAW AMENDMENT FILE Z.19.002**

**SITE DEVELOPMENT APPLICATION FILE DA.19.083**

**VICINITY OF ATKINSON AND CENTRE STREET**

**FROM:**

Jim Harnum, City Manager

**ACTION:** DECISION

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### **Purpose**

To seek approval from the Committee of the Whole for Official Plan and Zoning By-law Amendment, and Site Development Files OP.19.001, Z.19.002 and DA.19.083 for the subject lands shown on Attachment 2. The Owner seeks permission to amend the Official Plan and Zoning By-law, and for site plan approval to permit a condominium development consisting of 46 townhouse units and 68 back-to-back townhouse units, on an 8 m wide private road, as shown on Attachments 3 to 8.

### **Report Highlights**

- The Owner proposes to amend the Official Plan and Zoning By-law 1-88 and requests site plan approval to permit 46 townhouse units and 68 back-to-back townhouse units
- The Development Planning Department supports the approval of the townhouse development as it is consistent with the Provincial Policy Statement, 2020, conforms to A Place to Grow – Growth Plan, 2019 as amended, the York Region Official Plan 2010, meets the intent of Vaughan Official Plan 2010, and is compatible with the existing and planned land uses in the surrounding area

## **Recommendations**

1. THAT Official Plan Amendment File OP.19.001 (300 Atkinson Inc.) BE APPROVED, to amend Vaughan Official Plan 2010 to permit a maximum of 68 back-to-back townhouses in a “Low-Rise Residential” designation on the subject lands.
2. THAT Zoning By-law Amendment File Z.19.002 (300 Atkinson Inc.) BE APPROVED, to amend Zoning By-law 1-88 to rezone the subject lands from “R3 Residential Zone” to “RM2 Multiple Residential Zone” in the manner shown on Attachment 3, 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) from the Committee of Adjustment, if required, to permit minor adjustments to the in-effect Vaughan Zoning By-law before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands comes into full force and effect.
4. THAT Site Development File DA.19.083 (300 Atkinson Inc.) BE DRAFT APPROVED SUBJECT TO THE CONDITIONS included in Attachment 1, to the satisfaction of the Development Planning Department to permit the development of the subject lands with 114 townhouse units, as shown on Attachments 3 to 8.
5. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage capacity:

“THAT Site Development File DA.19.083 be allocated servicing capacity from the York Sewage Servicing/Water Supply System for a total of 114 townhouse units (349 person equivalent). The allocation of said capacity may be redistributed (at the discretion of the City) in accordance with the City’s Servicing Capacity Allocation Policy if the development does not proceed to registration and/or building permit issuance within 36 months.”

## **Background**

The subject lands (the ‘Subject Lands’) are municipally know as 300 Atkinson Avenue, and are located on the west side of Atkinson Avenue, north of Centre Street, as shown on Attachment 2. The Subject Lands, currently occupied by a 2-storey school building which is closed, and the surrounding land uses are shown on Attachment 2.

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

The City on May 10, 2019, circulated a Notice of Public Meeting (the "Notice") to all property owners within an expanded polling area, and to the Beverley Glen Ratepayers Association. Copy of the Notice was also posted on the City's website at [www.vaughan.ca](http://www.vaughan.ca) and a notice sign was installed along the Atkinson Avenue frontage, in accordance with the City's Notice Sign Procedures and Protocols.

Vaughan Council on June 12, 2019, ratified the recommendation of Committee of the Whole to receive the Public Meeting report of June 4, 2019, and to forward a comprehensive technical report to a future Committee of the Whole meeting. The following deputations and written comments were received by the Development Planning Department and at the Public Meeting:

Deputations

- Kevin Bechard, Weston Consulting, representing the Owner
- Mr. Joel Hirsch, Roseborough Crescent, Vaughan
- Mr. Mike Rabinovici, Newport Square, Vaughan
- Mr. Jeff Bergin, Roseborough Crescent, Thornhill
- Mr. Jack Weinberg, Rosedale North Residents Association, Rosedale Heights Drive, Vaughan
- Mr. Sheldon Basch, Braemar Court, Thornhill
- Mr. Anthony Dayton, Edmund Seager Drive, Thornhill
- Mr. Adi Shaked, Rose Green Drive, Thornhill
- Mr. Danny Cooper and Ms. Lori Sone-Cooper, Green Acres Road, Thornhill
- Mr. Larry Wolynetz, Maimonides Court, Thornhill
- Ms. Sarah Revich, Glen Crescent, Thornhill
- Dr. Hartly Miltchin, Dundurn Crescent, Thornhill
- Ms. Lindsay Pearlman and Leah Shilling, Binscarth Crescent, Thornhill
- Mr. Jonathan Levinoff, Rose Green Drive, Thornhill
- Mr. Gilad Epstein, Binscarth Crescent, Thornhill
- Mr. David Kurzman, Binscarth Crescent, Thornhill
- Mr. Russell Sugar, Rose Green Drive, Thornhill

Written Submissions

- Mr. David Green, Rose Green Drive, Thornhill
- Ms. Rebecca Mendonca, no address provided
- Mr. Jacob Hacker, no address provided
- Ms. Debby Small, no address provided

- Ms. Palma Maragoni, no address provided
- Yuri Krasnopolsky, Roxborough Lane, Thornhill
- Ms. Jodi Molson, no address provided
- Mr. Karl Beyeshev, no address provided
- Ms. Mila Mukelova, no address provided
- Mr. Ron Fairbanks, no address provided
- Anita & Stanley Wong, no address provided
- Mr. Stephen Pottins, no address provided
- Mr. Cary Weiss, Roseborough Crescent, Thornhill
- Mr. Matthew Shillow, Roseborough Crescent, Thornhill
- Mr. Steve Shnier, Roseborough Crescent, Thornhill

The Atkinson Neighbourhood Development Committee submitted a petition to the March 3, 2020, Committee of the Whole Public Meeting regarding Zoning By-law Amendment File Z.19.028 (300 Atkinson Ave Inc.) to permit a place of worship. The March 2020 petition for File Z.19.028 also included comments regarding the townhouse applications.

The following is a summary of the comments provided in the deputations and written submissions submitted at the Public Meeting, and written submissions received by the Development Planning Department. The comments have been organized by theme and a response is provided below:

a) Height and Density

The density is higher than the surrounding neighbourhood and is out of character with the area.

The City of Vaughan Urban Design Guidelines (UDGs) indicate that townhouse blocks should consist of no more than 6 units per block with a minimum width of 6 m. The Development includes more than 6 units in a block with widths just over 4 m.

The Owner is proposing building heights in excess of the heights permitted by Zoning By-law 1-88. The balconies and rooftop terraces proposed will create privacy issues for the existing residents of Roseborough Crescent and Rosedale Heights Drive.

Response

The Owner has revised the original design of the townhouse units along the south property line to reduce the building height from 3-storeys (rear portion of third floor with rooftop amenity) and heights of 11.35 m to 6.57m for the second storey rear portion of

each unit, provided a minimum rear yard setback of 7.5 m for the units abutting the existing detached dwellings and includes a 1.8 m high parapet to reduce overlook.

The back-to-back townhouse units have 4.1 m frontages which is less than what is recommended in the UDGs, however, the back-to-back built form provides below grade parking and therefore does not include a garage space as part of the typical front elevation for townhouse type development. These units are also located internally on the Subject Lands and therefore do not have a presence on a public right-of-way. In addition, this built form introduces an alternative housing type into the community. The standard townhouse units range in width from 4.5 m to 6.06 m.

b) Garbage Area

The Owner is proposing a garbage staging area located in the northwest corner of the Subject Lands close to the backyards of the existing homes to the west.

Response

The Owner is providing a garbage room within the underground parking layout. The above ground garbage staging area is setback more than 15 m from the property line to the west and is adequately landscaped and fenced. As a Condition of Site Plan approval, the Owner is required to work with the City to improve the garbage staging area by adding a brick wall enclosure and bollards prior to final site plan approval.

c) Parking

Underground parking is proposed with 25 surface parking spaces. The parking spaces provided may not meet the parking demand for the townhouse units and the proposed place of worship. The proposed parking will not accommodate present and future needs of the place of worship. Overflow parking will occur on the surrounding public roads such as Roseborough Crescent and Rosedale Heights Drive.

Response

The proposed development complies with the parking requirement in Zoning By-law 1-88 for each townhouse unit. However, the Owner seeks to reduce the number of visitor parking space required by Zoning By-law 1-88 from 29 to 26 parking spaces. The Owner has revised the applications to remove the proposed place of worship and proposes a future townhouse block under revised Zoning By-law Amendment and Site Development Files Z.19.028 and DA.19.081. Parking for the proposed townhouse block will be discussed in a future Committee of the Whole report.

d) Existing Trees/ Impacts to Neighbouring Properties

Existing trees will be removed on the Subject Lands. The development will impact existing trees and landscaping in the backyards of the private homes.

Response

Staff have requested the Owner to preserve as many trees as possible, however, due to proposed regrading, resurfacing, and conflicts with underground infrastructure, the Arborist Report prepared for the subject lands identify all trees on Subject Lands could not be preserved. The Owner is proposing to remove 39 trees and plant 81 new trees. The proposed removal of trees close to the property line includes the removal of both tree trunk and stump. The Owner will be required to comply with the Tree Protection By-law 052-2018 regarding the removal of trees.

e) Other Comments Provided

Is the proposed adjacent place of worship part of this development?

Response

The Owner has amended Zoning By-law Amendment and Site Development Files Z.19.028 and DA.19.081 (300 Atkinson Ave. Inc.) to replace the place of worship with a townhouse block to be considered through a future separate application process.

f) How long will the construction period of this project be?

Response

Should these applications be approved, a construction schedule will be determined at the Building Permit Application stage. The Owner has advised that once commenced, the construction period for the proposed townhouse development will be approximately 22 months.

The Development Planning Department on April 23, 2021, sent a non-statutory courtesy notice of this Committee of the Whole meeting to all individuals who made a deputation at the Committee of the Whole or submitted written and email correspondence to the City regarding the Applications.

The Owner held a Virtual Community Open House on September 24, 2020, with the Rosedale North Ratepayers Association, the Atkinson Neighbourhood Development Committee, and area residents to discuss the proposed development and obtain community comments. Staff were in attendance. The comments expressed at this meeting were similar to those raised at the Public Meeting and through correspondence.

## **Previous Reports/Authority**

Previous reports relating to the Applications, considered by Committee of the Whole (Public Meeting) in June 2019, can be found at the following links:

[https://vol.vgn.cty/departments/OCC/Council%20Secretariat/Extracts%20Library/2019/Committee/22ph0604\\_19ex\\_full.pdf](https://vol.vgn.cty/departments/OCC/Council%20Secretariat/Extracts%20Library/2019/Committee/22ph0604_19ex_full.pdf)

<https://pub-vaughan.escribemeetings.com/filestream.ashx?DocumentId=17207>

<https://pub-vaughan.escribemeetings.com/filestream.ashx?DocumentId=17208>

## **Analysis and Options**

### ***Official Plan and Zoning By-law Amendment and Site Development applications have been submitted to permit the proposed development***

300 Atkinson Inc. (the 'Owner') has submitted the following applications (the 'Applications') to permit a condominium development consisting of 46 townhouse units and 68 back-to-back townhouse units (the 'Development'), as shown on Attachments 3 to 8

1. Official Plan Amendment File OP.19.001 to amend Vaughan Official Plan 2010 ('VOP 2010') to permit back-to-back townhouses in the "Low-Rise Residential" designation.
2. Zoning By-law Amendment File Z.19.002 to amend Zoning By-law 1-88, to rezone the Subject Lands from "R3 Residential Zone" to "RM2 Multiple Residential Zone" in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 1 of this report.
3. Site Development File DA.19.083 to facilitate the Development comprised of 46 townhouse units and 68 back-to-back townhouse units, as shown on Attachments 3 to 8.

### ***The Owner has revised the Official Plan amendment application and the related Zoning By-law Amendment and Site Development Files Z.19.028 and DA.19.081 (300 Atkinson Inc.)***

The Owner on March 31, 2021, revised the Official Plan Amendment Application to delete the request to permit a place of worship on a 0.07 ha (southeast) portion of the Subject Lands. The Owner also revised the related Zoning By-law Amendment and Site Development Files Z.19.028 and DA.19.081, to replace the place of worship on this portion of the Subject Lands with a townhouse block consistent with the balance of the Development. The revised applications will be considered at a future Committee of the Whole meeting.

***The Development is consistent with the Provincial Policy Statement, 2020***

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario "shall be consistent" with the Provincial Policy Statement, 2020, ('PPS'). The PPS provides policy direction on matters of provincial interest related to land use planning and development. The PPS policies support the goal to enhance 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 *Planning Act* requires that Council's planning decisions be consistent with the PPS.

Back-to-back townhouse units as a built form are proposed in the "Low-Rise Residential" designation to provide an additional housing option at a density consistent with the Housing policies of the PPS (Section 1.4.3). The Development adds to the variety of unit types in the community and promotes the efficient use of land.

The Subject Lands are located on Atkinson Avenue, identified as a Major Collector road on Schedule 9 of VOP 2010 and serviced by York Region Transit Thornhill #3 and #160 bus routes which provide everyday service and connect to higher order transit services. The Subject Lands are located within walking distance to the Viva Next Bathurst Street and Centre Street Rapidway project and existing retail, restaurant, entertainment, community service, and institutional uses at Bathurst Street and Centre Street supporting the Settlement Area policies of the PPS (Section 1.1.1) by providing transit supportive land uses.

The Development is consistent with the PPS, specifically Sections 1.4.3 and 1.1.1b) and e).

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

The Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 ('Growth Plan') as amended 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. The *Planning Act* requires that Council's decisions conform to, or do not conflict with, the Growth Plan.

The built form would utilize the Subject Lands more efficiently, make use of existing infrastructure and provide housing supportive of the Growth Plan objectives. Section 2.2.1 directs growth to settlement areas and locations with existing or planned transit to achieve complete communities, to provide a range of housing options with connections to existing or planned municipal water and wastewater systems. Accordingly, the Development conform to the Growth Plan.



***The Development conforms to the York Region Official Plan 2010 (the 'YROP')***

The Subject Lands are designated "Urban Area" by the York Region Official Plan 2010 ('YROP 2010'). Section 5.3 of the YROP outlines policies for development within the urban structure by encouraging residential development to occur within the built-up area as defined by the Province's Built-Up Area Boundary in the Growth Plan. Well-designed pedestrian-friendly and transit-oriented built form is encouraged. The Development will assist in achieving these goals as it includes residential townhouse units with a range of unit sizes that will provide compact development and make more efficient use of the Subject Lands. There are rapidway stops at Bathurst Street and Atkinson Avenue, and Bathurst Street and Centre Street which are both within walking distance.

Section 3.5 of the YROP, Housing our Residents, provides housing objectives to promote an integrated community structure and design to ensure a broad mix and range of lot sizes, unit sizes, housing forms, types and tenures to satisfy the needs of the Region's residents and workers. The Development is located on a Major Collector road within walking distance to the Bathurst Street and Centre Street transit corridor, promoting a transit supportive density and making efficient use of the Subject Lands.

In consideration of the above, the Development conforms to the policies of the YROP.

***Amendments to the Vaughan Official Plan 2010 are required to permit the Development***

The Subject Lands are designated "Low Rise Residential" by VOP 2010 and are located within a Community Area as identified on Schedule 1, Urban Structure, of VOP 2010. The "Low-Rise Residential" designation permits detached, semi-detached and townhouse dwellings with no prescribed maximum density and a 3-storey building height. The designation also permits public and private institutional buildings.

VOP 2010, Policy 9.2.2.1, does not specifically recognize back-to-back townhouse units as a built form within the Low-Rise Residential designation, therefore, an amendment to VOP 2010 is required to permit the proposed back-to-back townhouse units.

The back-to-back townhouse units represent a similar built form to the standard townhouse units. The back-to-back units are located in the interior of the Subject Lands. VOP 2010, Policy 2.2.3.3 allows for limited intensification in Community Areas. The Development provides standard townhouse units along the Atkinson Road frontage and abutting the existing residential dwellings. The back-to-back built form represents approximately 50% of the Development.

In consideration of the Provincial and Regional policies encouraging intensification within the Urban Boundary, transit supportive development, the Development is considered to be consistent with Provincial policies, conforms to the YROP, and maintains the intent of VOP 2010.

***The VOP 2010 amendments resulting from the “Community Area Policy Review for Low-Rise Residential Designations” within Established Large Lot-lot Neighbourhoods do not apply***

The Subject Lands are not identified as an “Established Large-Lot Neighbourhoods” as identified through the “Community Area Policy Review for Low Rise Residential Designations” (‘Official Plan Amendment 15 (‘OPA 15’) of VOP 2010’) and Schedule 1B of VOP 2010 which came into effect on May 28, 2019. “Established Large-Lot Neighbourhoods” are characterized by large lots with minimum lot frontages of 21 m to 30 m. Accordingly these Applications are not subject to the policies of OPA 15.

Vaughan Council, on October 19, 2016, approved the Urban Design Guidelines for Infill Development in Established Low-Rise Residential Neighbourhoods (the ‘Guidelines’), clarifying VOP 2010 policy that applies to established Community Areas. The Guidelines apply to the Subject Lands.

The Development addresses the following sections of the Guidelines:

- Section 5.1 Orientation – the townhouse units along Atkinson Avenue have front entrances facing the street
- Section 5.2 Pathways – each townhouse unit has a pathway that leads to the front door from the sidewalk and/or internal private road
- Section 5.3 Entrances – each unit has a defined front door with a stairway
- Section 5.5 Front yard setbacks – units along Atkinson Avenue have a minimum 4.5 m front yard setback and have landscaped front yards
- Section 5.6 Interior side yards – there are no end units that flank the public street, all interior side yard building setbacks are a minimum of 1.5 m
- Section 5.8 Height and Massing – townhouse block heights maintain a 45 degree angular plane from the rear property line abutting the existing detached homes
- Section 5.9 Block Separation – All townhouse blocks are separated by a minimum of 3 m
- Section 5.19 Parking – parking and service areas are located underground and internal to the Development away from Atkinson Avenue
- Section 5.23 Serving and Utility areas – air conditioning units are not located in the front yards; the waste storage room is underground; the waste staging area

will be enclosed, screened and setback from property lines; and meters will be appropriately screened

- Section 5.24 Underground parking access – the underground parking access is integrated into the Development and is not visible from the public street
- Section 5.27 Visitor Parking – visitor parking is located throughout the site
- Section 5.28 Pedestrian circulation – sidewalks are barrier free and are provided throughout the Development with connections to the outdoor amenity space

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

The Subject Lands are zoned “R3 Residential Zone” as shown on Attachment 2. The Owner is proposing to rezone the Subject Lands to “RM2 Multiple Family Residential Zone”, in the manner shown on Attachment 3, together with the site-specific exceptions to Zoning By-law 1-88 identified in Table 1 as follows:

Table 1:

	<b>Zoning By-law 1-88 Standard</b>	<b>RM2 Multiple Family Residential Zone Requirements</b>	<b>Proposed Exceptions to the RM2 Multiple Family Residential Zone Requirements</b>
a.	Definition of Amenity Area	Means space outside a dwelling unit within or outside the building designed for the passive enjoyment or active recreational needs of the residents.	Amenity Area means space outside a dwelling unit within or outside the building designed for the passive enjoyment of active recreational needs of the residents including patios, hard and soft landscaped areas on the site, balconies, roof terraces (Blocks 1 to 3 and Blocks 10 to 15) and other areas suitable for recreational purposes

	Zoning By-law 1-88 Standard	RM2 Multiple Family Residential Zone Requirements	Proposed Exceptions to the RM2 Multiple Family Residential Zone Requirements
b.	Definition of Parking Space, Tandem	Not defined	Parking Space, Tandem means a parking space that is only accessed by passing through another parking space from a street, lane, drive aisle or driveway and can be included in the minimum required parking calculation. A maximum of 4 tandem parking spaces shall be permitted
c.	Maximum Building Height	11 m	12.91 m (Blocks 10 to 15)
d.	Minimum Visitor Parking Requirements	<u>Visitor Spaces</u> 114 units @ 0.25 spaces/unit = 29 parking spaces	<u>Visitor Spaces</u> 114 units @ 0.20 spaces/unit = 23 parking spaces (26 parking spaces proposed)
e.	Minimum Landscape Requirements	6 m (Atkinson Avenue)	4.5 m (Atkinson Avenue)
f.	Minimum Setback to Portions of Buildings Below Grade	1.8 m	0.5 m (along the north property line)
g.	Minimum Amenity Area	81 – 3 Bedroom units @ 90m <sup>2</sup> /unit = 7,290 m <sup>2</sup>  33 – 4 Bedroom units @ 110m <sup>2</sup> / unit = 3,630 m <sup>2</sup>  Total Required Amenity Area = 10,920 m <sup>2</sup>	9,941.7 m <sup>2</sup>

	<b>Zoning By-law 1-88 Standard</b>	<b>RM2 Multiple Family Residential Zone Requirements</b>	<b>Proposed Exceptions to the RM2 Multiple Family Residential Zone Requirements</b>
h..	Minimum Parking Space Width	2.7 m (parallel parking space)	2 m (parallel at grade visitor parking spaces)
i.	Minimum Lot Area	230 m <sup>2</sup> /unit	142.4 m <sup>2</sup> /unit

The proposed zoning exceptions identified in Table 1 would facilitate a Development consistent with Provincial policies that promote the efficient use of land within the built-up area, meets the intent of VOP 2010 and is compatible with the surrounding development.

In consideration of the above, the Development Planning Department is satisfied the “RM2 Multiple Family Residential Zone” and site-specific zoning exceptions are appropriate and maintain the intent of the Low-Rise Residential designation of VOP 2010.

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

Section 45 (1.3) 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 was amended. The *Planning Act* also permits Council to pass a resolution to allow an Owner to apply for a Minor Variance application(s) within 2 years of the passing of the zoning by-law amendment.

Should Council approve Zoning By-law Amendment File Z.19.002 a Recommendation is included to permit the Owner to apply for Minor Variance application(s), if required, in advance of the two-year moratorium in order to address minor zoning deficiencies that may arise through the finalization and construction of the Development.

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

Site Plan

The site plan shown on Attachment 3 includes 9 traditional townhouse blocks (Blocks 1 to 9), with minimum 7.5 m backyards, located around the periphery of the Subject Lands, and six back-to-back townhouse blocks (Blocks 10 to 15) located in the interior

of the site. The 7.5 m rear yard setback matches the minimum rear yard setback required by the existing R3 Residential Zone and R4 Residential Zone of the existing detached dwellings located south and west of the Subject Lands. An outdoor amenity area and playground are located at the centre of the Development. A total of 248 parking spaces are proposed, including 222 spaces in a one level underground parking garage and 26 at-grade visitor parking spaces. Four tandem parking spaces are proposed and will be utilized as a second allocated parking space for a single townhouse unit. Access to the Subject Lands would be provided by an 8 m wide private road from Atkinson Avenue.

An enclosed garbage/recycling room is located in the underground parking garage. A loading area is located approximately 24.5 m from the west property line and proposed to be surrounded on three sides by a wooden privacy fence and landscaping. The loading area is located at the end of Street 'A' and provides a minimum 18 m straight ahead approach and adequate space for truck maneuvering on-site as required by the City's Waste Collection Design Standards . The garbage and recycling containers will be transferred from the enclosed garbage room located in the underground parking garage and placed in the loading area on garbage pick-up day. In consideration of the location of the garbage storage area in proximity to existing residential uses to the west and Rosedale North Park, the Development Planning recommends the storage area be enclosed and complement the materials (e.g. brick) and the design of the overall Development.

### Building Elevations

The building elevations shown on Attachments 5 to 8 include grey metal roof material, dark grey flashing, dark grey wood patterned panels, and red brick cladding. The building elevations include four different townhouse styles including: 3-storey with rooftop amenity for Blocks 1 to 3; 3 storey townhouse units with the rear portion of the third floor being a rooftop amenity area screened by a 1.8 m high parapet wall for Blocks 4 to 6; 3-storey units for Blocks 7 to 9; and 3-storey back-to-back townhouse units with rooftop amenity areas for Blocks 10 to 15.

The Development Planning Department recommend the building elevations, materials and colour pallet be provided to add variety to the streetscape, particularly along Atkinson Avenue and within the Development. Recommendations to this effect are included in Attachment 1 to this report.

### Landscape Plan

The Landscape Plan shown on Attachment 4, includes a variety of trees, shrubs, and hard and soft landscape areas to provide screening and shade throughout the Subject

Lands. A private amenity space and playground area is provided between the back-to-back townhouses located in Blocks 10 to 12 and 13 to 15. Seating, a shade structure and associated trees and shrubs are provided near the playground. Urban Design recommend that additional seating be added to the central grass open space area to provide rest areas away from the playground.

A transformer is proposed in the northeast corner of the Subject Lands which should be screened/wrapped with decorative material. Conditions of Approval to this effect are included in Attachment 1.

The Development Planning Department will continue to work with the Owner to finalize the site plan, building elevations and landscaping as discussed above.

#### Sustainability Performance Metrics

The Development achieves an overall Sustainability Performance Metrics ('SPM') application score of 32 (bronze level). This score meets minimum threshold requirements.

#### Tree Protection Protocol

The Owner, prior to the execution of the Site Plan Agreement, is required to enter into a Tree Protection Agreement with the City in accordance with the Vaughan Council enacted Tree Protection By-law 052-2018 and the City's Tree Protection Protocol. The Agreement regulates the preservation and removal of trees on public and private property in the City of Vaughan. The submitted Arborist report identify a total of 39 replacement trees are required to be planted on the Subject Lands. The proposed landscape plan includes 81 new trees on Subject Lands, therefore, no cash-in-lieu compensation would be required. A Letter of Credit in the amount of \$41,247.50 shall be provided to ensure tree preservation measures are completed in accordance with the Tree Protection Agreement for the Subject Lands. A condition to this effect is included in Attachment 1.

The submitted Arborist Report identify all the trees on neighbouring properties are to be preserved and will be protected with tree protection hoarding to prevent damage during construction. Work within the tree protection zone of neighbouring trees will be subject to special requirements to ensure their protection and may be monitored by a certified arborist. The Arborist Report tree inventory and preservation plan identifies Tree #s 62, 65, 66, 67 and 69 as trees in neighbouring properties. The trees require a letter of consent from the neighbouring property owners to acknowledge that there may be possible injuries to the trees. If written consent cannot be obtained extra mitigation

measures will be required to be provided to the satisfaction of the Vaughan Forestry Department.

The Arborist Report requires the Owner to use a stump grinding tool to remove tree stumps within 6m of the property line. Removal of the stump using a stump grinding tool will ensure that surface roots that may travel into private property remain undisturbed and will deteriorate over time. Should any damage occur to neighbouring trees or yards as a result of tree removal, the Owner will be required to ensure any damage is repaired under the provision of the Tree Protection Agreement.

#### Archaeology

The Subject Lands are clear of any built heritage and cultural heritage landscapes and are not located within an area as having archaeological potential. The appropriate warning clauses regarding archaeological resources or human remains being located during construction are included in Attachment 1 of this report.

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

The Development Engineering ('DE') Department has no objection to the Development subject to the conditions included in Attachment 1.

#### Water Supply

The Subject Lands are located within Pressure District 6 (PD6) and will be serviced by the existing municipal watermain on Atkinson Avenue which will provide adequate flows and pressures to service the Subject Lands. The watermain is proposed to be raised to allow for the required minimum vertical separation between the watermain and proposed sanitary sewer connection. The Owner will be required to enter into a Development Agreement to address the required modifications.

#### Sanitary Servicing

The sanitary drainage for the Subject Lands will outlet to the existing municipal sewer on Atkinson Avenue via a new service connection. The Development includes 114 townhouse dwellings (399 people). The Functional Servicing Report and City's sanitary model concluded that the downstream sanitary sewer system has residual capacity to convey the flows generated by the proposed Development.

#### Stormwater Management

The Subject Lands are located within the Don River watershed and were pre-serviced to accommodate the existing school. Based on the Functional Servicing Report, the proposed peak flows up to and including the 100 year storm events will be controlled to the allowable release rate. Emergency overland flow path is proposed through the



future development block site; accordingly, a drainage easement will be required and is included in the Conditions of Approval in Attachment 1.

### Lot Grading

The Subject Lands drain southeast towards Atkinson Avenue based on the existing topography which have slopes in the range of 0.50% to 5.50%. The DE Department has reviewed the provided Grading Plan and has no objections to the proposed grading subject to addressing DE Department comments issued December 23, 2020 and Conditions of Approval in Attachment 1.

### Environmental Site Assessment

The Owner submitted a Phase One Environmental Site Assessment (ESA) report prepared by Golder Associates Ltd., dated February 2019. The findings of the ESA report indicated a minimal potential of environmental adverse effect and no further investigations were recommended. The DE Department is satisfied with the submitted documentation and findings.

### Noise Attenuation

The Owner submitted a noise report entitled Environmental Noise Feasibility Study, prepared by Valcoustics Canada Ltd., dated July 15, 2020, to investigate the potential impact of environmental noise on the proposed Development. The report recommended provisions for adding central air conditioning for Blocks 1, 2, and 3 and warning clauses to be included in all Offers of Purchase and Sale or Lease and registered on title to ensure all future occupants are aware of the potential for noise.

The DE Department is satisfied with the submitted documentation and findings.

### Road Network

Access to the Development will be provided from the two existing full movement driveways located on Atkinson Avenue.

The 300 Atkinson Avenue Transportation Impact Study prepared by Paradigm Transportation Solutions, assesses the weekday AM and PM peak hour traffic impacts of the Development to the horizon year of 2023. The Development is anticipated to generate net-negative trips in comparison to the existing private school, meaning the proposed Development will result in reduced AM and PM peak hour traffic trips and will not adversely impact the surrounding road network. A total of 248 parking spaces are proposed whereas 200 parking spaces are required by Zoning By-law 1-88. This results in a surplus of 48 parking spaces.

Atkinson Avenue is served by two existing York Region Transit routes (#3 and #160). The Development is located within walking distance from the existing Promenade Bus

Terminal and future Bus Rapid Transit (BRT) station, just west of Bathurst Street and Centre Street, providing connectivity to additional transit routes.

The connectivity of the Subject Lands are well served by active transportation, both internally and externally, such as sidewalks and bike lanes. A connected, continuous sidewalk network is proposed on-site with sidewalks proposed on at least one side for all internal laneways connecting to the external municipal sidewalks on both sides of Atkinson Avenue and Centre Street.

Bicycle lanes will be implemented on Centre Street as part of the BRT works west of Bathurst Street. Proposed bicycle lanes on Atkinson Avenue are also identified in the City of Vaughan Pedestrian and Bicycle Master Plan (PBMP). A total of 82 secure long-term bicycle parking spaces are proposed in the underground parking garage. Provisions are also proposed for cyclist trip-end amenities such as bicycle repair stations.

***The Parks Infrastructure Planning and Development Department has no objection to the Development***

The Development directly abuts Rosedale North Park's baseball facility which is used extensively by the community. The baseball facility was constructed and appropriately set back from the former institutional use. The proposed Development has an approximate 10 m setback from the baseball facility whereas a 30 m setback is required from residential property lines for noise and safety concerns. In order to address potential issues regarding noise and errant balls from this facility, Parks Planning staff require that a 3 m high fence to be constructed along the full length of the Subject Lands abutting Rosedale North Park.

The Owner is also required to remove and replace/enhance the existing overhanging baseball backstop within Rosedale North Park with a 7.62 m backstop, in order to address potential townhouse safety and liability issues from baseballs hitting or landing onto the Subject Lands. The Owner will be required to submit a Letter of Credit to the City for the costs to build and/or replace the enhanced backstop. The specific Letter of Credit details are included the Conditions of Approval (Attachment 1) of this report. Detailed specifications will be provided during the detailed-design stage, in coordination with staff from Parks Infrastructure Planning and Development, Parks, Forestry and Horticulture Operations, and Development Planning (Urban Design and Cultural Heritage).

In order to facilitate the construction of the underground parking garage associated with the Development an encroachment into Rosedale North Park will be necessary. The Owner will be required to enter into an Encroachment Agreement with the City as a

Condition of Site Plan approval. A Letter of Credit will be required for the associated encroachment on City property including but not limited to any temporary works. Conditions to this effect are included in Attachment 1 of this report.

***Cash-in-lieu of the Dedication of Parkland is required for the Development***

The Office of the Infrastructure Development Department, Real Estate Services ('RE') has no objection to the approval of the Applications. The Owner shall pay to 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 Dedication 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 RE Services, and the approved appraisal shall form the basis of the cash-in-lieu payment.

***Development Charges apply to the Development***

The Owner shall pay to the City applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board. A clause for the payment of Development Charges is included as a standard condition in the Site Plan Agreement.

***The School Boards have no objection to the Development***

The York Region District School Board and York Catholic District School Board have advised they have no objection to the Applications.

***Canada Post has no objection to the Development, subject to conditions***

Canada Post have no objection to the Applications, subject to their Conditions of Approval in Attachment 1 of this report.

***The various utility companies have no objection to the Development***

Bell Canada, Enbridge Gas, Rogers, and Alectra Utilities have no objection to the Applications, subject to their Conditions of Approval in Attachment 1 of this report.

***The Fire and Rescue Services Department has no objection to the Development***

Fire and Rescue do not object to the Development.

**Financial Impact**

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

## **Broader Regional Impacts/Considerations**

York Region has determined the proposed Official Plan Amendment is a matter of local significance and does not adversely affect Regional planning policies or interest, and on this basis has exempted the Official Plan Amendment File OP.19.001 from Regional Approval by Regional Planning Committee and Council. York Region has no objection to the Development subject to Conditions of Approval in Attachment 1 of this report.

## **Conclusion**

The Development Planning Department has reviewed Official Plan and Zoning By-law Amendment and Site Development File OP.19.001, Z.19.002 and DA.19.083, to facilitate a development consisting of 46 townhouse units and 68 back-to-back townhouse units as shown on Attachments 2 to 8, together with the site-specific amendments to the Official Plan and Zoning By-law.

The Development Planning is of the opinion that the Applications will permit a Development consistent with the PPS, conforms to the Growth Plan and the YROP 2010 and maintains the intent of VOP 2010, and is compatible with the surrounding area context. Accordingly, the Development Planning Department supports the approval of the Applications, subject to the Recommendations of this report.

**For more information**, please contact: Carol Birch, Planner, Development Planning, extension 8485.

## **Attachments**

1. Conditions of Site Plan Approval
2. Context and Location Map
3. Site Plan and Proposed Zoning
4. Landscape Plan
5. Building Elevations – Facing Atkinson Avenue (Blocks 1 to 3)
6. Building Elevations – Back-to-Back Townhouse Units (Blocks 10 to 15)
7. Building Elevations – Standard Townhouses (Blocks 4 to 6)
8. Building Elevations – Standard Townhouses (Blocks 7 to 9)

## **Prepared by**

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**Approved by**



Mauro Peverini, Chief Planning Official

**Reviewed by**



Jim Harnum, City Manager