

## Committee of the Whole (Public Meeting) Report

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**DATE:** Monday, June 14, 2021

**WARD:** 3

**TITLE:** 9465 WESTON LIMITED

**OFFICIAL PLAN AMENDMENT FILE OP.21.011**

**ZONING BY-LAW AMENDMENT FILE Z.21.018**

**DRAFT PLAN OF SUBDIVISION FILE 19T-21V004**

**9465 WESTON ROAD**

**2, 6, 10, 14, 18, 22 AND 26 COMDEL BOULEVARD**

**11, 12, 15 AND 19 LICHEN COURT INCLUDING BLOCKS 32 AN**

**FROM:**

Haiqing Xu, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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**Purpose**

To receive comments from the public and the Committee of the Whole on Official Plan and Zoning By-law Amendment and Draft Plan of Subdivision applications for the subject lands on shown Attachment 1. The Owner seeks approval to permit 155 townhouse units comprised of 95 (2-storey street townhouse units), 60 (3-storey back-to-back townhouse units) fronting onto a common element condominium road, and 15 detached dwelling units fronting onto Comdel Boulevard and Lichen Court, as shown on Attachments 2 to 6.

**Report Highlights**

- The Owner proposes 155 townhouse units fronting onto a common element condominium road and 15 detached units fronting onto Comdel Boulevard and Lichen Court.
- Official Plan and Zoning By-law Amendments and Draft Plan of Subdivision applications are required to permit the proposed development.
- This report identifies preliminary issues to be considered in a comprehensive report to be prepared by the Development Planning Department at a future Committee of the Whole meeting.

**Recommendation**

1. THAT the Public Meeting report for Official Plan and Zoning By-law Amendment and Draft Plan of Subdivision Files OP.21.011, Z.21.018 and 19T-21V004 (9465 Weston Limited) 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**

Location: 9465 Weston Road, 2, 6, 10, 14, 18, 22 and 26 Comdel Boulevard and 11, 12, 15 and 19 Lichen Court including Blocks 32 and 33 on Registered Plan 65M-3457 (the ‘Subject Lands’). The Subject Lands and the surrounding land uses are shown on Attachment 1.

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

The Owner has submitted the following applications (the ‘Applications’) for the Subject Lands to permit 155 townhouse units comprised of 95 (2-storey street townhouse units), 60 (3-storey back-to-back townhouse units) fronting onto a common element condominium road, and 15 detached dwelling units fronting onto Comdel Boulevard and Lichen Court (the ‘Development’), as shown on Attachments 2 to 6:

1. Official Plan Amendment File OP.21.011 to amend Vaughan Official Plan 2010 (‘VOP 2010’) as follows:
  - a) to redesignate the Subject Lands from “Low-Rise Residential” and “Natural Area” to “Low-Rise Residential”;
  - b) permit back-to-back townhouse units; and
  - c) permit a maximum of 7 townhouse units in a row (Block 17 only).
  
2. Zoning By-law Amendment File Z.21.018 to rezone the Subject Lands from “RV4(WS) Residential Urban Village Zone Four” subject to site-specific Exception 9(1085), “A Agricultural Zone” and “OS4 Open Space Woodlot Zone” to “RV4(WS) Residential Urban Village Zone Four”, “RT1 Residential Townhouse Zone” and “OS4 Open Space Woodlot Zone” in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in Tables 1 and 2 of this Report.
  
3. Draft Plan of Subdivision File 19T-21V004 (the ‘Draft Plan’), as shown on Attachment 3, to facilitate a residential plan of subdivision consisting of the following:

Lots/Blocks	Land Use	Area(ha)	Units
Lots 1-15	Detached Residential (Frontages 8.6 m-14.9 m)	0.493	15
Block 16	Residential Block (Townhouse dwelling)	3.075	
Blocks 17-18	Daylight Triangle	0.002	
Blocks 19-20	0.3 m Reserve	0.002	
Block 21	Landscape Buffer	0.008	
Block 22	Landscape Buffer	0.044	

Block 23	Park	0.004
	Road (Lichen Court)	0.037
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Total		3.665 ha 15 units

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

a) Date the Notice of Public Meeting was circulated: May 21, 2021.

The Notice of Public Meeting was also posted on the City's web-site at [www.vaughan.ca](http://www.vaughan.ca) and Notice Signs were installed along Weston Road, Comdel Boulevard and Lichen Court in accordance with the City's Notice Signs Procedures and Protocols.

b) Circulation Area: To all property owners within 150 m of the Subject Lands and to the Vellore Woods Ratepayers' Association, the Greater Woodbridge Ratepayers' Association and to anyone on file with the Office of the City Clerk having requested notice.

c) No comments have been received as of May 31, 2021 by the Development Planning Department.

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 and be reviewed and addressed by the Development Planning Department in a future technical report to the Committee of the Whole.

**Previous Reports/Authority**

Not Applicable

**Analysis and Options**

***An amendment to Vaughan Official Plan 2010 is required to permit the Development***

Official Plan Designation:

- "Community Area" and Natural Areas and Countryside" on Schedule 1 - Urban Structure by VOP 2010
- "Core Features" on Schedule 2 - Natural Heritage Network by VOP 2010
- "Low-Rise Residential" and "Natural Areas" on Schedule 13 - Land Use by VOP 2010
- The "Low-Rise Residential" designation permits detached, semi-detached and townhouse units with a maximum building height of 3-storays
- The "Natural Areas" designation is subject to the "Core Features" policies of the Natural Heritage Network in Section 3.2 of VOP 2010. The "Core Features" policies of VOP 2010 restrict development or site alteration
- An amendment to VOP 2010 is required to permit the Development

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

Zoning:

- “RV4(W.S) Residential Urban Village Zone Four” subject to site-specific Exception 9(1085), “A Agricultural Zone” and “OS4 Open Space Woodlot Zone” by Zoning By-law 1-88, as shown on Attachment 1
- The “A Agricultural Zone” and the “OS4 Open Space Woodlot Zone” does not permit the proposed residential uses
- The “RV4(W.S) Residential Urban Village Zone Four” permits single family detached and semi-detached dwelling units only
- The Owner proposes to rezone the Subject Lands to “RV4(W.S) Residential Urban Village Zone Four”, “RT1 Residential Townhouse Zone” and “OS4 Open Space Woodlot Zone”, as shown on Attachment 2, together with the following site-specific zoning exceptions to permit the Development shown on Attachments 2 to 6:

Table 1:

	<b>Zoning By-law 1-88 Standard</b>	<b>RV4(W.S) Residential Urban Village Zone Four Requirement</b>	<b>Proposed Exceptions to the RV4(W.S) Residential Urban Village Zone Four Requirement</b>
a.	Minimum Lot Frontage	12 m	- 10 m (Lots 10-13 and 15) - 8 m (Lot 14)
b.	Minimum Lot Area	282 m <sup>2</sup>	260 m <sup>2</sup>
c.	Minimum Exterior Side Yard	2.4 m	2 m (Lots 1, 10 and 11)
d.	Maximum Building Height	9.5 m	11 m

Table 2:

	<b>Zoning By-law 1-88 Standard</b>	<b>RT1 Residential Townhouse Zone Requirement</b>	<b>Proposed Exceptions to the RT1 Residential Townhouse Zone Requirement</b>
a.	Permitted Uses	Street Townhouse Dwelling	Permit back-to-back Townhouse Dwelling units, as an additional use
b.	Definition of “Dwelling, Street Townhouse”	Means a townhouse dwelling in which each dwelling unit is situated on its own lot; which lot abuts a public street	Means a townhouse dwelling in which each dwelling unit is situated on its own lot, which abuts a public or private street
c.	Definition of “Dwelling, Back-to-back Townhouse”	No Definition	Means a dwelling containing four or more dwelling units divided by vertical common walls and a common rear wall, and the individual dwelling units do not have rear yards.

	Zoning By-law 1-88 Standard	RT1 Residential Townhouse Zone Requirement	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirement
			Each dwelling unit is accessed by an independent entrance
d.	Definition of "Lot"	Means a parcel of land fronting on a street	Means a parcel of land fronting on a public or private street
e.	Definition of "Porch, Unenclosed (covered or uncovered)"	Means a platform with or without a foundation and with at least two sides open which 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 which is uncovered or covered by either a roof, balcony or enclosed space or room, with or without a foundation
f.	Definition of "Street"	Means a street or highway being a Provincial Highway or under the jurisdiction of the Regional Municipality of York, the Municipality of Metropolitan Toronto, or assumed by the City or being constructed under an Agreement with the City	Means a street or a private common element condominium road
g.	Minimum Lot Frontage	6 m/unit	5.5 m/unit
h.	Minimum Lot Area	162 m <sup>2</sup>	<ul style="list-style-type: none"> <li>• 140 m<sup>2</sup> - Standard Townhouse units (Blocks 1-9 and 16-24)</li> <li>• 90 m<sup>2</sup> - Back-to-back Townhouse units (Blocks 10-15)</li> </ul>
i.	Minimum Rear Yard	7.5 m	<ul style="list-style-type: none"> <li>• 5.5 m - Standard Townhouse units (Blocks 1-9 and 18-24)</li> <li>• 3 m - Standard Townhouse units (Blocks 16-17)</li> <li>• 0 m - Back-to-back Townhouse units (Blocks 10-15)</li> </ul>
j.	Minimum Exterior Side Yard	4.5 m	1.2 m (Blocks 1, 10, 13, 14, 17 and 18)

	<b>Zoning By-law 1-88 Standard</b>	<b>RT1 Residential Townhouse Zone Requirement</b>	<b>Proposed Exceptions to the RT1 Residential Townhouse Zone Requirement</b>
k.	Minimum Lot Depth	27 m	<ul style="list-style-type: none"> <li>• 24 m - Standard Townhouse units (Blocks 1-9 and 16-24)</li> <li>• 12 m - Back-to-back Townhouse units (Blocks 10-15)</li> </ul>
l.	Maximum Building Height	11 m	11.5 m
m.	Minimum Parking Requirements	<p>Residential 2 spaces/unit x 155 units = 310 spaces</p> <p>Visitor 0.25 spaces/unit x 155 units = 39 spaces</p> <p>Total Parking Required = 349 spaces</p>	<p>Residential 2 spaces/unit x 155 units = 310 spaces</p> <p>Visitor 0.2 spaces/unit x 155 units = 31 spaces</p> <p>Provide a total of 341 spaces</p>
n.	Maximum Number of Townhouse Units	6	7 (Block 17)
o.	Permitted Yard Encroachments and Restrictions	Unenclosed porch (covered or uncovered) may encroach into the required front and exterior yard and to a maximum of 2.5 m	Unenclosed Porches, decks, associated exterior stairs and balconies which are covered or uncovered, with at least one side open with or without a foundation may extend into the required front and rear yards a maximum of 2.5 m and into the exterior side yard a maximum of 0.6 m
p.	No Encroachment Zone Within the Front and Exterior Yard or Interior Yard Abutting a Walkway	1.5 m	1 m and may permit private driveways, a private roadway including vehicular turnarounds and pedestrian pathways
q.	Maximum Driveway Width	No requirement for Lots with a minimum frontage of 5.5 m	For Lots with a minimum frontage of 5.5 m the maximum driveway width shall be 3 m

The lots for detached dwellings fronting onto Comdel Boulevard and Lichen Court are zoned RV4(WS) Residential Urban Village Zone Four as shown on Attachments 1 to 3,

which form part of existing site-specific zoning Exception 9(1085) for the original subdivision approval to the south (Files Z.98.100 and 19T-98V15). Site-specific zoning Exception 9(1085) must be amended to delete these lots from the site-specific Exception and relevant schedules.

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

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

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
a.	Conformity and Consistency with Provincial Policies, York Region and City Official Plan Policies	<ul style="list-style-type: none"> <li>▪ 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, as amended (the 'Growth Plan') and the policies of the York Region Official Plan, 2010 ('YROP') and VOP 2010</li> <li>▪ The appropriateness of the amendments to VOP 2010 will be reviewed in consideration of the proposed land use designation, environmental policies and Natural Heritage policies, and compatibility criteria for new development in established community areas (Official Plan Amendment 15)</li> </ul>
b.	Appropriateness of Amendments to Zoning By-law	<ul style="list-style-type: none"> <li>▪ The appropriateness of the proposed rezoning of the Subject Lands and site-specific zoning exceptions identified in Tables 1 and 2 will be reviewed in consideration of, but not limited to, compatibility with the existing and planned uses in the surrounding area</li> </ul>
c.	Draft Plan of Subdivision	<ul style="list-style-type: none"> <li>▪ Should the Applications be approved, the required conditions will be included to address site access, road alignments and connections, servicing, and grading, environmental, noise, and other municipal, regional, and public agency and utility requirements</li> </ul>
d.	Studies and Reports	<ul style="list-style-type: none"> <li>▪ The Owner submitted studies and reports in support of the Applications which are available on the city's website at <a href="https://maps.vaughan.ca/planit/">https://maps.vaughan.ca/planit/</a> (PLANit Viewer) and must be approved to the satisfaction of the City or respective approval authority. Additional studies and/or reports may be required as part of the application review process</li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
e.	Allocation and Servicing	<ul style="list-style-type: none"> <li>▪ 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 lands will be zoned with a Holding Symbol “(H)”, which will be removed once servicing capacity is identified and allocated to the lands by Vaughan Council</li> </ul>
f.	Urban Design Guidelines and Architectural Control Guidelines	<ul style="list-style-type: none"> <li>▪ The Development will be reviewed in consideration of the City of Vaughan City-wide Urban Design Guidelines and Urban Design Guidelines and Architectural Design Guidelines for Block 32 West (Vellore Woods)</li> </ul>
g.	Public Agency/Municipal Review	<ul style="list-style-type: none"> <li>▪ The Applications must be reviewed by York Region and the Toronto and Region Conservation Authority and external public agencies and utilities and the Public, Separate, and French School Boards</li> </ul>
h.	Sustainable Development	<ul style="list-style-type: none"> <li>▪ The Applications will be reviewed in consideration of the City of Vaughan’s Policies and Sustainability Metrics Program. The Development achieves a minimum score of 36</li> </ul>
i.	Parkland	<ul style="list-style-type: none"> <li>▪ The Applications will be reviewed in consideration of the requirements of the <i>Planning Act</i> and the City of Vaughan’s Parkland Dedication Policy</li> <li>▪ The Draft Plan identifies Block 23 as parkland to be added to Comdel Park, as shown on Attachment 3. The appropriateness of this proposed parkland dedication will be reviewed</li> <li>▪ Connections from the Development to the existing Comdel Park and a potential future connection to the existing Vellore Tract Woodlot Trail System and the interface with Comdel Park will be reviewed</li> </ul>
j.	Block 32 West Developer’s Group Agreement	<ul style="list-style-type: none"> <li>▪ The Owners are required to enter into a Developer’s Group Agreement with the participating landowners within Block 32 West</li> </ul>
k.	Approved Source Protection Plan	<ul style="list-style-type: none"> <li>▪ The Subject Lands are located within the Wellhead Protection Area Water Quantity (‘WHPA-Q’) and Significant Groundwater Recharge Areas. Land development in WHPA-Q areas should implement best management practices to address how</li> </ul>



	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
		significant drinking water threats will be prevented, reduced, or eliminated, to the satisfaction of the Toronto and Region Conservation Authority and the City
i.	Woodlot	<ul style="list-style-type: none"> <li>▪ The unauthorized removal of approximately 1.5 ha of protected woodlot occurred on the Subject Lands. These lands are zoned “OS4 Open Space Woodlot Zone” as shown on Attachment 1</li> <li>▪ Treed areas that meet the definition of “Woodlands” or “Woodlots” are subject to the York Region Forest Conservation By-law</li> <li>▪ York Region has laid charges for the unauthorized removal and the matter under the Forest Conservation By-law has been resolved</li> <li>▪ Woodlands and Significant Woodlands are Core Features in accordance with Chapter 3 of VOP 2010. Policy 3.2.3.9 of VOP 2010 states that unauthorized removal or alteration of natural features or functions within areas identified as Core Features is prohibited and will result in the features and functions being restored to their previous state at no expense to the City of Vaughan and other public agencies. In the case of a development application, the application will not proceed until restoration works have been undertaken to the satisfaction of the City and TRCA and/or York Region, as needed</li> </ul>
m.	Road Widening, Access, Private Common Element Condominium Road and Sidewalks	<ul style="list-style-type: none"> <li>▪ Weston Road is identified as a “Regional Transit Priority Network” by YROP 2010 with a planned right-of-way of up to 43 m</li> <li>▪ York Region will review the location and design of the proposed right-in right-out driveway access from Weston Road and identify any required road widenings, conveyances, access requirements and site triangles</li> <li>▪ The Development includes an 8 m private common element condominium road and sidewalks. The Development Engineering Department will review the appropriateness of proposed private road width, the private road design in front of Block 17 with no turn-around for service vehicles, site</li> </ul>

	MATTERS TO BE REVIEWED	COMMENT(S)
		<p>triangles, turn radii, access to Weston Road and connection to Lichen Court</p> <ul style="list-style-type: none"> <li>▪ The Owner is proposing to realign and extend the existing Lichen Court right-of-way north and construct 5 detached units on this road. The Owner is proposing to acquire a small portion of the existing Lichen Court right-of-way from the City to be added to Lots 13 and 14, as shown on Attachment 3, to create complete lots with frontage onto Lichen Court. The Development Engineering and Real Estate Departments will review the proposed realignment, extension, and acquisition of lands that currently form part of Lichen Court</li> </ul>
n.	Section 37 of the <i>Planning Act</i> , VOP 2010 and City Guidelines (Bonusing for Increases in Height or Density)	<ul style="list-style-type: none"> <li>▪ The Applications will be subject to and reviewed in consideration of the City's bonusing for increases in building height and/or density (Section 37 of the <i>Planning Act</i>) policies of VOP 2010, and the City's Guidelines for the Implementation of Section 37 of the <i>Planning Act</i>, whereby Council may authorize an increase in building height and/or density in return for community benefits</li> <li>▪ As of the date of this report the in-effect Section 37 policies are subject to amendment via the <i>COVID-19 Economic Recovery Act, 2020</i>; however, those amendments are not yet in effect. These amendments to the <i>Planning Act</i> made through the <i>COVID-19 Economic Recovery Act, 2020</i> propose to replace the current Section 37 policy regime with a new authority known as a Community Benefit Charge ('CBC'), which charge shall not exceed an amount equal to the prescribed percentage of the value of the land</li> <li>▪ Should the two-year transition period regarding the CBC regime pass (from the date of proclamation which as of August 7, 2020 has not yet occurred) or should the City pass a CBC By-law under the amendments to the <i>Planning Act</i> (which have not yet been proclaimed to come into effect) prior to the approval of any Zoning By-law Amendment for the Subject Lands, the CBC By-law would be the applicable mechanism used to collect community benefits (and not the City's existing Section 37 policies and guidelines)</li> </ul>
o.	Affordable Housing	<ul style="list-style-type: none"> <li>▪ The Applications will be reviewed in consideration of Provincial, Regional and City polices to ensure that the development provides an appropriate level, range and mix of</li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
		unit sizes and types to meet the City's affordable housing goals
p.	Required Applications	<ul style="list-style-type: none"> <li>▪ The Owner is required to submit Draft Plan of Condominium and Part Lot Control applications</li> </ul>

### **Financial Impact**

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

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

The Applications have been circulated to the York Region Community Planning and Development Services Department for review and comment. Any issues will be addressed when a comprehensive report is considered. The Owner has requested exemption of Regional Approval for Official Plan Amendment File OP.21.011. At the time of the preparation of this report, exemption from York Region approval was not confirmed.

### **Conclusion**

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

**For more information**, please contact Mary Caputo, Senior Planner, Development Planning Department, ext. 8635.

### **Attachments**

1. Context and Location Map
2. Proposed Zoning and Site Plan
3. Draft Plan of Subdivision File 19T-21V004
4. Typical Elevation - Street Townhouse
5. Typical Elevation - Back-to-Back Townhouse

### **Prepared by**

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**Approved by**



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**Reviewed by**



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