

Committee of the Whole (Public Hearing) Report

DATE: Tuesday, January 22, 2019

WARD: 1

**TITLE: CAL-CROWN HOMES (THREE) INC.
ZONING BY-LAW AMENDMENT FILE Z.18.016
DRAFT PLAN OF SUBDIVISION FILE 19T-18V007
VICINITY OF MAJOR MACKENZIE DRIVE AND REGIONAL
ROAD 27**

FROM:

Jason Schmidt-Shoukri, 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.18.016 and Draft Plan of Subdivision File 19T-18V007 for the Subject Lands shown on Attachments 1 and 2, to permit a residential plan of subdivision consisting of 13 lots for detached dwellings, and 3 part blocks for future detached dwellings, in the manner shown on Attachment 3.

Report Highlights

- To receive comments from the public and Committee of the Whole on Zoning By-law Amendment and Draft Plan of Subdivision applications for the Subject Lands shown on Attachments 1 and 2, to facilitate a residential development consisting of 13 lots for detached dwellings, and 3 part blocks for future detached dwellings.
- Zoning By-law Amendment and Draft Plan of Subdivision applications are required to permit the proposed 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 Files Z.18.016 and 19T-18V007 (Cal-Crown Homes (Three) 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 0.771 ha vacant Subject Lands (the 'Subject Lands') shown on Attachments 1 and 2, are located north of Major Mackenzie Drive, west of Regional Road 27, and are legally known as Block 203, Registered Plan 65M-4361. The Subject Lands were formerly a designated school block; however, on July 6, 2017, the York Catholic District School Board ("YCDSB") released their interest in the Subject Lands. The surrounding land uses are shown on Attachment 2.

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

The Owner has submitted the following applications (the 'Applications') for the Subject Lands shown on Attachments 1 and 2, to permit a residential plan of subdivision consisting of 13 lots for detached dwellings, and 3 part blocks for future detached dwellings, on an extension of the public road (Street "1") network (the "Development") in the manner shown on Attachment 3:

1. Zoning By-law Amendment File Z.18.016 to amend Zoning By-law 1-88 to rezone the Subject Lands from "RD2 Residential Detached Zone Two" subject to Exception 9(1316) to "RD3 Residential Detached Zone Three" in the manner 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-18V007 to facilitate a residential Plan of Subdivision for the Subject Lands as shown on Attachment 3, consisting of the following:

Lot / Block	Land Use	Area (ha)	Units
1 to 13	Detached Dwellings	0.615	13
14 to 16	Part Blocks for Future Detached Dwellings	0.046	1.5
Street	20 m Street "1"	0.110	-
Total		0.771	14.5

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

- a) Date the Notice of a Public Hearing was circulated: December 14, 2018.

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 Sign Procedures and Protocols.

- b) Circulation Area: to all property owners within 150 m of the Subject Lands, and to the Kleinburg and Area Ratepayers' Association.

- c) Comments Received:

- A. Wang, email dated June 8, 2018, expressed a preference to have the elementary school built, as originally planned within the Block 61 East community.
- J. and G. Wang, resident of Woodgate Pines, email dated June 12, 2018, expressed concern over the Development, citing a preference to have the elementary school built, as originally planned within the Block 61 East community.
- R. and P. Wang, residents of Glen Abbey Trail, email dated June 13, 2018, expressed concern over the loss of open space if the Development is approved, and concern that the abutting park block may also be subject to future development. A concern was also raised respecting the lack of community facilities, including community centres, within the neighbourhood.
- J. Li, emails dated June 13, 2018, and June 19, 2018, expressed concern over the Development, citing the isolation of the existing community and the lack of public facilities including community centres or commercial facilities. A request is being made to the City to consider the Subject Lands for public uses, such as a community centre or full-facility outdoor fields (e.g. tennis court, football field, basketball court, splash pad, etc.).
- M. Yan, resident of Port Royal Avenue, email dated June 13, 2018, expressed concern over the Development, citing concerns over the current density and isolation of the community and its lack of public

facilities. A request is being made to the City to consider the Subject Lands for public uses, such as a community centre or playground.

- W. Yand and J. Wang, residents of Port Royal Avenue, email dated June 22, 2018, expressed concern over the Development, citing a lack of public facilities, including community centres, schools, daycares, etc., and also note that the existing parks in the community are undersized for the number of residents. A request is being made to the City to consider consolidating the Subject Lands with the abutting parklands, with the potential of incorporating a daycare facility, community centre or other public entertainment facility for local children. An alternative to this request is to have the City continue to hold the lands for future school purposes.
- W. Du and S. Gallagher, residents of Woodgate Pines Drive, email dated June 24, 2018, expressed concern over the Development, citing a lack of public facilities, including community centres, libraries, swimming pools and other recreational facilities. Concerns were also expressed regarding traffic impacts.
- M. Lin, email dated June 26, 2018, expressed concern over the Development, citing concerns over the current density of the community and potential traffic impacts.
- P. Turco and A. Torrieri, residents of Port Royal Avenue, email dated October 22, 2018, expressed concerns relating to the proposed road configuration, specifically the connection to Port Royal Avenue which would create a “T”-intersection, and could result in navigational confusion. A request is being made to the City to consider an alternative road configuration that does not provide a connection to Port Royal Avenue, or a connection to Port Royal Avenue that does not create a “T”-intersection. Concerns were also raised respecting potential property damage and access issues during construction activities. A request is being made to have the Owner provide a construction management plan showing the extent of the proposed construction activities and a guarantee from the Owner that all damage to the abutting lands will be fully restored when works are complete.

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 Vaughan 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

[Committee of the Whole November 3, 2008 – Zoning By-law Amendment File Z.06.068 and Draft Plan of Subdivision File 19T-06V14](#)

[Council Meeting Minutes - November 10, 2008, Item 29](#)

Analysis and Options

The Development conforms to Vaughan Official Plan 2010

The Subject Lands are designated “Low-Rise Residential” and are located within a “Community Area” as identified on Schedule 1 – “Urban Structure” of Vaughan Official Plan 2010 (“VOP 2010”). The “Low-Rise Residential” designation permits detached dwellings with a maximum building height of 3-storeys. There is no associated density requirement.

Section 9.1.2.2 of VOP 2010 identifies compatibility criteria for new development in a “Community Area”. The compatibility criteria directs that new development be designed to respect and reinforce the physical character of the established neighbourhood within which it is located. In addition, new development in a “Community Area” within established areas shall pay particular attention to local lot patterns, size and configuration, and existing building types with similar setbacks.

Section 9.2.3.1. in VOP 2010 further identifies development criteria for detached houses, which states that detached houses will respect and reinforce the scale, massing, setback and orientation of other built and approved detached houses in the immediate area. The Development includes lot frontage and areas, and a proposed zone category that is consistent and compatible with the existing surrounding development. The proposed 14.5 unit residential subdivision conforms to the compatibility requirements of VOP 2010.

The Development is consistent with the Community Area Policy Review for Low-Rise Residential Designations

In recognition of development pressures in existing neighbourhoods, the City initiated the Community Area Policy Review for Low-Rise Residential Designations, which has resulted in the Council adopted Urban Design Guidelines for Infill Development in Established Low-Rise Residential Neighbourhoods (the 'Guidelines') and the Community Area Policy Review for Low-Rise Residential Designations Study (the 'Study'). The Guidelines were approved by Vaughan Council on October 19, 2016.

The Study was approved by Vaughan Council on April 19, 2017, and an Official Plan Amendment (Official Plan Amendment No. 15 (“OPA 15”)) to implement the Study recommendations was forwarded to Vaughan Council for adoption on September 27, 2018. At the time of writing of this report, OPA 15 remains unapproved by York Region. The Applications were deemed “Complete” on May 11, 2018. Development applications are assessed and reviewed based on existing policy at the time of a “Complete” application, therefore, the Applications are not subject to OPA 15. However, the Development includes detached dwellings with similar lotting, lot widths, lot depths, and setbacks as the existing and surrounding development, and complies with the Guidelines.

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

The Subject Lands are zoned “RD2 Residential Detached Zone Two” by Zoning By-law 1-88, subject to Exception 9(1316), as shown on Attachment 2. The Owner is proposing to amend Zoning By-law 1-88 by rezoning the Subject Lands to “RD3 Residential Detached Zone Three” together with the following site-specific zoning exceptions to the RD3 Zone standards:

Table 1

	ZONING BY-LAW 1-88 STANDARDS	“RD3 RESIDENTIAL DETACHED ZONE THREE” ZONE REQUIREMENTS	PROPOSED EXCEPTIONS TO THE “RD3 RESIDENTIAL DETACHED ZONE THREE” REQUIREMENTS
a.	Minimum Exterior Side Yard Abutting a Sight Triangle	3 m	1.2 m (Lot 9 only)
b.	Permitted Yard Encroachments	Fireplaces are not permitted to project into a required yard.	Permit fireplaces to encroach 0.5 m into a required yard.

	ZONING BY-LAW 1-88 STANDARDS	“RD3 RESIDENTIAL DETACHED ZONE THREE” ZONE REQUIREMENTS	PROPOSED EXCEPTIONS TO THE “RD3 RESIDENTIAL DETACHED ZONE THREE” REQUIREMENTS
c.	No Encroachment Zone	A 1.5 m no encroachment zone shall be maintained inside the property line within the front yard and exterior yard, and within the interior side yard.	A 1.2 m no encroachment zone shall be maintained inside the property line within the front yard and exterior yard, and within the interior side yard.
d.	Maximum Encroachment for Uncovered, Unexcavated and Unenclosed Exterior Stairways, Porches and Balconies	Exterior stairways, porches and balconies which are uncovered, unexcavated and unenclosed and a bay window or similar projection which is not constructed on footings may extend into a required interior side yard to a maximum distance of 0.3 m, and may extend into a required front, exterior side or rear yard to 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 to maximum of 0.6 m.

Additional zoning exceptions may be identified through the detailed review of the Applications and will be considered in a technical report at 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	COMMENT(S)
a.	Conformity and Consistency with Provincial policies, and Regional and City Official Plans	<ul style="list-style-type: none"> ▪ The Applications will be reviewed for consistency with the <i>Provincial Policy Statement</i>, 2014 (the “PPS”), and for conformity with Places to Grow: The Growth Plan for the Greater Golden Horseshoe, 2017 (the “Growth Plan”), the York Region Official Plan 2010 and VOP 2010 policies. ▪ The Development will be reviewed in consideration of Sections 9.1.2.2 and 9.2.3.1 of VOP 2010, regarding the compatibility criteria for new development within existing Community Areas.
b.	Appropriateness of Proposed Rezoning and Exceptions	<ul style="list-style-type: none"> ▪ The appropriateness of the proposed “RD3 Residential Detached Zone Three” zone, together with the site-specific zoning exceptions identified in Table 1, will be reviewed in consideration of, but not limited to, compatibility with the existing lots and uses in the surrounding area.
c.	Proposed Draft Plan of Subdivision	<ul style="list-style-type: none"> ▪ The proposed Draft Plan of Subdivision will be reviewed in consideration of the proposed road extension (Street “1”) from Port Royal Avenue to ensure the appropriate alignment and coordination with the adjacent lands to the north and south is achieved. ▪ The proposed lot frontage, configuration and driveway locations will be reviewed for appropriateness and to ensure compatibility and functionality. ▪ The configuration and zoning of the Part Blocks will be reviewed to ensure coordination with the Part Blocks in the adjacent lands to the south.

	MATTERS TO BE REVIEWED	COMMENT(S)
d.	Urban Design and Architectural Guidelines	<ul style="list-style-type: none"> The Development is subject to the Council-approved Architectural Design Guidelines for the Southern Neighbourhood of Molise Kleinburg Estates/Lake Rivers Community. The Owner has submitted an Addendum to the Architectural Design Guidelines, which must be approved to the satisfaction of the Development Planning Department.
e.	Water and Servicing Allocation	<ul style="list-style-type: none"> On February 21, 2018, the City's latest annual servicing capacity allocation strategy report was endorsed by Vaughan Council. The report confirmed servicing capacity is available to support continued urban growth throughout the City. Accordingly, servicing capacity for the Development is available and unrestricted for a total of 14.5 residential units (45 persons equivalent). If the Applications are approved, the availability of water and sanitary servicing capacity for the proposed development must be formally allocated by Vaughan Council.
f.	Parkland Dedication	<ul style="list-style-type: none"> If the Applications are approved, 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.
g.	Block 61 Developer's Group Agreement	<ul style="list-style-type: none"> If the Applications are approved, the Owner shall be required to enter into a Developer's Group Agreement with the other participating landowners within Block 61 regarding cost sharing provisions for parks, cash-in-lieu of parkland, road and municipal services within Block 61.

	MATTERS TO BE REVIEWED	COMMENT(S)
h.	Studies and Reports	<ul style="list-style-type: none"> ▪ The Owner has submitted the following studies and reports in support of the Applications, which must be approved to the satisfaction of the City and/or respective approval authority: <ul style="list-style-type: none"> - Architectural Design Guideline Addendum - Urban Design Guidelines Addendum - Environmental Noise and Vibration Report Addendum - Phase II Environmental Site Assessment - Stormwater Management and Functional Servicing Report - Traffic Impact Brief ▪ The requirement for additional studies/information may be identified through review of the Applications.
i.	Source Water Protection Area	<ul style="list-style-type: none"> ▪ The Subject Lands are located within the Wellhead Protection Area Water Quantity (WHPA-Q) area. In order to maintain sustainable groundwater management, all land development activities within the WHPA-Q area are to maintain pre-development recharge levels to the satisfaction of the Toronto and Region Conservation Authority ("TRCA") and the City.
j.	Sustainable Development	<ul style="list-style-type: none"> ▪ Opportunities for sustainable design, including Crime Prevention Through Environmental Design ("CPTED"), Leadership in Energy and Environmental Design ("LEED"), permeable pavers, bio-swales, drought tolerant landscaping, energy efficient lighting, reduction in pavement to address the "heat island" effect, etc., will be reviewed and implemented through the Draft Plan of

	MATTERS TO BE REVIEWED	COMMENT(S)
		Subdivision process, if the Applications are approved.

Financial Impact

Not Applicable

Broader Regional Impacts/Considerations

The Applications have been circulated to the following external agencies:

- York Region Community Planning and Development Services Department
- CP Railway
- Metrolinx
- Canada Post Corporation
- TransCanada Pipelines
- Utilities (Alectra Utilities Corporation, Bell Canada, Rogers Communications Inc., Enbridge Gas, Hydro One)
- York Catholic District School Board
- York Region District School Board
- Conseil Scolaire de District Catholique Centre-Sub

Any issues identified or conditions of approval 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 Applications will be considered in the technical review of the Applications, 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 Diana DiGirolamo, Planner, Development Planning Department, at extension 8860.

Attachments

1. Context Location Map
2. Location Map
3. Proposed Draft Plan of Subdivision and Zoning

Prepared by

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