

COMMITTEE OF THE WHOLE DECEMBER 1, 2009

**OFFICIAL PLAN AMENDMENT FILE OP.07.012
ZONING BY-LAW AMENDMENT FILE Z.07.050
NASER GJURECI
WARD 2**

Recommendation

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment File OP.07.012 (Naser Gjureci) BE APPROVED, to amend OPA #240 (Woodbridge Community Plan) for the subject lands shown on Attachment #2, to redesignate the property from "Low Density Residential" to "Medium Density Residential" to permit 6 block townhouse dwelling units.
2. THAT Zoning By-law Amendment File Z.07.050 (Naser Gjureci) BE APPROVED, to amend the City's By-law 1-88 to rezone the subject lands shown on Attachment #2 from R3 Residential Zone to RM2(H) Multiple Residential Zone with the Holding Symbol "(H)" and OS1 Open Space Conservation Zone in the manner shown on Attachment #3, to facilitate the development of 6 block townhouse dwelling units with the following zoning exceptions:

By-law 1-88 Standard	By-law 1-88 Minimum Requirements (RM2 Multiple Residential Zone)	Proposed Exceptions (to the RM2 Multiple Residential Zone)
Minimum Lot Frontage (along Lansdowne Avenue)	30 m	9.14 m
Minimum Rear Yard Setback (along east property line)	4.5 m	3.3 m for the east portion of the building (Unit #6)

3. THAT the implementing zoning by-law include a clause requiring that prior to the removal of the Holding Symbol "(H)" that:
 - i) servicing shall be identified and allocated by Vaughan Council; and,
 - ii) a Site Development Application shall be approved for the proposed development.
4. THAT the lands to be zoned OS1 Open Space Conservation Zone be deeded to the Toronto and Region Conservation Authority.

Contribution to Sustainability

The proposed block townhouse development is subject to Site Plan Control and the implementation of sustainable site and building features will be reviewed during the site plan stage.

Economic Impact

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

Communications Plan

On January 11, 2008, a Notice of a Public Hearing with respect to the Official Plan and Zoning By-law Amendment Applications was circulated to all property owners within 120 m of the subject lands. The Public Hearing was held on February 4, 2008. Deputants at the hearing addressed the Committee of the Whole both in support and in opposition to the proposed development and identified the following issues:

- a) Mr. Nelson Espinola, Escala Designs Inc., the agent for the Owner introduced a new plan comprised of 6 townhouse units (7 units in original plan) and expressed support for the revised development proposal.
- b) Mr. Mike Vanderhorst, Mr Francesco Cirillo and Mr. Vittorio Pacini, of 11, 14 and 35 Lansdowne Avenue, respectively, expressed the following concerns:
 - i) the neighbourhood is already a congested area;
 - ii) parking for the development should be provided on-site and not on Lansdowne Avenue;
 - iii) 11 Lansdowne Avenue will be impacted as a result of its proximity to the development and the proposed driveway location;
 - iv) the proposed townhouse development is located too close to 11 Lansdowne Avenue; and,
 - v) concerns with respect to garbage pick-up, snow storage and parking.

One letter from a Mr. C. Campagner, the owner of 24 Lansdowne Avenue was received by the Development Planning Department on February 4, 2008, which outlined the following concerns:

- i) the lack of visitor and on-street parking; and,
- ii) concerns respecting on-site garbage and recycling administration.

At the Public Hearing, members of the Committee of the Whole suggested the removal of one townhouse unit. The conceptual site plan presented at the Public Hearing identified a 1.2 m setback between the proposed development and the nearest lot line of 11 Lansdowne Avenue, which members of the Committee of the Whole identified as being insufficient, and suggested an additional unit be deleted or that the plan be redesigned to provide a greater separation distance between the existing lot and the proposed development. As a result of the comments from area residents and the Committee members, the applicant has redesigned the project as shown on Attachment #3, by relocating the townhouse development further east and away from 11 Lansdowne Avenue, and by adding 2 visitor parking spaces and an amenity area east of 11 Lansdowne Avenue, as shown on Attachment #3. The revised site plan will be discussed later in this report.

The recommendation of the Committee of the Whole to receive the Public Hearing report of February 4, 2008, was ratified by Council on February 11, 2008.

Purpose

The Owner has submitted the following applications on the subject lands shown on Attachments #1 and #2:

1. An Official Plan Amendment Application (File OP.07.012) to amend OPA #240 (Woodbridge Community Plan) to redesignate the subject lands from "Low Density Residential" to "Medium Density Residential".
2. A Zoning By-law Amendment Application (File Z.08.046) to amend the City's By-law 1-88, specifically to rezone the subject lands from R3 Residential Zone to RM2 Multiple Residential Zone and OS1 Open Space Conservation Zone, together with the necessary zoning exceptions to facilitate the proposed development.

The applications will facilitate the development of a 6 unit residential townhouse block served by a private driveway with access from Lansdowne Avenue, as shown on Attachment #3.

Background - Analysis and Options

The subject lands shown on Attachments #1 and #2 are located on the north side of Regional Road #7, and east of Kipling Avenue, specifically on the east side of Lansdowne Avenue being Lots 16, 17, 18, 19 and 20 on Plan 554, and known municipally as 15 Lansdowne Avenue, City of Vaughan. The 0.17 ha property is currently vacant, and has 9 m of frontage on Lansdowne Avenue.

Previous Applications

In 1994, an application to amend Zoning By-law 1-88 to permit the development of two semi-detached dwellings (total of 4 units) on the property was submitted to the City. The applicant was informed that the proposed development required a corresponding Official Plan Amendment application, and subsequently on February 14, 1995, the applicant withdrew the Zoning Amendment application.

On November 6, 2000, applications to amend the Official Plan (OPA #240 – Woodbridge Community Plan) and Zoning By-Law 1-88 (Files OP.00.021 and Z.00.102 – 9 Way Development Inc.) were submitted to the City, which proposed 5 residential detached dwellings served by a private driveway. The applications were circulated and considered at a Public Hearing on January 22, 2001. Subsequently, on November 6, 2001, the City received a letter from the Owner requesting that the applications be revised to permit a 6 unit townhouse block accessed by a private laneway from Lansdowne Avenue. The revised applications were considered by Council at a Public Hearing held on January 21, 2002. The applications were subsequently closed by the applicant.

Provincial Policy Statement (PPS)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development, and sets the policy foundation for regulating the development and use of land. The PPS includes policies that direct new growth to urban areas which contributes to the creation of strong and safe communities, healthy environments and long term economic growth. It also promotes a full range of housing types and densities to meet projected demographic and market requirements of current and future residents, by ensuring that all forms of residential intensification in parts of built-up areas have sufficient infrastructure to create a potential supply of new housing units. The PPS is supportive of intensification. The proposed development represents intensification of an existing infill parcel of land.

Places to Grow

The Places to Grow Plan ("Growth Plan") sets out Provincial policies applicable to the Greater Golden Horseshoe. The policies of the Growth Plan encourages compact built forms, transit supportive communities, diverse land uses, a range and mix of housing types, and directs growth to settlement areas that offer municipal water and wastewater systems. The proposed

development would provide an alternative housing form within the existing neighbourhood. The proposal would result in the intensification of the property with the development of 6 townhomes in a location that is easily accessible and is supportive of Regional transit.

Region of York Official Plan

The subject lands are designated "Urban Area" in the Region of York Official Plan, and abuts Regional Road #7, which is a Regional Corridor. The Plan encourages a broad range of housing types within efficient and mixed use compact communities at an overall transit-supportive density in urban areas. The proposed development is consistent with Regional Official Plan policies by providing an additional housing opportunity to the local area that is compact and efficient, by directing development to existing built-up portions of urban areas, and by locating medium density development in the vicinity of existing and planned transit services.

City of Vaughan Official Plan

The subject lands are designated "Low Density Residential" by OPA #240 (Woodbridge Community Plan), which permits single family detached and semi-detached units at a maximum density of 8.6 units per gross residential hectare. Based on a gross residential site area of 0.305ha comprised of the subject property (0.17 ha), plus 0.135 ha comprised of half of the boundary roads (being Regional Road #7 and Lansdowne Avenue), would yield as-of-right permission of approximately 3 residential units. The Owner has submitted an Official Plan Amendment to redesignate the subject lands from "Low Density Residential" to "Medium Density Residential" to permit the proposed development comprised of 6 residential block townhouse units. A goal of OPA #240 is to provide for a predominantly low density community with some higher density to accommodate senior citizens and other family housing needs. The Official Plan also encourages the development of a variety of uses in a form that will create a livable community with a strong sense of identity. The development of this irregular shaped parcel of land will introduce a housing form providing an additional housing opportunity in an existing predominantly low density built-up neighbourhood.

Zoning

The subject lands are zoned R3 Residential Zone by By-law 1-88, which does not permit the proposed townhouse units. The Owner has submitted a Zoning By-law Amendment Application to rezone the subject lands from R3 Residential Zone to RM2 Multiple Residential Zone to permit 6 block townhouse units on the property. In order to facilitate the development, the following zoning exceptions are required.

By-law 1-88 Standard	By-law 1-88 Minimum Requirement (RM2 Multiple Residential Zone)	Proposed Exceptions (RM2 Multiple Residential Zone)
Minimum Lot Frontage (along Lansdowne Avenue)	30 m	9.14 m
Minimum Rear Yard Setback (along east property line)	4.5 m	3.3 m for the east portion of building (Unit #6)

The subject property has a lot area of approximately 0.17 ha, and is "key" shaped with a narrow driveway leading to a plateau area set above Regional Road #7. The irregular shaped lot shown on Attachment #2 is bounded by Lansdowne Avenue and a residential lot to the west, open space and Regional Road #7 to the south, a public school to the east, and a residential lot to the north.

The reduction to the minimum lot frontage is a result of existing conditions and the proposed 3.3m rear yard setback applies only to a small portion of Unit #6, which abuts the school site to the east. The Development Planning Department can support the zoning exceptions as they are considered to be minor in nature.

The Development Planning Department will require that the lands be zoned with the addition of the site Holding Symbol "(H)", which will be removed upon the City of Vaughan identifying and allocating servicing capacity for the development, and Council approving a Site Development Application for the subject lands.

Preliminary Site Plan and Elevations

The proposed site plan shown on Attachment #3 is designed in a manner to respond to the constraints of the irregular "key" shaped lot and the comments received at the Public Hearing. The site plan proposes 6 townhouse units served by a main driveway. The townhouse units are traditional in design, each with a rear yard, a parking space in a single garage and one parking space on a driveway. The latest plan relocates the proposed townhouse development easterly in order to create a greater separation distance (7 m) between the existing dwelling and the closest lot line of 11 Lansdowne Avenue. In addition, a small amenity area and 2 visitor parking spaces are provided adjacent to Unit #1 to serve the development.

From the perspective of building mass, the current proposal represents a more compact form of development and would have less of an impact to the neighbouring properties than the amount of development that would be permitted as-of-right on this site under the current R3 zoning provisions. Although, the proposed block townhouse development appears to be a more intense use, it is less dense than a single detached home complying with the R3 standards of the Zoning By-law. That is, one detached home with a similar exception for lot frontage would require a minimum interior side yard of 1.2 m (from the north, south and west property lines), and permit a maximum lot coverage of 40% and a maximum building height of 9.5 m, whereas the current proposal is setback a minimum of 7 m (to 10 m) to the nearest lot line from 11 Lansdowne Avenue, and has a maximum lot coverage of 30% and a maximum building height of 9.2 m. In consideration of the above, the proposed development represents a more compact and efficient building form that provides an additional housing opportunity within an established neighbourhood and has been designed in a manner that creates less impact to neighbouring units.

The preliminary elevations shown on Attachments #4 and #5 incorporate a "double-fronted" appearance in order to respond to the property's location abutting Regional Road #7. The main difference between the north and south elevations are with respect to the garage doors and roofline being provided on the north (front) elevation. The east elevation and specifically the west elevation will require an upgraded treatment. The plans are conceptual at this point in time and will be reviewed in greater detail during the site plan process to identify opportunities to provide additional landscaping, appropriate pedestrian connections, and upgraded architectural design. The Development Planning Department has reviewed the proposed conceptual site plan and is generally satisfied with the plan.

The proposed development, if approved, will function as a traditional condominium, with road maintenance, snow removal, and garbage and recycling pick-up being administered by the Condominium Corporation.

Parking and Access

The proposed site plan includes 14 parking spaces comprised of 2 spaces per residential unit, being one on the driveway and the other in the garage, and 2 general visitor parking spaces. By-law 1-88 requires, a minimum of 1.5 parking spaces per unit, and 0.25 visitor parking spaces per unit calculated as follows:

6 units @ 0.25 visitor spaces/unit = 1.5 spaces

The proposed parking supply complies with By-law 1-88. One driveway accessed from Landsdowne Avenue will be located along the north property line to service the development. The driveway will also serve as the main fire fighting route and access for all utility and emergency vehicles.

Land Use and Built Form

The Provincial Growth Plan defines intensification as the development of a property, site or area at a higher density than currently exists through, in part, the development of vacant and/or underutilized lots within previously developed areas or infill development. The subject lands represent an underutilized lot in an existing developed area and can also be considered an infill site. An intent of the Growth Plan is to accommodate 40% of all new residential development within existing urban areas.

The subject lands abut Regional Road 7, which is a Regional Corridor and is in close proximity to a planned Transit Stop as identified in OPA #661 (Avenue Seven Land Use Futures Study) located at the corner of Kipling Avenue and Regional Road 7. In addition, the Region of York has adopted the York Region 2031 Intensification Strategy, to implement a strategy for intensification, consistent with the Provincial Growth Plan. The Strategy includes an Intensification Matrix Framework (IMF), which identifies key strategic areas where intensification can be best accommodated, including "local infill" areas. A local infill area includes vacant land.

The development of the subject lands would provide a different and compatible housing option that supports transit and achieves an appropriate transition of built form with the adjacent land uses, which is consistent with the Growth Plan and the Region's Intensification Strategy.

The proposed site plan provides for a minimum 7 m and 10 m separation distances from the closest property line and the existing structure on 11 Landsdowne Avenue respectively. The site also abuts an existing school property to the east and Regional Road 7 to the south. The proposed built form (townhouses) and land use are also considered to be compatible with the existing land use context and introduces an additional housing opportunity into the local area that is compact, makes more efficient use of the land and services and is transit supportive.

In addition, through the Site Plan review process, final details of the plan with respect to matters such as building design, buffering and landscaping will be reviewed in detail to facilitate a compatible infill development.

Vaughan Engineering Department

The Vaughan Engineering Department has reviewed the proposed applications and has provided the following comments:

- i) road network access, site circulation and sanitary/water servicing and grading will be reviewed at the Site Development stage;
- ii) the Engineering Transportation Section is generally supportive of the plan shown on Attachment #3, from the perspective of site circulation. Revisions to the access radius is recommended, which will be further reviewed during the Site Development Application process;
- iii) in accordance with the City's Servicing Capacity Distribution Protocol as adopted by Council on April 14, 2009, servicing allocation capacity for the subject lands has not been reserved, nor assigned potential future capacity at this time. However, the City intends to undertake an annual review of the status of the

available and unused servicing capacity and related Distribution Protocol capacity at which time servicing for the subject lands will be revisited based on the status of the subject applications; and,

- iv) a Functional Servicing Report (FSR) prepared by EMC Group Limited, dated September 9, 2009 was submitted, reviewed and found acceptable to the Engineering Department.

In light of the Engineering Department's comments respecting the availability of servicing, it is recommended that the property be zoned with the Holding Symbol "(H)", which will be removed when servicing for development is identified and allocated by Vaughan Council.

Toronto and Region Conservation Authority (TRCA)

The Toronto and Region Conservation Authority (TRCA) has reviewed the proposed applications and the supporting Slope Stability Assessment report prepared by V.A. Wood Associates Limited, dated June 25, 2008, and is satisfied with the findings. However, due to the constrained size of the site, the TRCA will accept reducing the erosion access allowance from 6m (recommended by the Study) to 3m to allow small structures within the rear yards of the proposed development and to minimize impact on the subject property. The proposed siting of the townhomes shall continue to respect the 6 m erosion allowance limit.

In light of the above, the TRCA has no objection to the approval of the proposed applications, subject to the following conditions:

- i) the portion of the 3 m easement from the stable top-of-bank, as outlined in the Slope Stability Report prepared by V.A. Wood Associates Limited that encroaches onto the subject property be zoned to an appropriate Open Space category;
- ii) the future site plan drawings for the proposal must illustrate a permanent fence along the edge of the 3 m easement in order to ensure that future property owners do not encroach into the easement; and,
- ii) a TRCA Permit is required under Ontario Regulation 166/06, prior to the issuance of a municipal building permit.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth and Economic Vitality".

Regional Implications

The Region of York Planning Department has reviewed the proposed development and has indicated that it is consistent with the Regional Official Plan policies to direct development to existing built-up urban areas, and to provide a wider range of housing types and accessibility to existing and planned transit services. Based on their preliminary review, the Region of York has no objection to the proposed land use change and has exempted the Official Plan Amendment Application from Regional approval.

The Region of York Transportation Services Department has reviewed the noise control report prepared by S.S. Wilson Associates, dated January 9, 2009, provided in support of the applications and has no objection to the development. However, prior to Site Plan approval, an updated noise report is required to address the future implementation of the GO Train service along the Canadian Pacific Rail corridor (further to the east) and is to include any Regional

requirements. All recommended noise attenuation features must be a minimum height of 2.2 m to a maximum of 3.0 m metres. Furthermore, all detailed site servicing, site grading and landscape drawings must be submitted as part of the site plan submission for Regional approval, and the Owner shall be required to enter into a Site Plan Agreement with the Regional Municipality of York.

Conclusion

The Development Planning Department has reviewed Official Plan and Zoning By-law Amendment Application Files OP.07.028 and Z.07.012 (Naser Gjureci) in the context of the applicable Provincial policies, Regional and City Official Plan policies, the requirements of By-law 1-88, and the surrounding land use context.

The Provincial Policy Statement (PPS) and the Places to Grow Plan encourage intensification and promotes a full range of housing types and densities to meet projected demographics and market requirements of current and future residents in existing built up areas. In this respect, the proposed development conforms to the PPS and the Growth Plan since the applications propose intensification in an existing built-up area and adds to the range of housing in the area.

The Region of York Official Plan (YROP) identifies the subject lands as an "Urban Area". The objectives of the Regional Plan include targeting growth to existing built-up portions of the Urban Areas, and to permit a broad range of housing types. The proposed development is consistent with the Regional Official Plan with respect to directing growth to an urban area and by facilitating more efficient use of the existing infrastructure and promoting a wider range of housing types within the existing neighbourhood.

OPA #240 (Woodbridge Community Plan) designates the subject lands "Low Density Residential", which permits single family detached and semi-detached units. A goal of OPA #240 is to provide for a predominantly low density community with some higher density to accommodate other family housing needs. The redesignation of this property to "Medium Density Residential" to permit block townhouses is consistent with the policies of OPA #240, by introducing a new housing form, and providing an additional housing opportunity in an existing predominantly low density neighbourhood.

On this basis, the Development Planning Department can support the approval of the Official Plan Amendment Application to redesignate the subject lands from "Low Density Residential" to "Medium Density Residential" to permit the proposed 6 unit townhouse block as shown on Attachment #3.

The Development Planning Department can also support the approval of the Zoning By-law Amendment Application to rezone the subject lands from R3 Residential Zone to RM2(H) Multiple Residential Zone with the Holding Symbol "(H)" and to OS1 Open Space Conservation Zone. The Holding Symbol "(H)" shall remain on the lands until such time as Vaughan Council identifies and allocates servicing capacity and approves a Site Development Application for the proposed development. Should the Committee concur, the recommendation in this report can be adopted.

Attachments

1. Context Location Map
2. Location Map
3. Preliminary Site Plan
4. Preliminary North and West Elevations
5. Preliminary South and East Elevations

Report prepared by:

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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

GRANT UYEVAMA
Director of Development Planning

/LG



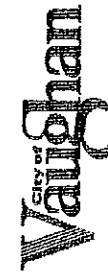
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Context Location Map

Location: Part of Lot 6,
Concession 7

Applicant:
Naser Gjureci

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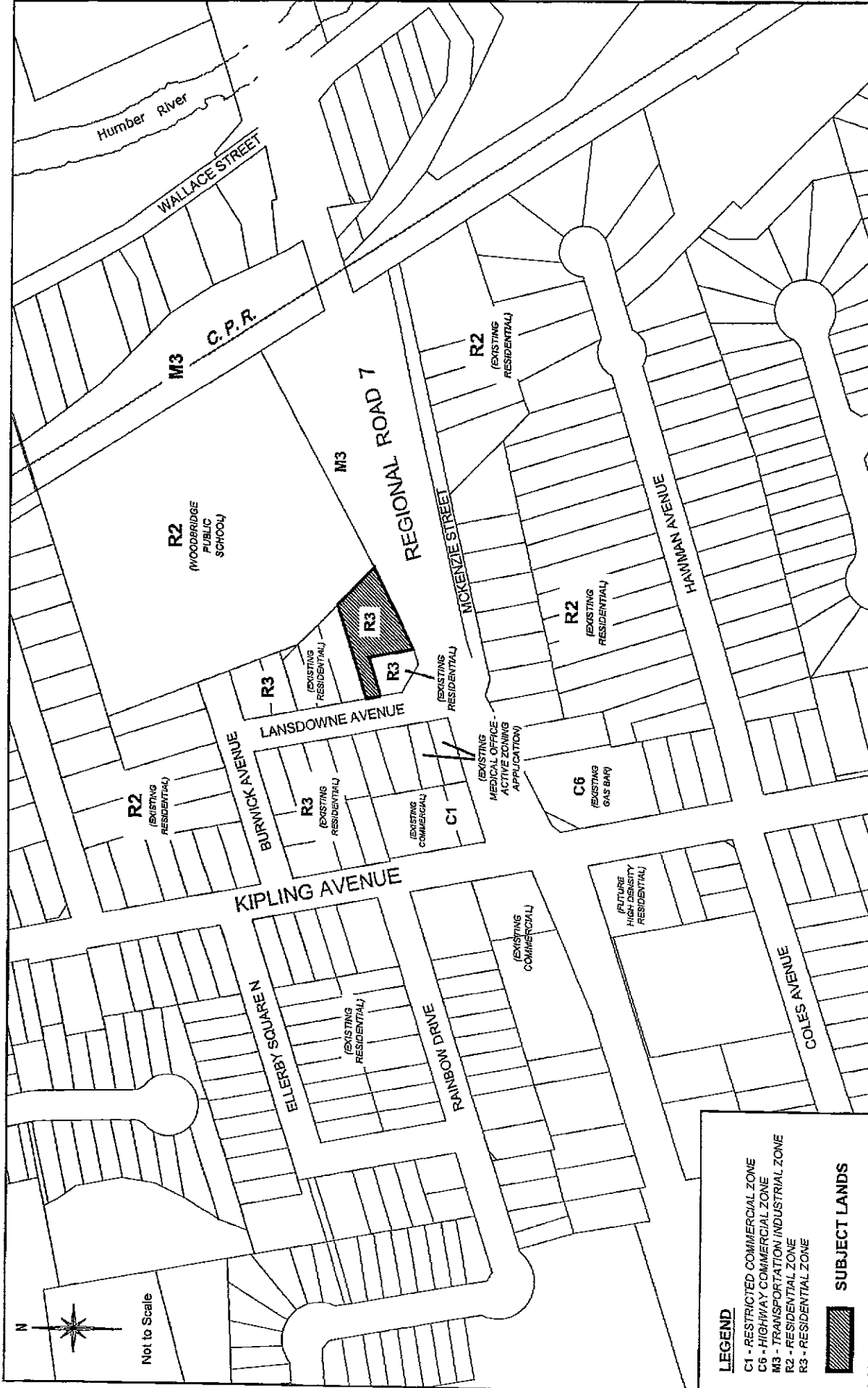


Development Planning Department

Attachment 1

Files:
OP.07.012 & Z.07.050

Date:
September 28, 2009



LEGEND
 C1 - RESTRICTED COMMERCIAL ZONE
 C6 - HIGHWAY COMMERCIAL ZONE
 M3 - TRANSPORTATION INDUSTRIAL ZONE
 R2 - RESIDENTIAL ZONE
 R3 - RESIDENTIAL ZONE

SUBJECT LANDS

Location Map

Location: Part of Lot 6,
 Concession 7

Applicant:
 Naser Gjureci

MAP/PT/1 - ATTACHMENTS/OP/99.01.01.02-07.0500-0493



The City Above Toronto

Development Planning Department

Attachment

Files: OP.07.012 & Z.07.050
 Date: September 28, 2009

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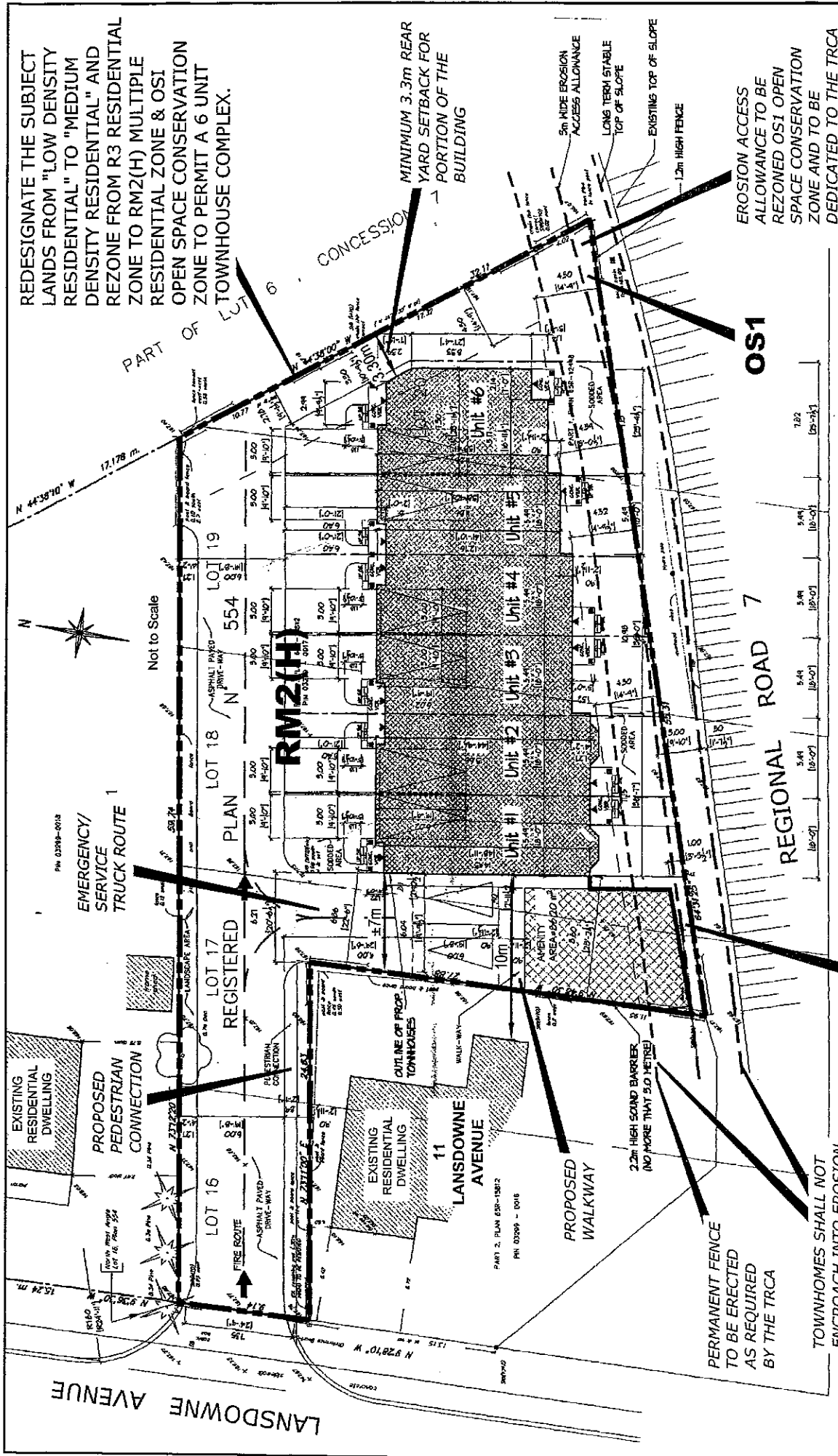
REDESIGNATE THE SUBJECT LANDS FROM "LOW DENSITY RESIDENTIAL" TO "MEDIUM DENSITY RESIDENTIAL" AND REZONE FROM R3 RESIDENTIAL ZONE TO RM2(H) MULTIPLE RESIDENTIAL ZONE & OS1 OPEN SPACE CONSERVATION ZONE TO PERMIT A 6 UNIT TOWNHOUSE COMPLEX.

MINIMUM 3.3m REAR YARD SETBACK FOR PORTION OF THE BUILDING

5m WIDE EROSION ACCESS ALLOWANCE
LONG TERM STABLE TOP OF SLOPE
EXISTING TOP OF SLOPE
1.2m HIGH FENCE

EROSION ACCESS ALLOWANCE TO BE ALLOINED OS1 OPEN SPACE CONSERVATION ZONE AND TO BE DEDICATED TO THE TRCA

SUBJECT LANDS



LANDSDOWNE AVENUE

OS1

REGIONAL ROAD 7

OS1

PERMANENT FENCE TO BE ERRECTED TO BE REQUIRED AS REQUIRED BY THE TRCA

TOWNHOMES SHALL NOT ENCRACH INTO EROSION ACCESS ALLOWANCE

Preliminary Site Plan

Location: Part of Lot 6, Concession 7

Applicant:
Naser Gjireci

NYUPTV_1 ATTACHMENTS.OP 09.07.01.2z.07.050a.649g



The City Above Toronto

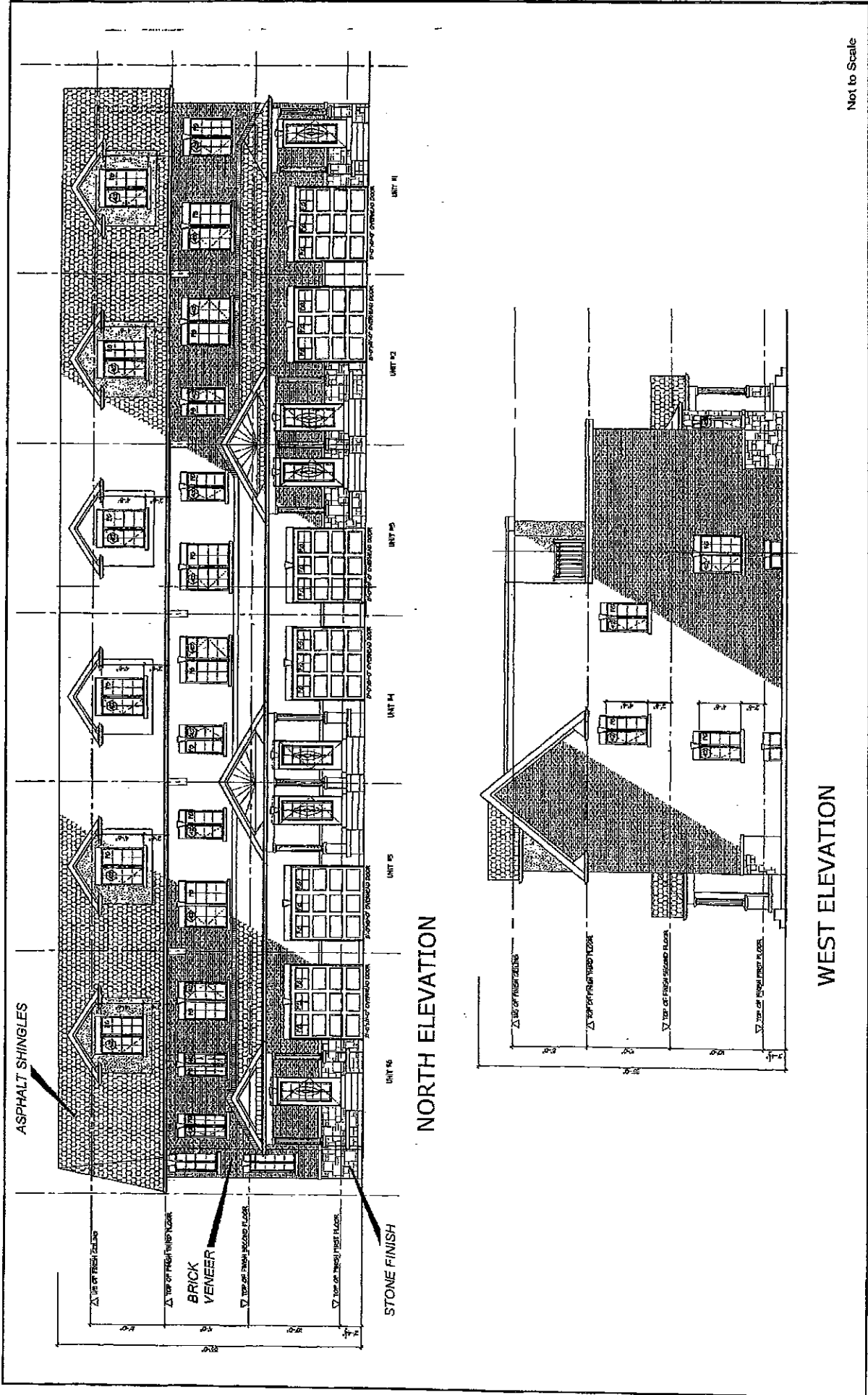
Development Planning Department

Attachment

Files: OP.07.012 & Z.07.050

Date: September 28, 2009

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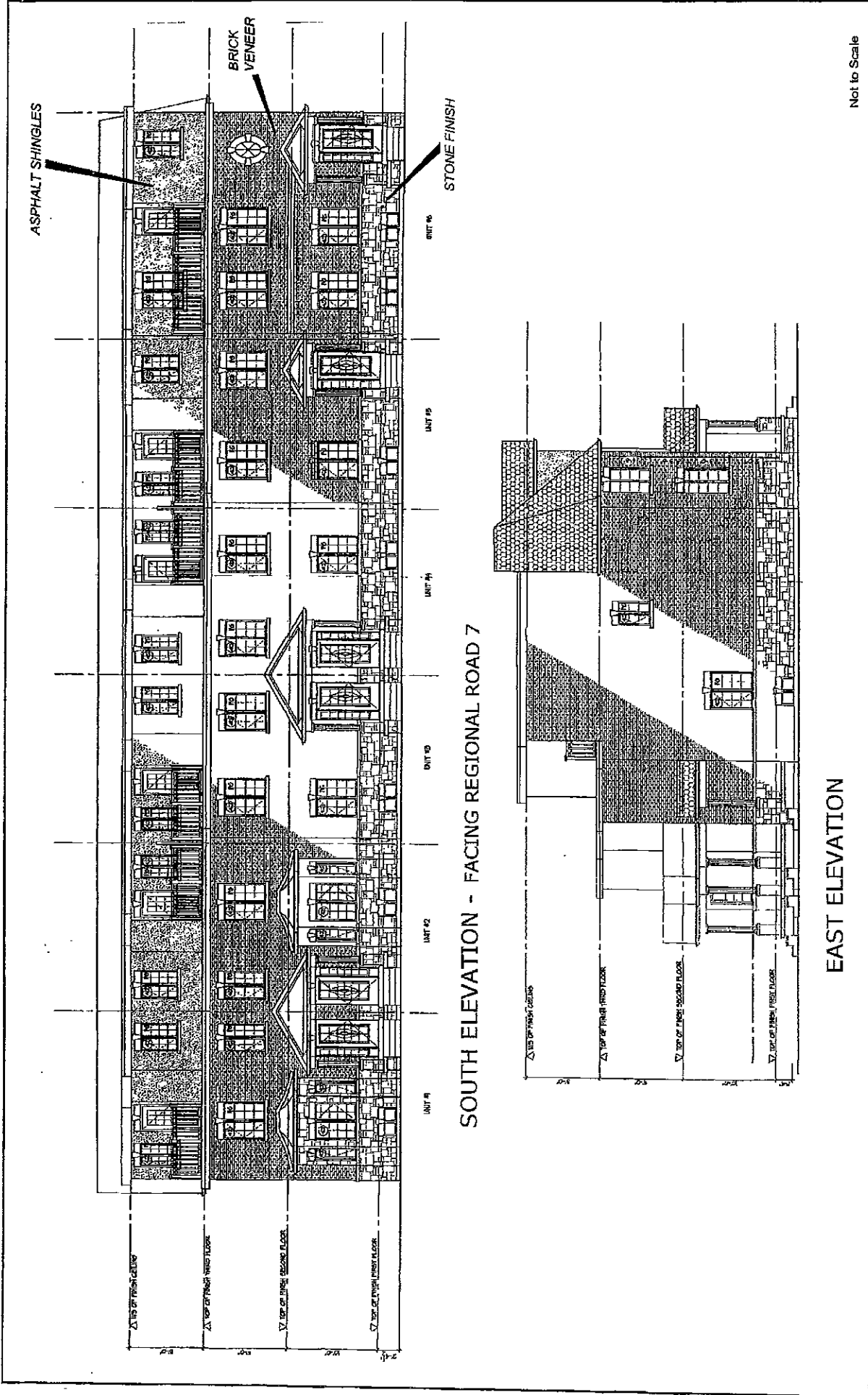


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Attachment
 Files: OP.07.012 & Z.07.050
 Date: September 28, 2009
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City of Vaughan
The City Above Toronto
 Development Planning Department

Preliminary North & West Elevations
 Applicant: Naser Gjureci
 Location: Part of Lot 6, Concession 7
 NS/DPA 1 ATTACHMENT/OP/07.012.07.050.dwg



Preliminary South & East Elevations

Applicant: Naser Gjureski
 Location: Part of Lot 6, Concession 7

PROJECT: ATTACHMENTS OP 09.07.01.26.07.05.04.dwg



Development Planning Department

Attachment 5

Files: OP.07.012 & Z.07.050

Date: September 28, 2009

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