

COMMITTEE OF THE WHOLE FEBRUARY 7, 2012

**ZONING BY-LAW AMENDMENT FILE Z.11.012
SITE DEVELOPMENT FILE DA.11.036
OZNER CORPORATION (SOUTH)
WARD 3**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.11.012 (Ozner Corporation (South)) BE APPROVED, to amend Zoning By-law 1-88, specifically site-specific Exception 9(1223) to rezone the southerly 40.75 metres of the portion of the subject lands zoned OS2 Open Space Park Zone (walkway block) to RT1 Residential Townhouse Zone (for freehold street townhouses) as shown on Attachment #3, together with the site-specific zoning exceptions identified in Table 1 of this report, to implement the development of 62 street townhouse dwelling units within 12 blocks.
2. THAT Site Development File DA.11.036 (Ozner Corporation (South)) BE APPROVED, to facilitate the development of 62, two-storey street townhouse units (freehold) as shown on Attachments #3, and #6 to #8 inclusive, within 12 blocks (Blocks 138 to 142, Plan 65M-4104 and Blocks 2 to 9, and Part of Block 11, Plan 65M-4283) as shown on Attachment #4, subject to the following conditions:
 - a) that prior to the execution of the Site Plan Letter of Undertaking:
 - i) the implementing Zoning By-law be in full force and effect;
 - ii) the final site plan, building elevations and landscape plan shall be approved by the Vaughan Development Planning Department; and,
 - iii) the final site servicing and grading plan shall be approved by the Vaughan Development/Transportation Engineering Department.

Contribution to Sustainability

The Owner has advised that the following sustainable features, but not limited to, will be included within the subdivision and townhouse unit designs:

- i) self-sealing asphalt shingles;
- ii) steel insulated exterior doors with weather stripping;
- iii) low-emission premium latex paint;
- iv) energy efficient water saver fixtures; and,
- v) forced air high efficiency gas furnace.

Economic Impact

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

Communications Plan

On May 20, 2011, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands. Through the notice circulation, no written comments were received by the Vaughan Development Planning Department. The recommendation of the Committee of the Whole to receive the Public Hearing report of June 14, 2011, and to forward a comprehensive

report to a future Committee of the Whole meeting was ratified by Vaughan Council on June 28, 2011.

Purpose

The Owner has submitted the following applications on the subject lands shown on Attachments #1 to #3:

1. Zoning By-law Amendment File Z.11.012 to amend Zoning By-law 1-88, specifically Exception 9(1223) to rezone the southerly 40.75 metres of the portion of the subject lands zoned OS2 Open Space Park Zone (walkway block) to RT1 Residential Townhouse Zone (for street townhouses) as shown on Attachment #3, and to permit the site-specific zoning exceptions listed in Table 1 of this report, to facilitate the development of 62 street townhouse dwelling units within 12 blocks; and,
2. Site Development File DA.11.036 to facilitate the development of the subject lands with 62, two-storey street townhouse dwelling units (freehold) as shown on Attachments #3, and #6 to #8 inclusive, within 12 blocks (Blocks 138 to 142, Plan 65M-4104 and Blocks 2 to 9, and Part of Block 11, Plan 65M-4283) as shown on Attachment #4.

Background - Analysis and Options

Location

The 1.93 ha subject lands shown on Attachments #1 and #2 are located north of Major Mackenzie Drive, east of Weston Road, specifically on Zachary Place, in Planning Block 33 West, City of Vaughan. The subject lands consist of Blocks 138 to 142, on Registered Plan 65M-4104 and Blocks 2 to 9, and Part of Block 11 on Registered Plan 65M-4283, as shown on Attachment #4. The surrounding land uses are shown on Attachment #2. A context plan for the overall area is shown on Attachment #5.

Official Plan

The subject lands are designated "Vellore Village Centre – Low Rise Residential" by OPA #600 as amended by OPA #650 (Vellore Village District Centre Plan), which permits the proposed street townhouse use at a permitted density range between 17 and 40 units per hectare. The proposed development yields a density of 32 units per hectare and conforms to the Official Plan.

The subject lands are designated "Low-Rise Residential" by the new City of Vaughan Official Plan 2010, which was adopted by Vaughan Council on September 7, 2010 (as modified September 27, 2011) and is pending approval from the Region of York. A street townhouse use is permitted under this designation. The proposal conforms to the new City of Vaughan Official Plan.

Zoning

The subject lands are zoned RT1 Residential Townhouse Zone and OS2 Open Space Park Zone by Zoning By-law 1-88, subject to Exception 9(1223), as shown on Attachment #2. An amendment to Zoning By-law 1-88 is required to rezone the southerly 40.75 metres of the portion of the subject lands zoned OS2 Open Space Park Zone to RT1 Residential Townhouse Zone, together with the site-specific zoning exceptions identified in Table 1 of this report, to implement the proposed 62 street townhouse dwelling units as shown on Attachment #3.

Originally the lands zoned OS2 Open Space Park Zone were intended for a walkway block as shown on Attachment #2. However, given the approval of the Smart Centres commercial development to the south of the subject lands as shown on Attachment #5, it is inappropriate to have a pedestrian walkway that would lead into a future loading area located at the rear of the

future commercial building. The Development Planning Department is of the opinion that the proposed rezoning of the southerly 40.75 m of the portion of the subject lands zoned OS2 Open Space Park Zone to RT1 Residential Townhouse Zone is appropriate. The Owner has proposed an additional street townhouse dwelling unit on the lands to be rezoned, which is compatible with the surrounding development. The balance of Block 11 will remain in place north of Zachary Place and provide for a walkway that will connect to the existing walkway on the lands to the north and continue though to Retreat Boulevard as shown on Attachment #4.

The Owner is also proposing the following site-specific zoning exceptions to the RT1 Residential Townhouse Zone standards to permit the proposed development:

Table 1

	By-law Standard	By-law 1-88 Requirements Exception 9(1223) (RT1 Residential Townhouse Zone)	Proposed Exceptions to RT1 Zone of By-law 1-88, Exception 9(1223)
a.	Minimum Exterior Side Yard (Block 5, Unit 1 on Attachment #3)	3.5 m	2.95 m
b.	Maximum Number of Townhouse Units to be Constructed in a Row (Blocks 8 and 9 on Attachment #3)	6	7 <i>(Previously approved by Committee of Adjustment Minor Variance Applications A182/10 and A183/10)</i>
c.	Minimum No Encroachment Zone Porch - Block 9, Unit 7 on Attachment #3)	1.5 m	1.36 m
d.	Minimum Exterior Side Yard Setback (Block 9, Unit 7 on Attachment #3)	4.5 m	2.83 m <i>(Previously approved by Committee of Adjustment Minor Variance Application A182/10)</i>
e.	Minimum Driveway Width (Block 9, Lot 7 and Block 142, Unit 1 on Attachment #3)	3.0 m	2.95 m
f.	Minimum Exterior Side Yard (Block 142, Unit 1 on Attachment #3)	4.50 m	3.26 m

The proposed zoning exceptions for reduced exterior side yards, encroachment and reduced minimum driveway widths (Items a), c), e) and f) in Table 1) are requested to accommodate the siting of the proposed townhouse dwellings. The proposed reductions are considered minor and would result in townhouse dwelling units that are compatible with the surrounding existing townhouse development.

The proposed increase in the maximum number of townhouse units in a row and the minimum exterior side yard setback (Items b) and d) respectively in Table 1) were previously approved by the Committee of Adjustment (Minor Variance Applications A182/10 and A183/10). The Owner has proposed to include the previous Committee of Adjustment approvals in this Zoning By-law Amendment Application in order to consolidate all of the zoning exceptions required to implement the proposed development into site-specific Exception Paragraph 9(1223).

The Development Planning Department can support the approval of Zoning By-law Amendment File Z.10.012 as the proposed rezoning and site-specific zoning exceptions would implement the residential policies of the Official Plan, facilitate a development that is consistent with the existing development, and result in a building form that is compatible with the surrounding residential area.

Site History

On November 28, 2005, Vaughan Council approved Draft Plan of Subdivision File 19T-00V03 (Lorne Developments (Weston) Inc./Ozner Corporation South) to permit the development of 98 residential units consisting of 22 single-detached dwelling units, 2 semi-detached units, 74 street townhouse units and a 0.473 ha Commercial Block. The Plan of Subdivision was registered in two phases. Phase One was Registered as Plan 65M-4188 on August 31, 2010, and consists of Blocks 138 to 142 of the subject lands. Phase Two was registered as Plan 65M-4283 and consists of Blocks 2 to 9 and Part of Block 11 of the subject lands. Servicing for the proposed development has been allocated.

Site Plan Review

The Vaughan Development Planning Department is satisfied with the proposed site plan and landscape plan (typical) shown on Attachments #3 and #6, respectively. The Development Planning Department is also satisfied with the proposed building elevations (typical) shown on Attachments #7 and #8, and will continue to work with the Owner to finalize the details. The final site plan, elevation plans and landscape plans must be approved to the satisfaction of the Vaughan Development Planning Department. A condition to this effect has been included in the recommendation of this report.

The subject lands are located within Planning Block 33 West and are subject to Architectural Control. The final building elevations must be in accordance with the approved Architectural Design Guidelines for Block 33 West, to the satisfaction of the Block 33 West Control Architect (The Planning Partnership) and the Development Planning Department.

Vaughan Development/Transportation Engineering Department

The Vaughan Development/Transportation Engineering Department is working with the applicant to finalize the grading and servicing plans for the proposed development. The final plans and report must be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department. A condition of approval to this effect is included in the recommendation of this report.

Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority has no objections to the approval of the Zoning By-law Amendment and Site Development Applications.

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 Well-being".

Regional Implications

The Region of York has no objection to the approval of the Zoning By-law Amendment and Site Development Applications.

Conclusion

The Vaughan Development Planning Department has reviewed Zoning By-law Amendment File Z.11.012 and Site Development File DA.11.036 (Ozner Corporation (South)) in accordance with OPA #600, as amended by OPA #650 (Vellore Village District Centre Plan), the new City of Vaughan Official Plan 2010, Zoning By-law 1-88, the Block 33 West Plan, comments from City Departments and external public agencies, and the area context. The Development Planning Department is satisfied that the proposed rezoning of the southerly 40.75 m of the portion of the subject lands zoned OS2 Open Space Park Zone to RT1 Residential Townhouse Zone, together with the site-specific zoning exceptions identified in Table 1 of this report, to facilitate the development of 62 street townhouse dwelling units within 12 street townhouse blocks is appropriate and will facilitate development that is compatible with the existing and permitted uses in the surrounding area. Accordingly, the Development Planning Department can support the approval of the Zoning By-law Amendment and Site Development Applications, subject to the recommendations in this report.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan & Proposed Zoning
4. Registered Plans of Subdivision 65M-4283 and 65M-4104
5. Surrounding Development
6. Landscape Plan, Block 9 (Typical)
7. Elevations – North & West, Block 9 (Typical)
8. Elevations – South & East, Block 9 (Typical)

Report prepared by:

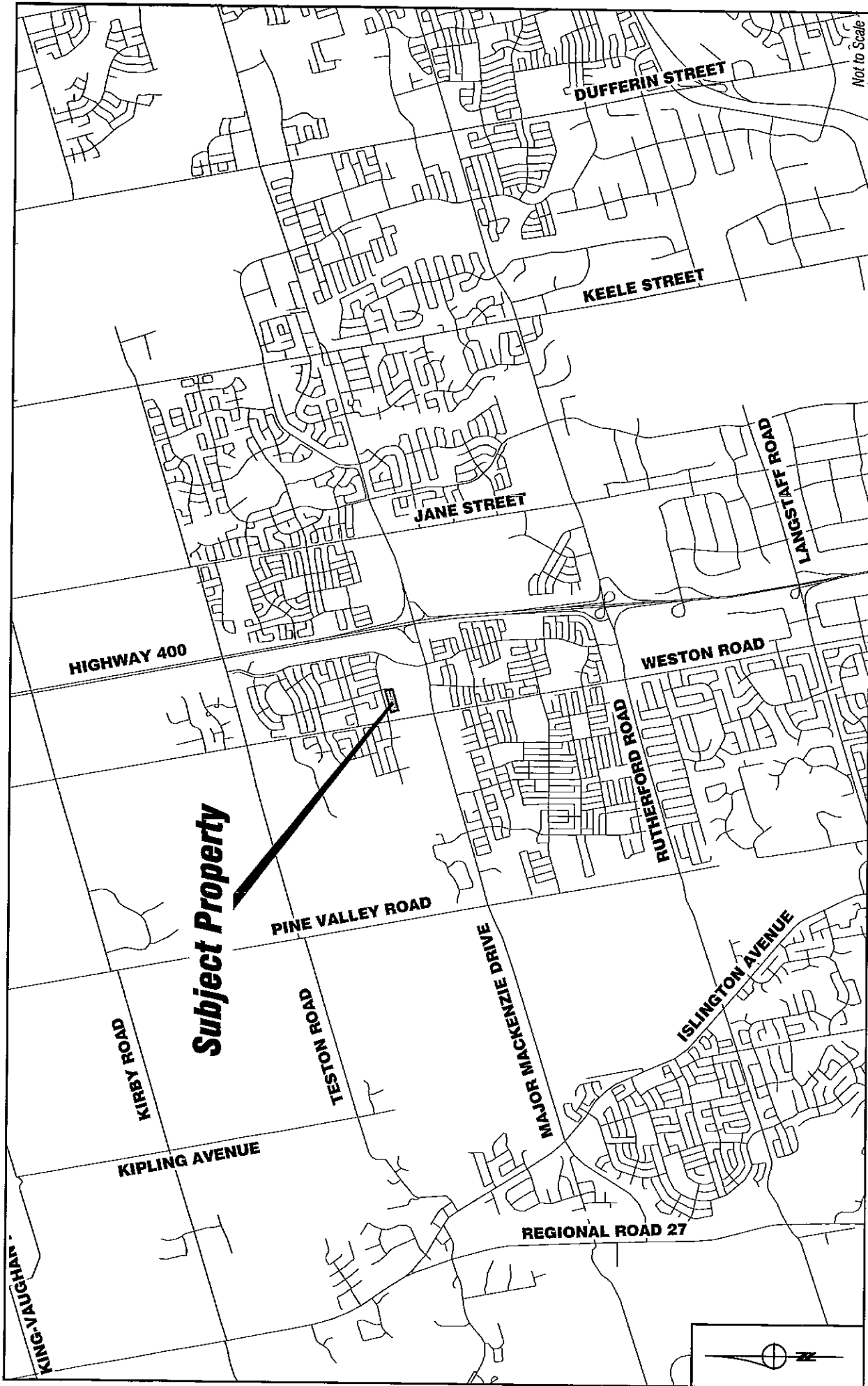
Mary Caputo, Planner, ext. 8215
Carmela Marrelli, Senior Planner, ext. 8791
Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN MACKENZIE
Commissioner of Planning

GRANT UYHEYAMA
Director of Development Planning

/CM



Not to Scale

Context Location Map

LOCATION:
Part of Lot 22, Concession 5

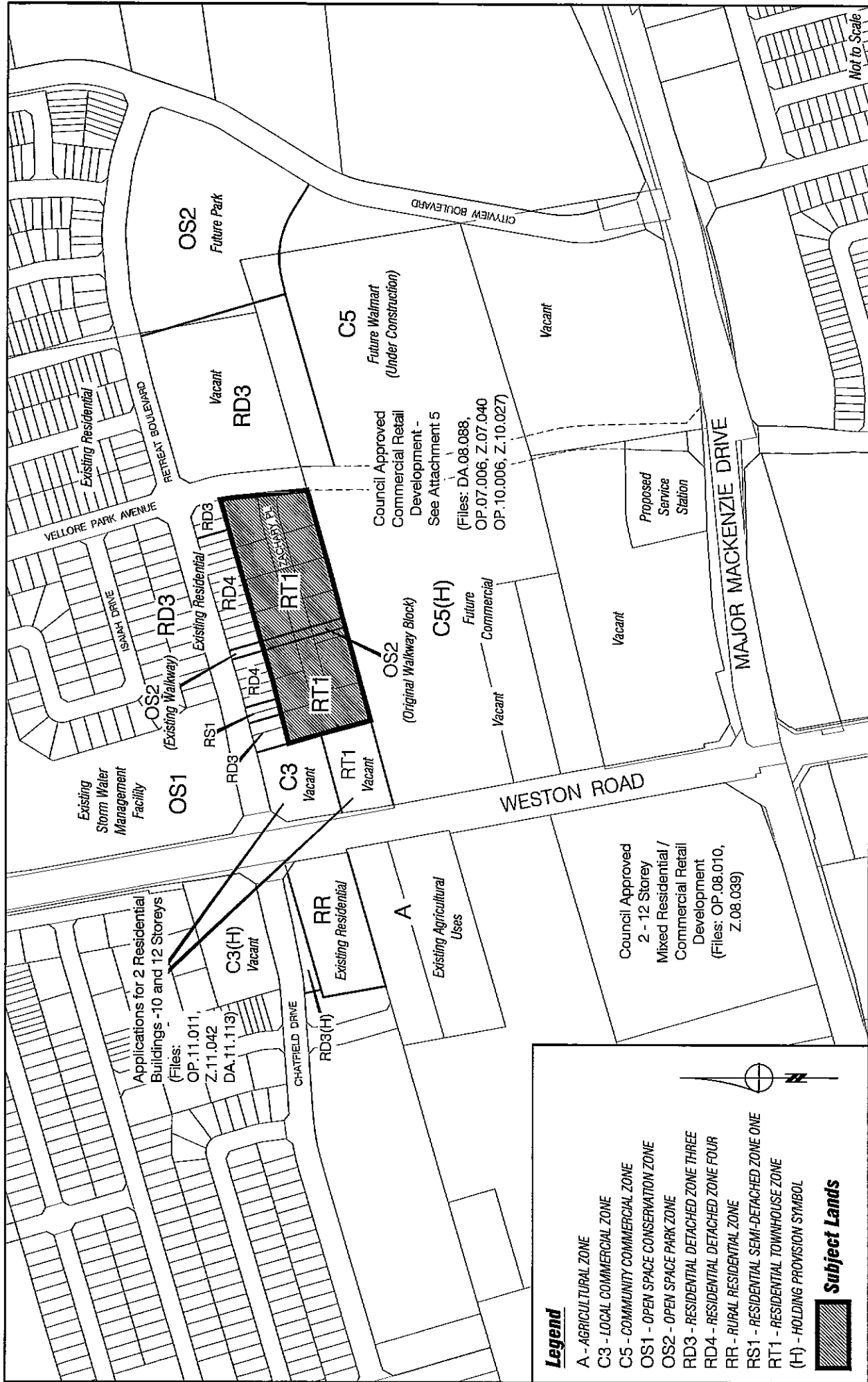
APPLICANT:
Ozner Corporation (South)



Attachment 1

FILES:
Z.11.012, DA.11.036

DATE:
January 05, 2012



Legend

- A - AGRICULTURAL ZONE
- C3 - LOCAL COMMERCIAL ZONE
- C5 - COMMUNITY COMMERCIAL ZONE
- OS1 - OPEN SPACE CONSERVATION ZONE
- OS2 - OPEN SPACE PARK ZONE
- RD3 - RESIDENTIAL DETACHED ZONE THREE
- RD4 - RESIDENTIAL DETACHED ZONE FOUR
- RR - RURAL RESIDENTIAL ZONE
- RS1 - RESIDENTIAL SEMI-DETACHED ZONE ONE
- RT1 - RESIDENTIAL TOWNHOUSE ZONE
- (H) - HOLDING PROVISION SYMBOL



Subject Lands

Location Map

LOCATION:
Part of Lot 22, Concession 5

APPLICANT:
Ozner Corporation (South)

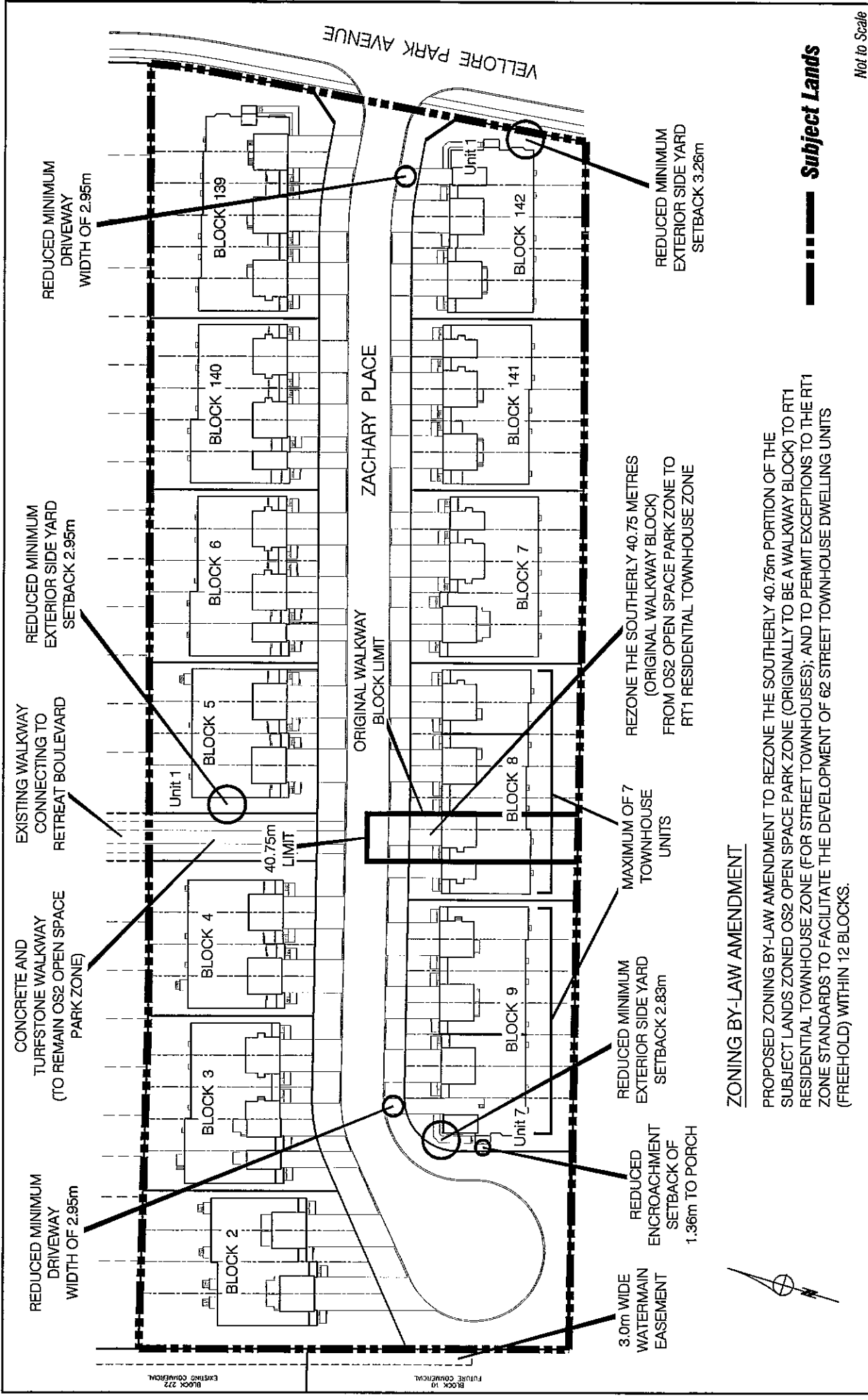


Attachment

FILES:
Z.11.012, DA.11.036

DATE:
January 05, 2012

2



Not to Scale

Subject Lands

ZONING BY-LAW AMENDMENT

PROPOSED ZONING BY-LAW AMENDMENT TO REZONE THE SOUTHERLY 40.75m PORTION OF THE SUBJECT LANDS ZONED OS2 OPEN SPACE PARK ZONE (ORIGINALLY TO BE A WALKWAY BLOCK) TO RT1 RESIDENTIAL TOWNHOUSE ZONE (FOR STREET TOWNHOUSES); AND TO PERMIT EXCEPTIONS TO THE RT1 ZONE STANDARDS TO FACILITATE THE DEVELOPMENT OF 62 STREET TOWNHOUSE DWELLING UNITS (FREEHOLD) WITHIN 12 BLOCKS.

Site Plan & Proposed Zoning

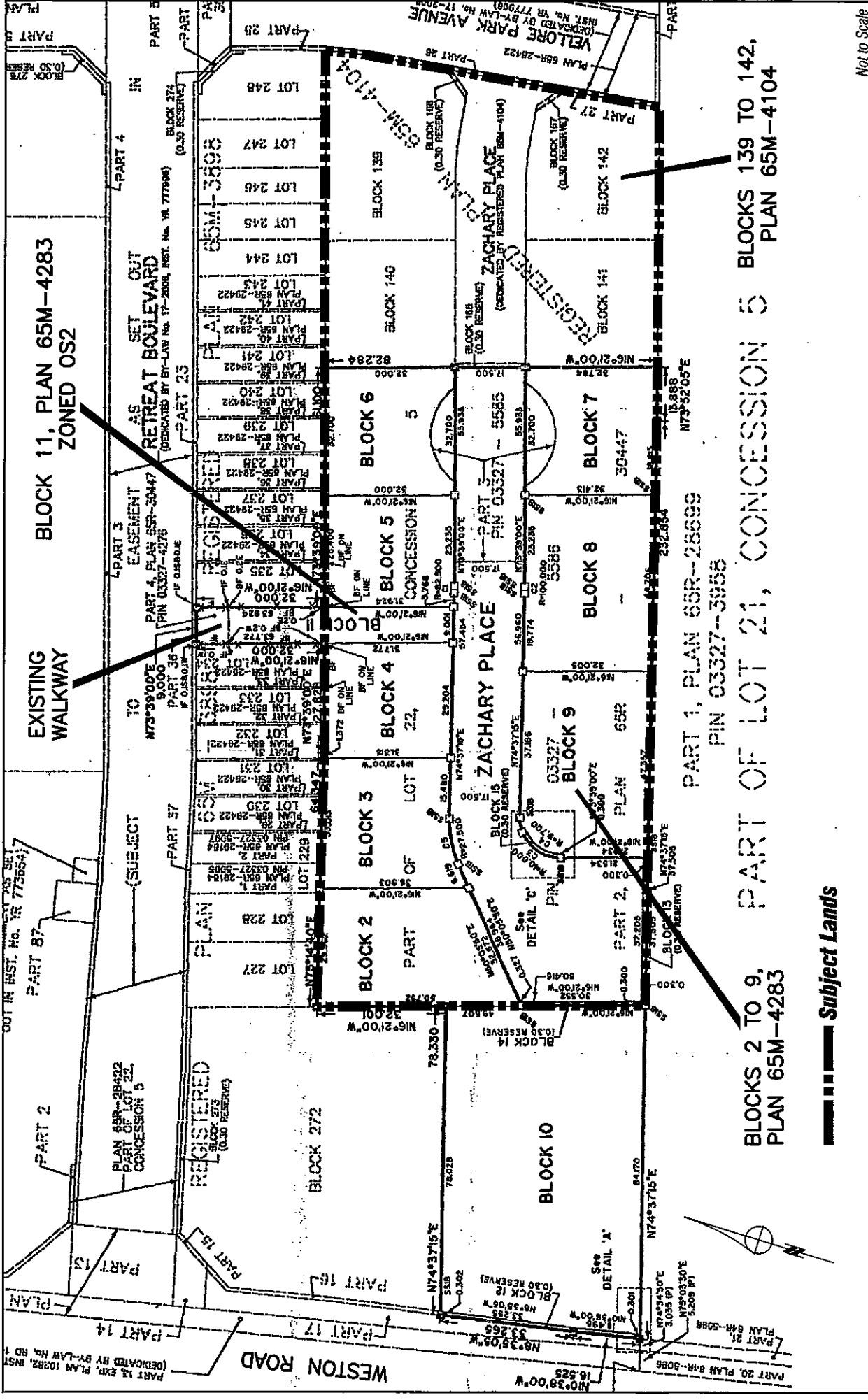
APPLICANT: Ozner Corporation (South)
 LOCATION: Part of Lot 22, Concession 5



Attachment 3

FILES: Z.11.012, DA.11.036

DATE: January 05, 2012



BLOCK 11, PLAN 65M-4283
ZONED OS2

EXISTING
WALKWAY

TO
EASEMENT
AS
SET
OUT
RETRAIT BOULEVARD
(DEDICATED BY BY-LAW No. 17-2002, RST. No. 18 777996)

(SUBJECT)

PART 1, PLAN 65R-26699
PIN 03327-3956

BLOCKS 2 TO 9,
PLAN 65M-4283

BLOCKS 139 TO 142,
PLAN 65M-4104

--- Subject Lands

Not to Scale

Registered Plan of Subdivision 65M-4283 and 65M-4104

APPLICANT:
Ozner Corporation (South)

LOCATION:
Part of Lot 22, Concession 5

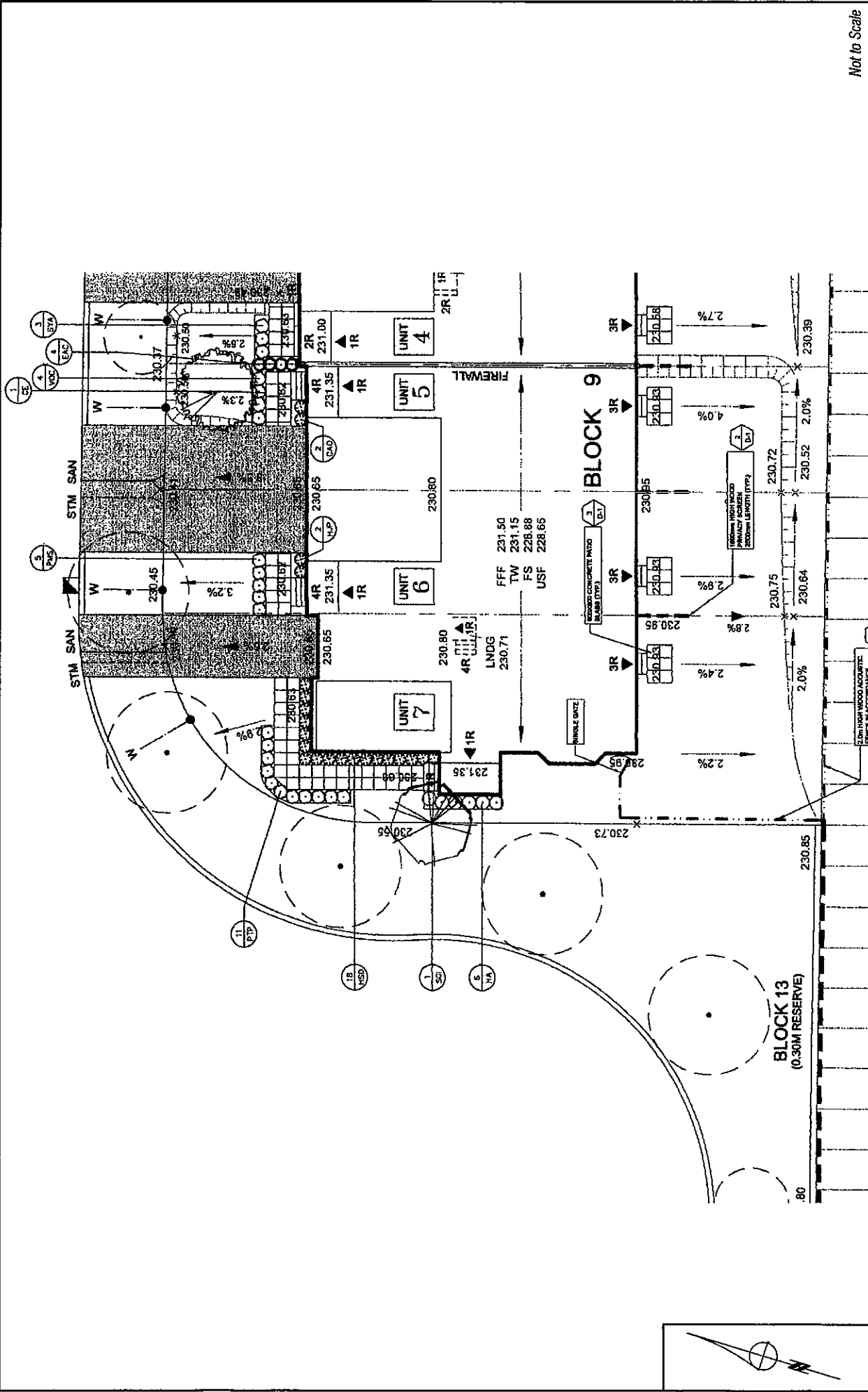


Attachment

FILES:
Z.11.012, DA.11.036

DATE:
January 05, 2012

4



Not to Scale



Landscape Plan Block 9 (Typical)

APPLICANT: Ozner Corporation (South)
 LOCATION: Part of Lot 22, Concession 5

N:\DFA\1 ATTACHMENTS\DA\da.11.036z.11.012.dwg

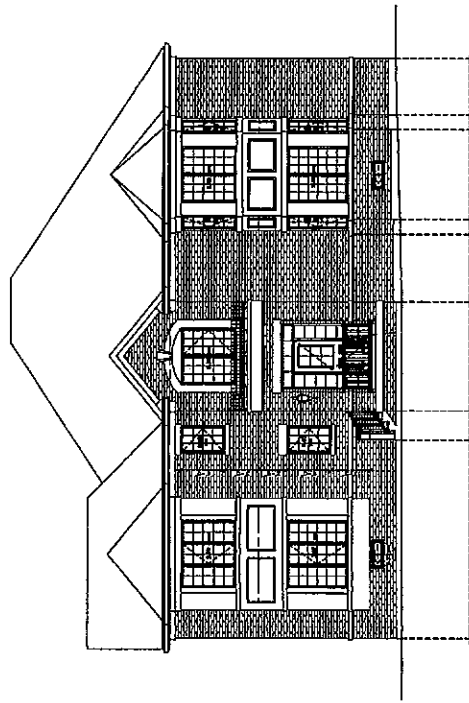
ASPHALT SHINGLES

PRE-CAST SILL

FACE BRICK

STUCCO

NORTH (FRONT) ELEVATION



WEST (SIDE) ELEVATION

Not to Scale

Elevations-North & West Block 9 (Typical)

APPLICANT:
Ozner Corporation (South)

LOCATION:
Part of Lot 22, Concession 5



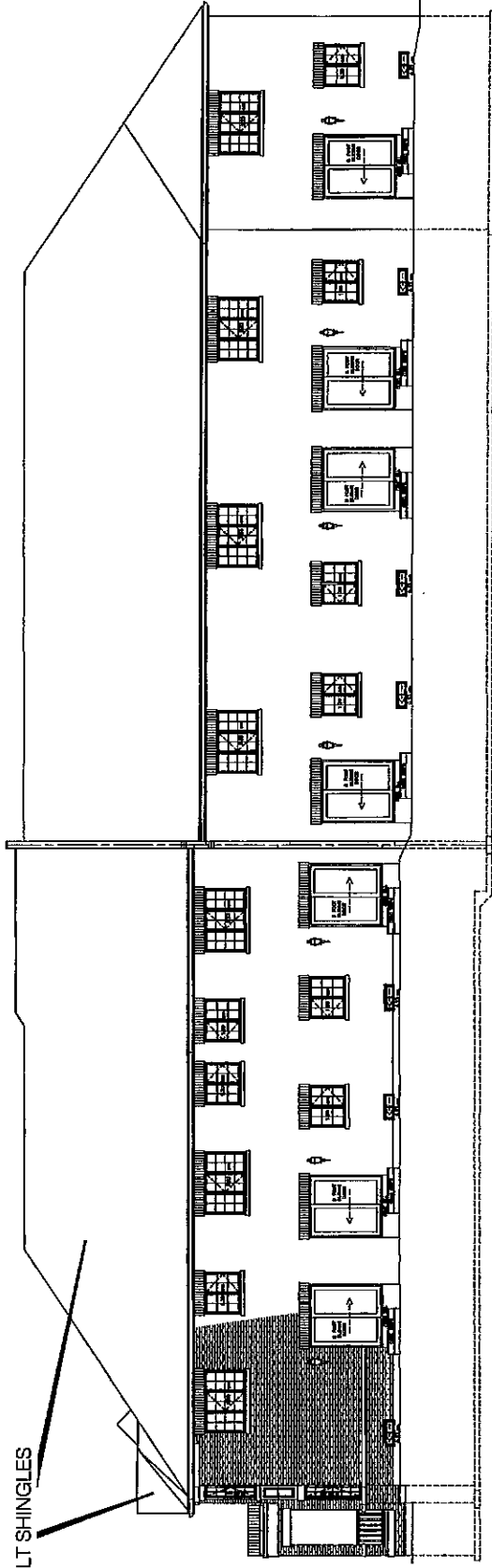
Attachment

FILES:
Z.11.012, DA.11.036

DATE:
January 05, 2012

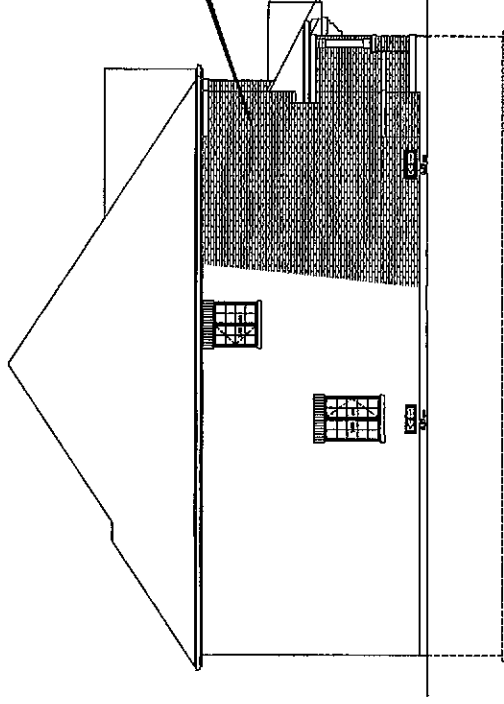
7

ASPHALT SHINGLES



SOUTH (REAR) ELEVATION

FACE BRICK



EAST (SIDE) ELEVATION

Not to Scale

Elevations-South & East Block 9 (Typical)

APPLICANT: Ozner Corporation (South) LOCATION: Part of Lot 22, Concession 5



Attachment

FILES: Z.11.012, DA.11.036

DATE: January 05, 2012

8