

COMMITTEE OF THE WHOLE JANUARY 17, 2012

OFFICIAL PLAN AMENDMENT FILE OP.11.004 ZONING BY-LAW AMENDMENT FILE Z.11.014 RAVINES OF ISLINGTON HOLDINGS LIMITED WARD 2

Recommendation

The Commissioner of Planning recommends:

1. THAT this report BE RECEIVED for information.

Contribution to Sustainability

N/A

Economic Impact

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

Purpose

The purpose of this report is to respond to the following Council resolution of December 13, 2011 regarding the request by letter dated December 12, 2011 from Claudio Brutto on behalf of the Owner of the Ravines of Islington Holdings Ltd.:

"That the adoption of By-laws 225-2011 and 226-2011, regarding 8469 Islington Avenue be deferred pending a report from Staff in January dealing with matters raised in Communication C4, from Mr. Claudio P. Brutto Consulting, 999 Edgeley Blvd., Unit #6, Vaughan, L4K 5Z4, dated December 12, 2011."

Background - Analysis and Options

The subject lands shown on Attachments #1 and #2 are located on the east side of Islington Avenue, south of Langstaff Road, being Lot 7 on Registered Plan M-1113, known municipally as 8469 Islington Avenue, City of Vaughan. The surrounding land uses are shown on Attachment #2.

Background

On November 29, 2011, Vaughan Council approved Official Plan and Zoning By-law Amendment Files OP.11.004 and Z.11.014, respectively (Ravines of Islington Holdings Ltd.) to redesignate the subject lands to 'Medium Density Residential' and "Environmental Protection Area", and to rezone the lands from R2 Residential Zone and OS1 Open Space Conservation Zone to RM2(H) Multiple Residential Zone with the "H" Holding Symbol and OS1 Open Space Conservation Zone, to permit a maximum of 11 freehold townhouse units with a maximum building height of 3 storeys to be located on a private common element condominium road.

At the December 13, 2011 Council meeting, the agent for the applicant wrote a letter dated December 12, 2011 to Council to defer the adoption of site specific Official Plan Amendment #721 (By-Law 225-2011) and the enactment of the implementing Zoning By-law (226-2011) to facilitate an increase in residential units from 11 to 13 units without the need for another Public Hearing, based on the following rationale outlined in Communication C4 (Attachment #4).

Brutto Consulting Letter (Attachment #4)

Mr. Brutto is of the opinion that the revisions to the approved plan to add 2 additional townhouse units (from 11 to 13) represents an amendment that Council can deem to be minor in nature and approve, without requiring another Public Hearing, based on the following rationale:

1. The new proposal would represent a more efficient use of urban services, and therefore, more in keeping with the Provincial Policy Statement, Places to Grow, the new Regional Official Plan and the new City of Vaughan Official Plan.
2. There will be no changes to the By-law Standards that were supported by Staff and Committee.
3. The Floor Space Index (FSI) proposed with the additional units will not change from that originally approved.
4. The approved road pattern will not change.
5. Visitor parking provisions can still be met.
6. Provision for development of adjoining lands will not be altered.
7. There are no substantive footprint changes to the townhouse block where 2 units will be added.
8. Setbacks to adjoining properties, to Islington Avenue, and to the Valley, will not change.
9. There will be no architectural changes to the townhouse built form.

Development Planning Department Response

The proposed request although minor represents an amendment to the Official Plan, as the addition of two units has the effect of increasing the approved density on the property from 35 units/ha to 42 units/ha. This also has the effect of reducing the width of the townhouse units from 7.5 m to 5.6 m. While the Development Planning Department has supported similar densities and unit sizes for developments in the immediate vicinity, the fact remains that the application is different from the Council approved Plan, and the proposal that the public commented on, and proper public notice must be given to hold another Public Hearing on the revised proposal for public input and consideration.

On February 3, 2009, Vaughan Council approved new policies with respect to Public Meeting Notification for Planning Applications, including the following:

"That a new public hearing be considered for all planning applications under the following circumstances:

- a) any application that has not been considered by the Committee of the Whole within two (2) years after being considered at a previous public hearing;
- b) where the nature of the application has been amended to increase the density of the proposal, change the nature of the land uses or arrangement thereof, and increase the proposed building height; and,
- c) in respect of a) and b) above, the Development Planning Department shall prepare a brief report to Council outlining the rationale for a new public hearing and that Council will make the final decision with respect to holding a further public hearing."

The proposed revisions have the effect of increasing the permitted density and number of residential units, and therefore, a new Notice Sign on the property, Planning Application Revision Fees, and a new Public Hearing are recommended by the Development Planning Department.

Furthermore, Council should note that the Zoning section of the Planning Act (Sec. 34(17)) allows Council to deem a revision as minor and not requiring a further Public Hearing. However, the Official Plan section in the Planning Act does not grant the same authority to the municipality.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan and Manage Growth and Economic Well-being

Regional Implications

N/A

Conclusions

The Vaughan Development Planning Department has considered the proposed revisions to permit 2 additional townhouse units (from 11 to 13) within Council approved applications to amend the Official Plan and Zoning By-law, and although minor, the revisions have the effect of increasing the number of residential units, thereby increasing the maximum approved density on the site from 35 to 42 units/ha, and reducing the unit sizes from 7.5m to 5.6m thereby making the applications different from the original approved and requiring further public notification and input.

Having regard for the Planning Act and the policies within the City's Public Meeting Notification For Planning Applications, it is the recommendation of the Development Planning Department that a new Public Hearing is required in order that proper public notice and input is given and obtained, respectively.

Attachments

1. Context Location Map
2. Location Map
3. Revised Conceptual Site Plan
4. Brutto Consulting Letter dated December 12, 2011 (Communication C4)

Report prepared by:

Eugene Fera, Planner, ext. 8064

Respectfully submitted,

JOHN MACKENZIE
Commissioner of Planning

GRANT UYEYAMA
Director of Development Planning

/CM



Context Location Map

Attachment 1

Part of Lot 10,
Concession 7

Applicant:

RAYNES OF ISLINGTON HOLDINGS INC.

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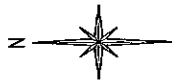


Files:
OP.11.004 &
Z.11.014

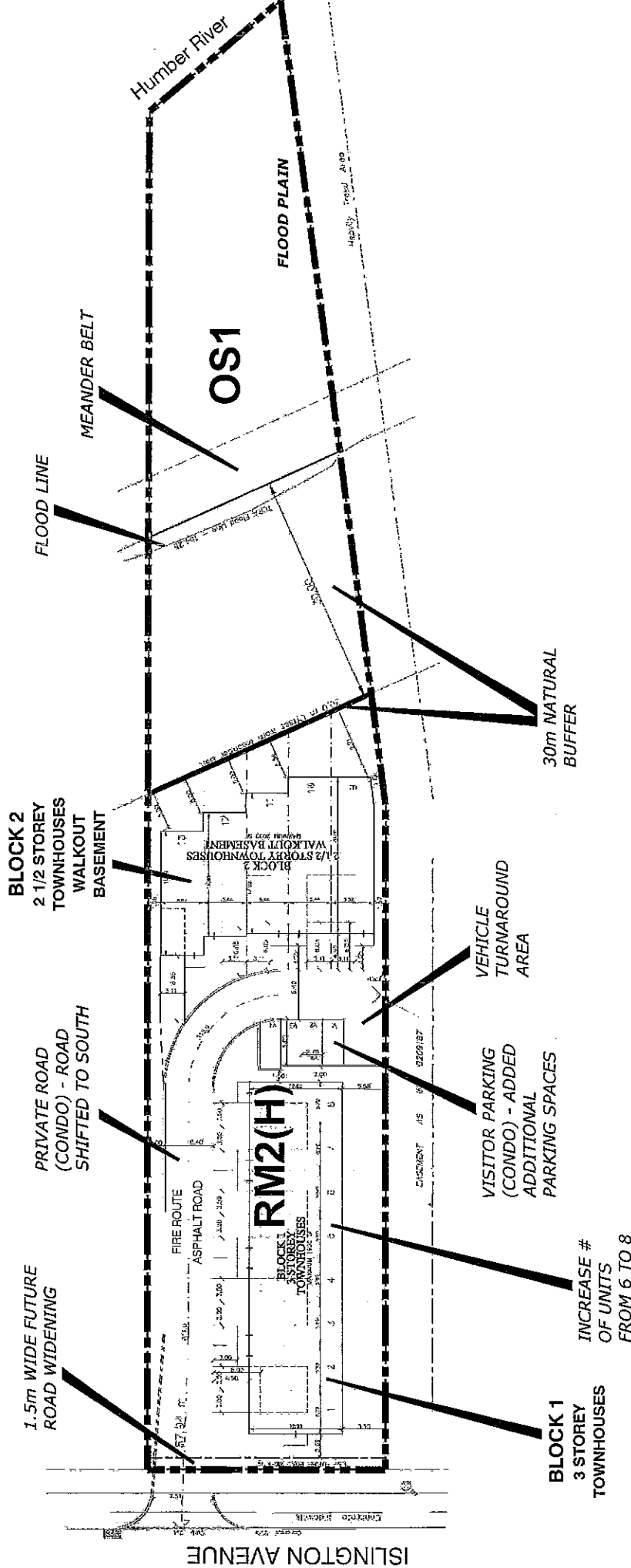
Date: October 14, 2011

OFFICIAL PLAN AMENDMENT & ZONING BY-LAW AMENDMENT APPLICATIONS

AMEND THE WOODBRIDGE COMMUNITY PLAN (OPA #240) AS AMENDED BY OPA#597 (ISLINGTON AVENUE CORRIDOR STUDY) TO REDESIGNATE THE SUBJECT LANDS FROM "LOW DENSITY RESIDENTIAL" AND "ENVIRONMENTAL PROTECTION AREA" TO "MEDIUM DENSITY RESIDENTIAL" AND "ENVIRONMENTAL PROTECTION AREA", AND AMEND ZONING BY-LAW 1-88 TO REZONE THE SUBJECT LANDS FROM R2 RESIDENTIAL ZONE AND OS1 OPEN SPACE CONSERVATION ZONE TO RM2(H) MULTIPLE RESIDENTIAL ZONE WITH THE ADDITION OF A HOLDING SYMBOL (H) AND OS1 OPEN SPACE CONSERVATION ZONE TO FACILITATE THE DEVELOPMENT OF A 13 UNIT (REVISED) COMMON ELEMENT CONDOMINIUM TOWNHOUSE DEVELOPMENT.



Not to Scale



SUBJECT LANDS

Revised Conceptual Site Plan



Applicant: RAVINES OF ISLINGTON HOLDINGS INC.
 Part of Lot 10, Concession 7
 N:\DPT\11 ATTACHMENTS\OPop.11.004z.11.014eal.dwg

December 12, 2011

Mayor and Members of Council *Hand Delivery to the Clerks Office*
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

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Item # BL 225-2011
Report No. _____
COUNCIL - Dec 13/11

**Re: Official Plan Amendment OPA 721 OP.11.004 and Zoning By-Law Z.11.014
For Ravines of Islington Holdings Inc., 8469 Islington Ave, Woodbridge, Ontario**

We are writing to you on behalf of our clients who are the owners of the above noted development.

We understand that OP.11.004 (OPA 721) and the requisite Zoning By-law Amendment Z.11.014, which recommends approval for an 11 units common element townhouse development is slated for Council approval on Tuesday December 13th 2011. We have reviewed the subject material and find them to be generally in order.

However, at this time, we *respectfully ask that the approval be deferred to a future Council Meeting in January of 2012* as we have encountered some marketing concerns with the current proposed unit sizes which will slightly alter the plan.

One of the townhouse blocks on the site features excessively large townhouse units that do not correspond well to the current market place in the area for townhouses. See attached plan. These units could currently range up to 3,000 square feet in size.

In order to make the units more marketable and therefore render the site development more efficient, our architect has determined that the unit sizes in this block need to be reduced in size to approximately 2,000 square feet, still large by this areas standards but certainly much smaller than that which is currently proposed.

This change in unit size will have the resultant affect of slightly increasing the number of units in that block by 2 units. Hence our request for the deferral at this time for about a month.

We ask that Council direct staff to undertake a further review of the current approval in the light of this request for a minor amendment.

We are confident that once Council and Staff review this proposed change you will be able to deem it to be very minor in nature and that *another Public Meeting need not be scheduled.*

Communication C4
December 12, 2011

APPLICANT: Ravines of
Islington Holdings Inc.

LOCATION: Part of
Lot 10, Concession 7



Development Planning Department

Attachment

FILES:
OP.11.004, OPA #721
& Z.11.014

DATE:
December 21, 2011

4

This provision is available to Council as it is entrenched in the Planning Act of the Province of Ontario and it is a tool that Council has availed itself of on numerous occasions.

To further support this request and this can be confirmed by staff, there were no substantive points of opposition that arose to the development proposal at the original Public Meeting held on June 14th 2011. In fact the proposal that is currently before you has not changed since the Public Meeting.

We can state unequivocally that indeed this is a very minor change and can articulate for you that nothing changes on the plan except the addition of 2 units within one block.

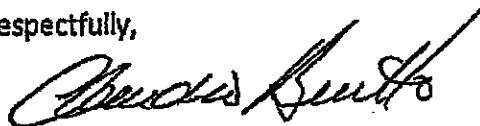
The following is our further technical rationale for your kind consideration:

1. The new proposal would represent a more efficient use of urban serviced and therefore more in keeping with the Provincial Policy Statement, Places to Grow, the New Regional Official Plan and the new City of Vaughan Official Plan.
2. There will be no changes to the By-Law Standards that were supported by Staff and Committee.
3. The FSI proposed with the 2 additional units will not change from that originally approved.
4. The approved road pattern will not change.
5. Visitor parking provisions can still be met.
6. Provision for development of adjoining lands will not be altered.
7. There are no substantive footprint changes to the townhouse block where 2 units will be added.
8. Setbacks to the adjoining properties, to Islington and to the Valley will not change.
9. There will be no architectural changes to the townhouse built form.
10. Visitor parking provisions can still be met.

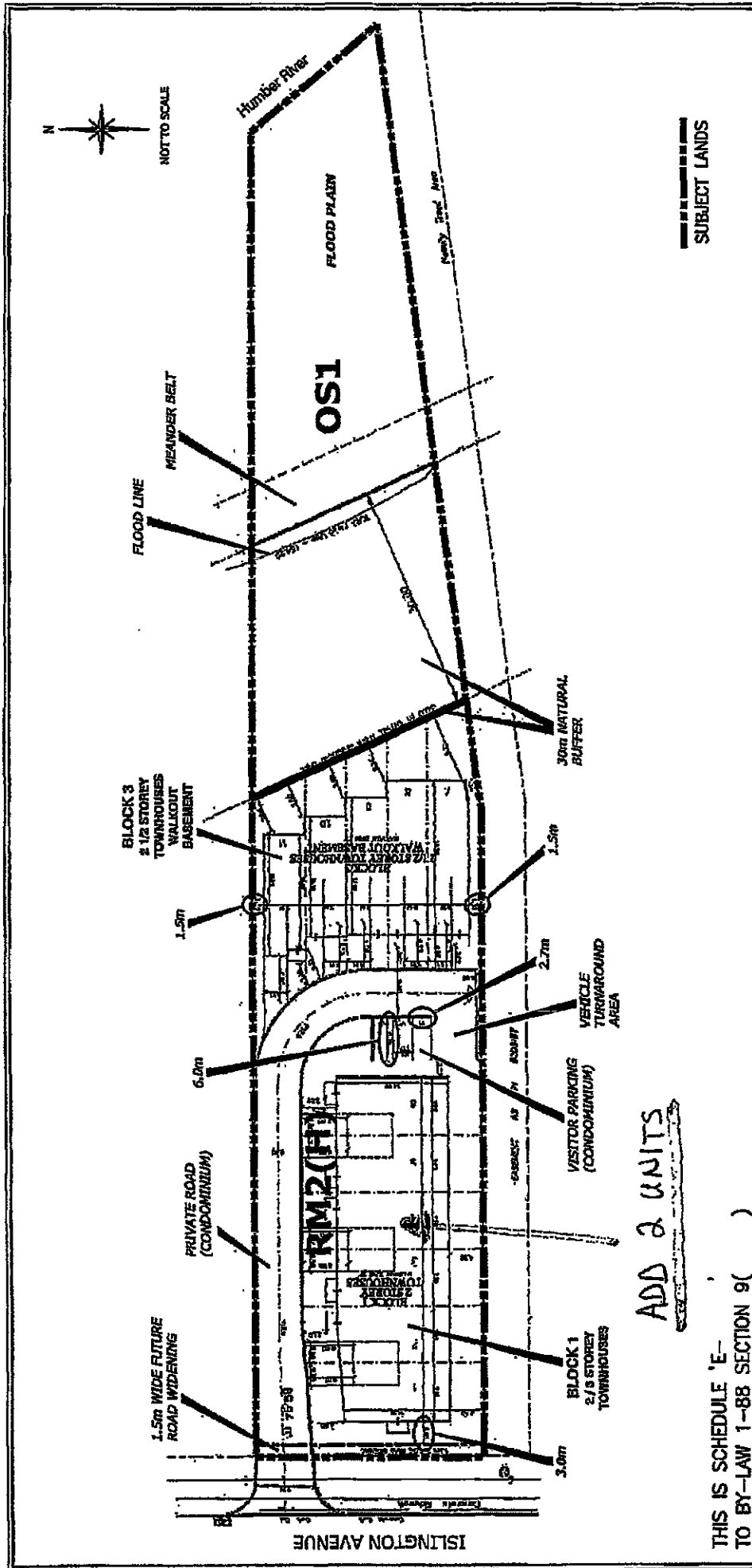
We hope and trust that you will be able to accommodate this deferral request and direct that staff report back to you in January and that an additional Public Meeting not be required as this would be an inefficient use of the City's time and expense.

If you have any questions in respect of this matter please do not hesitate to contact me.

Respectfully,



Claudio P. Brutto, MCIP, RPP
President, Brutto Consulting



SIGNING OFFICERS

MAYOR

CLERK

THIS IS SCHEDULE '1'
TO BY-LAW - 2011
PASSED THE DAY OF , 2011

FILE: Z.11.014
RELATED FILE: OP.11.004
LOCATION: PART OF LOT 10, CONCESSION 7
APPLICANT: RAVINES OF ISLINGTON HOLDINGS INC.
CITY OF VAUGHAN