

**350 Vaughan Rd – Zoning Amendment Application –  
Final Report**

<b>Date:</b>	December 16, 2015
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 21 – St. Paul's
<b>Reference Number:</b>	13-241049 STE 21 OZ

**SUMMARY**

This application proposes to permit seven 3-storey detached houses and two 3-storey semi-detached units at 350 Vaughan Road. Parking is to be provided at the rear of the units with access off of a public laneway.

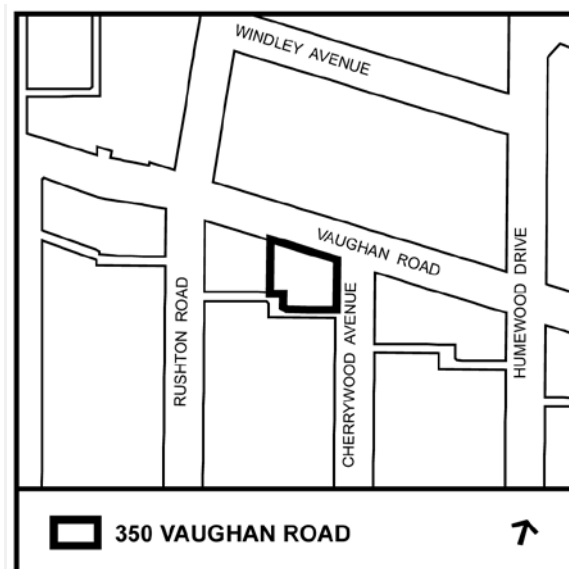
The proposed development conforms with the development criteria for *Neighbourhoods*, *Healthy Neighbourhoods*, *Built Form*, and all other relevant Official Plan policies.

This report reviews and recommends approval of the application to amend the Zoning By-law.

**RECOMMENDATIONS**

**The City Planning Division recommends that:**

1. City Council amend Zoning By-law 1-83 for the former City of York, for the lands at 350 Vaughan Road substantially in accordance with the draft Zoning By-law Amendment to be provided prior to the January 19, 2016 meeting of Toronto and East York Community Council.



2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 350 Vaughan Road substantially in accordance with the draft Zoning By-law Amendment to be provided prior to the January 19, 2016 meeting of Toronto and East York Community Council.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
4. Before introducing the necessary Bills to City Council for enactment, City Council require the owner to submit a revised Functional Servicing & Stormwater Management Report to the satisfaction of the Executive Director, Engineering and Construction Services.
5. Before introducing the necessary Bills to City Council for enactment, City Council require the owner to address all matters related to fire services, to the satisfaction of the Executive Director, Engineering and Construction Services.
6. Before introducing the necessary Bills to City Council for enactment, City Council require the Owner to enter into an Agreement pursuant to Section 37 of the Planning Act as follows:

- a. The community benefits recommended to be secured in the Section 37 Agreement are as follows:

Prior to issuance of an above grade building permit the owner shall make an indexed cash contribution to the City in the amount of \$30,000 to be allocated at the discretion of the Chief Planner and Executive Director, City Planning Division in consultation with the local Councillor, toward any one or more of the following:

- a) Wychwood Barns;
- b) Toronto Bike Share; and
- c) Improvements to local community facilities.

Such amount to be indexed upwardly in accordance with the Statistics Canada Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment is made.

- b. In the event the cash contribution referred to in Section a has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

- c. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
- i. The owner shall pay for and construct any improvements to the municipal infrastructure in connection with the site servicing assessment, should it be determined that improvements to such infrastructure is required to support this development.
  - ii. Prior to the issuance of any building permit for the site, the owner shall enter into an agreement to construct a new sanitary sewer on Cherrywood Avenue, to the satisfaction of the Executive Director, Engineering and Construction Services.
  - iii. Prior to the issuance of any building permit for the site, the owner shall prepare at its expense all documents and convey to the City, at a nominal cost, a 0.67 metre wide strip of land to the full extent of the site abutting the north limit of the east-west public lane that runs easterly from Rushton Road, and a 0.67 metre wide strip of land to the full extent of the site abutting the north limit of the east-west public lane that runs westerly from Cherrywood Avenue, such lands to be free and clear of all encumbrances, save and except for utility poles, and subject to an access easement, all to the satisfaction of the Executive Director, Engineering & Construction Services and the City Solicitor;
  - iv. Prior to the issuance of any building permit for the site, the owner shall prepare all documents at its expense and convey to the City, at a nominal cost, a 1.5 metre by 1.5 metre daylight triangle space, at the south-easterly portion of the section that connects the public lanes that extend from Rushton Road and Cherrywood Avenue, such lands to be free and clear of all encumbrances, save and except for utility poles, and subject to an access easement, all to the satisfaction of the Executive Director, Engineering & Construction Services and the City Solicitor;
  - v. The Owner shall submit to the Executive Director, Engineering & Construction Services, for review and acceptance, prior to depositing in the appropriate Land Registry Office, a draft Reference Plan of Survey, in metric units and integrated with the Ontario Co-ordinate System, showing the co-ordinate values at the main corners of the development lands, and delineating thereon, by separate PARTS, the lands to be conveyed to the City and any appurtenant rights-of-way.

## **Financial Impact**

The recommendations in this report have no financial impact.

## **ISSUE BACKGROUND**

### **Proposal**

The proposal is to construct 7 detached houses and 2 semi-detached dwellings on the subject site. The proposed detached and semi-detached dwellings will be 3 storeys (excluding rooftop access stairwell) in height. Three of the detached houses and one of the semi-detached dwelling units front onto Cherrywood Avenue. The remaining 4 detached houses and semi-detached dwelling unit will front onto Vaughan Road. The proposed Floor Space Index (FSI) is 1.34 times the area of the lot.

The units fronting onto Vaughan Road will be set back a minimum of 2.0 metres, increasing to 3.5 metres for the most westerly unit. The setback along Cherrywood Avenue will be a minimum of 2.0 metres, with an increased setback of 2.5 metres for the southernmost unit on Cherrywood Avenue. The most westerly detached dwelling will be set back 0.90 metres from the west lot line. The southernmost detached house will be set back 0.2 metres from the laneway to the south.

The rear portion of the lot, adjacent to the laneway, will be graded to be level with the laneway. Each unit will have a parking space accessed from the rear laneway. Parking will be provided in an integral garage, or in an accessory structure.

Each of the units will have a rooftop deck, as well as a deck located at the rear of the first floor.

The Site Plan and Elevations are included in Attachments 1-8 of this report. Additional project information is included in Attachment 10.

### **Site and Surrounding Area**

The subject site is irregular in shape, and 1,136 square metres in size. The site has a frontage of 38.13 metres on Vaughan Road and a frontage of 27.46 metres on Cherrywood Avenue. There is a substantial grade difference between the subject site and the laneway to the south, the laneway being approximately 1.5 metre lower. The subject site is currently vacant.

North: two-storey detached and semi-detached dwellings;

South: two-storey detached and semi-detached dwellings;

East: two-storey semi-detached dwellings;

West: two-storey detached and semi-detached dwellings;

## Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

## Official Plan

The City's Official Plan designates the subject site as *Neighbourhoods* on Map 17- Land Use Plan. *Neighbourhoods* are considered physically stable areas containing a full range of residential uses within lower scale buildings, as well as parks, schools, local institutions and small-scale stores. Lower scale residential buildings in *Neighbourhoods* consist of detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments no more than four-storeys in height (Policy 4.1.1).

The stability of our *Neighbourhoods*' physical character is one of the keys to Toronto's success. Physical changes to our established *Neighbourhoods* must be sensitive, gradual and generally "fit" the existing physical character. To ensure development in established *Neighbourhoods* will respect and reinforce the existing physical character, policy 4.1.5 of the Plan states that any proposal shall have regard for:

- a) patterns of streets, blocks and lanes, parks and public building sites;
- b) size and configuration of lots;
- c) heights, massing, scale and dwelling type of nearby residential properties;
- d) prevailing building type(s);
- e) setbacks of buildings from the streets or streets;
- f) prevailing patterns of rear and side yard setbacks and landscaped open space;
- g) continuation of special landscape or built-form features that contribute to the unique physical character of a neighbourhood; and
- h) conservation of heritage buildings, structures and landscapes.

At its meeting of December 9, 2015, City Council adopted amendments for the Healthy Neighbourhoods, Neighbourhoods and Apartment Neighbourhoods policies of the Official Plan. The proposed policy changes are the result of extensive consultations

with stakeholders including community associations, the general public, the development industry and City divisions and agencies, all which have helped to further refine the proposed policies to provide enhanced clarity and direction. The Official Plan amendment incorporates changes to clarify, strengthen and refine the existing policies as they apply to residential lands.

## **Zoning**

The site is zoned R2 under York Zoning By-law 1-83. The R2 zone permits residential and non-residential uses, including detached, semi-detached and duplex dwellings. An exception on the site permits a vehicle fuel station and vehicle service shop.

The site is zoned RM under City-wide Zoning By-law 569-2013, enacted on May 9, 2013. This is a residential zone that allows a number of residential and non-residential uses, including detached, semi-detached and duplex dwellings having a gross floor area of up to 0.80 times the lot area. The maximum permitted height is 11.0 metres. A site specific exemption in the Zoning By-law permits a vehicle fuel station and vehicle service shop on the site. The zoning map is included in Attachment 9.

## **Site Plan Control**

The proposal is not subject to Site Plan Control.

## **Reasons for the Application**

The proposed development does not comply with certain standards contained in the Zoning By-law, including height, density and setbacks. The proposed density of 1.34 times the lot area exceeds the maximum total density of 0.8 times permitted by the Zoning By-law. The proposal also varies from the by-law in terms of height and setbacks.

## **Community Consultation**

A community meeting was held respecting this application on March 5, 2014. Approximately 21 members of the public attended, along with the local Councillor, representatives of the landowner and City staff. The following items were raised at the meeting and in letters and emails submitted to Planning staff following the community meeting.

### Density

Residents expressed opposition to the proposed density and the number of units. The original proposal presented at the Community Consultation meeting was for 10 townhouse units and 2 semi-detached units. Residents stated that the proposed development did not fit in with the surrounding neighbourhood and that the number of units should be reduced. Residents were also concerned about the lack of outdoor amenity space proposed for the dwelling units due to the overdevelopment of the site.

### Traffic

Residents expressed concerns about the traffic impact of the proposed development on the laneway and on Cherrywood Avenue.

### Snow Removal

Residents expressed concern about snow removal on the laneway and where snow from the rear of the development site would be stored.

### Garbage

Residents questioned where garbage would be stored and placed for pick-up. There was concern that garbage bins would block the sidewalk on Cherrywood Avenue and cause issues for pedestrians.

### Construction

The impact of the construction process, such as dust, noise, and traffic, was also raised as a concern by residents.

An additional Community Meeting was held by the local Councillor on February 15, 2015 and was attended by 8 residents. The revised proposal outlined in this report was presented. There were no major concerns expressed at the community meeting.

## **Agency Circulation**

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate By-law standards.

## **COMMENTS**

### **Provincial Policy Statement and Provincial Plans**

The proposal is consistent with the PPS.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

### **Density, Massing**

The original application, as submitted in 2013, was for 12 units (10 townhouses, 2 semi-detached) three storeys in height, with a FSI of 1.58. The application has been revised to reduce the density and the number of units. The proposal is now for a total of 9 units (7 detached dwellings, and 2 semi-detached dwelling units) three storeys in height, with a FSI of 1.34.

The *Neighbourhoods* policies of the Official Plan state that the stability of our *Neighbourhoods'* physical character is one of the keys to Toronto's success. Physical changes to our established *Neighbourhoods* must be sensitive, gradual and generally "fit" the existing physical character. New development is required to respect and reinforce the existing physical character of the neighbourhood.

The proposed development integrates into the existing neighbourhood better than the original proposal. The proposed detached and semi-detached dwellings respect and reinforce the prevailing building type of the neighbourhood. The reduction in density allows for lot frontages ranging from 4.8 metres to 6.2 metres, in keeping with the character of the neighbourhood.

The front yard setbacks of the proposed development range from 2.0 metres to 3.5 metres on Vaughan Road, and 2.0 metres to 2.5 metres on Cherrywood Avenue. This allows for front yard landscaping which respects the character of the area. The length of each dwelling has also been reduced to allow for landscaped open space at the rear of each dwelling.

A small rooftop access to a rooftop deck is proposed on top of each of the dwellings. The rooftop access has been set back from the front and rear of the dwelling so that it will mitigate the perceived increase in height. The rooftop decks have been located to limit privacy and overlook onto neighbouring properties.

The proposed development respects and reinforces the existing physical character of the neighbourhoods and meets the *Neighbourhood* policies of the Official Plan.

### **Parking**

Each of the proposed dwellings will have a parking space accessed from the rear laneway. Parking will be provided in an integral garage or an accessory structure. The parking layout has been reviewed by Transportation Services staff to ensure that each parking space is easily accessible to allow for proper circulation of vehicles.

### **Garbage**

The proposal has been revised to allow for the storage of garbage, recycling, and green bins at the rear of each unit. A 1.3 metre wide passage to Vaughan Road has been provided at the middle of the site to allow for movement of garbage/recycling bins from the rear of the site to the street for pick-up.

### **Servicing**

In order to facilitate the proposed development the owner is required to construct an extension to the sanitary sewer on Cherrywood Avenue. The construction of the sanitary sewer extension will be secured as part of the Section 37 Agreement.

The applicant must submit revised Functional Servicing and Stormwater Management reports to confirm matters such as sanitary flow rates, ground water discharge, and stormwater storage, to the satisfaction of the Executive Director of Engineering and Construction services, before the necessary bills go to City Council for enactment.

The applicant is required to finalize all matters related to fire services, to the satisfaction of the Executive Director of Engineering and Construction services, before the necessary bills go to City Council for enactment.



## **Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The subject lands are in an area with 0 to 0.42 hectares of local parkland per 1,000 people, which is in the lowest quintile of current provision of parkland. The site is in a parkland priority area, as per Alternative Parkland Dedication By-law 1020-2010.

The applicant proposes to construct 9 dwelling units on the 1136.7 square metre site. At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication would be 0.02 hectares or 10.56% of the net site area. However, a cap of 10% applies, therefore the parkland dedication is 0.0114 hectares (114 square metres).

The applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as an on-site parkland dedication requirement of 0.0114 hectares (114 square metres) would be too small and not be of a useable size.

The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

## **Section 37**

The Official Plan contains policies pertaining to the provision of community benefits for increases in height and/or density pursuant to Section 37 of the *Planning Act*. While the proposed development exceeds the height and density limits of the Zoning By-law, the application is consistent with the objectives and policies of the Official Plan, and thus constitutes good planning.

The facilities, services and matters to be provided by the owner and that are recommended to be secured in the Section 37 Agreement are as follows:

1. Prior to issuance of an above grade building permit the owner shall make a cash contribution to the City in the indexed amount of \$30,000 to be allocated at the discretion of the Chief Planner and Executive Director, City Planning Division in consultation with the Ward Councillor, toward any one or more of the following:
  - a) Toronto Bike Share;
  - c) Local parks improvements; and
  - d) Improvements to local community facilities.

Such amount to be indexed upwardly in accordance with the Statistics Canada Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment is made.

2. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
- i. The owner shall pay for and construct any improvements to the municipal infrastructure in connection with the site servicing assessment, should it be determined that improvements to such infrastructure is required to support this development.
  - ii. Prior to the issuance of any building permit for the site, the owner shall enter into an agreement to construct a new sanitary sewer on Cherrywood Avenue, to the satisfaction of the Executive Director, Engineering and Construction Services.
  - iii. Prior to the issuance of any building permit for the site, the owner shall prepare at its expense all documents and convey to the City, at a nominal cost, a 0.67 metre wide strip of land to the full extent of the site abutting the north limit of the east-west public lane that runs easterly from Rushton Road, and a 0.67 metre wide strip of land to the full extent of the site abutting the north limit of the east-west public lane that runs westerly from Cherrywood Avenue, such lands to be free and clear of all encumbrances, save and except for utility poles, and subject to an access easement, all to the satisfaction of the Executive Director, Engineering & Construction Services and the City Solicitor;
  - iv. Prior to the issuance of any building permit for the site, the owner shall prepare all documents at its expense and convey to the City, at a nominal cost, a 1.5 metre by 1.5 metre daylight triangle space, at the south-easterly portion of the section that connects the public lanes that extend from Rushton Road and Cherrywood Avenue, such lands to be free and clear of all encumbrances, save and except for utility poles, and subject to an access easement, all to the satisfaction of the Executive Director, Engineering & Construction Services and the City Solicitor;
  - v. The Owner shall submit to the Executive Director, Engineering & Construction Services, for review and acceptance, prior to depositing in the appropriate Land Registry Office, a draft Reference Plan of Survey, in metric units and integrated with the Ontario Co-ordinate System, showing the co-ordinate values at the main corners of the development lands, and delineating thereon, by separate PARTS, the lands to be conveyed to the City and any appurtenant rights-of-way.

## **Conclusion**

City Planning Staff have reviewed the development proposal at 350 Vaughan Road and find that the revised proposal is suitable development for the subject site. The applicant has revised its application to address City Staff concerns, including reductions in density and mitigating impacts on the adjacent neighbourhood. As such, Planning staff recommends approval of the proposed Zoning By-law Amendment.

## **CONTACT**

David Driedger, Planner  
Tel. No. 416-392-7613  
E-mail: ddriedg@toronto.ca

## **SIGNATURE**

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Gregg Lintern, MCIP, RPP  
Director, Community Planning  
Toronto and East York District

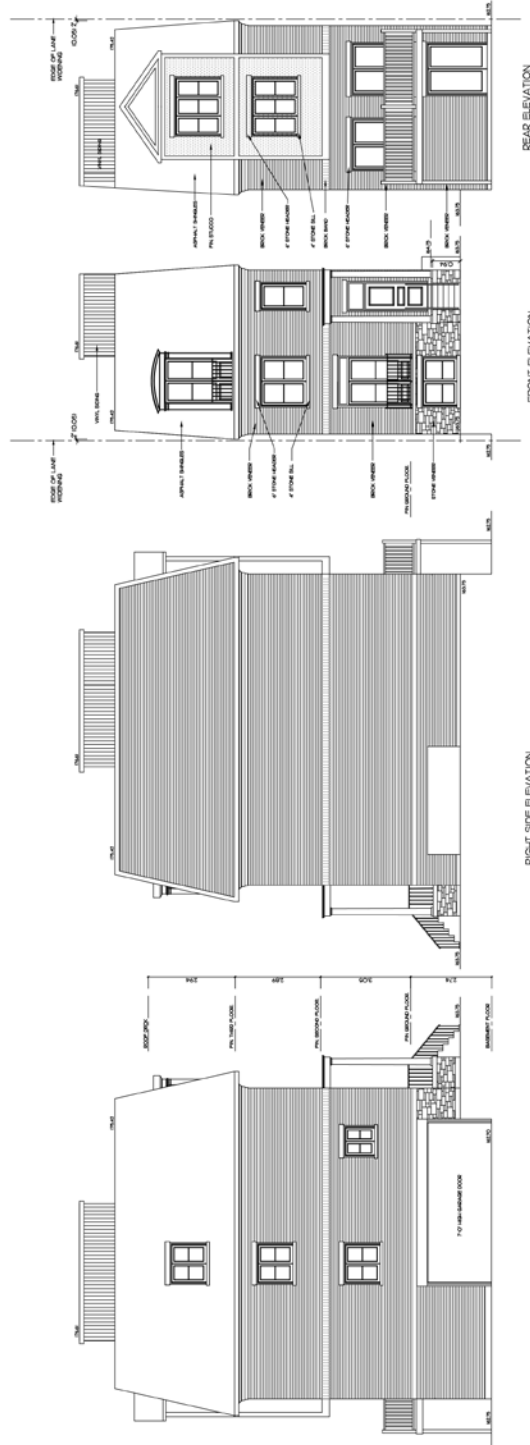
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## **ATTACHMENTS**

- Attachment 1: Site Plan
- Attachment 2: Elevations (Unit 1)
- Attachment 3: Elevations (Unit 2)
- Attachment 4: Elevations (Unit 3)
- Attachment 5: Elevations (Unit 4)
- Attachment 6: Elevations (Unit 5)
- Attachment 7: Elevations (Unit 6)
- Attachment 8: Elevations (Units 7, 8, & 9)
- Attachment 9: Zoning
- Attachment 10: Application Data Sheet
- Attachment 11: Draft Zoning By-law Amendment (by-law 1-83)
- Attachment 12: Draft Zoning By-law Amendment (by-law 569-2013)



**Attachment 2: Elevations (Unit 1)**



**350 Vaughan Road**

File # 13\_241049 STE 21 0Z

**Unit 1 Elevations**  
 Applicant's Submitted Drawing

Not to Scale  
 12/15/2015

**Attachment 3: Elevations (Unit 2)**



FRONT ELEVATION



REAR ELEVATION

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**Unit 2 Elevations**

Applicant's Submitted Drawing

Not to Scale  
12/15/2015

**350 Vaughan Road**

File # 13\_241049 STE 21 OZ

**Attachment 4: Elevations (Unit 3)**



FRONT ELEVATION



REAR ELEVATION

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**Unit 3 Elevations**

**350 Vaughan Road**

Applicant's Submitted Drawing

Not to Scale  
12/15/2015

File # 13\_241049 STE 21 0Z

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**Attachment 5: Elevations (Unit 4)**



FRONT ELEVATION



REAR ELEVATION

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**Unit 4 Elevations**

Applicant's Submitted Drawing

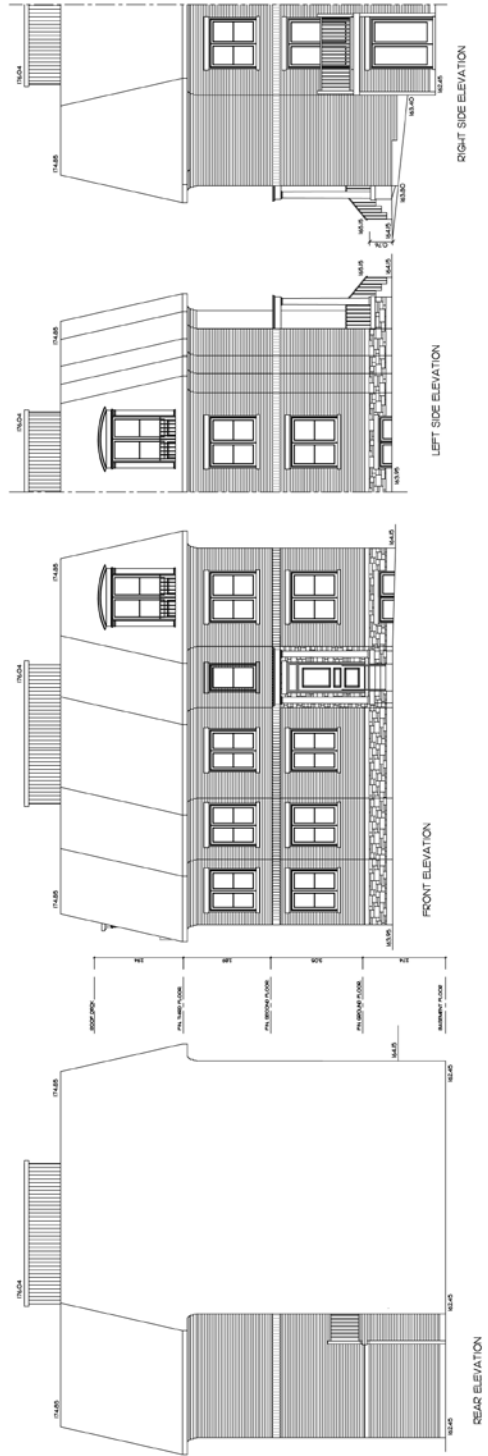
Not to Scale  
12/15/2015

**350 Vaughan Road**

File # 13\_241049 STE 21 OZ



**Attachment 6: Elevations (Unit 5)**



**350 Vaughan Road**

File # 13\_241049 STE 21 0Z

**Unit 5 Elevations**  
 Applicant's Submitted Drawing

Not to Scale  
 12/15/2015

**Attachment 7: Elevations (Unit 6)**



FRONT ELEVATION



REAR ELEVATION

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**Unit 6 Elevations**

Applicant's Submitted Drawing

Not to Scale  
12/15/2015

**350 Vaughan Road**

File # 13\_241049 STE 21 OZ

**Attachment 8: Elevations (Units 7, 8, & 9)**



FRONT ELEVATION



REAR ELEVATION

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**Unit 7, 8 & 9 Elevations**

**350 Vaughan Road**

Applicant's Submitted Drawing

Not to Scale  
12/15/2015

File # 13\_241049 STE 21 OZ

## Attachment 9: Zoning



**TORONTO** City Planning  
**Zoning By-law 569-2013**

**350 Vaughan Road**  
 File # 13 241049\_0Z

- Location of Application
- RD Residential Detached
- RM Residential Multiple
- ON Open Space Natural
- OR Open Space Recreation

Not to Scale  
 Extracted 10/21/2013

## Attachment 10: Application Data Sheet

Application Type	Rezoning	Application Number:	13 241049 STE 21 OZ
Details	Rezoning, Standard	Application Date:	September 24, 2013
Municipal Address:	350 VAUGHAN RD		
Location Description:	PLAN M352 LOTS 71 & 72 E PT LOT 70 **GRID S2105		
Project Description:	To construct seven 3-storey detached houses and two 3-storey semi-detached units. Parking is to be provided at the rear of the units with access off of a public laneway.		

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
William Holman 1760 Old Hastings Road, Unit 3, Wollaston ON, K0L1P0	William Holman 1760 Old Hastings Road, Unit 3, Wollaston ON, K0L1P0	Avtech Designs 1885 Clements Road, Unit 201, Pickering ON, L1W 3V4	Taltro Holdings Inc 250 Merton Street, Suite 405, Toronto ON, M4S1B1

### PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	
Zoning:	R2	Historical Status:	N
Height Limit (m):	11 metres	Site Plan Control:	N

### PROJECT INFORMATION

Site Area (sq. m):	1137.41	Height:	Storeys:	3
Frontage (m):	38.19		Metres:	11
Depth (m):	29.78			
Total Ground Floor Area (sq. m):	597			<b>Total</b>
Total Residential GFA (sq. m):	1520.8		Parking Spaces:	12
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	1520.8			
Lot Coverage Ratio (%):	0			
Floor Space Index:	1.34			

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	1520.8	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	9	Institutional/Other GFA (sq. m):	0	0
Total Units:	9			

**CONTACT: PLANNER NAME: David Driedger, Planner**  
**TELEPHONE: 416-392-7613**

**Attachment 11: Draft Zoning By-law Amendment (by-law 1-83)**

**\*\*To be provided on or before the January 19, 2016  
Toronto & East York Community Council Meeting\*\***

**Attachment 12: Draft Zoning By-law Amendment (by-law 569-2013)**

**\*\*To be provided on or before the January 19, 2016  
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