

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 13, 2006

Item 1, Report No. 7, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on February 13, 2006.

**1 OFFICIAL PLAN AMENDMENT FILE OP.05.025
ZONING BY-LAW AMENDMENT FILE Z.05.051
LEOPARD LANE DEVELOPMENT INC. AND SHAREWELL INVESTMENTS INC.
PRELIMINARY REPORT**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated February 6, 2006, be approved; and**
- 2) That the following deputations and submission be received:**
 - a) Ms. Vania Ottoborgo, on behalf of the applicant and coloured renderings submitted, and;**
 - b) Mr. Giuseppe Primerano, 128 Oakdale Road, Maple, L6A 1G6.**

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for Files OP.05.025 and Z.05.051 (Leopard Lane Development Inc. and Sharewell Investment 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.

Economic Impact

This will be addressed when the technical report is completed.

Purpose

The Owner has submitted the following applications:

- 1. An Official Plan Amendment Application (File OP.05.025) to exempt for the subject lands shown on Attachment #1, from policy of the "Maple Commercial Core Area" designation in OPA #350 (Maple Community Plan) which requires that a minimum of 70% of the frontage at grade level is used for street-related retail, office and service uses, in order to facilitate a 30 unit residential condominium apartment building.**
- 2. A Zoning By-law Amendment Application (Z.05.051) to:**
 - i) rezone the subject lands (Leopard Lane lands, and northerly portion of the Sharewell lands in the same ownership) as shown on Attachment #1 from C6 Highway Commercial Zone and C1 – Restricted Commercial Zone, subject to Exception 9(157) (Sharewell lands) to RA3 Apartment Residential Zone with site-specific zoning exceptions required to implement the final approved site plan, if approved, for the 30 unit residential condominium apartment building; and,**
 - ii) provide for the necessary zoning exceptions required to maintain the existing commercial development (Buildings "A" and "B") on the balance of the reconfigured Sharewell lands as shown on Attachment #2.**

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The Owner has also submitted a corresponding Site Development Application to:

- i) permit a 3,465m² four-storey condominium apartment building (Building 'C') on 0.142ha of the overall parcel of land, as shown on Attachment #2; and,
- ii) amend the existing site plan agreement for the Sharewell lands to facilitate the reconfigured lot.

The proposed four-storey apartment building (Building 'C') is comprised of 30 units on the first three-storeys and amenity area on the fourth storey incorporated within the roof, as shown on Attachments #3 and #4. The amenity area will include a lounge/party room, washrooms, library/card room, exercise room, storage, and lockers. The total proposed gross floor area is 3,465m².

Background - Analysis and Options

The overall 0.991ha site shown on Attachment #1 (Leopard Lane, 0.142ha; and Sharewell, 0.849ha) is located on the east side of Keele Street, south of Major Mackenzie Drive, in Lot 20, Concession 3, the City of Vaughan. The site was used for a residence and a service station since the 1920s. The former service station has been abandoned since the late 1980s. The Technical Standards and Safety Authority (TSSA) has indicated that the Ministry of Consumer and Commercial Relations (MCCR) conducted an inspection in 1995. The inspection report stated that the former service station was abandoned and that the tanks and equipment were removed at that time. The license was cancelled from the TSSA's records in 1995.

The subject lands are designated "Maple Commercial Core Area" in OPA #350 (Maple Community Plan), as amended by OPA #533. The subject lands are zoned C6 Highway Commercial Zone and C1 Restricted Commercial Zone, subject to Exception 9(157), in By-law 1-88. The surrounding land uses are:

- North - existing business and professional office use (C1 Restricted Commercial Zone)
- South - existing Maple Centre Plaza (C1 Restricted Commercial Zone, subject to Exception 9(157))
- East - existing detached residential use (R3 Residential Zone)
- West - Keele Street; existing residential use and Maple United Church (RM2(H) Multiple Residential Zone with a Holding provision, and R1 Residential Zone, respectively)

On January 13, 2006, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to the Maple Village Ratepayers Association. To date, no responses have been received. Any comments received will be addressed in the technical report to a future Committee of the Whole meeting.

Preliminary Review

Following a preliminary review of the proposed applications, the Development Planning Department has identified the following matters to be reviewed in greater detail:

- i) the applications will be reviewed in the context of the applicable Provincial, Regional, and City policies;
- ii) the appropriateness of the proposed/permitted residential development under the Official Plan, excluding the required 70% commercial/office frontage along Keele Street, will be assessed in the context of the proposed land use and site location, building form, intensity of development on the site, and compatibility with the surrounding existing and permitted land uses;

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- iii) the related site plan application will be reviewed by the Maple Streetscape Community Advisory Committee and in the context of the Maple Heritage Review currently being undertaken;
- iv) a planning justification, traffic, servicing, environmental, and archeological studies must be submitted in support of the applications, to the satisfaction of the appropriate authorities;
- v) the Region of York must approve the proposed driveway access location and design, and traffic report;
- vi) the necessary adjustment to the site plan agreement and zoning by-law for the existing commercial plaza (Sharewell Investments Inc.) will be reviewed to implement the proposed residential development, if approved;
- vii) the necessary consent and easement required to facilitate the proposed residential development must be approved by the Committee of Adjustment; and
- viii) the availability of water and sanitary servicing capacity for the proposal must be identified and allocated by Council, if approved.

Relationship to Vaughan Vision 2007

The applicability of these applications to the Vaughan Vision will be determined when the technical report is considered.

Conclusion

The above issues, but not limited to, will be considered in the technical review of the applications, together with comments expressed by the public and Council expressed at the Public Hearing or in writing, and be addressed in a comprehensive report to a future Committee of the Whole meeting. In particular, the residential condominium apartment proposal will be reviewed in consideration of Provincial, Regional, and City policies, the appropriateness of the proposed use and building form, compatibility with surrounding land uses, and the ability of the access driveways and municipal infrastructure to accommodate the proposed development.

Attachments

1. Location Map
2. Conceptual Overall Site Plan
3. Conceptual Elevations (West and South)
4. Conceptual Elevations (East and North)

Report prepared by:

Stephen Lue, Planner I, ext. 8210
Mauro Peverini, Senior Planner, ext. 8407
Grant Uyeyama, Manager of Development Planning, ext. 8635

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(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

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Recent History

On May 19, 2004, the Owner submitted an application to amend the Zoning By-law to permit a freestanding Eating Establishment up to 300m² GFA and a drive-through facility, in the EM3 Zone. A Public Hearing was held on June 21, 2004. On September 23, 2004 the Owner revised the application to permit two freestanding Eating Establishments with a combined total maximum floor area of 625m² and a drive-through facility. Another Public Hearing was held on October 18, 2004. On April 25, 2005, Council approved the proposal to permit one-free-standing Eating Establishment restricted to a maximum gross floor area of 306m² and a drive-through facility. The approval of the proposal did not permit an eating establishment within the multi-unit building. Council enacted the implementing by-law (By-law 132-2005) on May 9, 2005. The approved site plan (File DA.04.066) illustrates a total ground floor area of 5,726.56m² (5,420.99m² for the multi-tenant building, 287.09m² for a free-standing Tim Horton's and 18.48m² for an enclosed garbage room) and 208 parking spaces. The multi-use building is under construction and the free-standing Tim Horton's is built and operating.

Current Application

On December 13, 2005, the Owner submitted the subject application that seeks to permit an eating establishment/banquet facility of approximately 860.81m² GFA within 2 units of the multi-unit building. The Owner maintains that the proposed use is a hybrid of an eating establishment and banquet facility, as it would cater to fine dining and smaller banquets with a maximum design capacity of 270 persons.

In addition to adding the proposed use by way of a zoning by-law amendment, the Owner is requesting that the required parking for the proposed use be based on the 270 persons maximum design capacity and not gross floor area. The Owner maintains that a significant portion of the gross floor area for the 2 units will be devoted to kitchen, bar, reception and washroom facilities and this would overstate the required number of parking spaces for these units. Furthermore, the hours of operation for the restaurant, and banquet facility in particular, would not conflict with the hours of operation for the other employment uses on site.

Parking for an eating establishment is calculated at a rate of 16 spaces/100 m² GFA. As the two units comprise 860.81m², the required parking for these units would be 138 spaces. Parking for a banquet hall is calculated at a rate of 11 spaces/100 m² GFA, and would require 95 spaces. However, basing the required parking on a maximum design capacity of 270 persons for the eating establishment/banquet facility use on the provision of one parking space for every 4 patrons, would require 68 parking spaces, as proposed by the applicant.

On January 13, 2006, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to the West Woodbridge Homeowners' Association. To date, no comments have been received. Any comments received will be addressed in the technical review and included in the comprehensive report to a future Committee of the Whole meeting.

Preliminary Review

Following a preliminary review of the proposed application, the Development Planning Department has identified the following matters to be reviewed in greater detail:

- i) Within the general provisions of By-law 1-88, an Eating Establishment use is permitted in all Employment Zones, restricted to one per multi-unit building and to a maximum gross floor area of 185m². However, as part of the approval for the existing Tim Horton's component of the development, the site-specific zoning applicable to the subject lands does not permit this use within the multi-unit

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building. The appropriateness of the proposed amendment to the zoning by-law to permit the eating establishment/banquet facility use within two units of the multi-unit building will be reviewed;

- ii) a banquet hall use is permitted in the EM3 Retail Warehouse Employment Area Zone provided it is within a single use building. OPA #450 does permit a banquet hall use within a multi-unit building by way of an amendment to the zoning by-law provided that: parking on the site can be provided in accordance with requirements of the zoning by-law; access to and from the site is sufficient to accommodate the expected traffic; and, the banquet hall is compatible with other uses in the building and with the design of the site. The appropriateness of the proposed amendment to the zoning by-law to permit the banquet facility/eating establishment use within the multi-unit building will be reviewed;
- iii) the applicant is pursuing a new driveway access on Regional Road #27, which will be in addition to the two existing accesses on Zenway Boulevard. The adequacy of existing driveway accesses, any additional access and road improvements, and all traffic matters, will be considered by both the City and Region;
- iv) the approved site plan has 208 parking spaces that serve both the multi-unit building and the stand-alone eating establishment (Tim Horton's). The adequacy of the parking supply in light of the additional eating establishment/banquet facility use will need to be confirmed through the submission of a parking report, to be reviewed to the satisfaction of the Vaughan Engineering Department; and
- v) the proposal will be reviewed with respect to compatibility and appropriateness with the surrounding area and adjacent uses.

Relationship to Vaughan Vision 2007

The applicability of the application to the Vaughan Vision will be determined when the technical report is considered.

Conclusion

The above issues, but not limited to, will be considered in the technical review of the application, together with comments from the public and Council expressed at the Public Hearing or in writing, and be addressed in a comprehensive report to a future Committee of the Whole meeting. In particular, the Development Planning Department will be giving consideration to the appropriateness of allowing the proposed eating establishment/banquet facility use within two units of the multi-unit building and at a size that is greater than normally permitted within the existing zone, as well, as analyzing the appropriateness of the use within the context of the surrounding area. Technical analysis will be required for the adequacy of access to the site and the parking supply.

Attachments

1. Location Map
2. Site Plan
3. Conceptual Floor Plan
4. Conceptual Floor Plan – Mezzanine

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Report prepared by:

Clement Messere, Planner, ext. 8409

Arto Tikiryan, Senior Planner, ext. 8212

Grant Uyeyama, Manager of Development Planning, ext. 8635

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(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

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Item 3, Report No. 7, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on February 13, 2006.

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**OFFICIAL PLAN AMENDMENT FILE OP.05.026
ZONING BY-LAW AMENDMENT FILE Z.05.057
DRAFT PLAN OF SUBDIVISION FILE 19T-05V10
LAKE RIVERS INC.
PRELIMINARY REPORT**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated February 6, 2006, be approved; and
- 2) That the following deputations be received:
 - a) Mr. Roy Mason, KLM Planning Partners Inc., 64 Jardin Drive, Suite 1B, Concord, L4K 3P3, on behalf of the applicant;
 - b) Mr. Ian Mitchell, Kleinburg and Area Ratepayers Association, P.O. Box 202, Kleinburg, L0J 1C0;
 - c) Mr. Robert Irwin; and
 - d) Mr. Brian O'Connor, 30 Granary Road, Kleinburg, L6J 1C0, on behalf of his parents, Tim and Margaret O'Connor, 6181 Major Mackenzie Drive, Woodbridge, L0J 1C0.

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for Files OP.05.026, Z.05.057 and 19T-05V10 (Lake Rivers 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.

Economic Impact

This will be addressed when the technical report is completed.

Purpose

The Owner has submitted the following applications:

1. An application to amend the Official Plan to increase the maximum permitted density for the subject lands shown on Attachment #1 from 7.5 to 12.4 units per net residential hectare for lands within the "Serviced Residential-Humber Trails" designation as shown on Attachment #4 to allow 373 single detached dwelling units.
2. An application to amend the Zoning By-law to rezone the subject lands shown on Attachment #3 from A Agricultural Zone to RD1 Residential Detached Zone One, RD2 Residential Detached Zone Two, RD3 Residential Detached Zone Three, OS1 Open Space Conservation Zone, OS2 Open Space Park Zone, and OS4 Open Space Woodlot Zone in accordance with Schedule "A3" in By-law 1-88.

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3. An application for Draft Plan of Subdivision approval for the subject lands shown on Attachment #2 to facilitate a residential plan of subdivision consisting of 373 single detached dwelling units with frontages ranging from 12.2 m to 18.3 m and lot areas ranging from 408.7m² to 613.05 m², a park, and 2 storm water management facilities, including one located within the valley area. The development details are as follows:

373 Single Detached Dwelling Units	22.266 ha
1 Park (Block 374)	1.859 ha
2 Storm Water Management Facilities (Blocks 375 & 376)	2.171 ha
Valley Area/Woodlots (Blocks 377 & 378)	4.080 ha
Buffer (Blocks 379 – 381)	0.181 ha
Road Widening (Block 382)	0.947 ha
Roads & 0.3m Reserves (Blocks 383 – 432)	7.833 ha
Total Site Area	39.337 ha

Background - Analysis and Options

The subject lands shown on Attachment #1 are located on the north side of Major Mackenzie Drive, west of Regional Road #27, in Part of Lot 21, Concession 9, City of Vaughan. The subject lands have an area of 39.337 ha, with 1,042m of frontage along Major Mackenzie Drive.

The subject lands are designated "Serviced Residential-Humber Trails", "Elementary School", "Neighbourhood Park" and "Valley Area" by OPA #601 (Kleinburg-Nashville Community Plan) as shown on Attachment #4. The lands are also identified as being in a "Potential Groundwater Recharge Area/Potential Groundwater Discharge Area" (Schedule "B1"), "Highway 27 Humber Valley North Major Mackenzie (WL) Forest Block" (Schedule "B2"), and "Highway 27 Humber Valley Forest North Major Mackenzie (WL) with a Low Functional Rating" (Schedule "B4") in OPA #601. The subject lands are zoned A Agricultural Zone by By-law 1-88 as shown on Attachment #1. The subject lands consist of vacant agricultural lands. The surrounding land uses are:

North - golf course (OS2 Open Space Park Zone)
South - agricultural (A Agricultural Zone); industrial (M4 Pits and Quarries Zone)
West - railway line (M3 Transportation Industrial Zone)
East - valley/woodlot lands (A Agricultural Zone)

On January 13, 2006, a Notice of Public Hearing was mailed to all property owners within 120 metres of the subject lands, and to the Kleinburg and Area Ratepayers' Association. To date, no written comments have been received. Any comments received will be addressed in the technical review and included in a comprehensive staff report at a future Committee of the Whole meeting.

Preliminary Review

Following a preliminary review of the proposed applications, the Development Planning Department has identified the following matters to be reviewed in greater detail:

- i) the applications will be reviewed in the context of the City's Official Plan, Regional Plan and Provincial Policies, including the growth management policies with respect to the appropriateness of increasing the density to permit the residential proposal;
- ii) the Official Plan requires that the planned population of 1,335 people in Phase 1 be reviewed and that any increase in density, as well as the housing type and lot size, consider the implications on the Kleinburg-Nashville community in terms of its residential and village character and servicing implications;

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- iii) the Official Plan requires that features such as valleys/woodlots and linkages for passive environmental, recreation and education be protected; that community edge buffers be provided; that the appropriateness of locating a storm water management facility within the valley/woodlot lands be examined; and, staking of the lands be undertaken to establish the limits of development;
- iv) the Official Plan requires the completion of the Kleinburg/Nashville Servicing Strategy to determine the preferred sanitary and water servicing options to accommodate the future growth in Phase 2;
- v) the Official Plan requires that the construction plans for road improvements and widenings be established for Highway #27 and Major Mackenzie Drive, including the Canadian Pacific railway crossing, prior to proceeding with the development of this neighbourhood;
- vi) the appropriate studies including a master environmental and servicing plan, environmental impact statement, environmental site assessment, noise and vibration report, traffic report, woodland and edge management report, parks and open space master plan, archaeological report, development concept plan (which includes the golf course lands), urban design guidelines and architectural guidelines are required to undertake a comprehensive review of the proposal; and,
- vii) the appropriateness of the proposed zoning and land uses, including lotting, road pattern, for the subject land will be reviewed within the context of the surrounding Kleinburg-Nashville community.

Relationship to Vaughan Vision 2007

The applicability of this application to the Vaughan Vision will be determined when the technical report is completed.

Conclusion

The above issues, but not limited to, will be considered in the technical review of the applications, together with comments expressed by the public and Council at the Public Hearing or in writing , and addressed in a comprehensive report to a future Committee of the Whole meeting. In particular, the proposal will be reviewed in light of the applicable Official Plan policies respecting Kleinburg/Nashville Servicing Strategy, growth management, protection of environmental features, and compatibility with adjacent land uses.

Attachments

1. Location Map
2. Draft Plan of Subdivision
3. Applicant Proposed Zoning
4. Kleinburg/Nashville Community Plan (OPA #601) Land Use Schedule

Report prepared by:

Judy Jeffers, Planner, ext. 8645
Mauro Peverini, Senior Planner, ext. 8407
Grant Uyeyama, Manager of Development Planning, ext. 8635

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(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)