

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 18, 2006**

Item 1, Report No. 48, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on December 18, 2006.

**1** **ZONING BY-LAW AMENDMENT FILE Z.06.056**  
**YORK REGION DISTRICT SCHOOL BOARD &**  
**YORK CATHOLIC DISTRICT SCHOOL BOARD**

**The Committee of the Whole (Public Hearing) recommends:**

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated December 11, 2006, be approved; and**
- 2) That the following deputations be received:**
  - a) Ms. Penny Asthathis, 46 La Pinta Street, Maple, L6A 3H8; and**
  - b) Mr. Derek Hulbig, 109 Glenside Drive, Maple, L6A 2H8**

**Recommendation**

The Commissioner of Planning recommends:

THAT the Public Hearing report for Zoning By-law Amendment File Z.06.056 (York Region District School Board and York Catholic District School Board) 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 York District School Board and the York Catholic District School Board have jointly submitted an application to amend the General Provisions of Zoning By-law 1-88 to permit a day nursery (ie. day care centre) use within all public schools within the City of Vaughan.

**Background - Analysis and Options**

The proposed amendment to the General provisions of By-law 1-88 is applicable City-wide. Public Schools are typically located within Residential Zones, which permits the school use, and a day nursery as an accessory use. The restrictions on the accessory use provisions within the By-law would prevent a day nursery use from operating all year-round, and would only permit the day nursery use to operate when the school is open during the school year. The proposed amendment would permit day nursery uses to exist within all public schools year round. There are several site specific zoning amendments throughout the City that have been initiated by the School Boards and permit the year round operation of day nurseries within the public schools. This proposed amendment would alleviate the need for future site specific amendments.

A "Public School" is defined in By-law 1-88 as "a public or separate school, high school, a continuation school, a technical school, a college or university or any other school established and maintained at public expense".

"Public Schools" are recognized as "Institutional Uses" that are permitted in all Residential Zones. Section 4.1 of By-law 1-88, which relates to the "Residential Zones – General Provisions" is proposed to be amended to permit a day nursery use to operate year round within the public schools.

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On November 19, 2006 and November 23, 2006, a Notice of Public Hearing was published in the Vaughan Citizen and Vaughan Liberal, as the amendment is City-wide. As of November 30, 2006, no comments have been received by the Development Planning Department.

**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) The appropriateness of permitting a day nursery use to operate on a year round basis within the public schools will be reviewed in consideration of the proposed amendment to the Residential section of the General Provisions of By-law 1-88.

**Relationship to Vaughan Vision 2007**

The applicability of this 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, consideration will be given to the appropriateness of the proposed amendment to the Residential section of the General Provisions of By-law 1-88, to permit a day nursery use to operate on a year round basis within the public schools throughout the municipality.

**Attachments**

N/A

**Report prepared by:**

Karen Antonio-Hadcock, Senior Planner, Environmental ext. 8630  
Grant Uyeyama, Manager of Development Planning, ext. 8635

/CM

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Item 2, Report No. 48, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on December 18, 2006.

**2**  
**ZONING BY-LAW AMENDMENT FILE Z.04.068**  
**DRAFT PLAN OF SUBDIVISION FILE 19T-06V05**  
**CESIRA D'AVERSA**  
**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 December 11, 2006, be approved;
- 2) That the applicant work with the community and adjacent landowners to ensure the development is planned in a comprehensive way;
- 3) That the following deputations and written submissions be received:
  - a) Ms. Elvira Caria, Vellore Woods Ratepayers Association, 15 Bunting Avenue, Woodbridge, L4H 2E8, and written submission, dated December 11, 2006; and
  - b) Mr. Roy Mason, KLM Planning Partners Inc., 64 Jardin Drive, Unit 1B, Concord, L4K 3P3, and written submission, dated December 7, 2006; and
- 4) That the written submission of Ms. Kimberly L. Beckman, Davies Howe Partners, Fifth Floor, 99 Spadina Ave., Toronto, M5V 3P8, dated December 6, 2006, be received.

**Recommendation**

The Commissioner of Planning recommends:

THAT the Public Hearing report for Files Z.04.068 and 19T-06V05 (Cesira D'Aversa) 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 Zoning By-law to rezone the subject lands shown on Attachment #1 from A Agricultural Zone to RV4 Residential Urban Village Zone Four and C4 Neighbourhood Commercial Zone, as shown on Attachment #2.
2. 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 6 lots for detached dwellings each with a minimum lot frontage of 9.8m, lot areas of 333.2m<sup>2</sup> and lot depth of 34m, and 1 neighbourhood commercial block. The development details are as follows:

6 lots (Lots 1 to 6)	0.21ha
<u>Neighbourhood Commercial (Block 7)</u>	<u>0.93ha</u>
Total Site Area	1.14ha

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#### **Background - Analysis and Options**

The subject lands shown on Attachment #1 are located on the north side of Rutherford Road, between Weston Road and Highway #400, in Part of Lot 16, Concession 5, City of Vaughan. The subject lands have an area of 1.14ha, with 60.51m and 60.65m of frontage along Rutherford Road and Hawkview Boulevard, respectively, and a depth of 190m.

The subject lands are designated “Low Density Residential”, “Medium Density Residential/Commercial” overlaid with a “Neighbourhood Commercial” designation by OPA #600, as shown on Attachment #3, and are within the Block 32 West Block Plan, which was approved by Council on October 27, 1997. The subject lands are zoned A Agricultural Zone by By-law 1-88, as shown on Attachment #1. The subject lands currently consist of an existing house, two sheds and a woodlot. The surrounding land uses are:

- North - Hawkview Boulevard; residential (RV4(WS) Residential Urban Village Zone Four)
- South - Rutherford Road; existing residential (RR Rural Residential Zone)
- West - commercial plaza (C4 Neighbourhood Commercial Zone); stormwater management pond (OS1 Open Space Conservation Zone); existing residential (RVM1(WS-B) Residential Urban Village Multiple Dwelling Zone One)
- East - future commercial lands (C4-H Neighbourhood Commercial Zone); service station (C6 Highway Commercial Zone)

On November 17, 2006, a Notice of Public Hearing was mailed to all property owners within 120 metres of the subject lands, and to the Vellore Woods Ratepayers' Association. As of November 30, 2006, no written comments have been received by the Development Planning Department. Any comments received will be addressed in the technical review and included in a comprehensive report to a future Committee of the Whole meeting.

#### **Background**

The Committee of the Whole, at its January 17, 2005 meeting considered a Public Hearing report, wherein the Owner proposed to rezone the subject lands from A Agricultural Zone to RM2 Multiple Residential Zone and C4 Neighbourhood Commercial Zone to permit 21 block townhouse units in 3 blocks and 2 commercial buildings. Concerns were raised with respect to the proximity of the proposed residential uses to be located in between commercial sites to the east and west, and the housing form. The proposal was revised to provide for detached residential uses with frontage onto Hawkview Boulevard, similar to the residential uses to the west, which is the subject of this report.

#### **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 and the approved Block 32 West Block Plan with respect to conformity of the proposed development to the applicable policies and requirements;
- ii) the availability of water and sanitary sewer capacity must be identified and allocated by Council, if approved;
- iii) the proposed density will be reviewed in the context of the requirements of the Official Plan; the Official Plan provides up to 22 units per hectare for low density areas and between 16 to 18 units per hectare across all the low density areas in Block 32 West;

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- iv) a north-south traversing primary road connecting to Rutherford Road and Hawkview Boulevard is required to be provided along the west property line to be combined with the portion of the road allowance provided by the adjacent westerly landowner (Attachment #1) to complete the primary road dedication, in accordance with the Block 32 West Plan, which will likely affect the number of residential lots and the size of the commercial block; potential access for the commercial site to Rutherford Road will need to be reviewed by the Region of York;
- v) the specific uses for the commercial site must be determined; the coordination of internal access between the subject lands and the commercial site to the east will be reviewed; the Official Plan permits a neighbourhood commercial centre to be in the general size of 5,000m<sup>2</sup> to 15,000m<sup>2</sup> of gross leasable area, but not to exceed 20,000m<sup>2</sup> gross leasable area;
- vi) a woodlot assessment report is required for the existing woodlot to determine if there are any possibilities for individual tree preservation on the residential lots;
- vii) a Phase I Environmental Site Assessment is to be completed in accordance with the City's Policy and Procedures for Contaminated or Potentially Contaminated Sites; the City will require a Record of Site Condition, which is to be registered with the Environmental Site Registry, prior to final approval of any portion of the plan;
- viii) the required technical reports including a noise report, transportation/traffic management report, heritage/archaeological report, woodlot assessment, urban design guidelines and architectural guidelines are to be submitted for review and approval by the City and commenting agencies; the Owner has submitted a "Functional Servicing Report" dated March 2006, by Counterpoint Engineering Inc. for review by the City and public agencies; and,
- ix) the appropriateness of the proposed zoning and land uses, including lotting and road pattern for the subject lands and the impact on parkland dedication, will be reviewed within the context of the surrounding existing and planned land uses.

#### **Relationship to Vaughan Vision 2007**

The applicability of these applications 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, the Block 32 West Block Plan requirements, and compatibility with adjacent land uses.

#### **Attachments**

1. Location Map
2. Draft Plan of Subdivision 19T-06V05
3. OPA #600 – Land Use Schedule "B" – Vellore Urban Village 1

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**Report prepared by:**

Judy Jeffers, Planner, ext. 8645

Mauro Peverini, Senior Planner, ext. 8407

Grant Uyeyama, Manager of Development Planning, ext. 8635

/CM

(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. 48, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on December 18, 2006.

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**OFFICIAL PLAN AMENDMENT FILE OP.06.023  
ZONING BY-LAW AMENDMENT FILE Z.06.052  
DCMS GP (DUFFERIN STEELES) INC. (DIVERSICARE)**

**The Committee of the Whole (Public Hearing) recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated December 11, 2006:**

**Recommendation**

The Commissioner of Planning recommends:

THAT the Public Hearing report for Files OP.06.023 and Z.06.052 (DCMS GP (Dufferin Steeles) 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 an application to amend the Official Plan to increase the maximum net residential density on the lands designated "Mixed Commercial/Residential" in OPA #471, from 148 units/ha to 189 units/ha (ie. from 78 units to 160 units [increase of 82 units] on the subject Diversicare lands, for a six-storey seniors building or from 227 to 309 units on the combined subject and northerly Alterra lands), as shown on Attachment #1.

The Owner has also submitted an application to amend the Zoning By-law to permit the following exceptions to the site-specific RA3(H) Apartment Residential Zone standards on the subject Diversicare lands shown on Attachments #1 and #2:

- reduction in the residential parking standard from 1.75 to 0.4 spaces/unit;
- increase in permitted residential GFA from 12,255m<sup>2</sup> to 13,000m<sup>2</sup>;
- increasing in surface parking from 20 to 28 spaces;
- revision to the approved building envelope to facilitate a wider and shorter building footprint; and
- reduction in the minimum amenity area requirement from 25m<sup>2</sup>/ unit to 17m<sup>2</sup>/ unit.

The Owner has also submitted a corresponding site plan application (File: DA.06.069).

**Background - Analysis and Options**

The subject lands shown on Attachment #1 are located at the northeast corner of Steeles Avenue West and Dufferin Street in Part of Lot 1, Concession 2, City of Vaughan. The 0.67 ha irregular shaped lot has 77m frontage along Dufferin Street and 120m flankage along Steeles Avenue West.

The subject lands are designated "Mixed Commercial/Residential Area" by OPA #210 (Thornhill-Vaughan Community Plan), as amended by OPA #471. This designation permits residential apartment units, and commercial uses to a maximum of 1,100m<sup>2</sup>. The lands are zoned RA3(H) Apartment Residential Zone with the Holding "H" provision by By-law 1-88, subject to site-specific

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Exception 9(545). The existing zoning permits apartment dwelling units and commercial uses including a bank or financial institution, business or professional office, convenience retail store, eating establishment (maximum 350m<sup>2</sup>), personal service shop, post office, retail store and video store. The surrounding land uses are:

- North - residential (RA3 Apartment Residential Zone)
- South - Steeles Avenue West; commercial (City of Toronto)
- East - open space (OS2 Open Space Park Zone)
- West - Dufferin Street; commercial (C6 Highway Commercial Zone and C1 Restricted Commercial Zone)

On November 17, 2006, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands. As of November 30, 2006, no comments have been received by the Development Planning Department. Any responses received will be addressed in the technical review, and included in a comprehensive staff report to a future Committee of the Whole meeting.

On June 27, 2005, Council approved amendments to the Official Plan and Zoning By-law to permit an increase in the residential density from 148 units/ha to 170 units/ha, thereby increasing the unit count on the subject lands from 78 to 129 units (increase of 51 units) and reducing the maximum permitted commercial floor area from 1,100m<sup>2</sup> to 557m<sup>2</sup> (decrease of 543m<sup>2</sup>). A concurrent zoning amendment application proposing site-specific zoning exceptions for parking, landscaping, building envelope, residential gross floor area, commercial floor area, unit count, and amenity space requirements per dwelling unit were also approved.

The property was subsequently sold and the approved amendments were not implemented through the adoption and enactment of the required official plan and zoning by-law amendments, respectively. The new owners (Diversicare) have proceeded with the subject applications to facilitate the development of a Seniors Retirement Residence. The current application proposes small units that do not include individual kitchens or meal preparation facilities within the units. The building envelope differs slightly from that which was previously approved, but the shape, coverage and building placement are similar.

#### **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 Provincial Policy Statement, and Regional and City Official Plan policies, to determine the appropriateness of the proposed increase in density;
- ii) the applications will be reviewed in the context of the approved and existing land uses in the surrounding area, including the existing (Chateau Parc condominium), and future and under construction high density projects (both Alterra) to the north of the subject lands, with particular consideration given to the appropriateness and compatibility of the proposed density and its impact on traffic and transportation road improvements, community services, and impact on parkland dedication;
- iii) review will be given to the appropriateness of the requested amendments to the RA3 Zone;
- iv) the related site plan application (File DA.06.069) will be reviewed to determine the appropriateness of the density increase on the subject lands; co-ordination of the driveway aisles and perimeter landscaping with the existing condominium apartment development to the north, will also be reviewed;



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- v) a detailed review of the site and building design, parking, loading, access, landscaping, and engineering, will be undertaken on the related site plan application, which will require Council's approval;
- vi) a related application to lift the "H" Holding provision will be required to be submitted for Council's approval, should the subject applications be approved;
- vii) the availability of water and sanitary servicing capacity for the additional 82 units must be identified and allocated by Council, should the applications be approved;
- viii) the necessary approvals for access, streetscaping and transportation improvements affecting Steeles Avenue West must be obtained from the City of Toronto; and,
- ix) the applicant must submit a functional servicing report for review by the City and external agencies. The applicant has submitted the following reports which will be reviewed by the City and the appropriate external agencies: planning justification, traffic impact assessment, parking study and storm water management report.

#### 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 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 availability of water and sanitary servicing capacity, the appropriateness of the proposed density increase when reviewed in accordance with the Provincial Policy Statement and the Regional and City Official Plans, and the proposed exceptions to the RA3 Zone standards to facilitate a residential seniors apartment development, will be considered.

#### Attachments

1. Location Map
2. Site Plan
3. Landscape Plan
4. Elevations (West and South)
5. Elevations (North and East)
6. Elevations (Southwest)

#### Report prepared by:

Laura Janotta, Planner, ext. 8634  
Arto Tikiryan, Senior Planner, ext. 8212  
Grant Uyeyama, Manager of Development Planning, ext. 8635

/LG

(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 4, Report No. 48, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on December 18, 2006.

**4    ZONING BY-LAW AMENDMENT FILE Z.06.060  
    DRAFT PLAN OF SUBDIVISION FILE 19T-06V11  
    ARGLEN ESTATE LIMITED**

**The Committee of the Whole (Public Hearing) recommends:**

- 1)     That the recommendation contained in the following report of the Commissioner of Planning, dated December 11, 2006, be approved; and**
- 2)     That the deputation of Mr. Ryan Virtanen, KLM Planning Partners Inc., 64 Jardin Drive, Unit 1B, Concord, L4K 3P3, be received.**

**Recommendation**

The Commissioner of Planning recommends:

THAT the Public Hearing report for Files Z.06.060 and 19T-06V11 (Arglen Estate Limited) 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.     A Zoning By-law Amendment Application (Z.06.060) to amend By-law 1-88, on the subject lands shown on Attachment #1, to rezone the lands from A Agricultural Zone to RD3 (H) and RD4 (H) Residential Detached Zone Three and Four, RS1 (H) Residential Semi-Detached Zone, and RT1 (H) Residential Townhouse Zone, all with the Holding Symbol "H", as shown on Attachment #2, in order to permit townhouse, single detached and semi-detached dwelling units.
2.     An application for Draft Plan of Subdivision approval (19T-06V11) on the subject lands shown on Attachment #2, consisting of 3 full lots and 15 part blocks to be combined with the adjacent approved blocks (in approved Plans of Subdivision 19T-00V14 and 19T-00V19), that will result in a total of 27 residential units, as follows:
  - i)        13 single detached residential units (Lot 1-2, Block 8-18);
  - ii)      8 semi-detached residential units (Lot 3, Blocks 4-6); and
  - iii)     6 street townhouse units (Block 7); and
  - iv)      1 greenway block (Block 19) and 1 daylighting block (Block 20).

**Background - Analysis and Options**

The subject lands are located on the west side of Dufferin Street, between Major Mackenzie Drive and Rutherford Road, in Part of Lot 19, Concession 3, within Planning Block 18, City of Vaughan,  
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as shown on Attachment #1. The 0.756 ha parcel of land represents a future phase of residential development that ultimately will be combined with the approved subdivision to the north, west, and south being Ivy Glen Developments Inc. (Plan of Subdivision File 19T-00V14), and the approved subdivision to the south, being Arband Investments Inc. (Plan of Subdivision File 19T-00V19), as shown on Attachment #1.

The subject lands are designated "Medium Density Residential/Commercial" by OPA #600 and further designated "Settlement Area" by OPA #604 (Oak Ridges Moraine Conformity Plan). The surrounding land uses are:

- North - approved Plan of Subdivision 19T-00V14 – future phase 2 residential; Ivy Glen Drive (RD3 (H) – Residential Detached Zone Three with the Holding Symbol "H")
- South - approved Plan of Subdivision 19T-00V19 – future phase 2 residential; Sir Sanford Fleming Way (RS1 (H) and RT1 (H) – Residential Semi-Detached Zone and Residential Townhouse Zone with the Holding Symbol "H")
- East - Dufferin Street; open space in Planning Block 11 (OS5 Open Space Environmental Protection Zone)
- West - approved Plan of Subdivision 19T-00V14 – future phase 2 residential; Sir Sanford Fleming Way (RD3 (H) and RD4(H) – Residential Detached Zone Three and Four with the Holding Symbol "H")

On November 17, 2006, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands and to the Maplewood Ravines Community Association. As of November 30, 2006 no comments have been received by the Development Planning Department. Any comments received will be addressed in the technical review and included in a comprehensive staff 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 lotting and road pattern will be reviewed in the context of the Block 18 Community Plan to ensure the design is compatible with the approved adjacent lands, with consideration to be given, but not limited to, appropriate buffers, building form development standards, and the impact on parkland dedication;
- iii) the proposed draft plan of subdivision will be reviewed to ensure compliance with density provisions of the Official Plan;
- iv) an Oak Ridges Moraine conformity report is required to be submitted in support of this application. The report will be reviewed in the context of the requirements of OPA #604;
- v) environmental, noise, and storm water management reports must be submitted in support of the applications, to the satisfaction of the appropriate authorities;
- vi) the subject lands will require to be zoned with an "H" Holding Symbol as the subject lands are located within Phase 2 of the Block 18 Plan and will require water and sanitary sewer capacity allocation; and

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- vii) the accompanying zoning by-law application will be reviewed to ensure consistency in zoning and standards with the approved adjacent lands.

**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 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, review will be given to ensuring compatibility of the proposal with the adjacent approved subdivisions water and sewage capacity and within the context of the approved Block 18 Plan.

**Attachments**

1. Location Map
2. Draft Plan of Subdivision 19T-06V11 with Proposed Zoning

**Report prepared by:**

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

/LG

(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 5, Report No. 48, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on December 18, 2006.

**5 OFFICIAL PLAN AMENDMENT FILE OP.06.021  
ZONING BY-LAW AMENDMENT FILE Z.06.054  
DRAFT PLAN OF SUBDIVISION FILE 19T-06V09  
INVAR (FRESHWAY) LIMITED**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated December 11, 2006, be approved; and
- 2) That the written submission of Mr. Robert A. Dragicevic, Walter, Nott, Dragicevic Associates Limited, 172 St. George Street, Toronto, M5R 2M7, dated December 8, 2006, be received.

Further, Committee of the Whole (Public Hearing) recommends:

- 1) That staff ensure the provision of buffers for outside storage areas particularly along Highway 407 when dealing with applications; and
- 2) That the Planning Department prepare a memorandum at a future date, as to any ideas they have for resolving the open space issue as it now exists in our municipality in a generic sense.

**Recommendation**

The Commissioner of Planning recommends:

THAT the Public Hearing report for Files OP.06.021, Z.06.054 and 19T-06V09 [Invar (Freshway) Limited] 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 on the subject lands shown on Attachment #1:

1. An Official Plan Amendment Application to redesignate the area shown as Area "B" on Attachment #1, from "General Complementary Use Area" under the Province's Parkway Belt West Plan (PWBWP) to "Employment Area General" under the City's OPA #450 (Employment Area Plan). Area "A" (Future Transitway) will remain in the Parkway Belt West Plan.
2. A Draft Plan of Subdivision (Attachment #2), as follows:

16 Employment Blocks (EM2)	7.15 ha
1 Easement Block (EM2)	0.03 ha
2 Open Space Blocks (OS1) – Buffer	0.62 ha
1 Stormwater Management Block (OS1)	0.65 ha

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1 Private Road Block	0.93 ha
1 Future Transitway Block (PB1(S))	<u>0.73 ha</u>
	10.11 ha

3. A Zoning By-law Amendment Application to rezone the portion of the subject lands shown as "Area B" on Attachment #1 from PB2 Parkway Belt Complementary Use Zone to EM2 General Employment Area Zone (employment blocks) and OS1 Open Space Conservation Zone (storm pond and buffer blocks) in the manner shown on Attachment #2, and to provide the following zoning exceptions to facilitate the proposed subdivision, specifically for outside storage uses:

"Areas A and B" as shown on Attachment #1

- There shall be no maximum coverage for outside storage, whereas the By-law states it shall not exceed 30% of the lot area.
- No enclosure or screening is required around the outside storage, whereas the By-law requires that the outside storage area shall be completely enclosed by a stone or masonry wall or chain link fence with appropriate landscaping screen and no such enclosure shall be less than 2m in height.
- No outside storage other than the storage of machinery and equipment shall exceed 7m in height, whereas the By-law requires that no outside storage other than the storage of machinery and equipment shall exceed 3m in height.

"Area B" as shown on Attachment #1

- Minimum lot frontage shall be 31m, whereas the By-law requires 34m.
- No minimum GFA requirement if a building is constructed, whereas the By-law requires a minimum 550m<sup>2</sup> building to be constructed.
- Outside storage shall be permitted within 1m to any lot line, whereas the By-law states that no outside storage shall be located in any front yard, exterior side yard or between any main building and a street line, and further shall be no closer than 20m from any street line.
- Outside storage shall be permitted on any lot with or without a building, whereas the By-law states that outside storage is not permitted on any lot unless there is an existing building with a gross floor area of at least 550m<sup>2</sup>.

"Area A" as shown on Attachment #1 – Maintain existing PB1(S) Parkway Belt Linear Facilities Zone to accommodate the future MTO Transitway right-of-way.

- The subject lands may be used for outside storage until such time as the Province expropriates the land for the transitway expansion.
- No buildings or structures shall be permitted.

**Background - Analysis and Options**

The subject lands are vacant and located east of Jane Street, on the south side of Highway #407, and west of the CN Rail lands, in Part of Lots 2 and 3, Concession 4, City of Vaughan.

The lands are designated "General Complementary Use Area" under the Province's Parkway Belt West Plan, and zoned PB1(S) Parkway Belt Linear Facilities Zone and PB2 Parkway Belt Complementary Use Zone by By-law 1-88, subject to Exception 9(553), as shown on Attachment #1. The surrounding land uses are:

North - Highway #407 (PB1(S) Parkway Belt Linear Facilities Zone)

South - industrial (PBM7 Parkway Belt Industrial Zone)

East - industrial, existing asphalt plant (EM2(H) General Employment Area Zone with Holding Symbol)

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West - Parkway Belt, Beechwood Cemetery (PB2 Parkway Belt Complementary Use Zone)

On November 17, 2006, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands and extending north to Regional Road #7, and to the Concord West Ratepayers Association, and to individuals requesting notification through the Clerks Department. As of November 30, 2006, no comments have been received. Any responses 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 Owner has submitted a related Parkway Belt Amendment Application to the Ministry of Municipal Affairs and Housing (File 19-PBA-028-185) to permit the interim use of outside storage on the lands shown as Area "A" on Attachment #1, and to delete the remainder of the lands shown as Area "B" from the Parkway Belt West Plan; the subject development applications will be considered in light of the Ministry's decision on the Parkway Belt Amendment Application;
- ii) the applications will be reviewed in the context of the Provincial Policy Statement, the Regional and City Official Plan policies, and the City's Zoning By-law 1-88, to ensure an appropriate level of development;
- iii) the applications will be reviewed in the context of the approved and existing land uses in the surrounding area, with particular consideration given to the appropriateness and compatibility of the outside storage and proposed exceptions to the zoning by-law;
- iv) review will be given to the access to the site; the property has no frontage on a public road and must be accessed by an easement over lands to the east and north and connecting to Freshway Drive, as shown on Attachment #1; the applicant has submitted a Traffic Justification report that is currently under review by the Region of York and the City's Engineering Department;
- v) review will be given to the following additional documents that have been submitted by the applicant for approval by the City and applicable external public agencies: Planning Basis Report, Environmental Noise Feasibility Study, and Site Servicing Feasibility Report;
- vi) the Ministry of Municipal Affairs and Housing (MMAH) has confirmed the presence of approximately 15 butternut trees, which are considered to be an endangered species, scattered throughout the woodlot as shown on Attachment #2; they advise that Policy 2.1.3(a) of the Provincial Policy Statement 2005 provides that development and site alteration shall not be permitted in significant habitats of endangered species and threatened species and that should the MMAH delete the lands from the Parkway Belt West Plan, they are requesting that the woodlot area be appropriately protected. The appropriateness of the subject applications and the design of the subdivision will be reviewed in consideration of the Ministry's decision on the Parkway Belt Amendment Application.

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**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 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, consideration will be given to the appropriateness of introducing Employment uses to the subject lands, and in particular full outside storage within the Employment Area; land use compatibility and impact on the surrounding uses; impact on traffic and access issues; the protection of endangered tree species within the woodlot; and, the Ministry of Municipal Affairs and Housing's decision on the related Parkway Belt Amendment Application. Careful consideration will also be given to the proposed exceptions to the Zoning By-law.

**Attachments**

1. Location Map
2. Proposed Subdivision and Zoning

**Report prepared by:**

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/CM

(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.)