

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 31, 2008

Item 1, Report No. 18, of the Committee of the Whole (Public Hearing), which was adopted, as amended, by the Council of the City of Vaughan on March 31, 2008, as follows:

By receiving the written submission from Mr. Richard Rodaro, 50 Woodend Place R.R.2, Woodbridge, L4L 1A6, dated March 27, 2008.

**1 OFFICIAL PLAN AMENDMENT FILE OP.06.002
ZONING BY-LAW AMENDMENT FILE Z.06.005
1668872 ONTARIO INC. (ROYAL PINE HOMES)**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated March 25, 2008, be approved; and**
- 2) That the following deputations and written submission, be received:**
 - a) Mr. James Kennedy, KLM Planning Partners Inc., 64 Jardin Drive, Unit 1B, Concord, L4K 3P3, on behalf of the applicant;**
 - b) Mr. Tim Sorochinsky, Millwood Woodend Ratepayers' Association, 275 Millwood Parkway, Woodbridge, L4L 1A6 and written submission dated March 19, 2008;**
 - c) Mr. Kurt Franklin, Weston Consulting Group Inc., 201 Millway Avenue, Unit 19, Vaughan, L4K 5K8, on behalf of Zodiac Land Development;**
 - d) Mr. Richard Rodaro, 50 Woodend Place, RR2, Woodbridge, L4L 1A6; and**
 - e) Ms. Amy Darker, 10820 Pine Valley Drive, Woodbridge, L4L 1A6.**

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for Files OP.06.002 and Z.06.005 (1668872 Ontario Inc. [Royal Pine Homes]) 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.

Communications Plan

On February 29, 2008, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to the Millwood Woodend Ratepayers' Association. As of March 13, 2008, no written comments have been received by the Development Planning Department. Any responses received will be addressed in the technical review and included in a comprehensive report to a future Committee of the Whole meeting.

Purpose

The Owner has submitted the following applications on the subject lands shown on Attachment #1:

1. An application to amend the Official Plan (OPA #600) to redesignate the subject lands shown on Attachment #1 from "Valley Area" and "Estate Residential" as shown on Attachment #2 to "High Density Residential-Commercial" (tableland) to facilitate the

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development of a 9-storey apartment building, with up to a maximum of 132 self-contained apartment units, to be marketed as an adult lifestyle development as shown on Attachment #3; and,

2. An application to amend the Zoning By-law, specifically By-law 1-88, to rezone the subject lands shown on Attachment #1 from A Agricultural Zone and RR Rural Residential Zone to RA2 Apartment Residential Zone (tableland), OS1 Open Space Conservation Zone (valleylands) and OS4 Open Space Woodlot Zone (woodlot) as shown on Attachment #4, with the following site-specific zoning exceptions:
 - i) amend the definition of a “lot” to deem the two existing lots to be one lot regardless of the number of buildings or structures erected and regardless of any conveyances, easements, or condominiums, and whether the buildings or structures have or do not have a common basement or are or are not connected below or above finished grade;
 - ii) to not require a minimum driveway width, whereas the By-law requires a minimum driveway width of 5.4 m to 7.5 m;
 - iii) to permit a minimum interior side yard of 4.5 m (south), whereas the By-law requires a minimum setback of 15 m;
 - iv) to permit a minimum setback for a building or structure below finished grade of 0m, whereas the By-law requires a minimum setback of 1.8 m;
 - v) to permit the OS1 Open Space Conservation Zone lands to be included in the calculation of lot frontage, lot area, lot coverage and yard setbacks for the proposed RA2 Zone, whereas the By-law does not permit the OS1 Open Space Conservation Zone to be used in these calculations; and,
 - vi) other zoning exceptions as may be required to facilitate the proposed development.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located on the east side of Pine Valley Drive and south of Major Mackenzie Drive in Part of Lots 19 and 20, Concession 6, known municipally as 9909 and 9939 Pine Valley Drive, City of Vaughan. The subject lands shown on Attachment #3 have frontage of 171 m on Pine Valley Drive and a site area of 5.04 ha, which is comprised of 1.10 ha for the proposed 9-storey apartment building site and 3.94 ha for the existing valleylands and tableland woodlot in the easterly portion of the subject lands. There is an existing detached residential dwelling unit (to be demolished) and pond in the northerly portion of the subject lands.

The applicant’s overall subject lands are designated “Estate Residential”, “Valley Area”, and “Tableland Woodlots” by OPA #600 (Attachment #2). The subject lands are zoned A Agricultural Zone, RR Rural Residential Zone and OS4 Open Space Woodlot Zone by By-law 1-88 (Attachment #1). The surrounding land uses are shown on Attachment #1.

On April 3, 2006, a Public Hearing was held for Files OP.06.002 and Z.06.005 (1668872 Ontario Inc. [Royal Pine Homes]) to amend the Official Plan to redesignate the southerly portion of the subject lands from “Valley Area” to “High Density Residential-Commercial” and to amend the Zoning By-law to rezone the subject lands (9909 Pine Valley Drive) shown on Attachment #1 from A Agricultural Zone to RA2 Apartment Residential Zone and OS1 Open Space Conservation Zone and OS4 Open Space Woodlot Zone for the development of a 5-storey apartment building on the tableland, with a maximum of 60 self-contained apartment units, to be marketed as an

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adult lifestyle development on 0.56 ha. The recommendation of the Committee of the Whole to receive the Public Hearing report on April 3, 2006, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Council on April 10, 2006. The Owner has since acquired the northerly portion of the subject lands (9939 Pine Valley Drive) shown on Attachment #1, and has subsequently modified the proposal thereby requiring a new public hearing, which is the subject of this preliminary report.

Previously, on February 25, 2002, Council approved Site Development Application DA.01.069 (Rodriguez Holding Corp. [Woodbridge Private School]) to facilitate the development of the southerly portion of the subject lands with a 1-storey private school having a gross floor area of 2,208.62 m², 21 parking spaces and a septic field. A condition of approval required the applicant to enter into a separate agreement with the City concerning the City's acquisition of a designated 2.685 ha tableland woodlot located on the Owner's overall land holdings as required by OPA #600. On September 27, 2002, the site development agreement was forwarded to the applicant for execution, but was not returned to the City, and therefore, the site plan agreement was not registered, and the separate agreement for the City's acquisition of the woodlot also did not occur.

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 City and Regional Official Plan policies and Provincial policies, including the appropriateness of permitting the high density residential uses on the subject lands, accessibility to community services, parkland dedication, and the protection of the woodlot and stream corridor;
- ii) a watercourse rehabilitation plan and an Ontario Regulation 158 Fill Permit are required by the Toronto and Region Conservation Authority (TRCA), and the renewal of the existing application or submission of a new application to the Department of Fisheries and Oceans is required; the proposed structural setback, the disposition of the tableland woodlot and appropriate buffers must be reviewed by the TRCA;
- iii) the Official Plan requires that features such as valleys/woodlots link into an overall open space system to provide for passive recreation uses, including pedestrian and bike paths, and to enhance wildlife habitat; the lands must be staked to the satisfaction of the TRCA and the City to determine the limits of development and the appropriate ecological buffers to be provided;
- iv) the disposition of the designated 2.685 ha tableland woodlot located east of the proposed development must be addressed;
- v) Phase I and Phase II Environmental Site Assessment Reports must be prepared in accordance with the City's Policy and Procedures for Contaminated or Potentially Contaminated Sites and submitted to the City for approval; the Owner shall submit a Record of Site Condition acknowledged by an Officer of the Ministry of the Environment, prior to the preparation of a technical report for consideration by the Committee of the Whole;
- vi) the availability of water and sanitary sewage servicing capacity must be identified and allocated by Council, if approved;

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- vii) the following shall be submitted in support of the finalization of the Block 39 Plan and the subject applications: a master environmental and servicing plan, environmental impact statement, environmental site assessment, noise report, traffic report, archaeological report, woodland and edge management report, development concept plan providing for the preservation of the existing trees along Pine Valley Drive, and urban design and architectural guidelines are to be prepared and/or revised and submitted to the City for approval, as well as, a planning justification report and updated environmental site screening questionnaire; this information must be reviewed and approved prior to a technical report being forwarded to the Committee of the Whole for consideration;
- viii) opportunities for including policies respecting sustainable design into the implementing documents (ie. official plan amendment, zoning by-law, site plan approval) including LEEDS (Leadership in Energy and Environmental Design), green roofs, etc, will be reviewed, if approved;
- ix) the appropriateness of the proposed rezoning and exceptions, as well as, the appropriate location of such uses as the underground driveway ramp, internal refuse containment area, exterior lighting, screening of service uses, and amenity space for the subject lands will be reviewed within the context of the surrounding existing and planned land uses; and,
- x) the provision of parkland dedication and/or cash-in-lieu of parkland in accordance with the Planning Act shall be required, if approved.

Relationship to Vaughan Vision 2020

The applicability of these applications to the Vaughan Vision 2020 will be determined when the technical report is considered.

Regional Implications

The applications have been circulated to the Region of York for review and comment. Any issues will be addressed 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 applications will be reviewed in the context of the policies in the Official Plan, protection of environmental features, and compatibility with adjacent and planned land uses.

Attachments

1. Location/Zoning Map
2. OPA #600 Schedule "B" Land Uses - Vellore Urban Village 1
3. Concept Plan
4. Proposed Zoning By Applicant

Report prepared by:

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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 2, Report No. 18, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on March 31, 2008.

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**ZONING BY-LAW AMENDMENT FILE Z.08.010
ROYAL GATE (LAND) NOMINEE INC.**

The Committee of the Whole (Public Hearing) recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated March 25, 2008:

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for File Z.08.010 (Royal Gate (Land) Nominee 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.

Communications Plan

On February 29, 2008, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to the West Woodbridge Ratepayers Association. As of March 13, 2008, no written comments have been received by the Development Planning Department. Any responses received will be addressed in the technical review and included in a comprehensive report to a future Committee of the Whole meeting.

Purpose

The Owner has submitted an application to amend the Zoning By-law on the subject lands shown on Attachment #1, specifically By-law 1-88, to rezone the westerly portion of the subject lands (0.32 ha) from C8 Office Commercial Zone to C7 Service Commercial Zone as shown on Attachment #2, and maintaining the C8 Zone on the easterly portion of the overall lands (0.58 ha).

The Owner is also requesting the following site-specific exceptions:

- i) a minimum lot frontage (west) of 43 m, whereas the By-law requires 65 m in the C7 Service Commercial Zone;
- ii) a minimum lot area of 3200 m², whereas the By-law requires 8000 m² in the C7 Service Commercial Zone; and,
- iii) a minimum lot area of 5784.7 m², whereas the By-law requires 8000 m² in the C8 Office Commercial Zone.

Background - Analysis and Options

The subject lands are located on the northeast corner of Regional Road #27 and Royal Gate Boulevard, being Part of Block 1 on Plan 65M-3003, municipally known as 20 Royal Gate Boulevard, in Part of Lot 5, Concession 8, City of Vaughan.

The subject lands are designated "Prestige Area" by OPA #450 (Employment Area Plan), and zoned C8 Office Commercial Zone by By-law 1-88, subject to Exception 9(654A). The surrounding land uses are shown on Attachment #1.

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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 application will be reviewed in the context of the City's Official Plan with respect to conformity to the "Service Node" policies that are applicable to a C7 Service Commercial Zone;
- ii) the application will be reviewed to ensure the appropriateness of the proposed C7 Zone category and the site-specific exceptions to the C7 and C8 zone standards for the subject lands within the context of the existing and planned land uses in the surrounding area;
- iii) the full range of C7 Service Commercial Zone uses are being requested, however, the applicant has submitted concept plans shown on Attachments #3a and #3b for an eating establishment and financial institution, respectively, to demonstrate that the site can function with a reduced lot area and lot frontage, which will be reviewed; and,
- iv) the applicant has also submitted a concept plan for a 2-storey office building on the C8 parcel (Attachment #3c), to demonstrate that the site can function with a reduced lot area, which will be reviewed.

Relationship to Vaughan Vision 2020

The applicability of this application to the Vaughan Vision 2020 will be determined when the technical report is considered.

Regional Implications

The application has been circulated to the Region of York for review and comment. Any issues will be addressed 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 proposal will be reviewed in light of the applicable Official Plan policies, By-law requirements, and compatibility with surrounding existing and planned land uses.

Attachments

1. Location Map
2. Proposed Zoning
- 3a. Concept Plan #1 on Transferred Lands
- 3b. Concept Plan #2 on Transferred Lands
- 3c. Concept Plan on Retained Lands

Report prepared by:

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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.)