

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2011**

Item 1, Report No. 4, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on January 25, 2011.

**1**

**OFFICIAL PLAN AMENDMENT FILE OP.10.006  
ZONING BY-LAW AMENDMENT FILE Z.10.027  
MAJOR WESTON CENTRES LIMITED  
WARD 3**

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

- 1) **That the recommendation contained in the following report of the Commissioner of Planning, dated January 11, 2011, be approved; and**
- 2) **That the deputation from Mr. Sam Audia, 143 Cormorant Crescent, Woodbridge, L4H 2A4, and communication C1, be received.**

**Recommendation**

The Commissioner of Planning recommends:

THAT the Public Hearing report for Files OP.10.006 and Z.10.027 (Major Weston Centres 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.

**Contribution to Sustainability**

The contribution to sustainability will be determined when the technical report is considered.

**Economic Impact**

This will be addressed when the technical report is completed.

**Communications Plan**

- a) Date the Notice of a Public Meeting was circulated: December 17, 2010
- b) Circulation Area: 150 m and to the Millwood Woodend Ratepayers' Association, the Vellore Woods Ratepayers' Association, and the East Woodbridge Community Association
- c) Comments Received as of January 4, 2011: None

**Background**

On June 30, 2009, Council approved the June 23, 2009 Committee of the Whole recommendation to redesignate and rezone the subject lands, excluding the not yet acquired "Expansion Lands" shown on Attachment #3, to permit a retail commercial campus development, which includes a pedestrian-only promenade and an urban square at the northwest corner of Weston Road and Major Mackenzie Drive, and a Wal-mart retail store to be located northeast of Major Mackenzie Drive and Cityview Boulevard. The implementing Official Plan (OPA #713) and Zoning By-law 210-2009 for the retail commercial use were approved in September 2010.

The current proposal is primarily to redesignate and rezone the recently acquired "Expansion Lands" shown on Attachment #3 from residential to commercial to be consolidated and developed in the same ownership with the approved retail commercial lands. The proposal also provides for

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minor modifications to the approved Official Plan policies and Zoning By-law requirements to include the additional gross floor area of 1,532m<sup>2</sup> with the acquisition of the “Expansion Lands” and to adjust all gross floor area totals, and to redistribute approved gross floor area on the property as a result of the reduction in the size of the Wal-mart retail store.

**Purpose**

The Owner has submitted the following applications on the subject lands (Phase I, Phase II and Expansion Lands) shown on Attachments #1 and #2:

1. An Official Plan Amendment Application (File OP.10.006) to redesignate the recently acquired the “Expansion Lands” shown on Attachments #2 to #5 from “Low Density Residential” (OPA #600) to “District Centre Commercial” (OPA #600, as amended by OPA #650 and OPA #713); and, to permit the following amendments to the Official Plan policies in OPA #713 for Phase I and the Expansion Lands (both located east of future Vellore Park Avenue):

|    | <b>Official Plan Policy, OPA #713</b>   | <b>Proposed Amendment to OPA #713</b>   |
|----|---|---|
| a. | The maximum gross floor area shall be 24,810 m <sup>2</sup> for the District Centre Commercial area on the east side of Vellore Park Avenue.  | The maximum gross floor area shall be 24,532 m <sup>2</sup> for the District Centre Commercial area on the east side of Vellore Park Avenue, which includes the gross floor area for the Phase I lands and 1,532 m <sup>2</sup> for commercial uses on the “Expansion Lands”, and removes 1,810 m <sup>2</sup> for the Retail Nursery (Greenhouse) use.   |
| b. | A drive-through facility use in association with a bank or financial institution use shall not be permitted.  | One (1) drive-through facility associated with a bank or financial institution use shall be permitted on the east side of Vellore Park Avenue (Phase I).  |
| c. | The maximum combined gross floor area shall be 52,810 m <sup>2</sup> for the Phase I and Phase II lands with 24,810 m <sup>2</sup> of this gross floor area devoted to the District Centre Commercial area on the east side of Vellore Park Avenue (Phase I). | The maximum combined gross floor area for Phase I and Phase II and the Expansion Lands shall be 52,532 m <sup>2</sup> , with 24,532 m <sup>2</sup> of this gross floor area devoted to the District Centre Commercial Area on the east side of Vellore Park Avenue (Phase I and Expansion Lands). This calculation removes the 1,810 m <sup>2</sup> of GFA devoted to the retail nursery (greenhouse) use, as shown on Attachment #2. |

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| d. | The maximum gross floor area is 11,000m <sup>2</sup> for the District Centre Commercial area, on the west side of Vellore Park Avenue. | Providing a maximum gross floor area of 11,000m <sup>2</sup> for commercial uses and a maximum gross floor area of 1,810 m <sup>2</sup> for the greenhouse use as shown on Attachment #2, for the District Centre Commercial area, on the west side of Vellore Park Avenue. |
|----|--|---|

2. A Zoning By-law Amendment Application (File Z.10.027) to amend By-law 1-88, as amended by site-specific By-law 210-2009, specifically to rezone the “Expansion Lands” shown on Attachments #2 to #5 from RT1(H) Residential Townhouse Zone with the Holding Symbol “(H)” to C5(H) Community Commercial Zone with the Holding Symbol “(H)”; to add one (1) drive-through facility associated with a bank or financial institution use on the east side of Vellore Park Avenue (Phase I); and, to permit the following site-specific amendments to existing Zoning Exception 9(1327) that applies to the subject lands:

|    | <b>By-law 210-2009 Standard</b>  | <b>By-law 1-88 Requirements of Exception 9(1327), C5(H) Zone</b>   | <b>Proposed Exceptions to C5 (H) Zone, Exception 9(1327)</b>                                    |
|----|--|--|---|
| a. | Maximum Gross Floor Area (GFA) for Parts “A” and “B” as referred to in By-law 210-2009, (Phase I and II lands) | Maximum 51,000 m <sup>2</sup> GFA for Parts “A” and “B” (Phase I and II lands)   | Maximum 52,532 m <sup>2</sup> GFA for Parts “A” and “B” (Phase I, Phase II and Expansion Lands) |
| b. | Maximum GFA for Part “B”, as referred to in By-law 210-2009 east of Vellore Park Avenue (Phase I)              | Maximum 5,500 m <sup>2</sup> GFA, excluding the maximum 17,500 m <sup>2</sup> GFA devoted to a Department Store (Wal-Mart) | Maximum 24,532 m <sup>2</sup> GFA, including 1,532 m <sup>2</sup> GFA for the Expansion Lands   |

**Background - Analysis and Options**

|          |  |
|----------|--|
| Location | <ul style="list-style-type: none"> <li>▪ North side of Major Mackenzie Drive between Cityview Boulevard and Weston Road, shown as subject lands on Attachments #1 and #2.</li> </ul> |
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|                           |   |
|---------------------------|---|
| Official Plan Designation | <ul style="list-style-type: none"><li>▪ The recently acquired “Expansion Lands” are designated “Low Density Residential” by OPA #600, as shown on Attachment #4; and, “Low-Rise Residential” by the new City of Vaughan Official Plan 2010, which was adopted by Vaughan Council on September 7, 2010, and is subject to York Region approval.</li><li>▪ The Phase I and II lands are designated “Village Core” and “District Centre Commercial” by OPA #600 as amended by OPA #650 (Vellore Village District Centre Plan) and OPA #713, as shown on Attachment #5; and, “Village District” and “Mid-Rise Mixed-Use” by the new City of Vaughan Official Plan 2010.</li><li>▪ The proposed amendments to site-specific OPA #713 are identified in the “Purpose” section of this report. If the proposed amendments to OPA #713 are approved, they will be reflected in the new COVOP 2010 (Volume 2) upon coming into effect.</li></ul> |
| Zoning                    | <ul style="list-style-type: none"><li>▪ The recently acquired “Expansion Lands” are zoned RT1(H) Residential Townhouse Zone with the Holding Symbol “(H)” by By-law 1-88, subject to Exception 9(1221).</li><li>▪ The Phase I and Phase II lands are zoned C5(H) Community Commercial Zone with the Holding Symbol “(H)” by By-law 1-88, subject to Exception 9(1327).</li><li>▪ The proposed amendments to Zoning By-law 1-88 are identified in the “Purpose” section of this report.</li></ul>  |
| Surrounding Land Uses     | <ul style="list-style-type: none"><li>▪ Shown on Attachment #2.</li></ul>   |

**Preliminary Review**

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

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|    | <b>MATTERS TO BE REVIEWED</b>             | <b>COMMENT(S)</b>   |
|----|---|---|
| a. | Conformity with City Official Plans       | <ul style="list-style-type: none"> <li>▪ The applications will be reviewed in the context of the applicable City Official Plan policies.</li> <li>▪ The proposed redesignation and rezoning of the “Expansion Lands” are required in order to incorporate the acquired “Expansion Lands” with the Phase I and Phase II lands (owned by Applicant) to the south and west, where the Official Plan policies and the zoning are in place for a commercial development.</li> </ul>  |
| b. | Appropriateness of Proposed Uses          | <ul style="list-style-type: none"> <li>▪ The appropriateness of permitting the proposed commercial and drive-through uses on the subject lands will be reviewed in the context of the compatibility with other uses on the site and the surrounding land use context.</li> <li>▪ Review will be given to the location, design and screening of the proposed drive-through facility, if appropriate.</li> </ul>  |
| c. | Urban Design and Architectural Guidelines | <ul style="list-style-type: none"> <li>▪ The proposed development must conform to the applicable Urban Design Guidelines and Architectural Design Guidelines, including addressing enhanced elevations for the rear of buildings and screening service areas from adjacent lands and streets.</li> <li>▪ The proposal must comply with the District Centre Commercial policies in OPA #713 with respect to providing attractive facades and creating a pedestrian-oriented environment facing Cityview Boulevard. Official Plan policies and Zoning By-law requirements will be applied and/or established to secure these requirements.</li> </ul> |
| d. | Related Site Plan Application             | <ul style="list-style-type: none"> <li>▪ The related Site Development Application (File DA.08.088) will be reviewed to ensure appropriate building and site design, access, internal traffic circulation, parking, landscaping, servicing and grading, and the review will include the application of the Official Plan policies and Zoning requirements to achieve an attractive built form and pedestrian-oriented environment.</li> </ul>  |

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| e. | Traffic Impact Study         | <ul style="list-style-type: none"><li>▪ The Traffic Impact Study submitted in support of the applications must be reviewed and approved by the Ministry of Transportation, the Region of York and the Vaughan Engineering Department.</li></ul>  |
| f. | Stormwater Management        | <ul style="list-style-type: none"><li>▪ The applicant must revise the Stormwater Management Report to address the Ministry of Transportation, Toronto and Region Conservation Authority and Vaughan Engineering Department comments related to stormwater strategy and drainage.</li></ul>   |
| g. | Sustainable Development      | <ul style="list-style-type: none"><li>▪ Opportunities for sustainable design, including CEPTD (Crime Prevention Through Environmental Design), LEEDS (Leadership in Energy and Environmental Design), permeable pavers, bio-swales, drought tolerant landscaping, bicycle racks to promote alternative modes of transportation, energy efficient lighting, reduction in pavement and roof-top treatment to address the "heat island" effect, green roofs, etc, will be reviewed and implemented through the site plan approval process, if approved.</li></ul> |
| h. | Phase 1 Environmental Report | <ul style="list-style-type: none"><li>▪ The Phase 1 Environmental Site Assessment (ESA) submitted in support of the applications must be approved to the satisfaction of the Vaughan Engineering Department.</li></ul>   |

**Relationship to Vaughan Vision 2020/Strategic Plan**

The applicability of the applications to the Vaughan Vision 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 preliminary issues identified in this report and any other issues identified through the processing of the applications 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 will be addressed in a comprehensive report to a future Committee of the Whole meeting.

**Attachments**

1. Context Location Map
2. Location Map
3. Site Plan - Phase I and Expansion Lands
4. OPA #600 - Schedule "B" Vellore Urban Village 1
5. OPA #713 - Vellore Village District Centre Plan - Schedule A

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**Report prepared by:**

Judy Jeffers, Planner, ext. 8645

Christina Napoli, Acting Senior Planner, ext. 8483

Carmela Marrelli, Acting Manager of Development Planning, ext. 8791

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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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|    | <b>By-law Standard</b>       | <b>By-law 1-88, EM2 General Employment Area Zone Requirements</b>   | <b>Proposed Exceptions to EM2 Zone</b>   |
|----|------------------------------|---|--|
| a. | Minimum Parking Required     | a) 131 Regalcrest Court: 152<br>b) 155 Regalcrest Court: 172<br><br>Total Required: 324 spaces  | a) 131 Regalcrest Court: 71<br>b) 155 Regalcrest Court: 59<br><br>Total Provided: 130 spaces   |
| b. | Outside Storage Requirements | i) No outside storage other than the storage of machinery and equipment shall exceed three (3) metres in height.<br><br>ii) Outside storage accessory to a permitted use shall not exceed 30% of the lot area.<br><br>iii) 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 two (2) metres in height. | i) No outside storage other than the outside storage of machinery and equipment shall exceed five (5) metres in height.<br><br>ii) 131 Regalcrest Court: Outside storage accessory to a permitted use shall not exceed 34%.<br><br>iii) The outside storage areas will be contained within the property perimeter fencing, however, the individual outdoor storage areas will not be fenced and screened with landscaping. |

**Background - Analysis and Options**

The subject site is currently under one ownership, however, it is comprised of two municipal addresses to facilitate the two existing industrial buildings (131 and 155 Regalcrest Court). The applicant has advised that the subject lands may be severed into two parcels in the future. Therefore, if approved, the applicant has requested the above noted zoning exceptions to accommodate this possibility. Through the ongoing review of the application, additional exceptions to the EM2 General Employment Area Zone to facilitate this proposal, may also be identified and will be addressed in the future technical report.

|          |  |
|----------|--|
| Location | <ul style="list-style-type: none"> <li>▪ 131 and 155 Regalcrest Court, southeast of Regional Road 7 and Regional Road 27, in Part of Lot 4, Concession 8, City of Vaughan, as shown on Attachments #1 and #2.</li> </ul> |
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|--|---|
| <p align="center">Official Plan Designations</p> | <ul style="list-style-type: none"> <li>▪ “Employment Area General” by OPA #450 (Employment Area Plan) as amended by OPA #660, which provides opportunities for industrial development that may require outside storage or be undertaken outdoors. The typical implementing zoning category for this designation is EM2 General Employment Area Zone, notwithstanding that the subject property is zoned EM1 Prestige Employment Area Zone. The proposal conforms to OPA #450.</li> <li>▪ “Commercial Mixed Use” by the new City of Vaughan Official Plan 2010, with a maximum height of 8-storeys and a maximum density of 2.5 FSI (Floor Space Index) for the portion of the subject lands to the east of Regalcrest Court, and provides for a maximum height of 10-storeys and a density of 3 FSI for the portion of the subject lands directly north of the Regalcrest Court cul-de-sac bulb. Official Plan 2010 was adopted by Vaughan Council on September 7, 2010, and is pending Regional approval.</li> <li>▪ The “Commercial Mixed-Use designation is located along a primary Intensification Corridor (Regional Road 7) and is to be predominately commercial and appropriate for non-residential (such as office, hotel, retail) intensification and make efficient use of existing and planned transit investments. The proposed accessory outside storage of plastic pipes associated with an industrial employment use does not conform to City of Vaughan Official Plan 2010, however, this new Official Plan is not in effect and the provisions of OPA #450 prevail. The property and surrounding area is currently located within an industrial employment area that is developed with existing industrial buildings including the outside storage of plastic pipes on lands located to the south of 131 Regalcrest Court.</li> </ul> |
| <p align="center">Zoning</p>                     | <ul style="list-style-type: none"> <li>▪ EM1 Prestige Employment Area Zone and EM2 General Employment Area Zone by By-law 1-88, subject to Exceptions 9(291), 9(654B) and 9(654C).</li> <li>▪ The proposal to rezone the subject lands to EM2 General Employment Area Zone to permit the accessory outdoor storage of plastic pipes and fittings associated with a permitted industrial employment use, and the proposed reduction in parking and amendments to the outside requirements, do not comply with Zoning By-law 1-88, and an amendment to the by-law is required.</li> </ul>   |
| <p align="center">Surrounding Land Uses</p>      | <ul style="list-style-type: none"> <li>▪ Shown on Attachment #2.</li> </ul>   |

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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:

|    | <b>MATTERS TO BE REVIEWED</b>        | <b>COMMENT(S)</b>  |
|----|--------------------------------------|--|
| a. | Appropriateness of Proposed Rezoning | <ul style="list-style-type: none"><li>▪ The appropriateness of the proposed rezoning to EM2 Zone to permit the outside storage of plastic pipes and fittings on the subject lands will be reviewed in consideration of compatibility with the surrounding land uses.</li><li>▪ The proposed exceptions to the parking and outside storage standards of the by-law, as, well as any further exceptions required to implement the proposal will be reviewed through the technical review of the application.</li></ul> |
|    |                                      | <ul style="list-style-type: none"><li>▪ Review will be given with respect to maintaining appropriate functioning of the site including, but not limited to, on-site vehicular circulation, appropriate access to loading areas and the fire route, availability of parking, and maintaining an appropriate containment and visual screening of the proposed outside storage areas.</li></ul>   |
| b. | Additional Studies                   | <ul style="list-style-type: none"><li>▪ A parking study is required to support the proposed parking deficiency on the properties.</li><li>▪ Review will be given to determine if additional studies are required to support the proposed use.</li></ul>  |

**Relationship to Vaughan Vision 2020/Strategic Plan**

The applicability of the application to the Vaughan Vision 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 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 subject application will be reviewed with regard to the appropriateness of the

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proposed rezoning, land use compatibility with existing and future development in the surrounding area, and the implications from the resulting reduction to the required minimum number of parking spaces.

**Attachments**

1. Context Location Map
2. Location Map
3. Existing Site Plan – Proposed Outside Storage Areas

**Report prepared by:**

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Carmela Marrelli, Acting Manager of Development Planning, ext. 8791

/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.)