

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 13, 2011

Item 1, Report No. 56, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on December 13, 2011.

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**ZONING BY-LAW AMENDMENT FILE Z.11.036
HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO
C/O INFRASTRUCTURE ONTARIO
WARD 4**

The Committee of the Whole (Public Hearing) recommends:

- 1) **That the recommendation contained in the following report of the Commissioner of Planning, dated December 6, 2011, be approved;**
- 2) **That the deputation of Mr. Paul Correa, Concord West Ratepayers Association, 42 Rockview Gardens, Vaughan, L4K 2J6, be received; and**
- 3) **That Communication C1, replacement page 1.3, be received.**

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for File Z.11.036 (Her Majesty the Queen in Right of Ontario C/O Infrastructure Ontario), 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: November 11, 2011.
- b) Circulation Area: 150 m of the subject lands, and to the Concord West Ratepayers' Association and the Glen Shields Ratepayers' Association.
- c) Comments Received as of November 30th, 2011: None.

Purpose

The Owner has submitted Zoning By-law Amendment File Z.11.036 to amend Zoning By-law 1-88, specifically to rezone the subject lands shown on Attachments #1 and #2 from PBM7 Parkway Belt Industrial Zone to EM1 Prestige Employment Area Zone, in the manner shown on Attachment #3. The rezoning will facilitate the future development of the subject lands with prestige employment uses, identified on Attachment #4.

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Background - Analysis and Options

Location	<ul style="list-style-type: none">▪ East of Keele Street, south of Highway 407, shown as “Subject Lands” on Attachments #1 and #2.
Official Plan Designation	<ul style="list-style-type: none">▪ “Public Use Area - Inter-Urban Transit” by the Provincial Parkway Belt West Plan.▪ “Prestige Area” (lot depth in from Keele Street) and “Employment Area General” (remainder of property) by OPA #450 (Employment Area Plan). OPA #450 includes policies that upon deletion of the subject lands from the Provincial Parkway Belt West Plan Area, the lands shall be subject to the policies of OPA #450 and their respective land use designations.▪ “Parkway Belt West Lands” by the new City of Vaughan Official Plan 2010 (VOP 2010), which is pending approval from the Region of York. Modifications to VOP 2010 were approved by Vaughan Council on September 27, 2011, to designate the lands “Prestige Employment”, on confirmation that the lands have been removed from the Parkway Belt West Plan.▪ The proposal conforms to OPA #450 and upon removal of the lands from the Parkway Belt West Plan, the proposal will conform to VOP 2010.
Parkway Belt West Plan Amendment	<ul style="list-style-type: none">▪ The Owner has submitted a concurrent application to the Ministry of Municipal Affairs and Housing (MMAH) to remove the subject lands from the Provincial Parkway Belt West Plan.▪ The application is currently under review by MMAH, and shall be approved by the Ministry, prior to the technical report being considered by Vaughan Council.
Zoning	<ul style="list-style-type: none">▪ PBM7 Parkway Belt Industrial Zone by Zoning By-law 1-88.▪ An Amendment to Zoning By-law 1-88 is required to rezone the lands from PBM7 Parkway Belt Industrial Zone to EM1 Prestige Employment Area Zone, to implement the Official Plan designation and facilitate the future development of the lands with prestige employment uses.
Surrounding Land Uses	<ul style="list-style-type: none">▪ Shown on Attachment #2.

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Preliminary Review

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

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Conformity with City Official Plans	<ul style="list-style-type: none"> ▪ The application will be reviewed in consideration of OPA #450 (Employment Area Plan), and City of Vaughan Official Plan 2010.
b.	Appropriateness of Proposed Uses	<ul style="list-style-type: none"> ▪ The appropriateness of rezoning the lands to EM1 Prestige Employment Area Zone, to permit the as-of-right uses in the EM1 Zone (shown on Attachment #4), will be reviewed in consideration of the Official Plan, and the surrounding land use context.
c.	Future Site Plan Application	<ul style="list-style-type: none"> ▪ The Owner will be required to submit a future Site Plan Application for the development of the subject lands, which will be reviewed to ensure appropriate site design, access, internal traffic circulation, parking, landscaping, servicing and grading. ▪ Sustainable design opportunities to be reviewed and implemented through the site plan process include, but are not limited to: LEED (Leadership in Energy and Environmental Design), CPTED (Crime Prevention Through Environmental Design), TDM (Transportation Demand Management) measures to promote active and public modes of transportation, permeable pavers, bio-swailes, drought tolerant landscaping, efficient energy and water consumption, reduction in pavement and roof-top treatment to address the "heat island" effect, green roofs, reduction in construction waste and waste diversion, etc.
d.	City and Public Agency Review	<ul style="list-style-type: none"> ▪ The Owner will be required to address all City and Public Agency review comments, including, but not limited to: the Region of York, the Ministry of Transportation, Metrolinx, and the Ministry of Municipal Affairs and Housing, if required. ▪ Additional studies may be required in support of the applications, to be determined through City and Public Agency review.

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.

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

Attachments

1. Context Location Map
2. Location Map
3. Proposed Zoning
4. Proposed Uses

Report prepared by:

Erika Ivanic, Planner, ext. 8485
Christina Napoli, Senior Planner, ext. 8483
Mauro Peverini, Manager of Development Planning, ext. 8407

/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 2, Report No. 56, of the Committee of the Whole (Public Hearing), which was adopted, as amended, by the Council of the City of Vaughan on December 13, 2011, as follows:

By approving that recommendation 2 of the Committee of the Whole (Public Hearing) be replaced with the following:

- 2) ***That the Local Councillor be directed to convene a community meeting (or meetings) of representatives of the applicant, the ratepayers' association, and City staff, as well as the Mayor and Regional Councillors to work towards a plan acceptable to all stakeholders, and that a recommendation be forwarded to the Commissioner of Planning no later than April 2, 2012.***

**2 ZONING BY-LAW AMENDMENT FILE Z.11.026
2190647 ONTARIO INC.
WARD 2**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated December 6, 2011, be approved;
- 2) That the Local Councillor, as Chair of the Ward 2 Sub-committee, be directed to convene a meeting (or meetings) of representatives of the applicant, the ratepayers association, and City staff, as well as the normal members of the Ward Sub-committee (i.e. the Mayor and Regional Councillors) to work towards a plan acceptable to all stakeholders and that a recommendation of the Ward 2 Sub-committee/stakeholders group be forwarded to the Commissioner of Planning no later than April 2;
- 3) That the following deputations and Communications be received:
 1. Ms. Clara Astolfo, Vaughanwood Ratepayers Association, 15 Francis Street, Woodbridge, L4L 1P7, and Communication C4;
 2. Mr. Kurt Franklin, Weston Consulting Group, 19-201 Millway Avenue, Vaughan, L4K 5K8, and Communication C3, dated December 6, 2011;
 3. Mr. Larry Berenz, Vaughanwood Ratepayers Association, 62 Bruce Street, Woodbridge, L4L 1J4, and Communication C5;
 4. Mr. Guido Masutti, 144 Riverview Avenue, Woodbridge, L4L 2L6;
 5. Ms. Rosanna Scrivo, 58 Royal Garden Blvd., Woodbridge, L4L 7C2;
 6. Mr. John Christianson, 81 Benjamin Drive, Woodbridge, L4L 1H7;
 7. Ms. Sandra Morrison, 257 Wigwoss Drive, Woodbridge, L4L 2R5;
 8. Ms. Gina Bucci, 57 Benjamin Drive, Vaughan, L4L 1H7;
 9. Mr. Rohit Marwaha, 4783 Hwy 7, Woodbridge, L4L 1S6;
 10. Mr. John Lombardo, 158 Riverview Avenue, Woodbridge, L4L 2L6;
 11. Mr. Philip Lucchese, 9 Francine Court, Woodbridge, L4L 1P5; and
 12. Mr. Marco Pasquini, 111 Arrowhead Drive, Woodbridge, L4L 4A4; and
- 4) That Communication C2, from B. Malik, 32 Benjamin Drive, Woodbridge, L4L 1H6, dated November 21, 2011, be received.

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Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for File Z.11.026 (2190647 Ontario 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.

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: November 11, 2011
- b) Circulation Area: 150m and to the Vaughanwood Ratepayers' Association
- c) Comments received as of November 30, 2011: None

Purpose

The Owner has submitted Zoning By-law Amendment File Z.11.026 to amend Zoning By-law 1-88, specifically to rezone the subject lands shown on Attachments #1 and #2 from C3 Local Commercial Zone, subject to Exception 9(457), to RA2 Apartment Residential Zone together with the following site-specific zoning exceptions, to facilitate the development of the lands with two, 10-storey residential apartment buildings with a 2-storey component in the west end, comprising a total of 232 residential units, a one-storey amenities building, and 155 m² of commercial uses on the ground floor as shown on Attachments #3 to #5:

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	By-law Standards	By-law 1-88 RA2 Zone Requirements	Proposed Exceptions to RA2 Zone
a.	Permitted Uses	<ul style="list-style-type: none"> ▪ Commercial uses are not permitted in the RA2 Zone. 	<ul style="list-style-type: none"> ▪ Permit the following commercial uses in the RA2 Zone to a maximum of 155 m²: <ul style="list-style-type: none"> - Bank or Financial Institution - Business or Professional Office - Personal Service Shop - Pharmacy - Photography Studio - Retail Store - Video Store - Eating Establishment, including Convenience and Take-out (excluding accessory billiard tables and outdoor patio area) provided the gross floor area of any or all eating establishment uses shall not exceed 20% of the total gross floor area devoted to all commercial uses. - A Club with no accessory billiard tables - A Health Centre
b.	Minimum Required Number of Parking Spaces	<p><u>Residential</u></p> <ul style="list-style-type: none"> ▪ 406 spaces (232 units @ 1.5 spaces/unit plus 0.25 spaces for visitors) <p><u>Commercial</u></p> <ul style="list-style-type: none"> ▪ 10 spaces (155 m² @ 6 spaces /100 m² GFA) <p>Total - 416 spaces</p>	<p><u>Residential</u></p> <ul style="list-style-type: none"> ▪ 307 spaces (232 units @ 1.32 spaces/unit including visitor parking spaces) <p><u>Commercial</u></p> <ul style="list-style-type: none"> 10 spaces (155 m² @ 6 spaces/ 100 m² GFA) <p>Total - 317 spaces (302 underground and 15 surface)</p>
c.	Required Number of Spaces for Physically Challenged	5 spaces	None provided
d.	Parking Space Measurement	2.7 m x 6.0 m	2.7 x 5.7 m
e.	Minimum Front Yard (Regional Road 7)	7.5 m	0 m
f.	Minimum Exterior Side Yard (Wigwoss Drive)	7.5 m	4.0 m
g.	Minimum Landscape Strip Width Along A Street Line	<ul style="list-style-type: none"> i) Regional Road 7 - 6.0 m ii) Wigwoss Drive - 6.0 m iii) Benjamin Drive - 6.0 m 	<ul style="list-style-type: none"> i) 0.0 m ii) 0.0 m iii) 2.2m
h.	Minimum Lot Area/Unit	80 m ²	30.0 m ²
i.	Minimum Amenity Area	7,230 m ²	2,612 m ²

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Other zoning exceptions may be identified through the detailed review of the application.

Analysis and Options

Location	<ul style="list-style-type: none"> ▪ Northwest corner of Regional Road #7 and Wigwoss Drive, municipally known as 4800 Regional Road #7, as shown on Attachments #1 and #2. ▪ The 0.807 ha property is rectangular in shape with approximately 125 m frontage on Regional Road 7 and a lot depth of 62.5 m. The parcel is currently developed with a commercial plaza (Vaughanwood Mall).
Official Plan Designation	<ul style="list-style-type: none"> ▪ The subject lands are designated "Prestige Area-Centres & Avenue Seven Corridor" - "Transit Stop Centres" by OPA #240 (Woodbridge Community Plan) as amended by #661 (The Avenue Seven Land Use Futures Study), which permits mixed-use development on the site at a maximum building height of 10-storeys and a maximum Floor Space Index (FSI) of 3.0. The proposed development is for two, 10 storey buildings with an FSI of 3.0, which conforms to the current in-effect Official Plan (OPA #661). ▪ OPA #661 also restricts the maximum building height to 4-storeys for any portion of the building located within 30 m of the adjacent low-density residential designation to the north and west. The proposal includes a 2-storey component along west side of the development, which conforms to the policies of the current in-effect Official Plan. ▪ The subject lands are designated "Mid-Rise Mixed-Use" by City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified by Council on September 27, 2011). ▪ The "Mid-Rise Mixed-Use" designation was amended on September 7, 2010 and on January 25, 2011, to reflect the following land use permissions for lands along Regional Road #7 between Rainbow Creek and Bruce Street, which includes the subject lands, upon the new Official Plan coming into effect: residential uses with ground floor retail uses; a maximum building height of 6 storeys; and, an FSI of 2.0. VOP 2010 also requires that the ground floor of buildings facing arterial and collector streets shall predominantly consist of retail uses or other uses that animate the street. ▪ The proposed development does not conform to VOP 2010 as it exceeds the maximum 6-storey building height, and 2.0 FSI permissions. The applicant is pursuing development approvals in accordance with the current in-effect Official Plan (OPA #661).
Zoning	<ul style="list-style-type: none"> ▪ The subject lands are zoned C3 Local Commercial Zone, subject to Exception 9(457) by Zoning By-law 1-88. An amendment to Zoning By-law 1-88 is required to rezone the subject lands to RA2 Apartment Residential Zone and permit the site-specific zoning exceptions to Zoning By-law 1-88 that are required to implement the proposal.
Surrounding Land Uses	<ul style="list-style-type: none"> ▪ Shown on Attachment #2.

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Preliminary Review

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

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	City Official Plan Policies	<ul style="list-style-type: none"> ▪ The application will be reviewed in consideration of the applicable in-effect City Official Plan policies (OPA #661).
b.	Appropriateness of the Proposed Rezoning and Site-Specific Exceptions	<ul style="list-style-type: none"> ▪ The appropriateness of the proposed rezoning of the subject lands, the proposed commercial uses and the site-specific exceptions to Zoning By-law 1-88 that are required to facilitate the development, will be reviewed in the context of the surrounding existing and planned land uses, with particular consideration given to land use and built form compatibility.
c.	Traffic and Parking	<ul style="list-style-type: none"> ▪ A traffic study has been submitted in support of the application and must be reviewed and approved to the satisfaction of the Vaughan Development/Transportation Engineering Department and the Region of York. ▪ A parking study was submitted in support of the Zoning Amendment Application to justify the proposed parking standards. The study must be reviewed and approved to the satisfaction of the Vaughan Development/Transportation Engineering Department. ▪ The location, design and configuration of the proposed driveway access to Regional Road 7, and confirmation of the road widenings must be approved by the Region of York.
d.	Related Site Development File DA.11.073	<ul style="list-style-type: none"> ▪ Related Site Development File DA.11.073 has been submitted in support of the Zoning By-law Amendment Application, to facilitate the development shown on Attachments #3 to #5. The following matters, but not limited to, will be considered through the review of the Site Development Application: <ul style="list-style-type: none"> - built form and site design, landscaping, building elevations and materials (Attachments #4 and #5); - sustainable site and development features; - pedestrian accessibility to the property and within the site; - site circulation, access and any required road widening along Regional Road 7; - the appropriateness of the proposed laneway connection from Regional Road 7 to Benjamin Drive; - streetscaping (hard and soft) along Regional Road 7; - integration of the proposed development with existing and planned transit infrastructure on Regional Road 7; - vehicular turning movements (including service vehicles such as fire and garbage trucks) on the proposed driveways; - the allocation of parking between residential and commercial uses on the site; and, - traffic and parking impacts of the proposed development on the immediate residential neighbourhood. ▪ The Site Development Application will be considered by the City of Vaughan Design Review Panel.
e.	Additional Studies	<ul style="list-style-type: none"> ▪ A Phase 1 and Phase 2 Environmental Site Assessment Report and a Noise Impact Study have been submitted for review by the Vaughan Development/Transportation Engineering Department. ▪ A Sun/Shadow Study prepared by the applicant and a Wind Review prepared by the applicant's consultant have been submitted for the review of the Development Planning Department to ensure that the development will not cause any adverse impact to the community.

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f.	Water & Servicing Allocation	▪ The availability of water and sanitary servicing capacity for the proposed development must be identified and formally allocated by Vaughan Council, if the Site Development Application is approved. Should servicing capacity not be available, use of the Holding Symbol “(H)” will be considered for the subject lands.
g.	Sustainability	▪ 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.

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 application has been circulated to the Region of York for review and comment. A road widening along Regional Road 7 is required, and must be approved by the Region of York. Any additional 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 application 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 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
4. North and South Building Elevations
5. East and West Building Elevations

Report prepared by:

Eugene Fera, Planner, ext. 8064
Carmela Marrelli, Senior Planner, ext. 8791
Mauro Peverini, Manager of Development Planning, ext. 8407

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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.)