

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES FEBRUARY 21, 2012**

Item 1, Report No. 6, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on February 21, 2012.

**1 DRAFT PLAN OF CONDOMINIUM FILE 19CDM-11V009  
2088756 ONTARIO LIMITED  
WARD 2**

**The Committee of the Whole (Public Hearing) recommends that the recommendation contained in the following report of the Commissioner of Planning, dated February 7, 2012, be approved:**

**Recommendation**

The Commissioner of Planning recommends:

THAT the Public Hearing report for File 19CDM-11V009 (2088756 Ontario 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: January 13, 2012
- b) Circulation Area: 150m and to those individuals that had requested notification from the related Official Plan and Zoning By-law Amendment, and Site Plan Applications (Files OP.06.022, Z.06.049, Z.07.016 and DA.08.078)
- c) Comments Received as of January 30, 2012: None

**Purpose**

The Owner has submitted an application for the approval of a Draft Plan of Condominium (Common Elements) as shown on Attachment #3, for the subject lands shown on Attachments #1 and #2, comprised of 10 freehold townhouse dwelling units accessed by a private road. The proposed condominium common elements are shown as Part 1 on Attachment #3 and consist of a private road, 3 visitor parking spaces, and landscaped areas, as currently being constructed in accordance with the approved Site Plan (File DA.08.078) shown on Attachment #4.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES FEBRUARY 21, 2012**

Item 1, CW(PH) Report No. 6 – Page 2

**Background - Analysis and Options**

Location	<ul style="list-style-type: none"> <li>▪ East side of Islington Avenue, north of Pine Grove Road, being Lot 13 on Registered Plan M-1113, in Part of Lot 10, Concession 7, municipally known as 8441 Islington Avenue, City of Vaughan, shown as “Subject Lands” on Attachments #1 and #2.</li> </ul>
Official Plan Designation	<ul style="list-style-type: none"> <li>▪ “Medium Density Residential” by OPA #240 (Woodbridge Community Plan), as amended by OPA #597 (Islington Avenue Corridor Secondary Plan) and site-specific OPA #692, which permits the proposed townhouse development.</li> <li>▪ The subject lands are designated “Low-Rise Residential” by the new City of Vaughan Official Plan 2010, which was adopted by Vaughan Council on September 7, 2010 (as modified on September 27, 2011) and is pending approval from the Region of York. VOP 2010 permits townhouse dwelling units.</li> <li>▪ The application conforms to the Official Plans.</li> </ul>
Zoning	<ul style="list-style-type: none"> <li>▪ RM2 Multiple Residential Zone by Zoning By-law 1-88, subject to site-specific Exception 9(1309). The proposed townhouse development complies with Zoning By-law 1-88, as amended.</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 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.	Approved Site Plan and Zoning	<ul style="list-style-type: none"> <li>▪ The application for Draft Plan of Condominium (Common Elements) approval will be reviewed to ensure consistency in the location of the common elements (ie. private road, visitor parking spaces, and landscaped areas shown as Part 1 on Attachment #3) with the approved zoning and site plan for the subject lands (Attachment #4).</li> </ul>
b.	Related Part Lot Control Application	<ul style="list-style-type: none"> <li>▪ The Owner has also submitted a related Part Lot Control File PLC.11.021, to facilitate the creation of 10 individual lots for the proposed townhouse dwellings (Parts 2 to 21 inclusive as shown on Attachment #3). The proposed lots (frontage, area and depth) must comply with the RM2 Multiple Residential Zone requirements of Zoning By-law 1-88 and the approved site plan, and be consistent in location with the common elements shown on the proposed Draft Plan of Condominium.</li> </ul>

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES FEBRUARY 21, 2012**

Item 1, CW(PH) Report No. 6 – Page 3

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

The applicability of this 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. 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. Draft Plan of Condominium (Common Elements)
4. Approved Site Plan (File DA.08.078)

**Report prepared by:**

Clement Messere, Planner, ext. 8409  
Carmela Marrelli, Senior Planner, ext. 8791  
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.)

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES FEBRUARY 21, 2012**

Item 2, Report No. 6, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on February 21, 2012.

**2** **ZONING BY-LAW AMENDMENT FILE Z.11.041**  
**BFI CANADA INC.**  
**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 February 7, 2012, be approved;
- 2) That the deputation from Mr. Michael DeAngelis, the applicant's representative, Mike DeAngelis Planning Inc, 350 Creditstone Road, Suite 200, Concord, L4K 3Z2, and coloured renderings submitted, be received; and
- 3) That the following Communications be received:
  - C1 Mr. Benjamin Blufarb, Law Office of Benjamin Blufarb, 56 Sheppard Avenue West, Suite 200, Toronto, M2N 1M2, dated January 27, 2012;
  - C2 Mr. Benjamin Blufarb, Law Office of Benjamin Blufarb, 56 Sheppard Avenue West, Suite 200, Toronto, M2N 1M2, dated January 30, 2012; and
  - C3 Mr. Denis Goulet, BFI Canada Inc., 650 Creditstone Road, Concord, L4K 5C8, dated February 3, 2012.

**Recommendation**

The Commissioner of Planning recommends:

THAT the Public Hearing report for File Z.11.041 (BFI Canada 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: January 13, 2012
- b) Circulation Area: 150 m
- c) Comments Received as of January 30, 2012: One letter dated January 27, 2012 from the Law Office of Benjamin Blufarb, on behalf of Mr. Zeppieri, 29-35 Killahoe Road and 80 Costa Road. The letter identifies the following concerns (full letter received by the City Clerk's Office for distribution to Council):

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES FEBRUARY 21, 2012**

Item 2, CW(PH) Report No. 6 – Page 2

- i) BFI has already requested and obtained approval in the past to increase the size of the existing waste recycling establishment;
- ii) the environmental impact on the surrounding community, including compliance with appropriate environmental regulations;
- iii) safety issues, specifically with respect to potential fire hazards on site;
- iv) the impact of dust, odour, debris, and garbage on the surrounding properties;
- v) increased traffic and noise;
- vi) air quality; and
- vii) rodents.

Mr. Zeppieri's concerns, and any additional comments received in writing, or in person at the Public Hearing, will be discussed in the technical report.

**Purpose**

The Owner has submitted Zoning By-law Amendment File Z.11.041, to amend Zoning By-law 1-88, specifically the EM2 General Employment Area Zone, subject to Exception 9(1033), to expand the use of the existing waste recycling establishment on the subject lands shown on Attachments #1 and #2. The Application will facilitate the proposed expansion of the facility including the following, as shown on Attachment #3:

- i) an additional 1,307 m<sup>2</sup> (including wood chip and aggregate storage areas) facility;
- ii) a new 1,245 m<sup>2</sup> bailer facility;
- iii) a new scale house and scale;
- iv) an interim open storage area;
- v) an area identified for a future Phase 2 addition;
- vi) a new parking area on the lands north of the driveway access; and,
- vii) open wood chips and aggregate storage areas.

The facilities will be used for collecting, sorting and processing recyclable materials into new products and raw materials, as, well as, for collecting and sorting residual waste. The following site-specific zoning exceptions are required to implement the proposed expansion:

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES FEBRUARY 21, 2012**

Item 2, CW(PH) Report No. 6 – Page 3

	<b>By-law Standard</b>	<b>By-law 1-88 EM2 Zone, Exception 9(1033) Requirements</b>	<b>Proposed Exceptions to EM2 Zone, Exception 9(1033)</b>
a.	Definition of Material Recovery Facility	<ul style="list-style-type: none"> <li>“Means the use of a building or part of a building primarily for the reprocessing of waste recyclable materials directly into usable products or into raw materials for further processing in an ongoing manufacturing or industrial operation. Such facilities may also collect, sort and separate materials.”</li> </ul>	<ul style="list-style-type: none"> <li>“Means the use of a building or part of a building for the reprocessing of waste recyclable materials directly into usable products or into raw materials for further processing in an ongoing manufacturing or industrial operation, and the transfer of non-waste recyclable materials. Such facilities may also collect, sort and separate materials. It may also perform as a Waste Transfer Station for non-recyclable waste materials and reprocessing residuals.”</li> </ul>
b.	Definition of Waste Transfer Station	<ul style="list-style-type: none"> <li>No definition for a Waste Transfer Station. This use is currently permitted as part of the existing Material Recovery Facility. The proposed Waste Transfer Station definition seeks to clarify the specific use.</li> </ul>	<ul style="list-style-type: none"> <li>“Means the use of a building or part of a building as a collection point for non-recyclable waste materials and reprocessing residuals, to be loaded onto transfer trailers for hauling to Ministry of Environment (MOE) approved disposal facilities. A Waste Transfer Station may also collect, sort and separate materials.”</li> </ul>
c.	Location of Material Recovery Facility and Waste Transfer Station on the Subject Lands	<ul style="list-style-type: none"> <li>A Material Recovery Facility shall be permitted in Building “C” (existing Bailing Facility - Attachment #3) on Part 5 of Plan 65R-21264 and shall operate within a wholly enclosed building.</li> </ul>	<ul style="list-style-type: none"> <li>A Material Recovery Facility and a Waste Transfer Station shall be permitted on the lands shown as Part 5 on Plan 65R-21264 (Attachment #3) and shall operate within a wholly enclosed building or buildings.</li> </ul>
d.	Minimum Interior Easterly Side Yard Setback	<ul style="list-style-type: none"> <li>1.9 m from Building “C” (existing Bailing Facility - Attachment #3).</li> </ul>	<ul style="list-style-type: none"> <li>1.81 m (North Facility expansion – Attachment #3).</li> </ul>

Additional site-specific zoning exceptions to Zoning By-law 1-88 required to implement the proposal may be identified through the detailed review of the Zoning By-law Amendment Application, and will be addressed when the technical report is completed.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES FEBRUARY 21, 2012**

Item 2, CW(PH) Report No. 6 – Page 4

**Background - Analysis and Options**

<p align="center">Location</p>	<ul style="list-style-type: none"> <li>▪ 10 Freshway Drive, being north of Highway 407 and east of Jane Street, adjacent to the CN Rail Classification Yard, shown as “Subject Lands” on Attachments #1 and #2.</li> </ul>
<p align="center">Official Plan Designation</p>	<ul style="list-style-type: none"> <li>▪ “Rail Facilities” by OPA #450 (Employment Area Plan). OPA #450 states that should railway and related uses cease, lands may be developed with the adjacent land use designation, which is “Prestige Area” (adjacent to Highway 407) and “Employment Area General” (remainder of the property).</li> <li>▪ OPA #450 contains specific waste recycling policies, which define a waste recycling establishment as an operation that may collect, store and/or process recyclable materials for the purposes of creating new products or raw materials, and includes a waste transfer station and a material recovery facility, but does not include a concrete or asphalt recycling facility or a composting facility (the latter 3 uses are not proposed in the subject application).</li> <li>▪ OPA #450 only permits waste recycling establishments within the “Employment Area General” designation, provided that the lands do not abut an arterial road, and existing or planned provincial highways. Given that the existing waste recycling facility was in operation prior to the adoption of OPA #450 (1995) and conformed to the policies of OPA #5, its location adjacent to Highway 407 is considered non-conforming under OPA #450, which permits the extension or enlargement of such uses, provided that it will not adversely affect the welfare of the local area.</li> <li>▪ “General Employment” (entire property) by the City of Vaughan Official Plan 2010 (as modified September 27, 2011), which is pending approval from the Region of York, and permits manufacturing and processing and outside storage and would include uses such as waste recycling.</li> <li>▪ The proposal to expand the existing waste recycling establishment conforms to the Official Plans.</li> </ul>
<p align="center">Zoning</p>	<ul style="list-style-type: none"> <li>▪ EM2 General Employment Area Zone by Zoning By-law 1-88, subject to Exception 9(1033), which permits a Materials Recovery Facility in Building “C” (existing bailing facility on Attachment #3) only, as well as, site-specific definitions and zone standards.</li> <li>▪ An amendment to the Zoning By-law 1-88 is required to expand the use of the existing waste recycling establishment on the site, and provide revised site-specific definitions and zone standards.</li> </ul>
<p align="center">Surrounding Land Uses</p>	<ul style="list-style-type: none"> <li>▪ Shown on Attachment #2.</li> </ul>

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES FEBRUARY 21, 2012**

Item 2, CW(PH) Report No. 6 – Page 5

**Preliminary Review**

Following a preliminary review of the 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.	Conformity with City Official Plans	<ul style="list-style-type: none"> <li>▪ The application will be reviewed in consideration of the in-effect policies of OPA #450 (Employment Area Plan), and have regard for the policies in the new City of Vaughan Official Plan 2010 (not yet in effect).</li> </ul>
b.	Appropriateness of Proposed Uses	<ul style="list-style-type: none"> <li>▪ The appropriateness of permitting the proposed expansion to the existing waste recycling establishment on the subject lands, including the site-specific definitions and zone standards, will be reviewed in consideration of the surrounding land use context.</li> </ul>
c.	Related Site Development File DA.11.107	<ul style="list-style-type: none"> <li>▪ The Owner has submitted Site Development File DA.11.107 to facilitate the proposed development on the site, including the removal of three existing buildings, additions to the north facility building, a new bailer building, a new scale house, a new parking area, and an interim open storage area, which will be used until the future Phase 2 addition is built (Attachments #3 to #7).</li> <li>▪ The Site Development Application will be reviewed to ensure appropriate building and site design, access, safe pedestrian and truck movement, parking, landscaping, signage, stormwater management, and servicing and grading. Any additional zoning exceptions will be identified through the site plan review.</li> <li>▪ The Owner must demonstrate conformity to the waste recycling policies in OPA #450 with respect to providing a high level of site design, outside storage provisions, mitigating obnoxious qualities (dust, noise, odour, vermin), and providing appropriate landscaping and buffering.</li> <li>▪ Opportunities for sustainable design will be reviewed and implemented through the site plan process, including, but not limited to stormwater management, drought and salt tolerant landscaping, energy and water consumption efficiency, reduction in construction waste, and waste diversion, etc.</li> </ul>
d.	Reports/Studies	<ul style="list-style-type: none"> <li>▪ The following reports and plans submitted in support of the application must be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department: Site Servicing and Grading Plans, Stormwater Management Report, Erosion and Sediment Control Plan, Preliminary Geotechnical Investigation, and Phase 1 and Phase 2 Environmental Site Assessments.</li> </ul>
e.	City and Public Agency Review	<ul style="list-style-type: none"> <li>▪ The Owner will be required to address all City and Public Agency review comments, including, but not limited to: the Region of York, Ministry of Transportation, Ministry of Environment, and Canadian National Railway, if required.</li> <li>▪ Additional studies may be required in support of the applications, to be determined through City and Public Agency review.</li> </ul>

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

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



**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES FEBRUARY 21, 2012**

Item 2, CW(PH) Report No. 6 – Page 6

**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. Site Plan
4. Landscape Plan
5. Building Elevations - Proposed North Facility Expansion
6. Building Elevations - Proposed Scale House
7. Building Elevations - Proposed Bailer Facility

**Report prepared by:**

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

/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.)