

## **SPECIAL COMMITTEE OF THE WHOLE – JUNE 2, 2003**

**OFFICIAL PLAN AMENDMENT FILE OP.03.001**

**ZONING BY-LAW AMENDMENT FILE Z.02.085**

**COLGERA SERVICES INC.**

**REPORT #P.2003.10**

(Referred from Council meeting of May 26, 2003)

Council, at its meeting of May 26, 2003, adopted the following:

- 1) That this matter be referred to a Special Committee of the Whole meeting on June 2, 2003 at 7:00 p.m., to allow public input on this matter; and
- 2) That the deputation of Mr. Angelo Baldessarri, applicant, be received; and
- 3) That the written submission of Ms. Elvira Caria, Vellore Woods Ratepayers Association, dated May 20, 2003, be received.

Report of the Commissioner of Planning dated May 20, 2003

### **Recommendation**

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment File OP.03.001 (Colgera Services Inc.) BE APPROVED with the appropriate development policies to be included in the Official Plan Amendment.
2. THAT Zoning By-law Amendment File Z.02.085 (Colgera Services Inc.) BE APPROVED IN PRINCIPLE and that the development standards to be included in the implementing by-law be brought forward for Council's consideration, together with required Site Development Application DA.02.084.

### **Purpose**

On January 9, 2003, the Owner submitted an application to amend the Official Plan to permit residential uses in the "General Commercial" designation on the subject lands. The proposed mixed-use (commercial/residential) development of the property is for four buildings totalling 3,876m<sup>2</sup> of ground floor retail and 32 second floor residential units, served by 214 parking spaces. Corresponding zoning amendment and site development applications have also been submitted and will be considered at a later date.

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

The 1.36 ha site is located on the southeast corner of Jane Street and Avro Road, south of Major Mackenzie Drive, in Lots 19 and 20, Concession 4, City of Vaughan.

The lands are designated "General Commercial" by OPA 350 (Maple Community Plan), and zoned C2 General Commercial Zone by By-law 1-88. The surrounding land uses are:

- North - Avro Road; vacant commercial (C2-General Commercial Zone)
- South - vacant commercial (C2-General Commercial Zone)
- East - residential (RVM1(B) Residential Urban Village Multiple Dwelling Zone)
- West - Jane Street; Paramount Canada's Wonderland

On January 24, 2003, a notice of Public Hearing was circulated to all property owners within 120 metres of the subject lands and to the Maple Landing Ratepayers Association. The solicitors for

Paramount Canada's Wonderland have submitted a letter advising of their objections to the proposed residential use, identifying that it is incompatible with the uses in the theme park. The February 17, 2003 recommendation of the Committee of the Whole to receive the Public Hearing and forward a technical report to a future Committee of the Whole, was ratified by Council on February 24, 2003.

#### Official Plan and Policy Context

The subject lands are designated "General Commercial" by OPA #350 (Maple Community Plan), as amended by OPA #513. An amendment to the Official Plan is required to permit residential uses within the designation, to facilitate a mixed-use development form.

i) Maple Community Plan (OPA #350)

OPA No. 350 includes several policies which encourage a wide range of housing types in the Maple Community, as follows (in part);

Section II Goals;

*"To provide a variety of housing in order to permit a wide range of choice of residential types..."*

*"Provide opportunities for intensification and redevelopment, as defined in the Provincial Policy Statement on Land Use Planning for Housing."*

*"To provide a full range of housing types and density targets in accordance with need. Opportunities should be created for a broad mix and range of housing types which are suitable for different incomes, age levels, lifestyles, and a broader housing market as it relates to the Maple Community."*

*"To provide for development of a transit-supportive urban form throughout the community by supporting Maple as part of a viable public transit system in Vaughan."*

ii) Region of York Official Plan (RYOP)

The Region of York Official Plan (RYOP) includes several policies which encourage a broad range of housing types to meet the different needs of the market and transit supportive development. Particularly, the RYOP identifies Jane Street as an "urban corridor", which has the greatest opportunity to add new housing units, employment and services in a mixed-use form.

iii) Provincial Policy Statement

The Provincial Policy Statement includes statements which encourage the efficient use of land and infrastructure, provide a range of land uses, encourage residential intensification, and the provision of a full range of housing types.

The current policy context at the municipal, regional and provincial levels all contemplate the provision of a variety of housing choices. The proposed mixed residential/commercial uses would contribute to this objective in an innovative development of the subject lands.

#### Zoning

The subject lands are zoned C2 General Commercial Zone by By-law 1-88, as amended. By-law 1-88 does not include a zoning category to facilitate mixed-use

commercial/residential developments of the nature proposed by this application. Consequently, a site specific zoning amendment is required to implement the proposed plan. A by-law would be based on an approved site plan.

### Planning Considerations

The proposal includes 32 freehold residential units, which are located on the second floor of each of the proposed buildings. The policy context outlined above supports the type of development form being proposed. The proposed development is consistent with many of the goals and objectives outlined by these policies, including:

- introducing an innovative form of housing into the Maple community, thereby broadening the variety of housing stock in the community;
- greater urbanization of the site on this section of Jane Street, which is characterized by one-storey commercial plazas and single use buildings;
- through the intensification of the site, the lands and infrastructure are used more efficiently;
- the development form proposed is more transit supportive in nature than solely commercial development; and,
- the proposed development form creates opportunity to achieve better urban design along the Jane Street corridor.

Mixed-use commercial/residential development also results in other benefits, including an around-the-clock presence in the area and a supportive market for the commercial establishments in the area. It also provides an excellent transition form between the residential neighbourhood to the east and Jane Street/theme park to the west.

### Noise Study

The applicant has submitted a noise study prepared by Jade Acoustics in support of the development applications to determine the impact of noise sources on the proposed residential uses. The study reviews the potential noise sources in the area, including roads/traffic, the CN Marshalling Yard, Paramount Canada's Wonderland and mechanical equipment.

The study concludes that subject to certain construction criteria and noise warning clauses, that the sound exposure will be within the appropriate environmental noise criteria for most sources. The study notes that depending on the type of activity, as well as weather conditions, the Paramount Canada's Wonderland activities may at times be discernable. Therefore, it recommends that warning clauses be used to advise future occupants of this potential. The Engineering Department has reviewed the noise study and finds its conclusions satisfactory.

Paramount Canada's Wonderland (PCW) has submitted a letter stating that residential uses on Jane Street are not compatible with the surrounding uses and, in particular, Canada's Wonderland. It is noted that residential uses have developed east of Jane Street, and to the south, north and west of PCW. Therefore, the principle and appropriateness of locating residential uses in the vicinity of and immediately abutting PCW property is established. The appropriate noise attenuation measures are set out in the noise study and implementation of the recommendations will be detailed through the site plan process.

## Region of York

The Region of York has approved the applicant's request for exemption from Regional Approval, stating that the application does not impact on Regional interests. The Region of York has also advised that the Traffic Impact Study prepared by Sernas Transtech, and submitted in support of the development applications, is acceptable. The access locations identified on the site plan are also acceptable to the Region. The Region has provided a number of detailed comments that will be addressed through the site plan process.

## Servicing

At this time, sanitary servicing capacity for the residential component of the proposed development is not available. Accordingly, the corresponding application for site development can only be considered once servicing capacity for the development becomes available.

## Conclusion

The proposed development is considered to be supportive of many of the goals and objectives of the local and Regional Official Plans and the Provincial Policy Statement. A noise study has been submitted that concludes that residential development can be appropriately accommodated on the subject lands, subject to certain noise attenuation measures. The principle of residential uses in the vicinity of Paramount Canada's Wonderland has been established.

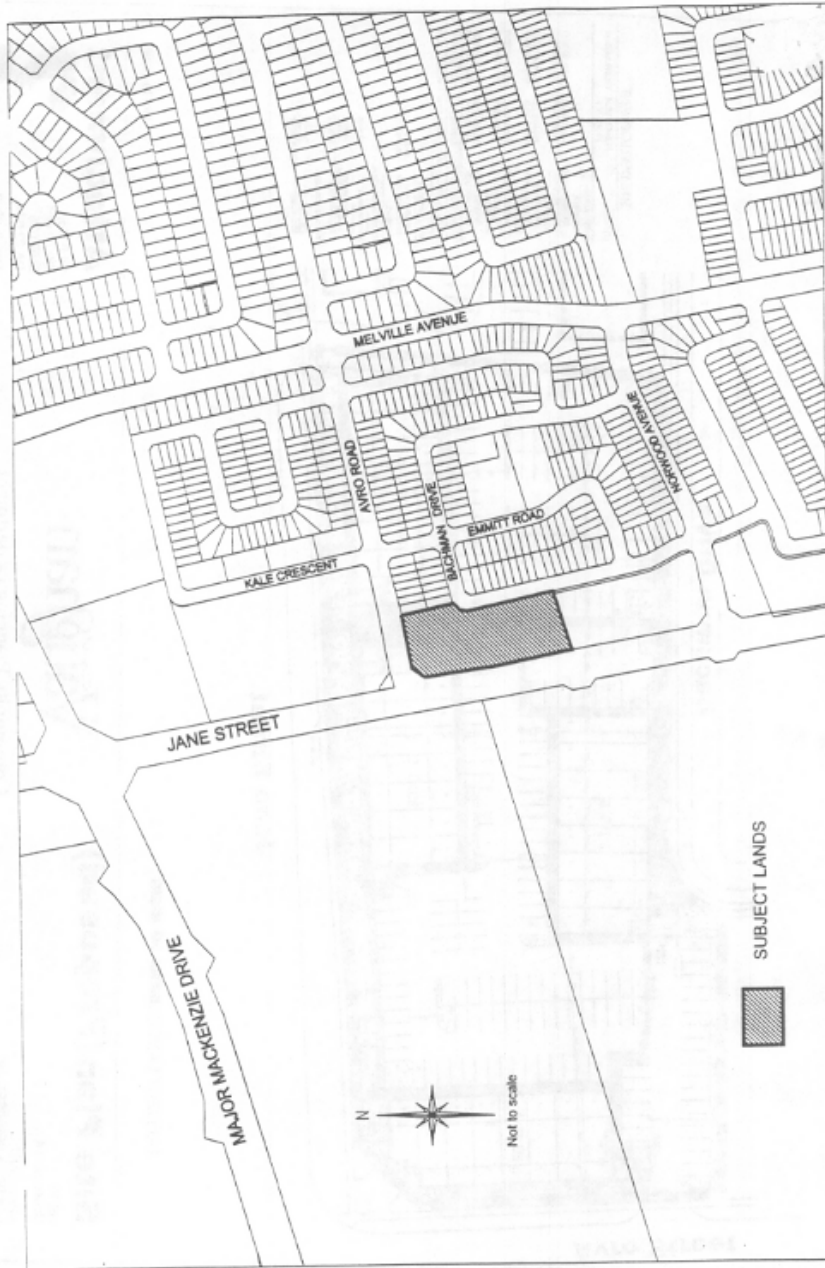
Accordingly, Staff is of the opinion that the proposed application to amend the official plan to permit residential uses in the "General Commercial" designation on the subject lands as a mixed-use development can be supported. Also, the related zoning amendment application can be approved in principle, with the detailed zoning standards to be determined together with consideration of the site development application, once sewage capacity becomes available. To this end, Staff recommends approval of Official Plan Amendment Application OP.03.001 (Colgera Services Inc.) and approval in principle of Zoning Amendment Application Z.02.085. Should Committee concur, the "Recommendation" section of this report can be adopted.

## Attachments

1. Location Map
2. Site Plan (Proposed)
3. Submission from Mrs. Elvira Caria dated May 20, 2003.

## Report prepared by:

Mauro Peverini, Planner, ext. 8407  
Arto Tikiryan, Senior Planner, ext. 8212  
Marco Ramunno, Manager, Development Planning, ext. 8485

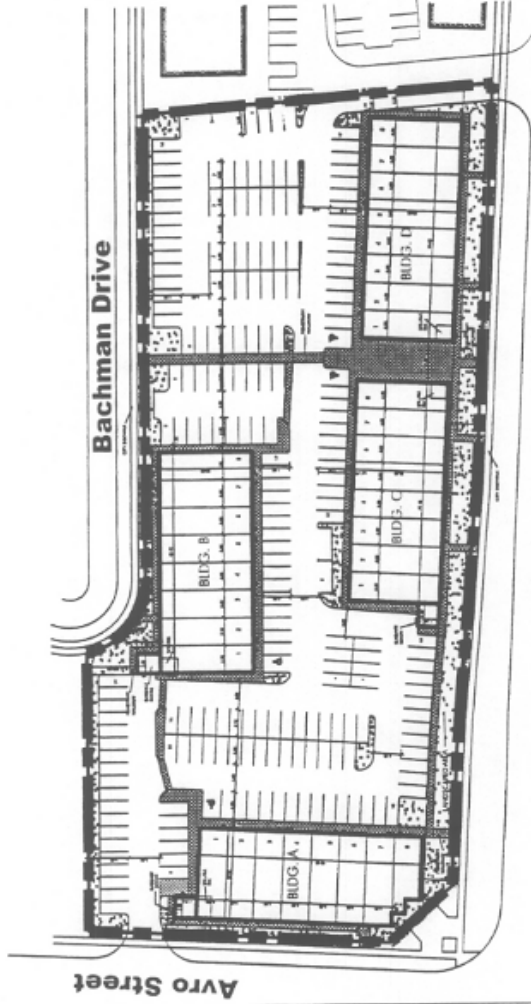


**Attachment 1**

FILE No:  
 OP/13/01  
 Z/02/085  
 DA/02/084  
 May 2, 2003

**City of Vaughan**  
 Community Planning Department

**Location Map**  
 Lot 19,  
 Concession 4  
 APPLICANT:  
 COLGERA SERVICES INC.



**Bachman Drive**

**Avro Street**

**Jane Street**

| SITE DEVELOPMENT        |                   |
|-------------------------|-------------------|
| LOT AREA                | 15,468.87 SQ. FT. |
| EXISTING AREA           | 14,489.25 SQ. FT. |
| REMAINING AREA          | 979.62 SQ. FT.    |
| GROUND FLOOR            | 14,489.25 SQ. FT. |
| FIRST FLOOR             | 14,489.25 SQ. FT. |
| SECOND FLOOR            | 14,489.25 SQ. FT. |
| THIRD FLOOR             | 14,489.25 SQ. FT. |
| FOURTH FLOOR            | 14,489.25 SQ. FT. |
| FIFTH FLOOR             | 14,489.25 SQ. FT. |
| SIXTH FLOOR             | 14,489.25 SQ. FT. |
| SEVENTH FLOOR           | 14,489.25 SQ. FT. |
| EIGHTH FLOOR            | 14,489.25 SQ. FT. |
| NINTH FLOOR             | 14,489.25 SQ. FT. |
| TENTH FLOOR             | 14,489.25 SQ. FT. |
| ELEVENTH FLOOR          | 14,489.25 SQ. FT. |
| TWELFTH FLOOR           | 14,489.25 SQ. FT. |
| THIRTEENTH FLOOR        | 14,489.25 SQ. FT. |
| FOURTEENTH FLOOR        | 14,489.25 SQ. FT. |
| FIFTEENTH FLOOR         | 14,489.25 SQ. FT. |
| SIXTEENTH FLOOR         | 14,489.25 SQ. FT. |
| SEVENTEENTH FLOOR       | 14,489.25 SQ. FT. |
| EIGHTEENTH FLOOR        | 14,489.25 SQ. FT. |
| NINETEENTH FLOOR        | 14,489.25 SQ. FT. |
| TWENTIETH FLOOR         | 14,489.25 SQ. FT. |
| TOTAL GROUND FLOOR AREA | 2,112.50 SQ. FT.  |
| TOTAL GROUND FLOOR AREA | 83,636.00 SQ. FT. |
| NET COVERABLE AREA      | 84,488.45 SQ. FT. |
| GROSS FLOOR AREA        | 91,078.45 SQ. FT. |
| PERMITTED FLOOR AREA    | 91,078.45 SQ. FT. |
| PERMITTED FLOOR AREA    | 91,078.45 SQ. FT. |
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| PERMITTED FLOOR AREA    | 91,078.45 SQ. FT. |
| PERMITTED FLOOR AREA    | 91,078.45 SQ. FT. |
| PERMITTED FLOOR AREA    | 91,078.45 SQ. FT. |

Not to Scale

**SUBJECT LANDS**

# Site Plan (Proposed)

Lot 19,  
Concession 4  
APPLICANT:  
COLGERA SERVICES INC.



Community Planning Department

# Attachment 2

FILE NO.:  
CP-03.001  
Z-02.085  
DA.02.084  
May 2, 2003

ATTACHMENT  
3

**Attwala, Pravina**

**From:** lafrate, Marilyn  
**Sent:** Tuesday, May 20, 2003 12:45 PM  
**To:** Hardychuk, Gloria; Attwala, Pravina  
**Subject:** FW: Committee of the Whole May 20,  
I've circulated this with members of Council already.

mi

-----Original Message-----

**From:** Elviracaria@aol.com [mailto:Elviracaria@aol.com]  
**Sent:** Tuesday, May 20, 2003 12:23 PM  
**To:** ferrim@city.vaughan.on.ca; lafratem@city.vaughan.on.ca  
**Subject:** Committee of the Whole May 20, 2003

**VELLORE WOODS RATEPAYERS ASSOCIATION**

MAY 20, 2003

**RE: COMMITTEE OF THE WHOLE  
ITEM #27  
OFFICIAL PLAN AMENDMENT FILE # OP.03.001  
ZONING BY-LAW FILE # Z.02.085  
COLGERA SERVICES INC**

The Vellore Woods Ratepayers Association kindly urges you to request a motion to defer this item to a later date in the evening so that residents in and around the community in question have a right to speak on such an important issue.

We are surprised that such an important issue that may be precedent setting has been "buried" in an afternoon agenda where most residents will not have an opportunity to speak because of work schedules. Instead, Residents of the surrounding communities must be given a **fair opportunity and fair notice** to speak on the item. By moving this issue to an evening meeting, it will certainly reflect better the rights of the residents of Vaughan.

Considering the seriousness of this item, I am confident that an evening meeting is absolutely imperative in order to move ahead with this item.

Thanking You in advance for your co-operation

ELVIRA CARIA  
CHAIR  
VELLORE WOODS RATEPAYERS ASSOCIATION

5/20/2003