

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 10, 2007

Item 1, Report No. 60, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on December 10, 2007.

**1 OFFICIAL PLAN AMENDMENT FILE OP.04.019
ZONING BY-LAW AMENDMENT FILE Z.04.059
AMARDEEP DEOL**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated December 3, 2007, be approved;
- 2) That the deputation of Ms. Tonya Fraser, 7300 Major MacKenzie Drive, R.R. 1, Kleinburg, L0J 1C0, on behalf of Mr. Jim Fraser, be received; and
- 3) That the coloured map and rendering submitted by the applicant, be received.

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for Files OP.04.019 & Z.04.059 (AMARDEEP DEOL) 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

N/A

Purpose

The Owner has submitted the following applications:

1. An Official Plan Amendment Application to amend OPA #600 to redesignate the subject lands, shown on Attachment #1, from "Agricultural Area" to "Employment Area General".
2. A Zoning by-law Amendment Application to:
 - i) rezone the subject lands shown on Attachment #1 from "A" Agricultural Zone to "M2 – General Industrial Zone to permit a truck terminal with outside storage and a portable administrative office on the property as shown on Attachment #2, and
 - ii) permit the necessary zoning exceptions to implement the proposed plan.

That applications would facilitate the development of the subject lands for a truck terminal comprised of the outside storage of truck trailers and storage containers. The proposed outside storage would occur to the interior of the site and be setback a minimum of 10 m from any property line. A two metre high berm is proposed along the west property line. A temporary administrative office having a gross floor area of approximately 223 m² is proposed at the south east corner of the property together with (10) parking spaces.

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Background - Analysis and Options

The 3.74 ha site is located on the north side of Major Mackenzie Drive, east of Highway No. 50, municipally known as 7290 Major Mackenzie Drive, in Part of Lot 21, Concession 10, City of Vaughan.

The surrounding land uses are:

- North - existing residential and agricultural (A Agricultural Zone)
- South - employment uses C.P. Intermodal Yard (Prestige Employment Area Zone)
- East - vacant (A Agricultural Zone)
- West - existing residential and agricultural (A Agricultural Zone)

The subject lands are designated "Future Employment Secondary Plan Study Area" by OPA #600, and zoned A Agricultural Zone, subject to Exception Paragraph 9(786), by By-law 1-88. The "Employment Secondary Plan Study Area" identified in OPA #600, applies to lands located east of Highway #50, west of the Kleinburg Nashville Community Plan and Regional Road #27, and between Nashville Road and Langstaff Road.

On November 9, 2007, a Notice of Public Hearing was circulated to all property owners within 120 m of the subject lands. As of November 22, 2007, one letter was received from the adjacent landowner to the west, objecting to the applications. The concerns relate to the following:

- the storage of trucks on the adjacent site will impact the current value of their property;
- the uses will directly impact the living conditions and comfort of their residence from a noise and privacy perspective; they will be unable to use their pool or deck; and,
- the safety and security of their property will be comprised due to close proximity of trucks and stacked containers adjacent to their property.

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 applications will be reviewed in the context of the applicable Provincial policies and Regional and City Official Plan policies;
- ii) OPA # 600 states that the "Agriculture Area" policies of the official plan will continue to apply to this area until a Secondary Plan Amendment for the Study Area lands is adopted by the City and approved, giving the lands full urban status, and providing appropriate policies and detailed land uses; the appropriateness of permitting the proposed use prior to the completion of the Secondary Plan will need to be assessed;
- iii) permitting any uses within the Employment Secondary Plan Study Area may compromise the ability to implement the policies of the secondary plan once completed;
- iv) access to Major Mackenzie Drive will require approval from the Region of York; potential implications may include the realignment of Major Mackenzie Drive;
- v) an easement in favour of Trans-Canada Pipelines is located at the southeast corner of the property; the applications have been circulated to TransCanada Pipeline for review and comment;

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- vi) all necessary studies to support the proposed applications must need to be submitted by the applicant for review and approval by the City and appropriate public agencies, including but not limited to, a planning justification report, traffic impact assessment, noise report, and functional servicing report; The applicant must address the requirements of the Official Plan with respect to non-farm land uses in the Agricultural Area;
- vii) the compatibility of a truck terminal and storage area with the adjacent residential use to the west and surrounding land uses will be examined;
- viii) a Site Development Application should be submitted in support of the applications to address the appropriateness of the proposal, in consideration of site design, parking layout, landscaping, and building elevations.

Relationship to Vaughan Vision 2007

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

Regional Implications

The applications must be reviewed by the Region of York and comments provided with respect to the potential re-alignment of Major Mackenzie provided.

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 applicable Provincial policies and the policies of the Regional and City Official Plan, including the appropriateness of this development proceeding prior to completion of the Future Employment Secondary Plan and compatibility with the surrounding land uses. The background information required in support of the applications must be submitted and reviewed prior to the applications being considered by the Committee of the Whole.

Attachments

1. Location Map
2. Conceptual Site Plan

Report prepared by:

Carmela Marrelli, Planner, ext. 8791
Mauro Peverini, Senior Planner, ext. 8407
Grant Uyeyama, Manager of Development Planning, ext. 8635

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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. 60, of the Committee of the Whole (Public Hearing), which was adopted, as amended, by the Council of the City of Vaughan on December 10, 2007, as follows:

By receiving the following written submissions:

- a) *Mr. Douglas James, 24, Art Drive, Kleinburg, L0J 1C0, dated November 20, 2007;*
- b) *Mr. Manfred Kalthoff, 10568 Islington Avenue, P.O. Box 45, Kleinburg, L0J 1C0 dated November 20, 2007; and*
- c) *Ms. Marie-Louise Wcislo, 10568 Islington Avenue, P.O. Box 45, Kleinburg, L0J 1C0 dated November 20, 2007.*

**2 OFFICIAL PLAN AMENDMENT FILE OP.07.004
ZONING BY-LAW AMENDMENT FILE Z.07.031
10360 ISLINGTON AVENUE INC. & JOSIE & FABIO ALVIANI**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated December 3, 2007, be approved;
- 2) That the following deputations and written submissions, be received:
 - a) Mr. Alan Tregobov, A.J. Tregobov Architect, 16 Birch Avenue, Suite 101, Toronto, M4V 1C8, on behalf of the applicant;
 - b) Mr. Ken Nieuwhof, 429 Stevenson Avenue, Kleinburg, L0J 1C0, on behalf of the Kleinburg and Area Ratepayers Association (KARA);
 - c) Ms. Nadia Lazzarino, 25 Pennon Road, Kleinburg, L0J 1C0, and petition;
 - d) Mr. Iain Craig, 365 Stegman's Mill Road, Box 157, Kleinburg, L0J 1C0, and written submission;
 - e) Mr. Daniel Rea, 32 Daleview Court, Kleinburg, L0J 1C0;
 - f) Ms. Lea-Anne Barker, 158 Treelawn Blvd., Kleinburg, L0J 1C0, on behalf of Kleinburg Public School Council;
 - g) Ms. Alexandra Hatfield, 232 Camlaren Crescent, Kleinburg, L0J 1C0;
 - h) Mr. John McMahon, 5900 Kirby Road, Kleinburg, L0J 1C0;
 - i) Ms. Norma Curtis, 15 Cardish Street, Kleinburg, L0J 1C0;
 - j) Ms. Anna Bortolus, 303 Westridge Drive, Kleinburg, L0J 1C0, and written submission dated December 3, 2007; and
 - k) Mr. Ian Mitchell, P.O. Box 219, Kleinburg, L0J 1C0; and
- 3) That the following written submissions be received:
 - a) Mrs. Nadia Lazzarino and Mr. Phillip Lazzarino, 25 Pennon Road, Kleinburg, L0J 1C0, dated November 20, 2007;
 - b) Ms. Ruth McInnis;
 - c) Mr. Kenneth Wood and Mrs. Lois Wood;
 - d) H. and A. Caseley;
 - e) Ms. Lorna J. Robson, 75 Treelawn Blvd., Suite 103, Kleinburg, L0J 1C0;
 - f) Ms. Shirley Davis and Ms. Cindy L. Davis, 10443 Islington Avenue, P.O. Box 99, Kleinburg, L0J 1C0;
 - g) Mrs. H.N. Taule, P.O. Box 297, Kleinburg, L0J 1C0, dated November 23, 2007;
 - h) Mr. Charles McCusker and Ms. Catherine Cormier, 11300 Huntington Road, Kleinburg, L0J 1C0;
 - i) Mr. Anthony Felice and Mrs. Sharon Felice, 52 Rushworth Crescent, Kleinburg, L0J 1C0;

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- j) Mr. Jerry Zeppieri and Mrs. Rosanne Zeppieri, 165 Weaver Court., Kleinburg, L0J 1C0;
- k) Mr. Roger Dickinson, 133 Donhill Crescent, Kleinburg, L0J 1C0;
- l) Mrs. Penny Spina and Mr. Tony Spina, 10402 Islington Avenue, Kleinburg, L0J 1C0; and
- m) Ms. Mary Anne Arthur and Ms. Lea-Anne Barker, Kleinburg Public School Council Co-Chairs, dated November 29, 2007.

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for Files OP.07.004 & Z.07.031 (10360 Islington Avenue Inc. & Josie & Fabio Alviani) 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

N/A

Purpose

On October 29, 2007, the Owner submitted the following revised Official Plan and Zoning Amendment Applications to:

1. Amend Official Plan Amendment #601 (The Kleinburg-Nashville Community Plan), as amended by OPA #633, to permit the following on the subject lands shown on Attachment #1:
 - i) an expanded range of uses including:
 - Proposed Uses Within the Existing Heritage Structure
 - Institutional uses, including a private school, daycare centre and a retirement residence;
 - Museum
 - Community facility
 - Mainstreet Commercial Uses
 - Residential Uses
 - Multi-unit residential condominium
 - Proposed Uses Within A New Building
 - residential condominium or retirement residence;
 - Institutional uses, including a private school, daycare centre
 - Mainstreet Commercial uses.
 - ii) a maximum building height of 5-storeys and 13m; and,
 - iii) Floor space index of 1.4.

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2. Amend Zoning By-law 1-88 to:

Total Lot Area:	11,050 m ²
Developable Lot Area:	6,420 m ²
Total Proposed GFA:	8,950 m ²
Number of Units Proposed for Multi-Unit Dwelling:	78 units
Total Parking for Multi-Unit Building:	115 spaces
Number of Units for Retirement Residence:	120 units
Total Parking for Residential Residence:	46 spaces

Background - Analysis and Options

The subject lands are located on the west side of Islington Avenue, south of Nashville Road, municipally known as 10360 and 10384 Islington Avenue in the Village of Kleinburg, in Part of Lot 23, Concession 8, City of Vaughan, as shown on Attachment #1.

The subject lands are designated “Kleinburg Core” by OPA #601, as amended by OPA #633. OPA #633 was adopted by Council on May 23, 2006 and subsequently approved by the Region of York. OPA #633 has been appealed to the Ontario Municipal Board and a second pre-hearing is scheduled for January 2008.

On February 14, 2005, Council approved Zoning By-law Amendment Application File Z.03.64 and Site Development Application DA.03.055 (Carmela Greco) permitting a multi-unit residential building with a maximum building height of 9.5 m and a maximum of 15 dwelling units on 10360 Islington Avenue. Subsequently, on April 27, 2006, a Site Plan Agreement was registered to implement the approved development for 10360 Islington Avenue, which has not been built (see Attachment #3).

10360 Islington Avenue is zoned RM2 Multiple Family Dwelling Zone and OS1 Open Space Conservation Zone by By-law 1-88, subject to Exception Paragraph 9(1214). 10384 Islington Avenue is zoned R1 Single Family Detached Dwelling zone and OS1 Open Space Conservation Zone by By-law 1-88. The surrounding land uses are as follows:

- North - existing residential (R1 Single Family Detached Dwelling Zone)
- South - existing residential (R1V Old Village Residential Zone)
- East - Islington Avenue (Kleinburg Public School and McMichael Art Gallery)
- West - valley lands (OS1 Open Space Conservation Zone)

On November 9, 2007, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to Kleinburg and Area Ratepayers Association. As of November 20, 2007, one letter was received, objecting to the applications. The concerns relate to the following:

- the height and size of the proposed building and the number of units;
- traffic/safety concerns (proximity to Kleinburg Elementary School);
- availability of water and sewage capacity to service the development;
- noise and environmental concerns;
- submission of a noise and shadow study be required to demonstrate that there are no negative impacts on the existing homes in the area;
- appropriate buffers adjacent to the open space zone; and,
- the negative impact on the Heritage structure (“Dawson” house) as well as the village of Kleinburg; it is suggested that approval from the Historical Society of Canada be obtained.

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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 applications will be reviewed in the context of OPA #601, OPA #633, and the Kleinburg-Nashville Heritage Conservation District Plan, with respect to applicable policies and requirements;
- ii) the Official Plan policies require that all development within the Kleinburg-Nashville Core Areas for commercial or mixed use development shall be supported by the following information:
 - i. a planning report outlining in detail how the proposed developments with the policies of this plan and in particular on Urban Design and Core Areas;
 - ii. a preliminary site plan including:
 - preliminary building architectural elevations;
 - relationship to adjacent buildings;
 - relationship of the proposed development to the street;
 - facilities for public sidewalks and pedestrian amenities along the street or to adjacent parks or open space areas;
 - residential amenities for any residential units which may be proposed;
 - a traffic and parking report establishing the requirements of the proposed development and the adequacy of the proposed facility;
 - a vegetation report identifying any mature vegetation on site and how it is to be protected and integrated into the proposed development;
 - an environmental/open space report identifying how the site is to be integrated with any adjacent open space or valley land; and,
 - a preliminary report, prepared by a qualified heritage architect with respect to architectural design features and consistency with adjacent development.

The Owner is required to submit this information for review.

- iii) the proposed development form and massing will be evaluated to ensure its compatibility with the existing built and planned historical character of Kleinburg and the surrounding development;
- iv) the proposed plan will be reviewed in the context of the requirements of the zoning by-law; issues including proposed uses, building height, parking requirements, setbacks will be reviewed in detail;
- v) the subject lands are located within the Kleinburg-Nashville Heritage Conservation District and are designated under Part V of the Ontario Heritage Act; 10384 Islington Avenue contains the "Redcroft/Martin Smith" House and is designated individually under Part IV of the Ontario Heritage Act; any changes or additions to these properties must be reviewed by the Vaughan Cultural Services Division and Heritage Vaughan and be subject to the Heritage Permit process;

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- vi) the Toronto & Region Conservation Authority (TRCA) notes that the proposed applications are premature at this time and they require the submission of, but not limited to, the following information for review: plan of survey with appropriate grading information; geotechnical report addressing the slope stability issue; stormwater management report; edge management plan; and, structural building setback from the buffer area; the proposal to encroach the proposed patios in the 10 m buffer area is not acceptable;
- vii) parking supply will be reviewed to ensure appropriate parking is provided for the proposed commercial, institutional and residential uses; the proposed underground parking details and drawings are required to be submitted for review; the cash-in-lieu of parking requirements of OPA #633 are applicable and require the Owner to submit the following in support of the applications:
 - a land appraisal report;
 - a parking assessment report;
 - a heritage property assessment; and
 - a landscape and tree analysis.
- viii) The Engineering Department has identified the following issues to be addressed;
 - i) a Phase 1 Environmental Site Assessment is to be completed in accordance with the City's Policy and Procedures for Contaminated or Potentially contaminated Sites and provided for review by the Engineering Department;
 - ii) a Functional Servicing Report shall be submitted for review and approval in support of the applications; the report must address and ensure that the proposed development may be serviced in accordance with all City of Vaughan Engineering Department Design Standards and Criteria; the report should include the proposed servicing scheme (Water Supply and Distribution, and Sanitary and Storm Drainage), the proposed grading for the site and roads/access and right-of-way widths; and,
 - iii) the two access points proposed to the site must be re-designed since they are too close to the existing crosswalk and could cause safety/operational issues (for both pedestrian and vehicles) on Islington Avenue, specifically during school peak hours. An access study must be submitted addressing the pedestrian and vehicular safety, traffic circulation and vehicle queuing issues on Islington Avenue and service truck movements within the proposed development; one access (previously approved for 10384 Islington Avenue - Site Development File DA.03.055 would be sufficient to serve the proposed development, and would be aligned opposite the McMichael Art Gallery driveway.

Relationship to Vaughan Vision 2007

The applicability of these 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,

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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 of the Official Plan, including the Kleinburg/Nashville Servicing Strategy, growth management, protection of environmental features, and compatibility and appropriateness of the proposed building form and land uses with adjacent surrounding development and within the context of the Kleinburg Core Area. The applications will also be reviewed in the context of the Kleinburg-Nashville Heritage Conservation District Plan, the minimum requirements of the zoning by-law, and the requirements of the Engineering Department and the Toronto and Region Conservation Authority.

Attachments

1. Location Map
2. Conceptual Site Plan
3. Previously Approved Site Plan for 10360 Islington Avenue

Report prepared by:

Carmela Marrelli, Planner, ext. 8791
Mauro Peverini, Senior Planner, ext. 8407
Grant Uyeyama, Manager of Development Planning, ext. 8635

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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.)

Mayor Jackson declared an interest with respect to the foregoing matter as her husband leases a unit from the applicant, and did not take part in the discussion or vote on the matter.