

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 5, 2009

Item 1, CW(PH) Report No. 25 – Page 2

Zoning

The subject lands are zoned OS1 Open Space Conservation Zone by By-law 1-88. The proposed detached dwelling is not permitted within the OS1 Open Space Conservation Zone. In addition, the OS1 Zone does not include development standards for detached dwellings.

The Zoning Amendment application filed by the Owner originally proposed a 56m² addition to the existing dwelling on the subject lands. This application was considered at a Public Meeting on September 5, 2006. Upon review of the application the Toronto and Region Conservation Authority (TRCA) recommended that a new dwelling that does not increase the total gross floor area of the existing dwelling by more than 50% be constructed on the property. The Owner has subsequently revised the Zoning Amendment application to reflect the TRCA's recommendation, which is the subject of this report.

Preliminary Review

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

- i) the subject lands are located in a flood plain. The Toronto and Region Conservation Authority (TRCA) has reviewed the proposal and advised in a letter dated January 23, 2009, that they have no objection to the application;
- ii) the appropriateness of permitting a detached dwelling on the subject lands will be reviewed in the context of the existing residential dwellings in the surrounding area;
- iii) review will be given to the appropriate development standards to facilitate the proposal, if approved; and,
- iv) the property is proposed to be serviced by a septic system which must be approved by the Engineering Department.

Relationship to Vaughan Vision 2007

The applicability of this application to the Vaughan Vision will be determined 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 application will be reviewed in the context of the applicable policies of the Official Plan, the requirements of the Toronto and Region Conservation Authority, the area context, and the appropriate development standards.

Attachments

1. Location Map
2. Overall Site Plan
3. Proposed Site Plan (Enlarged)

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Report prepared by:

Mary Serino, Planner 1, ext. 8215

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.)

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Standards	Requirements of Exception 9(821)	Proposed Exceptions
Minimum Front Yard Setback (Major Mackenzie)	5.0 m	2.8 m
Minimum Interior Yard Setback (East Property Line)	9.0 m	2.0 m
Landscape Buffer Strip Width (along Major Mackenzie)	6.0 m	2.8 m

Background - Analysis and Options

The subject lands are located on the north side of Major Mackenzie Drive, between Melville Avenue and Keele Street, in Part of Lot 21, Concession 4, municipally known as 2600 Major Mackenzie Drive, City of Vaughan. The surrounding land uses are shown on Attachment #1.

The subject lands are designated “Low Density Residential” by OPA #350 (Maple Community Plan). OPA #350 permits daycare uses at focal points throughout the community without an amendment to the plan. The “Jacob Rupert House” exists on the property, which is designated under Part IV of the Ontario Heritage Act, and is a focal point in the Maple Community. The proposal conforms to the Official Plan.

The lands are currently zoned R1 Residential Zone, subject to Exceptions 9(305) and 9(821) of By-law 1-88. The proposed Day Nursery use is not permitted on the subject lands and therefore, a By-law amendment is required.

Preliminary Review

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

- i) the application will be reviewed in the context of the policies contained within OPA #350 (Maple Community Plan), Zoning By-law 1-88, and the surrounding land uses to determine the appropriateness of the proposed zoning by-law amendment;
- ii) a corresponding Site Development Application is required to facilitate the proposal and will be reviewed on the merits of, including but not limited to, the location, size and access to the outdoor play area, proposed signage, potential parking or traffic impact, and potential changes, if any, to the landscaping plan and building elevations; and,
- iii) the application must be reviewed by Heritage Vaughan and any recommendations will be considered in the review of the application.

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.

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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 Zoning By-law Amendment Application will be reviewed in the context of the policies of the Official Plan, the zoning requirements in By-law 1-88, the appropriateness of the proposed use, the area context, compatibility with the existing uses in the surrounding area, and the recommendations of Heritage Vaughan.

Attachments

1. Location Map
2. Site Plan

Report prepared by:

Stephen Lue, Planner, ext. 8210
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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 3, Report No. 25, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on May 5, 2009.

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**OFFICIAL PLAN AMENDMENT FILE OP.09.001
ZONING BY-LAW AMENDMENT FILE Z.09.003
TONY AND GERMANA GUGLIETTI
WARD 1**

The Committee of the Whole (Public Hearing) recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated April 20, 2009:

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for Files OP.09.001 and Z.09.003 (Tony and Germana Guglietti) 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

On March 27, 2009, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands. Additional polling was undertaken beyond the statutory 120 m required by the Planning Act for the area surrounding the subject lands as shown on Attachment #1, in consideration of the size of the proposed development. As of April 15, 2009, no comments have been received by the Development Planning Department. Any responses received will be addressed in a comprehensive report to a future Committee of the Whole meeting.

Purpose

The Owner has submitted the following applications on the subject lands shown on Attachment #1:

1. An Official Plan Amendment Application (File OP.09.001) to amend OPA #600, as amended by OPA #656, to:
 - a) increase the maximum density permitted on the property from 150 to 277 units per hectare resulting in an increase in the number of units permitted on the site from 325 to 600 units (ie. an additional 275 apartment units) and to permit ancillary commercial uses on the ground floor of each building; and,
 - b) increase the maximum building height from 10 to 22 storeys.
2. A Zoning By-law Amendment Application (File Z.09.003) to amend By-law 1-88, to rezone the westerly portion of the subject lands from RR Rural Residential Zone, A Agricultural Zone and OS5 Opens Space Environmental Protection Zone, subject to Exception 9(779) to RA3 Apartment Residential Zone with the addition of the Holding Symbol "H" and with the following zoning exceptions to implement the concept plan shown on Attachment #2;
 - a) a maximum building height of 22 storeys (74 m) whereas 44 m is permitted;

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- b) a minimum lot area of 35 m² per unit and a total lot area of 2.1 hectares, whereas 67 m² per unit and 4.02 ha required respectively;
- c) a minimum rear yard setback of 4.0 m, whereas 7.5 m is required;
- d) the following parking standards:
 - i) Residential Apartment Dwelling - 1.1 parking spaces/unit, whereas 1.5 is required;
 - ii) Visitor Parking Spaces - 0.20 spaces/unit, whereas 0.25 is required; and,
 - iii) Commercial - 4.25 parking spaces per 100 m² of gross floor area, whereas 6.0 spaces is required;
- e) a minimum driveway width of 4.5 m, whereas 7.5 m is required;
- f) a minimum front yard setback for structures below grade to be 0.0 m, whereas 1.8 m is required;
- g) a minimum amenity area per unit, regardless of unit type of 28 m², whereas 15m², 20 m², 55 m² and 90 m² is required for a bachelor, one, two and three bedroom units respectively;
- h) an increase in the total number of residential units currently allowed on the subject lands, from 325 to 600 (ie. an additional 275 apartment units); and,
- i) permit the following commercial uses on the ground floor:
 - i) club or health centre;
 - ii) eating establishment;
 - iii) personal service shop;
 - iv) retail store;
 - v) day nursery; and,
 - vi) a bakery/coffee shop.

The proposed amendments would facilitate the development of the property with a total of 600 units within three, 22-storey apartment buildings, each with 200 units and as shown on Attachment #2. The proposal also includes ancillary ground floor commercial uses, limited to a club or health centre, eating establishment, personal service shop, retail store, convenience retail store, day nursery, a bakery and a coffee shop.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located on the south side of Major Mackenzie Drive, east of Dufferin Street, known municipally as 1331 and 1381 Major Mackenzie Drive, in Part of Lot 20, Concession 2, City of Vaughan. The 3.14 ha site is currently developed with 2 residential dwellings. The surrounding land uses are shown on Attachment #1.

The subject lands are designated "High Density Residential/Commercial" by OPA #600, as amended by OPA #656. OPA #656 redesignated the subject lands from "Medium Density Residential/Commercial" to "High Density Residential/Commercial" and permits a total of 325 apartment units and ancillary commercial uses within two apartment buildings not to exceed a maximum height of 10-storeys. OPA #656 permits ground floor commercial uses on the property subject to the specific uses being defined in the zoning by-law.

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The westerly portion of the subject property is zoned RR Rural Residential and OS2 Open Space Environmental Protection Zone and the balance of the site A Agricultural Zone, subject to Exception 9(779) as shown on Attachment #1. Exception 9(779) addresses zoning standards for the existing two residential dwellings on the subject lands. When OPA #656 was approved, Council also approved Zoning Amendment Application File Z.05.040, subject to Council's approval of a Site Development Application prior to the enactment of a Zoning By-law. A Site Development Application has not been approved for the 10-storey development and therefore, an implementing by-law was never enacted.

The Owner no longer wishes to build the 325 apartment units as originally proposed and has revised the conceptual layout to add a third building and increase the height of each of the proposed buildings to 22-storeys, thereby providing an additional 275 units on the site, for a total of 600 units as shown on Attachment #2.

Preliminary Review

Following a preliminary review of the applications, 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, City and Regional Official Plan, By-law 1-88, and the existing and permitted development;
- ii) a complete Site Development Application should be submitted to facilitate a comprehensive review of the proposal with respect to the provision of proper access, traffic impact and circulation, parking, appropriate urban design, building elevations and massing, building height and shadow impact, landscaping and buffering, and stormwater management and engineering servicing requirements, that will be complementary to the surrounding area;
- iii) opportunities for sustainable design, including CEPTD (Crime Prevention Through Environmental Design), LEEDS (Leadership in Energy and Environmental Design), green roofs, etc, will be considered for inclusion within the development for implementation through policies included in the Official Plan and the site plan approval process, if approved;
- iv) the availability of water and sanitary sewage servicing capacity must be identified and allocated by Council, if approved; use of the Holding Symbol "(H)" may be required if servicing capacity is unavailable;
- v) the application will be reviewed in consideration of Zoning By-law 1-88, the permitted uses, and the surrounding land use context, to determine the appropriate development standards required to implement the proposal, if approved;
- vi) the Owner will be required to satisfy all requirements of the Region of York;
- vii) the Owner has submitted a Planning Analysis Report and a Height and Shadow Study in support of the applications. A Traffic Impact Study, Functional Servicing Report, Parking Report, Tree Inventory, Slope Stability study and Urban Design Guidelines have been requested. Any additional studies that may be required will be identified through the review of the application prior to the preparations of a technical report and consideration by Council; and,

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- viii) the application will be reviewed in the context of the applicable policies of the Toronto and Region Conservation Authority, including the Valley and Stream Corridor Policies, appropriate building setbacks and buffers, and other regulations.

Relationship to Vaughan Vision 2020

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 comments. 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 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 proposal will be reviewed in light of the applicable Provincial policies, Regional and City Official Plan policies, the appropriateness and compatibility of the proposed amendments to increase the permitted density on the property in the context of the surrounding land uses, built form, environmental considerations, and the zoning standards required to implement the proposal, if approved.

Attachments

1. Location Map
2. Conceptual Site Plan
3. North Elevations (Conceptual)
4. South Elevations (Conceptual)
5. East Elevations (Conceptual)
6. West Elevations (Conceptual)

Report prepared by:

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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.)