

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 14, 2010**

Item 1, Report No. 45, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on December 14, 2010.

**1**  
**ZONING BY-LAW AMENDMENT FILE Z.10.024**  
**JACK FREEDMAN REAL ESTATE DEVELOPMENT CORP.**  
**WARD 1**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated December 7, 2010, be approved;
- 2) That the following deputations be received:
  - a) Mr. Gary Freedman, Jack Freedman Real Estate Development Corp., 7 King Street East, Suite 911, Toronto, M5C 3C5, on behalf of the applicant;
  - b) Mr. Angelo DiNardo, 182 Greenock Drive, Maple, L6A 1V1;
  - c) Mr. Peter Baker, 9519 Keele Street, Suite 127, Maple, L6A 4A2;
  - d) Mr. Diego Sinagoga, 114 Dina Road, Maple, L6A 1L3; and
  - e) Ms. Kim Leacock, 130 Dina Road, Maple, L6A 1L3; and
- 3) That the petitions submitted by Ms. Franca Dotto, 9519 Keele Street, Suite 0002, Vaughan, L6A 4A2, dated December 6, 2010, be received.

**Recommendation**

The Commissioner of Planning recommends:

THAT the Public Hearing report for File Z.10.024 (Jack Freedman Real Estate Development Corp.) 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 12, 2010
- b) Circulation Area: 150 m and to the Maple-Sherwood Ratepayers' Association
- c) Comments Received as of November 23, 2010: None

**Purpose**

The Owner has submitted a Zoning By-law Amendment Application (File Z.10.024) for the subject lands shown on Attachments #1 and #2, to amend the C1 Restricted Commercial Zone, specifically Exception 9(810) to permit the following additional uses within the existing single storey commercial plaza (Attachment #3):

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	<b>By-law Standard</b>	<b>By-law 1-88, C1 Zone, Exception 9(810) Requirements</b>	<b>Proposed Exceptions to C1 Zone, Exception 9(810)</b>
a.	Permitted Uses	<p>Permits only the following uses:</p> <ul style="list-style-type: none"> <li>i. a Bank or Financial Institution;</li> <li>ii. a Personal Service Shop;</li> <li>iii. a Business and/or Professional Office;</li> <li>iv. a Retail Store; and,</li> <li>v. a Take-Out Eating Establishment with a maximum gross floor area of 85 m<sup>2</sup>.</li> </ul>	<p>To permit the following additional uses:</p> <ul style="list-style-type: none"> <li>i. a Club;</li> <li>ii. an Eating Establishment;</li> <li>iii. an Eating Establishment, Convenience;</li> <li>iv. a Day Nursery;</li> <li>v. a Service or Repair Shop; and,</li> <li>vi. a Pet Grooming Establishment.</li> </ul>

The Owner is not proposing changes to the existing site plan or the building elevations. The intention is to permit only additional uses on the property.

**Background - Analysis and Options**

Location	<ul style="list-style-type: none"> <li>▪ 9505 Keele Street, located at the southeast corner of Fieldgate Drive and Keele Street, City of Vaughan, and shown as "Subject Lands" on Attachments #1 and #2.</li> </ul>
Official Plan Designation	<ul style="list-style-type: none"> <li>▪ "Local Convenience Commercial" by OPA #350 (Maple Community Plan).</li> <li>▪ "Low-Rise Mixed-Use" by the new City of Vaughan Official Plan 2010, which requires Regional approval, and is not yet in effect.</li> <li>▪ The application proposal to permit additional commercial uses on the property conforms to the current and new/not in effect Official Plans.</li> </ul>
Zoning	<ul style="list-style-type: none"> <li>▪ C1 Restricted Commercial Zone by By-law 1-88, as amended by Exception 9(810), which permits site-specific uses.</li> <li>▪ The proposed additional uses require an amendment to Zoning By-law 1-88.</li> </ul>
Surrounding Land Uses	<ul style="list-style-type: none"> <li>▪ Shown on Attachment #2.</li> </ul>

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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:

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
a)	Appropriateness of Proposed Uses	<ul style="list-style-type: none"><li>▪ The appropriateness of permitting the proposed uses (a Club, an Eating Establishment, an Eating Establishment, Convenience, a Day Nursery, a Service or Repair Shop, and a Pet Grooming Establishment) on the subject lands will be reviewed with respect to compatibility with other uses on the site and the surrounding land use context.</li></ul>
b)	Future Potential Site Plan Application	<ul style="list-style-type: none"><li>▪ A Day Nursery use, if approved through this zoning application, will require a future Site Development Application to be submitted to permit the required outdoor play area on the subject lands. The zoning application will review appropriate locations for an outdoor play area, to determine if this use is feasible on the site, and if any additional zoning exceptions are required.</li></ul>
c)	Parking Study	<ul style="list-style-type: none"><li>▪ A Parking Study must be submitted and reviewed to the satisfaction of the Vaughan Engineering Department. The Parking Study should demonstrate that the existing parking spaces on the property can support the proposed additional uses, in particular the proposed Eating Establishment and Eating Establishment, Convenience uses.</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.

**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.

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**Attachments**

1. Context Location Map
2. Location Map
3. Existing Site Plan

**Report prepared by:**

Stephen Lue, Planner, ext. 8210  
Christina Napoli, Acting Senior Planner, ext. 8483  
Carmela Marrelli, Acting Manager of Development Planning, ext. 8791

/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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	<b>By-law Standard</b>	<b>By-law 1-88 RVM1(A) Zone Requirements</b>	<b>Proposed Exceptions to RVM1(A) Zone</b>
a.	Minimum Lot Depth	30 m	23 m
b.	Minimum Lot Area	180 m <sup>2</sup>	123 m <sup>2</sup>
c.	Minimum Rear Yard	7.5 m	6.0 m
d.	Minimum Lot Frontage	6 m	2.0 m for Lots 5 - 8 inclusive
e.	Dimensions of Driveways	<ul style="list-style-type: none"> <li>▪ In Section 4.1.4 f) iii), lots with a frontage of 7.0 m to 8.99 m are permitted to have a maximum driveway width of 3.75 m.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Lots 32-34 inclusive shall be permitted a maximum driveway width of 5.65 m to 6.0 m.</li> </ul>
f.	Definition of Front Lot Line	<ul style="list-style-type: none"> <li>▪ Means the street line</li> </ul>	<ul style="list-style-type: none"> <li>▪ The most easterly lot line adjacent to Dufferin Street shall be deemed to be the front lot line for Lots 32-34 inclusive.</li> </ul>
g.	Accessory Building and Structures	<ul style="list-style-type: none"> <li>▪ The percentage of the lot area covered by all accessory buildings and structures other than those attached to the main building shall not exceed 10% or 67 m<sup>2</sup>, whichever is less.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The percentage of the lot area covered by all accessory buildings and structures other than those attached to the main building shall not exceed 15% or 67 m<sup>2</sup>, whichever is less for Lots 32-34 inclusive. A zoning exception is required to increase the percentage for the proposed garages.</li> </ul>

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

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**Background - Analysis and Options**

Location	<ul style="list-style-type: none"> <li>▪ South of Rutherford Road on the west side of Dufferin Street, through to Forest Run Boulevard, and north of Benjamin Hood Crescent and Elderbrook Crescent, in Planning Block 17, City of Vaughan, and 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 #600, as amended by OPA #651 (Carrville District Centre Plan), which permits the proposed street townhouse use.</li> <li>▪ “Low-Rise Mixed Use” by the new City of Vaughan Official Plan 2010, adopted by Vaughan Council on September 7, 2010, and pending Regional approval. A street townhouse use is permitted under this designation.</li> <li>▪ The proposal conforms to the Official Plans.</li> </ul>
Zoning	<ul style="list-style-type: none"> <li>▪ A Agricultural Zone by By-law 1-88.</li> <li>▪ The proposed change in zoning for the subject lands to RVM1 (A)(H) Zone together with site-specific exceptions to permit a street townhouse development, requires an amendment to Zoning By-law 1-88.</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:

a.	Appropriateness of Proposed Rezoning and Site-Specific Exceptions	<ul style="list-style-type: none"> <li>▪ The appropriateness of rezoning the property to RVM1(A)(H) Zone with site specific exceptions to permit the proposed 34 street townhouse units on the subject lands will be reviewed in consideration of, but not limited to, the compatibility with the surrounding uses, built form, urban design, environmental sustainability, parking, and traffic.</li> <li>▪ The appropriateness of the proposed driveway configurations for Lots 5 - 8 and Lots 32- 34 will be reviewed in the context of design, required easements, landscaping, parking and servicing (garbage pick-up and snow removal).</li> </ul>
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b.	Lot Creation	<ul style="list-style-type: none"> <li>▪ The applicant has advised they will be submitting a Draft Plan of Subdivision Application to create the 7 blocks to facilitate the proposed 34 lots. The Draft Plan of Subdivision application will be subject to a future Public Hearing process.</li> <li>▪ The individual townhouse lots within each of the 7 blocks will be created by way of a future Part Lot Control Application.</li> </ul>
c.	Future Site Development Application	<ul style="list-style-type: none"> <li>▪ A future Site Development Application will be required, to facilitate a comprehensive review of the development proposal to ensure appropriate building and site design, access, servicing and grading, landscaping and sustainable development features.</li> </ul>
d.	Additional Supporting Information	<ul style="list-style-type: none"> <li>▪ A Phase 1 Environmental Site Assessment (ESA) must be submitted in support of the application and must be reviewed and approved by the Vaughan Engineering Department.</li> <li>▪ A Functional Servicing Report must be submitted in support of the subject application and approved to the satisfaction of the Vaughan Engineering Department. The availability of water and sanitary sewage capacity must be identified and allocated by Council, if approved.</li> <li>▪ A Noise Report, Site Servicing and Grading Plans, and Storm Water Management Plan must be submitted at the site plan stage to the satisfaction of the Vaughan Engineering Department.</li> </ul>
e.	Sustainable Development	<ul style="list-style-type: none"> <li>▪ 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, energy efficient lighting, and reduction in pavement to address the "heat island" effect, etc, will be reviewed and implemented through the future site plan approval process.</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.

**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 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. Conceptual Site Plan
4. Proposed Zoning

**Report prepared by:**

Mary Caputo, Planner 1, ext. 8215  
Christina Napoli, Acting Senior Planner, ext. 8483  
Carmela Marrelli, Acting Manager of Development Planning, ext. 8791

/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.)

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Item 3, Report No. 45, of the Committee of the Whole (Public Hearing), which was adopted, and amended, by the Council of the City of Vaughan on December 14, 2010, as follows:

***By approving that a Ward 1 Community meeting be convened with the applicant, residents and staff in the New Year to discuss the plan.***

**3 OFFICIAL PLAN AMENDMENT FILE OP.10.004  
ZONING BY-LAW AMENDMENT FILE Z.10.023  
2177419 ONTARIO LIMITED (SANDRO PALAZZO)  
WARD 1**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated December 7, 2010, be approved;
- 2) That the following deputations and written submissions be received:
  - a) Ms. Mirella Manno, 92 Lamar Street, Maple, L6A 1A7, and written submissions, both dated December 7, 2010;
  - b) Mr. Martin Harvey, 27 Armour Street, Vaughan, L6A 1A5; and
  - c) Ms. Natalie Balzamo, 112 Lamar Street, Maple, L6A 1A7; and
- 3) That the following written submissions and petitions be received:
  - a) Mr. Konrad Czarnek, 108 Lamar Street, Maple, L6A 1A7, dated November 21, 2010;
  - b) Mr. & Mrs. John and Vilma Petricola, 104 Lamar Street, Maple, L6A 1A7, dated December 1, 2010; and
  - c) Two Petitions from area residents.

**Recommendation**

The Commissioner of Planning recommends:

THAT the Public Hearing report for Files OP.10.004 and Z.10.023 (2177419 Ontario Limited (Sandro Palazzo)) 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 12, 2010

The circulated Notice of Public Meeting indicated that the proposed ground floor commercial uses within the mixed residential/commercial building are:

- i. Dry Cleaning Establishment;
- ii. Day Nursery;

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- iii. Veterinary Clinic;
- iv. Pet Grooming Establishment;
- v. Private School; and,
- vi. Tavern.

For further clarity, the Notice of Public Hearing should have indicated that these uses are in addition to the list of permitted C1 Restricted Commercial Zone uses, which are identified in this report.

- b) Circulation Area: 150 m
- c) Comments Received as of November 23, 2010: None

**Purpose**

The Owner has submitted the following applications on the subject lands shown on Attachments #1 and #2, to facilitate the development of a 4 storey apartment building, comprised of 104 residential units and commercial uses at grade along Major Mackenzie Drive (Attachments #3 to #6):

- 1. An Official Plan Amendment Application (File OP.10.004) to amend the “Maple Commercial Core Area” policy in OPA #350 (Maple Community Plan), as amended by OPA #533, to permit an increase in the maximum building height from 3 to 4 storeys, as follows:

	<b>Official Plan Policy OPA #533</b>	<b>Proposed Amendment to OPA #533</b>
a.	<p>Section 2.2a) of OPA #533 states (in part):</p> <p>“In the Maple Commercial Core Area, Council may pass a by-law to permit buildings containing commercial and/or institutional uses or a mix of commercial, institutional and residential uses, up to a maximum height of 3 storeys...”</p>	<p>a. Notwithstanding the provision of Section 2.2a) of OPA #533 (in part), the following site-specific amendment is proposed:</p> <p>“In the Maple Commercial Core Area, specifically known as 2396 Major Mackenzie Drive, a building containing a mix of commercial and residential uses may be permitted up to a maximum building height of 4 storeys.”</p>

- 2. A Zoning By-law Amendment Application (File Z.10.023) to amend By-law 1-88, specifically to rezone the subject lands from C6 Highway Commercial Zone to C1 Restricted Commercial Zone, and to permit the following site-specific zoning exceptions to facilitate 104 residential apartment units and 931 m<sup>2</sup> of ground floor commercial uses along Major Mackenzie Drive:

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	<b>By-law Standard</b>	<b>By-law 1-88, C1 Restricted Commercial Zone Requirements</b>	<b>Proposed Exceptions to the C1 Restricted Commercial Zone</b>
a.	Uses Permitted	Residential uses are not permitted.	<p>i) Permit 104 residential apartment units; and,</p> <p>ii) In addition to the permitted C1 Zone uses (see Note 1 on next page), permit the following commercial uses along the Major Mackenzie Drive frontage, to a maximum of 931m<sup>2</sup> GFA:</p> <ul style="list-style-type: none"> <li>- Dry Cleaning Establishment;</li> <li>- Day Nursery;</li> <li>- Veterinary Clinic;</li> <li>- Pet Grooming Establishment;</li> <li>- Private School; and,</li> <li>- Tavern.</li> </ul>
b.	Required Minimum Parking	238 spaces (182 residential spaces @ 1.75 spaces / unit, including 26 visitor spaces and 56 spaces for commercial uses @ 6 spaces / 100 m <sup>2</sup> )	192 spaces (including 154 spaces for residential use, 35 spaces for commercial use, and 3 spaces for the physically challenged)
c.	Minimum Front Yard Setback	9 m	3.4 m
d.	Minimum Rear Yard Setback	15 m	12.5 m
e.	Maximum Building Height	11 m	15.7 m
f.	Minimum Landscape Buffer	6 m along Major Mackenzie Drive	3.4 m along Major Mackenzie Drive

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**Note 1: Uses Permitted in C1 Zone under By-law 1-88**

- |                                     |                                     |
|-------------------------------------|-------------------------------------|
| ▪ Automotive Retail Store           | ▪ Laboratory                        |
| ▪ Banking or Financial Institution  | ▪ Motor Vehicle Sales Establishment |
| ▪ Boating Showroom                  | ▪ Office Building                   |
| ▪ Business or Professional Office   | ▪ Personal Service Shop             |
| ▪ Club or Health Centre             | ▪ Photography Studio                |
| ▪ Eating Establishment              | ▪ Place of Entertainment            |
| ▪ Eating Establishment, Convenience | ▪ Radio Transmission Establishment  |
| ▪ Eating Establishment, Take-Out    | ▪ Retail Store                      |
| ▪ Funeral Home                      | ▪ Service or Repair Shop            |
| ▪ Hotel                             | ▪ Video Store                       |

The applications would facilitate the development of the subject lands with the concept shown on Attachment #3, with the following site statistics:

- a) a site area of 0.76 ha;
- b) a total of 104 residential apartment units;
- c) 931 m<sup>2</sup> of ground floor commercial space within 7 commercial units along Major Mackenzie Drive;
- d) a residential gross floor area of 9,609 m<sup>2</sup>;
- e) a total building gross floor area (GFA) of 10,540 m<sup>2</sup>;
- f) a floor space index (FSI) of 1.38;
- g) 1 level of underground parking;
- h) two (2) vehicle points of ingress and egress from Major Mackenzie Drive.

Additional zoning exceptions may be identified through the detailed review of the related Site Development Application (File DA.10.052).

**Background - Analysis and Options**

Location	<ul style="list-style-type: none"> <li>▪ 2392 Major Mackenzie Drive (on the north side, west of Keele Street), City of Vaughan, and shown as “Subject Lands” on Attachments #1 and #2.</li> </ul>
Official Plan Designation	<ul style="list-style-type: none"> <li>▪ “Maple Commercial Core Area” by OPA #350 (Maple Community Plan) as amended by OPA #533.</li> <li>▪ “Low-Rise Mixed-Use” by new City of Vaughan Official Plan 2010, which was adopted by Vaughan Council on September 7, 2010 and is pending Regional approval.</li> <li>▪ The development proposal does not conform to the Official Plans with respect to the maximum building height of 3 storeys, whereas 4 storeys is proposed.</li> </ul>
Zoning	<ul style="list-style-type: none"> <li>▪ C6 Highway Commercial Zone by By-law 1-88.</li> <li>▪ The development proposal does not comply with the C1 Restricted Commercial Zone requirements of By-law 1-88, therefore an amendment is required.</li> </ul>

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Surrounding Land Uses	<ul style="list-style-type: none"> <li>▪ Shown on Attachment #2.</li> </ul>
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**Preliminary Review**

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

	MATTERS TO BE REVIEWED	COMMENTS
a.	Conformity with Provincial policies, Regional and City Official Plans	<ul style="list-style-type: none"> <li>▪ The applications will be reviewed in the context of the applicable Provincial policies, and Regional and City Official Plan policies.</li> </ul>
b.	Appropriateness of Proposed Uses	<ul style="list-style-type: none"> <li>▪ The appropriateness of the proposed amendment to the height policies of the Maple Commercial Core Area Plan, and the proposed rezoning of the subject lands and site-specific zoning exceptions to the C1 Restricted Commercial Zone that are required to implement the development will be reviewed in consideration of the conceptual site plan to facilitate a development that is compatible with the surrounding land uses.</li> <li>▪ The appropriateness of permitting all of the C1 Restricted Commercial Zone uses in By-law 1-88, as listed in Note 1 above, and the proposed additional uses of a dry cleaning establishment, day nursery, veterinary clinic, pet grooming establishment, private school, and tavern uses on the subject lands, will be reviewed in consideration of compatibility with the surrounding land uses.</li> </ul>
c.	Heritage Vaughan and Vaughan Cultural Services	<ul style="list-style-type: none"> <li>▪ The proposed development must conform to the Maple Heritage Conservation Plan respecting the design, building materials and landscaping for the subject lands, to the satisfaction of Heritage Vaughan and the Vaughan Cultural Services Division.</li> <li>▪ The Heritage Impact Assessment submitted in support of the development proposal must be reviewed to the satisfaction of the Vaughan Cultural Services Division and the Vaughan Development Planning Department.</li> </ul>

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d.	Related Site Development Application	<ul style="list-style-type: none"> <li>▪ The related Site Development Application (File DA.10.052) will be reviewed to ensure appropriate building and site design, access, internal traffic circulation, parking, landscaping, servicing and grading.</li> <li>▪ The proposed development must conform to the Maple Streetscape Urban Design Guidelines, including the incorporation of Maple Acorn Lighting along the Major Mackenzie Drive frontage.</li> <li>▪ 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.</li> </ul>
e.	Traffic, Parking, Environmental, and Engineering	<ul style="list-style-type: none"> <li>▪ The Traffic Impact and Parking Study submitted in support of the applications must be reviewed and approved by the Region of York and the Vaughan Engineering Department.</li> <li>▪ The Phase 1 Environmental Site Assessment (ESA) submitted in support of the applications must be approved to the satisfaction of the Region of York and the Vaughan Engineering Department.</li> <li>▪ Review will be given to stormwater management, sanitary and water servicing, lot grading and to the Functional Servicing Report, to the satisfaction of the Vaughan Engineering Department. The availability of water and sanitary sewage servicing capacity for the residential units must be identified and allocated by Vaughan Council, if approved.</li> </ul>
f.	Region of York	<ul style="list-style-type: none"> <li>▪ The subject lands are located on Major Mackenzie Drive, which is a Regional Road. The Owner will be required to satisfy all requirements of the Region of York including the approval of the access driveway location and design, landscaping along Major Mackenzie Drive and any potential dedication of land for a road widening of Major Mackenzie Drive.</li> </ul>

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

The applicability of the 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. Any issues will be addressed when the technical report is considered.

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**Conclusion**

The preliminary issues identified in this report and any other issues identified through the processing of the applications 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 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
6. Perspective View

**Report prepared by:**

Stephen Lue, Planner, ext. 8210  
Christina Napoli, Acting Senior Planner, ext. 8483  
Carmela Marrelli, Acting Manager of Development Planning, ext. 8791

/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.)



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**EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 14, 2010**

Item 4, Report No. 45, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on December 14, 2010.

**4 OFFICIAL PLAN AMENDMENT FILE OP.08.013  
ZONING BY-LAW AMENDMENT FILE Z.08.048  
VINCE DI TOMMASO  
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 7, 2010, be approved;
- 2) That the Ward 2 Sub-committee convene a meeting with representation from staff, the applicant, and the community, to resolve outstanding issues;
- 3) That the following deputations and written submission be received:
  - a) Ms. Franca Porretta, 40 Birch Hill Road, Woodbridge, L4L 1J2 and written submission, dated December 5, 2010;
  - b) Ms. Franca Stirpe, 487 Wycliffe Avenue, Woodbridge, L4L 8T4;
  - c) Mr. Michael Madeley, AMI Enterprises, 8286 Islington Avenue, Woodbridge, L4L 1W8;
  - d) Mr. Peter Gambino, 8283 Islington Avenue, Woodbridge, L4L 1W9;
  - e) Mr. Peter Anania, 15 Hartman Avenue, Woodbridge, L4L 1R6;
  - f) Mr. Giovanni Lancia, 8310 Islington Avenue, Woodbridge, L4L 1W8;
  - g) Mr. Savino Quatela, 134 Grand Valley Boulevard, Maple, L6A 3K6; and
  - h) Mr. Ralph Mirigello, 99 Waymar Heights, Woodbridge, L4L 2P7; and
- 4) That the aerial map and coloured elevations submitted by the applicant be received.

**Recommendation**

The Commissioner of Planning recommends:

THAT the Public Hearing report for Files OP.08.013 and Z.08.048 (Vince Di Tommaso) 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.

**Background/Site History**

On October 10, 2008, a Notice of Public Hearing for the November 3, 2008 meeting was circulated to all property owners within 120m of the subject lands, and to those individuals requesting notification of the original application, which proposed to redesignate and rezone the subject lands to facilitate the development of two, 4 storey buildings connected by a walkway and comprised of 85 residential units and a Floor Space Index (FSI) of 1.53. On October 20, 2008,

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one letter was received by the Vaughan Development Planning Department from a resident living southwest of Clarence Street and Rutherford Road, expressing opposition to the proposed development based on the following reasons (in part):

- the development is next door to a pre-school/elementary school and half a kilometre away from a second elementary school and would impact the school and parental drop-off traffic for the schools;
- the increase in traffic that would be generated by the proposed development will aggravate an already dangerous traffic situation for the school children and area residents;
- the development will change the hamlet character of the area and impact the enjoyment of the existing residents and senior citizens.

At the Public Hearing on November 3, 2008, several residents spoke in opposition to the proposed development expressing the following concerns (in part):

- a) the proposed development is too dense;
- b) negative impact to the Islington Avenue traffic conditions;
- c) not in character with the Pine Grove Hamlet;
- d) this proposal will set a precedent for future similar intensification; and,
- e) request that the Islington Avenue Corridor Study be updated.

The Owner's architect and agent provided a rebuttal to the residents concerns and provided material supporting the proposed development, including petitioned letters in support of the proposed development.

On November 10, 2008, Vaughan Council adopted the following motion (in part):

- “1. THAT the recommendation contained in the report of the Commissioner of Planning dated November 3, 2008 (to receive the staff report) be approved; and
2. THAT the draft motion regarding an update on the Islington Avenue Corridor Secondary Plan (OPA #597) verbally presented by deputant Franca Poretta, and the responses provided by the agent for the applicant, be reviewed by Planning Staff and that a memorandum be provided as early as possible to members of Council in anticipation of a community meeting to be convened by the Ward 2 Sub-Committee.”

Shortly after the 2008 Public Hearing, additional letters in opposition to the development were received by the Development Planning Department from neighbouring residents expressing the same concerns identified at the November 3, 2008 Public Hearing. The applicant had also provided Staff with an additional package of petitioned letters in support of the proposed development from residents both outside and inside the notification area indicating that the proposed development met the design intent and guidelines of the area.

#### Ward 2 Sub-Committee Meeting

A Ward 2 Sub-Committee meeting was held in the evening at 7pm at the Woodbridge Memorial Arena meeting room on February 2, 2009. The meeting was chaired by the Local Councillor with other members of Council and Development Planning Staff in attendance, together with members of the public. At this meeting, similar issues as those raised at the Public Hearing were discussed, including traffic, density and impacts to adjacent neighbours. A Committee made up of residents was also established to meet with the developer to discuss ways of addressing some of the issues and to come up with a development proposal that would benefit all parties and the community, however, no formal plan was established to the knowledge of the Development Planning Department.

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The Owner submitted a revised plan on April 3, 2009, proposing one, tiered building with a maximum building height of 5 storeys comprised of 77 residential units and an FSI of 1.49.

#### Ontario Municipal Board (OMB)

On March 31, 2010, the Owner appealed both the Official Plan Amendment and Zoning By-law Amendment applications to the Ontario Municipal Board based on the City of Vaughan's failure to make a decision within the prescribed time periods in accordance with the requirements of the *Planning Act*. On June 9, 2010, material in support of the July 16, 2010, OMB Pre-Hearing was circulated to Development Planning Staff. The information included a copy of a draft zoning by-law and explanatory notes on the official plan amendment for a 7 storey building with an FSI of 1.62.

On July 26, 2010, the Owner submitted revised plans for the subject lands. The new plans are the subject of this report and propose one, tiered building with a maximum building height of 7 storeys, 94 residential apartment units and a Floor Space Index (FSI) of 1.53.

An OMB Hearing is scheduled to consider the subject development applications on February 7 to 25, 2011.

#### Communications Plan

- a) Date the Notice of a Public Meeting was circulated: November 12, 2010
- b) Circulation Area: to all owners within 150m from the subject lands and to individuals that have requested notification
- c) Comments received as of November 23, 2010: None

#### Purpose

The Owner has submitted the following revised applications on the subject lands shown on Attachments #1 and #2, to facilitate the development of the site with one, tiered 7-storey building comprised of 94 residential apartment units, with a Floor Space Index (FSI) of 1.53 as shown on Attachments #3 to #7:

1. An Official Plan Amendment Application (File OP.08.013), to amend OPA #597 (Islington Avenue Corridor Secondary Plan) to redesignate the subject lands from "Medium Density Residential" (maximum 0.5 FSI and 3.5 storeys) to "High Density Residential" and to increase the maximum permitted "High Density Residential" density and height from 1.0 FSI to 1.53 FSI (Floor Space Index), and from 5-storeys to 7-storeys, respectively. (Please refer to Attachment #8).
2. A Zoning By-law Amendment Application (File Z.08.048) to amend Zoning By-law 1-88, specifically to rezone the subject lands from R2 Residential Zone to RA3 Apartment Residential Zone, and to permit the following site-specific exceptions required to implement the concept site plan shown on Attachment #3:

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	<b>By-law Standard</b>	<b>By-law 1-88 RA3 Residential Zone Requirements</b>	<b>Proposed Exceptions to RA3 Residential Zone</b>
a.	Minimum Lot Area	6,298 m <sup>2</sup> or 67 m <sup>2</sup> /unit	4,190.18 m <sup>2</sup> (does not include road widening) or 44.5 m <sup>2</sup> /unit
b.	Minimum Yards	Front Yard – 7.5 m Interior Side Yard - 11.17 m	Front Yard – 4.0 m Interior Side Yard – 3.0 m
c.	Minimum Parking Requirements	165 parking spaces as follows: 1.5 spaces/unit for resident parking and 0.25 spaces/unit for visitor parking	114 parking spaces as follows: 1.10 spaces/unit for resident parking and 0.10 spaces/unit for visitor parking

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

**Analysis and Options**

Location	<ul style="list-style-type: none"> <li>▪ 8294, 8298 and 8302 Islington Avenue, located on the west side of Islington Avenue, south of Gamble Street, being Lots 2, 3 and 4 on Plan M-1107, in Part of Lot 9, Concession 7, City of Vaughan and shown as “Subject Lands” on Attachments #1 and #2.</li> <li>▪ The subject lands are comprised of an assembly of 3 separate lots all of which have direct frontage onto Islington Avenue, with a total site area including road widening of 4,301.63 m<sup>2</sup> (4,190 m<sup>2</sup> minus road widening). The site is relatively flat with a gradual slope towards the western lot line. There are mature trees randomly scattered throughout the site and a heavily treed canopy along the westerly lot line.</li> </ul>
Official Plan Designation	<ul style="list-style-type: none"> <li>▪ “Medium Density Residential” by OPA #597 (Islington Avenue Corridor Secondary Plan).</li> <li>▪ “Low Rise Residential (2)” by new City of Vaughan Official Plan 2010, which was adopted by Vaughan Council on September 7, 2010 and is pending approval from the Region of York.</li> <li>▪ The proposal does not conform to the Official Plans.</li> <li>▪ Please refer to Attachment #8 for a clear understanding of the existing and new official plan policies as compared to the current development application proposal.</li> </ul>

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Zoning	<ul style="list-style-type: none"> <li>▪ R2 Residential Zone by By-law 1-88, which permits single and semi-detached dwellings.</li> <li>▪ The proposal for an apartment building use does not comply with By-law 1-88 and therefore an amendment to Zoning By-law 1-88 to permit the proposed development is required.</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 applications, 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 Provincial policies, Regional and City Official Plans	<ul style="list-style-type: none"> <li>▪ The application will be reviewed in the context of the applicable Provincial policies, and Regional and City Official Plan policies.</li> </ul>
b.	Appropriateness of Proposed Use, Height and Density	<ul style="list-style-type: none"> <li>▪ The appropriateness of redesignating and rezoning the subject lands to permit a high density development will be reviewed in the context of the approved, adopted and existing land uses, heights and densities in the area, with particular consideration given to compatibility.</li> <li>▪ The proposed development is not compatible in terms of height and density, which should be substantially lowered to be in keeping with the recent adopted provisions in the new Vaughan Official Plan 2010. Attachment #8 demonstrates how the proposed height and density is inconsistent with OPA 597 and new CVOP 2010.</li> <li>▪ Increased side and front yard setbacks should be provided to facilitate an appropriate buffer with the school to the south and provide a better streetscape.</li> </ul>

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c.	City of Vaughan Official Plan 2010 and Urban Design Guidelines	<ul style="list-style-type: none"><li>▪ The applications will be reviewed in the context of the new City of Vaughan Official Plan 2010, as it relates to permitted building types, density and height, and with the Urban Design Guidelines and Character Area policies envisioned for the Islington Avenue Corridor.</li><li>▪ Attachment #8 identifies the maximum height and density that can be achieved within the “Low-Rise Residential” designation.</li></ul>
d.	Planning Justification Report	<ul style="list-style-type: none"><li>▪ The Planning Justification Report submitted by the applicant must be revised to reflect the current 7-storey proposal for review by the Development Planning Department.</li></ul>
e.	Traffic Impact and Parking Study and Road Widening	<ul style="list-style-type: none"><li>▪ The Traffic Impact and Parking Study submitted in support of the applications must be revised to reflect the current 7-storey proposal for review by the Region of York Transportation Services Department and the Vaughan Engineering Department.</li><li>▪ The access and road widening identified on the latest plan along Islington Avenue shall be approved by the Region of York Transportation Services Department.</li><li>▪ The amount of surface parking should be substantially reduced to address the “heat-island” effect.</li></ul>
f.	Sustainable Development	<ul style="list-style-type: none"><li>▪ 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.</li></ul>

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g.	Required Supporting Reports and Studies	<ul style="list-style-type: none"><li>▪ The following reports and studies are required for the 7-storey proposal:<ul style="list-style-type: none"><li>- Revised Functional Servicing Report</li><li>- Tree Inventory and Assessment Report</li><li>- Record of Site Condition documentation (Site Plan Stage)</li><li>- Revised Parking Study</li><li>- Noise Study (Site Plan Stage)</li><li>- Any other study or report identified as required through the review of the application.</li></ul></li> <li>▪ The Phase 1 ESA (Environmental Site Assessment) submitted in support of the application must be approved to the satisfaction of the Vaughan Engineering Department.</li></ul>
h.	Toronto and Region Conservation Authority (TRCA)	<ul style="list-style-type: none"><li>▪ The subject lands are located entirely within the TRCA regulation limit. The TRCA is requiring the rear 13.6 m (13.5 m shown) be placed in an open space zone category to protect this wooded area.</li> <li>▪ The rear portion of the site appears to be within the Regional Forest and Greenland Systems as identified in the Regional Official Plan; accordingly, the applications will be reviewed with respect to the applicable Regional policies.</li></ul>
i.	Servicing Allocation Availability	<ul style="list-style-type: none"><li>▪ Water and sanitary servicing capacity is currently unavailable to serve the proposed development.</li> <li>▪ The availability of water and sanitary servicing capacity must be identified and allocated by Council, if approved.</li></ul>

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

The applicability of the 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. Any issues will be addressed when the technical report is considered.

The Region of York Planning Department has advised that the approval of the Official Plan Amendment Application is a routine matter of local significance and is exempt from Regional Committee approval, if Vaughan Council approves the application.

**Conclusion**

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

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In light of the recent work undertaken through the City's Islington Avenue Corridor Study and the City's Official Plan Review, the proposed height and density for the residential apartment proposal must be substantially reduced to be in keeping with policies in OPA 597 and the CVOP 2010.

**Attachments**

1. Context Location Map
2. Location Map
3. Conceptual Site Plan
4. Conceptual Landscape Plan
5. Conceptual East Elevation
6. Conceptual South Elevation
7. Cross Section
8. OPA Comparison Chart

**Report prepared by:**

Eugene Fera, Planner, ext. 8064  
Christina Napoli, Acting Senior Planner, ext. 8483  
Carmela Marrelli, Acting Manager of Development Planning, ext. 8791

/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.)