

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 19, 2013**

Item 1, Report No. 7, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on February 19, 2013.

**1**

**OFFICIAL PLAN AMENDMENT FILE OP.12.016  
ZONING BY-LAW AMENDMENT FILE Z.12.037  
KING JANE DEVELOPMENTS INC.  
WARD 4 - VICINITY OF MAJOR MACKENZIE DRIVE AND  
DUFFERIN STREET**

**The Committee of the Whole (Public Hearing) recommends:**

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated February 5, 2013, be approved; and**
- 2) That the deputation by Ms. Rosemarie Humphries, Humphries Planning Group Inc., Chrislea Road, Vaughan, on behalf of the applicant, be received.**

**Recommendation**

The Commissioner of Planning recommends:

THAT the Public Hearing report for Files OP.12.016 and Z.12.037 (King Jane Developments Inc.) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

**Contribution to Sustainability**

The contribution to sustainability will be determined when the technical report is considered.

**Economic Impact**

This will be addressed when the technical report is completed.

**Communications Plan**

- a) Date the Notice of a Public Meeting was circulated: January 11, 2013
- b) Circulation Area: 150 m and Valley of Thornhill Ratepayers Association
- c) Comments Received as of January 22, 2013: None

**Purpose**

The Owner has submitted the following applications on the subject lands shown on Attachments #1 and #2 to facilitate the development of 136 residential townhouse dwelling units and 6 semi-detached dwelling units (all within a future standard condominium) as shown on Attachments #4 to #7:

1. Official Plan Amendment File OP.12.016 to redesignate the subject lands shown as Parts "A", "B", and "C" on Attachment #3, as follows:
  - i) Parts "A" and "B"  
  
Redesignate Parts "A" and "B" (1331 and 1381 Major Mackenzie Drive) from "High Density Residential/Commercial" and "Valley Lands" to "Medium Density Residential/Commercial" (consistent with the tableland designation on Part "C") and "Valley Lands"; and,

# CITY OF VAUGHAN

## EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 19, 2013

### Item 1, CW(PH) Report No. 7 – Page 2

#### ii) Parts “A”, “B” and “C”

To permit an overall density on the combined developable tableland portions of the subject lands (Parts “A”, “B” and “C”) proposed to be designated “Medium Density Residential/Commercial” of between 17 and 47 units per hectare, and maintain a “Valley Lands” designation for the undevelopable portion of the subject lands.

#### 2. To amend Zoning By-law 1-88, specifically to rezone the subject lands shown as Parts “A”, “B” and “C” on Attachment #3, as follows:

##### i) Part “A”

Rezone Part “A” (1381 Major Mackenzie Drive) from RR Rural Residential Zone subject to Exception (779) and OS5 Open Space Environmental Protection Zone to RM2 Multiple Residential Zone (tableland) and OS5 Open Space Environmental Protection Zone (valleyland);

##### ii) Part “B”

Rezone Part “B” (1331 Major Mackenzie Drive) from A Agricultural Zone subject to Exception 9(977) and OS5 Open Space Environmental Protection Zone to RM2 Multiple Residential Zone (tableland) and OS5 Open Space Environmental Protection Zone (valleyland);

##### iii) Part “C”

Rezone Part “C” (1221 Major Mackenzie Drive) from A Agricultural Zone and OS5 Open Space Environmental Protection Zone to RM2 Multiple Residential Zone (tableland) and OS5 Open Space Environmental Protection Zone (valleyland); and,

##### iv) Permit the following site-specific zoning exceptions to the RM2 Multiple Residential Zone to implement the development proposal:

	<b>By-law Standard</b>	<b>By-law 1-88 RM2 Multiple Residential Zone Requirements</b>	<b>Proposed Exceptions to RM2 Multiple Residential Zone Requirements</b>
a)	Permitted Uses	Permits Block Townhouse dwelling units but does not permit Semi-Detached dwelling units	To permit 6 Semi-Detached dwelling units
b)	Minimum Lot Area	230 m <sup>2</sup> /unit	216.25 m <sup>2</sup> /unit
c)	Maximum Building Height	11 m	11.8 m

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 19, 2013**

Item 1, CW(PH) Report No. 7 – Page 3

d)	Minimum Rear Yard Setback	4.5 m (to dwelling)	1.5 m (to a deck attached to dwelling)
e)	Minimum Amenity Area	90 m <sup>2</sup> /unit (for 3 bedroom units x 20 units) = 12,418 m <sup>2</sup>  110 m <sup>2</sup> /unit (for 4 bedroom units x 122 units) = 13,420 m <sup>2</sup>  Total Required = 15,220 m <sup>2</sup>	87.45 m <sup>2</sup> /unit x 142 units  Total Proposed = 12,418 m <sup>2</sup>  Total Proposed = 12,418 m <sup>2</sup>
f)	Minimum Landscape Strip Width Around A Parking Area	3 m	1 m
g)	Maximum Garage Dimensions	3.0 m x 6.0 m	Permit 2 steps (3 risers) to encroach into the garage

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

**Background - Analysis and Options**

The portion of the subject lands known as 1331 and 1381 Major Mackenzie Drive (Parts "A" and "B" on Attachment #3), are subject to OPA #656, which was approved by Vaughan Council in May 2007, and permits a 325 unit high-rise residential apartment building with a density of 150 units per hectare (uph). The implementing zoning by-law was never enacted to implement OPA #656. In November 2010, Council approved OPA #714 to facilitate a revised development proposal on Parts "A" and "B" consisting of 600 units within three 14-storey apartment buildings with a density of 282 uph. A zoning by-law to implement OPA #714 was also never enacted.

The property known as 1221 Major Mackenzie Drive (Part "C" on Attachment #3) was subject to Official Plan and Zoning By-law Amendment Applications OP.06.017 and Z.06.024, respectively, to permit an apartment building with 270 high rise units by the previous Owner. The applications were considered at a Public Hearing on May 10, 2006, and have not been further pursued by the previous Owner. Part "C" is now owned by the Owners of 1331 and 1381 Major Mackenzie Drive and forms part of the subject applications.

# CITY OF VAUGHAN

## EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 19, 2013

Item 1, CW(PH) Report No. 7 – Page 4

Location	<ul style="list-style-type: none"> <li>South side of Major Mackenzie Drive, east of Dufferin Street (municipally known as 1221, 1331 and 1381 Major Mackenzie Drive), shown as “Subject Lands” on Attachments #1 and #2.</li> </ul>
Official Plan Designation	<ul style="list-style-type: none"> <li>“High Density Residential/Commercial” and “Valley Lands” by in-effect OPA #600, as amended by site-specific OPA #656 and OPA #714 for 1331 and 1381 Major Mackenzie Drive (Parts “A” and “B” on Attachment #3), which permits a maximum density of 600 apartment units (282 uph) and a maximum building height of 14-storeys or 43 m on the “High Density” lands.</li> <li>“Medium Density Residential/Commercial” and “Valley Lands” by in-effect OPA #600, for 1221 Major Mackenzie Drive (Part “C” on Attachment #3), which permits semi-detached and block townhouse uses with a maximum density of between 17 and 40 uph on the “Medium Density Residential/Commercial” lands.</li> <li>The overall proposal to down designate in density, height and permitted uses does not conform to the in-effect Official Plan policies, and therefore, an Official Plan Amendment is required for the overall lands to permit a mix of semi-detached and block townhouse uses on the tableland at a maximum density of 47 uph.</li> <li>The subject lands are designated “Mid-Rise Mixed-Use” with a maximum height of 10-storeys and a maximum density of 3.0 Floor Space Index (FSI) by the new City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified on September 27, 2011, March 20, 2012, and April 17, 2012), as further modified and endorsed by Region of York Council on June 28, 2012, and is pending approval from the Ontario Municipal Board.</li> <li>The “Mid-Rise Mixed-Use” designation permits apartment and commercial uses but does not permit the proposed townhouse and semi-detached dwellings. The proposed development yields an FSI of 0.92. The proposed development does not conform with VOP 2010, and down designates in density, height and permitted uses.</li> </ul>
Zoning	<ul style="list-style-type: none"> <li>RR Rural Residential Zone (rural estate dwellings), A Agricultural Zone (agricultural uses), and OS5 Open Space Environmental Protection Zone (valleyland) by Zoning By-law 1-88, subject to Exception 9(779), for 1331 and 1381 Major Mackenzie Drive (Parts “A” and “B” on Attachment #3).</li> <li>A Agricultural Zone (agricultural uses) and OS5 Open Space Environmental Protection Zone (valleyland) by Zoning By-law 1-88 for 1221 Major Mackenzie Drive (Part “C” on Attachment #3).</li> <li>The proposal to permit semi-detached and block townhouse uses on the tableland does not comply with Zoning By-law 1-88, and therefore, a Zoning By-law Amendment is required.</li> </ul>
Surrounding Land Uses	<ul style="list-style-type: none"> <li>Shown on Attachment #2.</li> </ul>

# CITY OF VAUGHAN

## EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 19, 2013

Item 1, CW(PH) Report No. 7 – Page 5

### 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	COMMENT(S)
a.	Conformity with Provincial policies, Regional and City Official Plans	<ul style="list-style-type: none"> <li>The applications will be reviewed in consideration 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 permitting the proposed condominium development for block townhouses and semi-detached dwellings on the subject lands will be reviewed in consideration of compatibility with the surrounding land uses.</li> </ul>
c.	Block 11 Developers Group Agreement	<ul style="list-style-type: none"> <li>The Owner will be required to satisfy all obligations financial or otherwise of the Block 11 Developers Group Agreement to the satisfaction of the Block 11 Trustee and the City of Vaughan.</li> </ul>
d.	Block 11 Plan	<ul style="list-style-type: none"> <li>The proposal will be reviewed in consideration of the Block 11 Plan and the surrounding existing and planned land uses. Any Block Plan conditions respecting infrastructure, including wastewater and water system improvements, any requirements for road widenings on Major Mackenzie and City infrastructure, including sanitary, water and stormwater management, must be to the satisfaction of the City of Vaughan and Region of York, if approved.</li> </ul>
e.	Urban Design and Architectural Guidelines	<ul style="list-style-type: none"> <li>The proposed development must conform to the applicable Block 11 Urban Design Guidelines and Architectural Design Guidelines for the subject lands.</li> </ul>
f.	Studies and Reports	<ul style="list-style-type: none"> <li>The Owner has submitted the following studies and reports in support of the applications, which must be approved to the satisfaction of the City or respective approval authority:               <ul style="list-style-type: none"> <li>i) Planning Justification Report;</li> <li>ii) Soils Report;</li> <li>iii) Phase 1 and 2 Archaeological Assessment; and,</li> <li>iv) Noise and Vibration Report.</li> </ul> </li> </ul>
g.	Parkland Dedication	<ul style="list-style-type: none"> <li>The Owner will be required to provide cash-in-lieu of parkland dedication to the City of Vaughan in accordance with the City's Cash-in-lieu Policy, if approved.</li> <li>The Owner has proposed a private passive open space amenity area in the central portion of the development for the benefit of the future residents, which will be reviewed by the Vaughan Development Planning Department.</li> </ul>

# CITY OF VAUGHAN

## EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 19, 2013

Item 1, CW(PH) Report No. 7 – Page 6

h.	Related Site Development Application	<ul style="list-style-type: none"> <li>The related Site Development File DA.12.089 will be reviewed to ensure appropriate building and site design, pedestrian connections internal to the site and with the surrounding lands (e.g. valley lands, transit facilities, and Major Mackenzie Drive) access, internal traffic circulation, parking (resident and visitor), landscaping, on-site amenity area, sustainable site and development features, waste management, servicing, grading and stormwater management.</li> </ul>
i.	Traffic Impact Study	<ul style="list-style-type: none"> <li>The Traffic Impact Study submitted in support of the applications must be reviewed and approved by the Region of York and the Vaughan Development/Transportation Engineering Department.</li> </ul>
j.	Sustainable Development	<ul style="list-style-type: none"> <li>Opportunities for sustainable design within the site including permeable pavers, bio-swales, drought tolerant landscaping, energy efficient lighting, reduction in pavement, etc, will be reviewed and implemented through the site plan approval process, if approved.</li> </ul>
k.	Phase 1 Environmental Report, Functional Servicing Report, and Stormwater Management	<ul style="list-style-type: none"> <li>The Phase 1 ESA (Environmental Site Assessment) and the Functional Servicing and Stormwater Management reports submitted in support of the applications must be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department.</li> </ul>
l.	Geotechnical Soils Reports	<ul style="list-style-type: none"> <li>The Geotechnical Soils Report for the residential portion of the proposed development and for the proposed road widening along Major MacKenzie Drive must be approved to the satisfaction of the Region of York, Toronto and Region Conservation Authority (TRCA), and the Vaughan Development/Transportation Engineering Department.</li> </ul>
m.	Slope Stability Analysis, and Meander Belt and Erosion Assessment	<ul style="list-style-type: none"> <li>The Slope Stability Analysis, and Meander Belt and Erosion Assessment must be approved to the satisfaction of the TRCA and the Vaughan Development/Transportation Engineering Department.</li> </ul>
n.	Landscape Master Plan; Tree Inventory; Arborist Report (including a Tree Inventory, Preservation, and Removal Plan; Environmental Impact Report; and Oak Ridges Moraine Conformity Report	<ul style="list-style-type: none"> <li>The Landscape Master Plan, and Tree Inventory and Arborist Report (including a Tree Inventory, Preservation and Removal Plan), Environmental Impact Report, and Oak Ridges Moraine Conformity Report submitted in support of the applications must be approved to the satisfaction of the Development Planning Department, the TRCA and the Region of York to ensure the appropriate buffers adjacent to the valleylands, that the required open space lands are dedicated to the Toronto and Region Conservation Authority, and that the ecological integrity of these lands are maintained and preserved for conservation uses.</li> </ul>

## CITY OF VAUGHAN

### **EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 19, 2013**

Item 1, CW(PH) Report No. 7 – Page 7

o.	Servicing	<ul style="list-style-type: none"><li>• Servicing allocation must be identified and assigned to the development by Vaughan Council, if approved. Should servicing capacity not be available, the Holding Symbol “(H)” may be applied to the subject lands. Removal of the Holding Symbol “(H)” will be conditional upon servicing capacity being allocated to the subject lands.</li></ul>
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#### **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 Owner has requested the Region of York exempt the Official Plan Amendment from Regional approval. To date, the Region has not confirmed approval of the request.

#### **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. Proposed Zoning & Site Plan
4. Landscape Plan
5. Typical Front Elevation 'A'
6. Typical End & Corner Elevations 'A'
7. Typical Rear Elevations 'A'

#### **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.)