

**EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 21, 2017**

***By receiving the following Communications:***

- C2 *Mr. Siro Lunardon, dated February 8, 2017;*  
C3 *Ms. Olena Akhtyrchenko, dated February 7, 2017;*  
C4 *Maiorov Family, dated February 7, 2017;*  
C5 *Ms. Natalya Ness, dated February 14, 2017; and*  
C6 *Ms. Liana Di Marco, dated February 7, 2017.*

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

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- C40. Ming H. and Theresa H. Chen, Petticoat Road, Maple, dated February 4, 2017;**
- C41. Mr. Calvin Chan, Petticoat Road, Maple, dated February 5, 2017;**
- C42. Vladimir and Valentina Gubareva, Lealinds Road, Maple, dated February 5, 2017; and**
- C53. Ms. Chinthaka Somaratna, dated February 6, 2017.**

#### **Recommendation**

The Deputy City Manager, Planning & Growth Management, Interim Director of Development Planning, and Senior Manager of Development Planning recommend:

1. THAT the Public Hearing report for File Z.16.006 (Ace Developments (2057 Major Mackenzie Drive) Ltd.) BE RECEIVED; and, that any issues identified be addressed by the Vaughan Development Planning Department in a comprehensive report to the Committee of the Whole.

#### **Contribution to Sustainability**

The contribution to sustainability such as site and building design initiatives 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 Public Hearing was circulated: January 13, 2017. The Notice of Public Hearing was also posted on the City's web-site at [www.vaughan.ca](http://www.vaughan.ca) and a Notice Sign was installed on the property in accordance with the City's Notice Sign Procedures and Protocol.
- b) Circulation Area: the extended polling area shown on Attachment #2, and to the Eagle Hills Community Association.
- c) Comments Received as of December 19, 2016:
  - i) Brattys Barristers and Solicitors, representing the Block 18 Developers Group and Block 18 Properties Inc., Keele Street, correspondence dated March 17, 2016, regarding the outstanding financial obligations owing to the Developers Group pursuant to the Block 18 Cost Sharing Agreement. The Developers Group has requested a condition of approval to be included in the appropriate agreement requiring the issuance of a clearance by the Block 18 Developers Group confirming that the Owner is in good standing with the Developers Group prior to any final development approval being granted on the subject lands. The Developers Group has also requested to be notified of any future meetings concerning this application.
  - ii) P. Badali, director of the Eagle Hills Ratepayers Association, correspondence dated March 16, 2016, objecting to the proposed access driveway being from a local road (i.e. Petticoat Road). Mr. Badali has raised concerns related to increased traffic, particularly along Peter Rupert Avenue, and has requested that the subject lands remain as a single detached dwelling unit.

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- iii) M. and P. O'Halloran, Lealinds Road, correspondence dated February 19, 2016, expressing concerns regarding increased traffic and the proposed access driveway being from a local road (i.e. Petticoat Road).
- iv) K. Java, Silk Oak Court, correspondence dated February 22, 2016, expressing concerns regarding the proposed access driveway being from a local road (i.e. Petticoat Road), increased traffic volume and congestion, road safety, noise, density that is not compatible with the existing neighbourhood, and the preservation of existing landscaping and the heritage dwelling.
- v) T. Cartini, Silk Oak Court, correspondence dated March 7, 2016, with concerns regarding increased traffic, the disruption of the established community, pedestrian safety, density, construction noise and debris, the proposed underground parking garage being inappropriate in a residential setting, traffic circulation of service vehicles, aesthetic of the proposed dwellings, and the insufficient number of visitor parking spaces.
- vi) Fifty-six (56) additional form letters objecting to the proposal based on the following concerns:
  - Increased traffic volume and congestion, and decreased road safety within the existing community as a result of the proposed access driveway from a local road
  - Increased parking on the street
  - Preservation of the existing heritage dwelling should be mandatory
  - Preservation of the existing mature vegetation should be mandatory
  - Excess noise and pollution due to increased traffic volume
  - The density is not compatible with the existing neighbourhood
  - A diminishing sense of community
  - Depreciation of existing home values

Any additional written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication. All written comments that are received will be reviewed by the Vaughan Development Planning Department as input in the application review process and will be addressed in the final technical report at a future Committee of the Whole meeting.

**Purpose**

To receive comments from the public and the Committee of the Whole on Zoning By-law Amendment File Z.16.006 on the subject lands shown on Attachments #1 and #2, specifically to rezone the subject lands from A Agricultural Zone to RM2 Multiple Residential Zone to facilitate a development proposal which includes the retention of the existing heritage dwellings (Joshua Oliver House), 65 stacked back-to-back units (Blocks 1, 3 and 4), and 6 stacked townhouse units (Block 2), as shown on Attachments #3 to #6. The proposed development will be served by privately owned and maintained (by a future condominium corporation) common elements including the internal roads, parking spaces, visitor parking, walkways, waste collection, mailbox and amenity areas. The following site-specific zoning exceptions to the RM2 Zone standards of Zoning By-law 1-88 are also required to implement the development proposal:

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Table 1:

	<b>Zoning By-law 1-88 Standard</b>	<b>RM2 Multiple Residential Zone Requirements</b>	<b>Proposed Exceptions to the RM2 Multiple Residential Zone Requirements</b>
a.	Definition of “Lot”	“Lot” - means a parcel of land fronting on a street separate from any abutting land to the extent that a Consent contemplated by Section 49 of the <i>Planning Act</i> would not be required for its conveyance. For the purpose of this paragraph, land defined in an application for a Building Permit shall be deemed to be a parcel of land and a reserve shall not form part of the lot.	“Lot” – for the purposes of this By-law, the subject lands shall be deemed to be one lot, regardless of buildings constructed thereon, the existing number of lots, the creation of separate units and/or lots by way of a plan of condominium, consent or other permissions, and any easements or registrations that are granted, shall be deemed to comply with the provisions of the By-law.
b.	Minimum Lot Area	230 m <sup>2</sup> /unit	76 m <sup>2</sup> /unit (Block 1) 96 m <sup>2</sup> /unit (Block 2) 77 m <sup>2</sup> /unit (Blocks 3 & 4)
c.	Minimum Front Yard Setback (Petticoat Road)	4.5 m	3 m (Blocks 3 & 4)
d.	Minimum Rear Yard Setback (Major Mackenzie Drive)	4.5 m	3 m (Block 1)
e.	Minimum Front Yard Setback for an Unenclosed Porch and Balcony (Petticoat Road)	2.7 m	1.78 m

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f.	Minimum Rear Yard Setback for an Unenclosed Porch, Balcony and Exterior Stairways (Major Mackenzie Drive)	2.7 m	1.79 m (Porch and Balcony) 0 m (Exterior Stairway)
g.	Minimum Interior Side Yard Setback (East)	1.5 m	1.2 m (Block 4)
h.	Maximum Building Height	11 m	14.5 m
i.	Minimum Setback to Portions of the Building Below Grade (Underground Parking Garage)	1.8 m	0 m (Major Mackenzie Drive, Petticoat Road, and the east property line)
j.	Minimum Number of Parking Spaces	Residential: 71 dwelling units @ 1.5 spaces / unit = 107 spaces + Visitor: 71 dwelling units @ 0.25 spaces / unit = 18 spaces  Total = 125 spaces	Residential: 71 dwelling units @ 1.14 spaces / unit = 81 spaces + Visitor: 71 dwelling units @ 0.21 spaces / unit = 15 spaces (14 below grade and 1 surface level)  Total = 96 spaces
k.	Minimum Landscape Strip Along a Lot Line Adjacent to a Street Line	6 m	1.79 m (Major Mackenzie Drive)  1.78 m (Petticoat Road)

Additional zoning exceptions may be identified through the detailed review of the Zoning By-law Amendment application, and will be considered in a technical report to a future Committee of the Whole meeting.

**Background - Analysis and Options**

Location	<ul style="list-style-type: none"> <li>2057 Major Mackenzie Drive, located on the south side of Major Mackenzie Drive, east of the Metrolinx rail line, and west of Peter Rupert Avenue, shown as "Subject Lands" on Attachments #1 and #2.</li> </ul>
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Official Plan Designation	<ul style="list-style-type: none"><li>▪ The subject lands are designated “Mid-Rise Residential” by Vaughan Official Plan 2010 (VOP 2010), having a maximum permitted building height of 4-storeys and maximum density of 1.5 FSI (Floor Space Index) and are located adjacent to Major Mackenzie Drive, which is identified as a “Primary Intensification Corridor” in Schedule 1, “Urban Structure” of VOP 2010. The lands are also subject to site-specific Policy 13.8 in Volume 2 of VOP 2010.</li><li>▪ VOP 2010 identifies Primary Intensification Corridors as areas intended to link together various local and primary centres on transit supportive corridors, and are planned as places to accommodate intensification in the form of mid-rise, and limited high-rise and low-rise buildings with a mix of uses.</li><li>▪ The “Mid-Rise Residential” designation permits residential units, home occupation, small scale convenience retail and community facilities in mid-rise and public and private institutional buildings. Townhouses, stacked townhouses and low-rise buildings, are also permitted, provided that the lands are located within 70 m of lands designated “Low-Rise Residential” in VOP 2010. Stacked townhouses are permitted on the subject lands, as the lands are fully located within 70 m of land designated “Low-Rise Residential” in VOP 2010.</li><li>▪ Site-specific Policy 13.8 in Volume 2 of VOP 2010 identifies the following criteria with respect to redevelopment of the subject lands:<ul style="list-style-type: none"><li>a) the existing heritage building shall be maintained, protected, and integrated with the new development on the property in accordance with the policies of VOP 2010;</li><li>b) existing vegetation should be preserved to the greatest extent possible through the site plan review process; and,</li><li>c) all required tenant parking spaces shall be located underground and limited visitor parking may be permitted above grade, subject to site plan approval.</li></ul></li><li>▪ Sections 9.1.2.5 and 9.1.2.6 in VOP 2010 identify compatibility criteria for new development in “Intensification Areas”, including, but not limited to, new development to be designed to have buildings front onto public streets, provide appropriate transitions in scale to areas of lower intensity, and provide adequate light and privacy. Section 9.2.3.3 also states that stacked townhouses shall generally be oriented to front onto a public street, in order to provide front entrances on public streets.</li></ul>
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	<ul style="list-style-type: none"><li>▪ Section 9.2.3.3 in VOP 2010 provides the following development criteria for stacked townhouse dwellings: a building containing a row of stacked townhouses shall not be longer than 50 m; townhouse dwellings shall generally be oriented to front onto a public street; and, blocks of townhouses that are not separated by a public street shall have a minimum facing distance of 18 m.</li><li>▪ The Owner has submitted Zoning Amendment File Z.16.006 that conforms with the density, building height and permitted use policies of VOP 2010. The Owner will also have to address the compatibility and development criteria in VOP 2010, and Policy 13.8 b) in Volume 2 of VOP 2010, which requires that existing vegetation be preserved to the greatest extent possible on the subject lands.</li><li>▪ The development proposal conforms to the building height, density and permitted uses in VOP 2010, but is not consistent with the compatibility and development criteria as stipulated in Policies 9.1.2.5 and 9.1.2.6 (i.e. a building shall front onto a public street and providing an appropriate transition in scale to lower intensity areas), 9.2.3.3 (i.e a minimum facing distance of 18 m, and site-specific Policy 13.8 b). Section 9.2.1.2 of VOP 2010 permits variations to the development criteria provided they are supported by an Urban Design Brief that has been prepared to the satisfaction of the City. Staff will, through the review the application, continue to work with the Owner to address these policies.</li></ul>
Zoning	<ul style="list-style-type: none"><li>▪ The subject lands are zoned A Agricultural Zone by Zoning By-law 1-88. The Owner is proposing to rezone the subject lands to RM2 Multiple Residential Zone in order to retain the existing heritage dwelling on the site and to permit 65 stacked back-to-back townhouse units and 6 stacked townhouse units, together with the site-specific zoning exceptions to the RM2 Zone identified in the Purpose section of this report.</li><li>▪ The Owner has submitted a Zoning By-law Amendment application to implement the proposed zoning and the proposed site-specific exceptions identified in Table 1 to facilitate the development proposal.</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 Vaughan Development Planning Department has identified the following matters to be reviewed in greater detail:

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	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
a.	Conformity with City Official Plan Policies	<ul style="list-style-type: none"> <li>▪ The application will be reviewed in consideration of the City Official Plan policies, particularly the policies in VOP 2010 respecting the design and compatibility criteria for new development located in “Intensification Areas”, development criteria for stacked townhouse dwellings, and the site-specific policies in Section 13.8 in Volume 2 of VOP 2010.</li> <li>▪ The appropriateness of the proposed variations to the development criteria for townhouses in Section 9.2.3.3 of VOP 2010 will be reviewed in consideration of the proposed development.</li> </ul>
b.	Appropriateness of Proposed Use and Zoning Exceptions	<ul style="list-style-type: none"> <li>▪ The appropriateness of rezoning the subject lands from A Agricultural Zone to RM2 Multiple Residential Zone, together with the proposed site-specific zoning exceptions shown on Table 1 to retain the existing heritage dwelling and facilitate a proposal for 65 stacked back-to-back townhouse units and 6 stacked townhouse units on the subject lands, as shown on Attachments #3 to #6, will be reviewed in consideration of the existing and planned surrounding land uses, with particular consideration given to land use, built form compatibility, site organization, front, rear and interior side yard setbacks, underground garage limits, and pedestrian and vehicular connections.</li> <li>▪ The Owner is seeking to rezone the entire subject lands to the RM2 Multiple Residential Zone. This includes a strip of land measuring approximately 12.5 m by 75 m located adjacent to Major Mackenzie Drive, as shown on Attachment #2. The appropriateness of rezoning this strip to the RM2 Zone will be reviewed.</li> </ul>
c.	Studies and Reports	<ul style="list-style-type: none"> <li>▪ The Owner has submitted the following studies and reports in support of the application, which must be approved to the satisfaction of the City or respective public approval authority: <ul style="list-style-type: none"> <li>- Planning Justification Letter</li> <li>- Functional Servicing and Stormwater Management Report</li> <li>- Traffic Impact and Parking Study</li> <li>- Noise and Vibration Report</li> <li>- Tree Inventory Report and Tree Preservation Plan</li> <li>- Cultural Heritage Impact Assessment</li> <li>- Stage 1 and Stage 2 Archaeological Assessment</li> </ul> </li> </ul>



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		<ul style="list-style-type: none"><li>▪ Section d) of Site-specific Policy 13.8 in VOP 2010 requires the following additional studies to be submitted through a future Site Development Application, should the subject application be approved:<ul style="list-style-type: none"><li>- Heritage Preservation Plan</li><li>- Architectural and Urban Design Brief</li><li>- Landscape Master Plan</li><li>- Shadow Study</li></ul></li></ul>
	Conceptual Site Plan / Future Site Development Application	<ul style="list-style-type: none"><li>▪ A future Site Development Application is required to facilitate the proposed development shown on Attachments #3 to #6, should the subject application be approved. The following matters and others that may arise, will be considered through the review of the Site Development Application and will also be considered through the review of the Conceptual Site Plan provided with the subject application, as shown on Attachment #3:<ul style="list-style-type: none"><li>- the relationship of the proposed built form, building setbacks and design with the immediate neighbourhood and site;</li><li>- pedestrian and barrier free accessibility;</li><li>- pedestrian connectivity from Petticoat Road and Silk Oak Court to Major Mackenzie Drive;</li><li>- proper vehicular (including service vehicles such as fire and garbage trucks) access and turning movements on the proposed private road;</li><li>- appropriate site design and building materials, orientation of units and upgraded elevations for units facing Major Mackenzie Drive, Petticoat Road and visible flankage elevations, landscaping, amenity area, snow storage, environmental sustainability, stormwater management, and servicing and grading;</li><li>- building architecture that is compatible with the existing heritage dwelling located on the subject lands (Joshua Oliver House)</li><li>- the relationship between the facing distance of each townhouse block in order to maximize daylight, enhance landscaping and ensure privacy;</li><li>- the interface between the townhouse blocks and existing single detached dwellings located to the south and east of the subject lands, in order to ensure privacy and appropriate massing and design strategies;</li><li>- achieving appropriate grading to minimize the use and height of retaining walls abutting the surrounding properties;</li></ul></li></ul>

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		<ul style="list-style-type: none"> <li>- the number of units and length of townhouse block, "Block 1" as shown on Attachment #3;</li> <li>- the appropriateness of the proposed Molok waste collection system for residential purposes; and,</li> <li>- accessibility and location of the proposed residential visitor parking spaces.</li> </ul>
e.	Future Draft Plan of Condominium Application	<ul style="list-style-type: none"> <li>▪ A future Draft Plan of Condominium Application is required to create the condominium tenure and the common elements (i.e. private road, internal sidewalk, visitor parking, and common landscaped amenity areas), to be managed through a future Condominium Corporation, if the subject application is approved.</li> </ul>
f.	Vaughan Design Review Panel	<ul style="list-style-type: none"> <li>▪ A preliminary design concept was considered by the Vaughan Design Review Panel (DRP) on May 26, 2016. The Owner must satisfactorily address the DRP's comments and the development proposal must be reconsidered by the DRP at the Site Development Application stage, if the application is approved.</li> </ul>
g.	Heritage Conservation (the Joshua Oliver House)	<ul style="list-style-type: none"> <li>▪ The existing dwelling located on the subject lands, known as the Joshua Oliver House, is listed on the City of Vaughan Heritage Register as per Section 27 of the <i>Ontario Heritage Act</i>. The development proposal must be reviewed by the Vaughan Development Planning Department, Urban Design and Cultural Heritage Division and the Heritage Vaughan Committee.</li> <li>▪ The Owner has submitted a Cultural Heritage Impact Assessment that includes a preferred option to retain the original 1837 main portion of the dwelling and to demolish the rear wing of the existing building and the two existing outbuildings. The Cultural Heritage Impact Assessment must be approved by the Vaughan Development Planning Department.</li> <li>▪ The subject lands are located adjacent to, but outside of, the boundaries of the Maple Heritage Conservation District (Maple HCD), as shown on Attachment #2. Although located outside of the Maple HCD, the subject lands are considered a contributing and related component to the Maple HCD.</li> </ul>
h.	Pedestrian and Bicycle Master Plan Study	<ul style="list-style-type: none"> <li>▪ The application will be reviewed in consideration of the Vaughan Pedestrian and Bicycle Master Plan Study, as a Multi-Use Recreational Pathway is planned parallel and east of the existing rail corridor. Design and implementation options for the proposed pathway as shown on Attachment #2 will be considered through the review of the application.</li> </ul>

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		<ul style="list-style-type: none"> <li>A 3 m wide north-south public access easement is proposed on the east side of the subject lands to provide for public access between Silk Oak Court and Major Mackenzie Drive, as shown on Attachment #2. The appropriateness, design and implementation for the proposed pathway will be considered through the review of the application.</li> </ul>
i.	Metrolinx Rail Corridor	<ul style="list-style-type: none"> <li>The subject lands abut an existing Metrolinx rail corridor to provide service for the Barrie GO Transit Corridor. In addition, significant work is proposed along the Corridor associated with Corridor Improvements and access to the Maple Go Station which may impact the subject lands. The Owner must satisfy all requirements identified by Metrolinx.</li> </ul>
j.	Block 18 Plan	<ul style="list-style-type: none"> <li>The proposal will be reviewed in consideration of the Block 18 Plan and the surrounding and existing planned land uses and any Block Plan conditions respecting infrastructure, including wastewater and water system improvements, and City infrastructure, including sanitary, water and stormwater management, to the satisfaction of the City.</li> </ul>
k.	Block 18 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 18 Developers Group Agreement to the satisfaction of the Block 18 Trustee and the City of Vaughan.</li> </ul>
l.	Sustainable Development	<ul style="list-style-type: none"> <li>Opportunities for sustainable design, including CPTED (Crime Prevention Through Environmental Design), LEED (Leadership in Energy and Environmental Design), 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 the application is approved.</li> </ul>
m.	Cash-in-Lieu of Parkland	<ul style="list-style-type: none"> <li>The Owner will be required to pay to the City of Vaughan, cash-in-lieu of the dedication of parkland, prior to the issuance of a Building Permit, in accordance with the <i>Planning Act</i> and the City of Vaughan's Cash-in-lieu Policy, should the application be approved. The final value of the cash-in-lieu of parkland dedication will be determined by the Office of the City Solicitor, Real Estate Department.</li> </ul>

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n.	Allocation and Servicing	<ul style="list-style-type: none"><li>▪ The availability of water and sanitary servicing capacity for the proposed development must be identified and allocated by Vaughan Council, if the proposed development is approved. If servicing capacity is unavailable, the lands will be zoned with a Holding Symbol “(H)”, which will be removed once servicing capacity is identified and allocated to the lands by Vaughan Council.</li></ul>
o.	Proposed Access	<ul style="list-style-type: none"><li>▪ The appropriateness of the location of the proposed access driveway on Petticoat Road will be reviewed.</li><li>▪ Impacts from the proposed development on nearby streets, including Peter Rupert Avenue, will be assessed as part of the review of the Traffic Impact and Parking Study submitted in support of the application.</li></ul>
p.	Adjacent Development Block (Block 64, on Registered Plan 65M-4190)	<ul style="list-style-type: none"><li>▪ Condition 21.3.18 of the Subdivision Agreement for Registered Plan 65M-4190 (located east of the subject lands) requires that Block 64, a sliver of land measuring 120 m<sup>2</sup> in area, as shown on Attachment #2, shall be developed only in conjunction with the adjacent lands to the west (the subject lands) to the satisfaction of the City. The Owner will be required to work with the adjacent property owner about acquiring Block 64 for incorporation into the subject development.</li></ul>
q.	Waste Management	<ul style="list-style-type: none"><li>▪ The Owner is proposing an external, unenclosed deep collection waste system (“Molok”) to service the proposed stacked townhouse development, as shown on Attachment #3. The appropriateness of a proposed Molok collection waste system will be reviewed in consideration of the Waste Collection Design Standards of the Environmental Services Department (Solid Waste Management Division), and Development Planning Departments.</li></ul>

#### **Relationship to Term of Council Service Excellence Strategy Map (2014-2018)**

The applicability of this application to the Term of Council Service Excellence Strategy Map (2014-2018) will be determined when the technical report is considered.

#### **Regional Implications**

The application has been circulated to the York Region Community Planning and Development Services Department 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 applications, together with comments from the public and Vaughan 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. Underground Parking Plan
5. Landscape Plan
6. Rendered Elevations Block 3 & 4 – Petticoat Road

**Report prepared by:**

Mark Antoine, Planner, ext. 8212  
Christina Napoli, Senior Planner, ext. 8483

(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.)