



**CITY OF VAUGHAN  
COUNCIL MINUTES  
NOVEMBER 19, 2013**

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**CITY OF VAUGHAN**

**COUNCIL MEETING**

**TUESDAY, NOVEMBER 19, 2013**

**MINUTES**

**1:00 P.M.**

Council convened in the Municipal Council Chamber in Vaughan, Ontario, at 1:04 p.m.

The following members were present:

Regional Councillor Gino Rosati, Chair  
Regional Councillor Michael Di Biase  
Regional Councillor Deb Schulte  
Councillor Tony Carella  
Councillor Rosanna DeFrancesca  
Councillor Marilyn Iafrate  
Councillor Alan Shefman  
Councillor Sandra Yeung Racco

**203. CONFIRMATION OF AGENDA**

MOVED by Councillor Shefman  
seconded by Regional Councillor Schulte

THAT the agenda be confirmed.

CARRIED

**204. DISCLOSURE OF INTEREST**

Councillor Iafrate declared an interest with respect to Item 2, Committee of the Whole (Closed Session), Report No. 48, as she has a non-arm's length financial familial interest and did not take part in the discussion or vote on the foregoing matter.

Councillor Iafrate declared an interest with respect to Item 1, Finance and Administration Committee, Report No. 14, insofar as it relates to the contingency budget, as she has a non-arm's length financial familial interest, and did not take part in the discussion or vote on the matter.

Councillor Racco declared an interest with respect to Item 8, Committee of the Whole (Closed Session), Report No. 48, on the basis that a member of her family works for a company that is a party to this application and did not take part in the discussion or vote on the foregoing matter.

**205. CEREMONIAL PRESENTATIONS**

Deputy Mayor Rosati and Members of Council presented certificates and offered congratulations to all the recipients of the Vaughan Alive School Awards.

**206. ADOPTION OR CORRECTION OF MINUTES**

MOVED by Councillor Shefman  
seconded by Councillor Racco

THAT the minutes of the meeting of October 29, 2013 be adopted as presented.

CARRIED

**207. COMMUNICATIONS**

MOVED by Councillor Racco  
seconded by Councillor Iafrate

THAT Communications C1 to C12 inclusive be received and referred to their respective items on the agenda.

CARRIED

**208. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION**

The following items were identified for separate discussion:

Referred Items

Items 1 and 2

Finance and Administration Committee Report No. 13

Items 1 and 3

Committee of the Whole Report No. 47

Item 15

Committee of the Whole (Closed Session) Report No. 48

Items 2, 8 and 9

Finance and Administration Committee Report No. 14

Item 1

MOVED by Councillor Iafrate  
seconded by Councillor Shefman

THAT Items 1 to 3 of the Finance and Administration Committee Report No. 13, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 19 of the Committee of the Whole Report No. 47, with the exception of the item identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 10 of the Committee of the Whole (Closed Session) Report No. 48, with the exception of the items identified for separate discussion, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 3 of the Committee of the Whole (Public Hearing) Report No. 49, BE APPROVED and the recommendations therein be adopted;

THAT Item 1 of the Special Committee of the Whole Report No. 50, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 to 4 of the Committee of the Whole (Working Session) Report No. 51, BE APPROVED and the recommendations therein be adopted;

THAT Items 1 and 2 of the Finance and Administration Committee Report No. 14, with the exception of the item identified for separate discussion, BE APPROVED and the recommendations therein be adopted; and

THAT Item 5 of the Finance and Administration Committee Report No. 15, BE APPROVED and the recommendations therein be adopted. (Refer to Minute No. 209).

CARRIED

**209. LETTER TO THE MUNICIPAL PROPERTY ASSESSMENT CORPORATION (MPAC)**  
(Item 5, Report 15 Finance and Administration Committee)

MOVED by Councillor Iafrate  
seconded by Councillor Shefman

That the following recommendation contained in Item 5, Report 15 of the Finance and Administration Committee, be approved.

CARRIED

The Finance and Administration Committee recommends:

- 1) That the recommendation contained in the following report of the Acting Commissioner of Finance & City Treasurer and the Director of Financial Services, dated November 18, 2013, be approved; and
- 2) That copies of the letter also be forwarded to the Minister of Finance, the local Members of Provincial Parliament and other municipalities within the Region of York.

**Recommendation**

The Acting Commissioner of Finance & City Treasurer and the Director of Financial Services, in consultation with the Manager of Property Tax & Assessment recommend:

1. THAT the Mayor forward a letter to the attention of the President of the Municipal Property Assessment Corporation (MPAC), substantially in the form of Attachment 1; and
2. THAT Committee's recommendation in this matter be forwarded to the Council meeting of November 19<sup>th</sup>, 2013 for consideration.

**Contribution to Sustainability**

In forwarding concerns with respect to MPAC and its processing, customer service, and communication issues, the City is ensuring that sustainability is maintained with respect to assessment growth and taxation revenue. Assessment growth helps to partially offset increasing service costs associated with community growth and ensures that proper funding is available to deliver program offerings to the community.

**Economic Impact**

Lower than anticipated assessment growth has resulted in a significant financial impact to the City's Draft Budget and Plan. As a result, the ability to minimize any tax increase while maintaining regulatory and necessary service levels has become increasingly difficult.

**Communications Plan**

A letter will be forwarded to the President of the Municipal Property Assessment Corporation.

**Purpose**

The purpose of this report is to request the Mayor forward a letter to the Municipal Property Assessment Corporation (MPAC) with respect to addressing applicable processing issues that are having significant financial impacts to the City of Vaughan's budget process.

**Background - Analysis and Options**

Further to the Budget presentation made to the Finance and Administration Committee on November 12, 2013, the Mayor and Members of Council were informed that assessment growth going forward into the 2014 taxation year was lower than anticipated due to MPAC processing issues. The budget report explained that this trend started in 2013 and impacted assessment growth figures across the Greater Toronto Area.

Staff have been working with MPAC and other municipalities to resolve the issues. Similar concerns were brought forward by the York Region Area Treasurers. However, a letter from the Mayor and Members of Council will assist staff in obtaining resolutions from MPAC with respect to the main concerns as follows:

- Assessment Growth - Forecasting and analysis challenges with respect to MPAC reported assessment growth, with finalization in the last few weeks of the year. This does not allow the City to properly budget and offset service level costs related to the actual growth experienced. Further, because the initial assessment growth numbers are not consistent with actual growth, there is added pressure on the tax rate. This situation makes it very difficult to approve a budget and plan before the start of the new year.
- Supplemental Taxation - Missed new and additional assessed value that is notably significant in the commercial and industrial classes. For example, MPAC is currently reporting a negative growth percentage in the industrial property class which does not properly reflect the actual positive growth. In addition, there have been issues with respect to the Supplementary/Omitted Rolls which has caused delays in processing the files as well as requiring adjustments to accounts.
- Quality Control – there are continuous quality control issues and errors with assessed values, methodology and property addresses. This has the potential to impact the numbers initially reported in the budget process through increased tax write-offs and lower taxation revenue.
- Non-response and/or delays in responding and communicating with City staff over specific issues has caused frustration both to City staff as well as the taxpayer involved

**Relationship to Vaughan Vision 2020**

In consideration of the strategic priorities related to Vaughan Vision 2020, communicating Council's concerns to MPAC and the expected response and solutions will enhance:

- Organizational Excellence: Ensure Financial Sustainability;  
Manage Growth and Economic Well-Being

**Regional Implications**

The result of addressing processing issues with MPAC will assist the Region in their budget deliberations and requirements.

**Conclusion**

Staff are recommending that the Mayor forward a letter to the attention of the President of MPAC highlighting applicable processing, customer service and communication issues which are having significant financial impacts to the City of Vaughan's budget process. It is anticipated that MPAC will provide solutions to assist staff to mitigate significant tax pressures currently resulting from these issues.

**Attachments**

Attachment 1: Draft Letter to the Municipal Property Assessment Corporation

**Report prepared by:**

Maureen E. Zabiuk, A.I.M.A., CMTP  
Manager, Property Tax & Assessment  
Ext. 8268

Referred Items

- 210. OFFICIAL PLAN AMENDMENT FILE OP.12.008  
ZONING BY-LAW AMENDMENT FILE Z.12.022  
SITE DEVELOPMENT FILE DA.12.022  
HERITAGE HILL DEVELOPMENTS (II) CORPORATION  
WARD 1 - VICINITY OF ISLINGTON AVENUE AND NASHVILLE ROAD  
(Referred Item 2)**

MOVED by Councillor Iafrate  
seconded by Councillor Racco

That the recommendation contained in the report of the Commissioner of Planning and Director of Development Planning, dated October 15, 2013, be approved, subject to the following, as set out in Communication C11 from the Commissioner of Planning, dated November 18, 2013, as follows:

1. THAT recommendations 1. a) and b) be replaced as follows:
  - “a) permit a small scale mixed-use development to include a commercial component and a residential component, where the residential component is contained within the same building as the commercial component and is also located at-grade;
  - b) permit a maximum Floor Space Index (FSI) for the overall development on the site of 1.022;”
2. THAT recommendation 2. a) be replaced as follows:
  - “a) permit a small scale mixed-use development to include a commercial component and a residential component, where the residential component is contained within the same building as the commercial component and is also located at-grade, with a residential component on the upper floors;”
3. THAT the following recommendation be added after 1. d) and 2. c), as 1. e) and 2. d), respectively:



“the implementing Official Plan Amendment shall incorporate wording specifying that a small scale mixed-use development, which shall be comprised of both a commercial component and a residential component, where the residential component shall be contained within the same building as the commercial component and may also be located at-grade, shall only be permitted due to the retention and restoration of the existing heritage buildings (Buildings “A” and “B”) for commercial uses facing a public street. In addition, the location of the existing heritage buildings, along with the topography (grading) sloping to the south and east, and the lot configuration (lot size and lot depth) of the subject lands, has contributed to amendments to the Mainstreet Commercial policies resulting in increases to the floor space index, building height and the location of parking between a main building (Building “C”) and a public street.”

4. THAT the following sentence be added to the end of Recommendation 3:

“The implementing Zoning By-law Amendment shall include wording specifying that the site specific exceptions to the Zoning By-law definition of “mixed-use development mainstreet” are due as a result of the retention and restoration of the existing heritage buildings (Buildings “A” and “B”) for commercial uses facing a public street. Furthermore, increases to the building height are due to the topography (grading) of the subject lands sloping to the south and east, and the increased front yard, reduced interior and rear yards, increased lot coverage and reduced on-site parking are due to the lot configuration (lot size and lot depth), and the location of the existing heritage buildings.”

5. THAT the following site-specific exceptions identified in Table 1 be replaced and/or added, as follows:

Table 1:

	By-law Standard	Zoning By-law 1-88, C11 Mainstreet Commercial Zone Requirements	Proposed Exceptions to Zoning By-law 1-88, C1 Mainstreet Commercial Zone
a.	Definitions	i) “Mixed Use Development Mainstreet” means a building or part of a building that contains permitted commercial uses and residential uses in combination, excluding a hotel, motel or tourist home, provided that all main residential uses are located in a storey above the first storey, except for entrances and lobbies which are located on the first floor and accessory uses, such as but not limited to storage, mechanical and laundry facilities, which may be permitted to be located in a basement or cellar.	i) “Mixed Use Development Mainstreet” means a building or part of a building that contains permitted commercial uses and residential uses in combination, and where the permitted commercial uses are both in separate buildings and in the same building with the permitted residential use, where the permitted residential use is located at-grade with the permitted commercial use within the same building on the same lot, excluding a hotel, motel or tourist home, and provided that residential uses can be located on the ground floor and in a storey above the first storey, including entrances and lobbies

	By-law Standard	Zoning By-law 1-88, C11 Mainstreet Commercial Zone Requirements	Proposed Exceptions to Zoning By-law 1-88, C1 Mainstreet Commercial Zone
			which are located on the first floor and accessory uses, such as but not limited to storage, mechanical and laundry facilities, which may be permitted to be located in a basement or cellar.
b.	Permitted Uses	Small scale mixed-use with at-grade commercial uses facing the street, and an upper floor residential component.	<p>i) Small scale mixed-use development shall be at-grade commercial uses, facing a public street, in the same building with at-grade residential uses and upper floor residential uses (Building "C"), and may include additional commercial uses that face a public street in separate buildings (Buildings "A" and "B").</p> <p>iii) Permit only an Apartment Dwelling, up to a maximum of 24 units in Building "C".</p> <p>iv) An eating establishment use shall not be permitted in Building "C".</p>
c.	Minimum Parking Requirements	<p>i) Eating Establishment: 16 spaces/100 m<sup>2</sup> GFA @ 390 m<sup>2</sup> (62.4 spaces)</p> <p>+</p> <p>ii) Residential Apartment Units: 1.5 spaces/unit @ 24 units (36 spaces)</p> <p>+</p> <p>iii) Residential Visitor: 0.25 spaces/unit @ 24 units (6 spaces)</p> <p>Total Required Parking Spaces = 105 spaces (rounded)</p>	<p>i) *Eating Establishment Use: 8 spaces/100 m<sup>2</sup> @ 390 m<sup>2</sup> (31.2 spaces)</p> <p>+</p> <p>ii) Residential Use (plus 6 Tandem Parking - which are not recognized as part of the parking calculation): 0.8 spaces/1 bedroom unit @ 16 units (12.8 spaces) and 1 spaces 2 bedroom unit @ 8 units (8 spaces) = (20.8)</p> <p>+</p> <p>iii) *Residential Visitor: 0.2 spaces/unit @ 24 units (4.8 spaces)</p> <p>+</p> <p>iv) Retail/Business or Professional Office (3 spaces/100 m<sup>2</sup> @ 285.6 m<sup>2</sup> (8.56 spaces)</p>

	By-law Standard	Zoning By-law 1-88, C11 Mainstreet Commercial Zone Requirements	Proposed Exceptions to Zoning By-law 1-88, C1 Mainstreet Commercial Zone
			<p>Total Proposed Parking = 66 spaces (rounded)</p> <p>*45 spaces will be provided on site, and 23 parking spaces will be provided off-site for the commercial and residential visitor users at the combined site of Canadiana Square (10462 Islington Avenue) and Canadiana House (10472 Islington Avenue).</p> <p>*The revised parking calculation is to be finalized with the submission of an updated parking study to reflect the modified proposal and to be approved by the Vaughan Development/Transportation Engineering Department.</p>
d.	Minimum Parking Space and Barrier Free Parking Space Size (Length x Width)	i) 6 m x 2.7 m Parking Space	iii) 5.8 m x 2.7 m for 4 at-grade parking spaces (east side of Building "B")
n.	Maximum Lot Coverage	30%	47.18% (1,455.6 m <sup>2</sup> )
p.	Maximum Gross Floor Area	1,850.44 m <sup>2</sup> (0.6 times the Lot Area)	3,154 m <sup>2</sup> (1.022 times the Lot Area)

6. THAT Attachments #4 and #7 be deleted and substituted therefor with Attachments #4 and #7, attached hereto, to reflect the revised proposal where a commercial use component is included with the at-grade residential use component within Building "C".
7. THAT the revised proposal, previously approved by Heritage Vaughan, at its meeting on May 22, 2013, be reconsidered at a future meeting of the Heritage Vaughan Committee, as a result of the modifications to the elevations of Building "B" due to the decrease in the GFA and to the elevations of Building "C" for the window treatment; and

## COUNCIL MEETING MINUTES – NOVEMBER 19, 2013

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That the following Communications be received:

- C9. KARA Communications Committee, dated November 17, 2013; and
- C10. Confidential Communication from the Director of Legal Services, dated November 18, 2013.

CARRIED UPON A RECORDED VOTE

YEAS

Councillor Shefman  
Councillor Racco  
Regional Councillor Schulte  
Regional Councillor Rosati  
Regional Councillor Di Biase  
Councillor DeFrancesca  
Councillor Carella  
Councillor Iafrate

NAYS

Recommendation of the Council meeting of October 29, 2013

Council, at its meeting of October 29, 2013, adopted the following recommendation (Item 19, CW Report No. 42):

*That consideration of this matter be deferred to the Council meeting of November 19, 2013;*

*That Planning and Legal Departments provide a report on the following:*

1. *Concerns raised regarding setting a precedent with respect to this application;*
2. *How the application will be dealt with in a site-specific by-law; and*
3. *Whether the site-specific by-law could be open to challenge; and*

*That the following Communications be received:*

- C6. *Mr. Frank Greco, dated October 24, 2013;*
- C7. *Commissioner of Planning, dated October 24, 2013;*
- C16. *Mr. Ken Schwenger, KARA, P.O. Box 202, Kleinburg, dated October 28, 2013; and*
- C17. *KARA Communications Committee, dated October 28, 2013.*

Committee of the Whole recommendation of October 15, 2013:

The Committee of the Whole recommends:

- 1) That consideration of this matter be deferred to the Council meeting of October 29, 2013, for an opportunity for staff, the applicant, and the Kleinburg and Area Ratepayers' Association to meet and discuss outstanding issues and that if required such discussions take place at an evening meeting;
- 2) That staff provide a communication to the Council meeting of October 29, 2013, on the chronological details of community consultation with respect to this application;
- 3) That the following deputations be received;
  1. Mr. Robert Klein, Kleinburg and Area Ratepayers' Association, Daleview Court, Kleinburg; and
  2. Mr. Frank Greco, Islington Avenue, Kleinburg; and
- 4) That the following Communications be received:
  - C10 Mr. Ken Schwenger, Kleinburg and Area Ratepayers' Association, Kleinburg, dated October 9, 2013; and

C12 Ms. Louise Zembal, Kleinburg BIA, Kleinburg, dated October 11, 2013.

Report of the Commissioner of Planning and Director of Development Planning, dated October 15, 2013:

**Recommendation**

The Commissioner of Planning and Director of Development Planning recommend:

1. THAT Official Plan Amendment File OP.12.008 (Heritage Hill Developments (II) Corporation) BE APPROVED, to amend OPA #601 (Kleinburg-Nashville Community Plan), as amended by OPA #633 (Kleinburg Commercial Core Plan), specifically to amend the policies respecting the “Mainstreet Commercial” designation on the subject lands shown on Attachment #3, as follows:
  - a) permit a small scale mixed-use development to include a commercial component and a residential component, where the residential component is not contained within the same building as the commercial component and is also located at-grade;
  - b) permit a maximum Floor Space Index (FSI) for the overall development on the site of 1.014;
  - c) permit a maximum building height of 12.7 m to the highest point of the roof surface for Building “C”; and,
  - d) permit parking to occur between the main building (Building “C”) and the public street (Islington Avenue).
2. THAT should the implementing Official Plan Amendment for File OP.12.008 (Heritage Hill Developments (II) Corporation) be approved by Vaughan Council (approval authority), that 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 has been approved, in part, by the Ontario Municipal Board on July 23, 2013, be further modified respecting the policies for the “Mainstreet Commercial” designation as follows:
  - a) permit a small scale mixed-use development to include a commercial component and a residential component, where the residential component is not contained within the same building as the commercial component and is also located at-grade;
  - b) permit a maximum building height of 12.7 m to the flat roof for Building “C”; and,
  - c) permit parking to occur between the main building (Building “C”) and the street.
3. THAT Zoning By-law Amendment File Z.12.045 (Heritage Hill Developments (II) Corporation) BE APPROVED, specifically to amend Zoning By-law 1-88, to rezone the subject lands shown on Attachment #2 from R1 Residential Zone to C11 Mainstreet Commercial Zone with site-specific exceptions identified in Table 1 of this report.
4. THAT Site Development File DA.12.045 (Heritage Hill Developments (II) Corporation) BE APPROVED, to permit the conversion of 2 existing heritage dwellings to commercial buildings and to permit a new 3-storey residential apartment building with 28 apartment dwelling units, as shown on Attachments #4 to #8 inclusive, subject to the following conditions:
  - a) that prior to the execution of the Site Plan Letter of Undertaking or Agreement:

- i) the final site plan, signage details indicating the location of the off-site parking for commercial and residential visitors, building elevations and landscaping plans shall be approved to the satisfaction of the Vaughan Development Planning Department and the Vaughan Cultural Services Division;
  - ii) the final site grading, servicing, stormwater management, noise, transportation and lighting plans and reports, including the traffic impact and parking study, shall be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department;
  - iii) the Owner shall satisfy the waste management requirements of the Vaughan Public Works Department - Solid Waste Management; and,
  - iv) the Owner shall provide the City with an executed agreement, which shall be registered on title for the combined 10462 Islington Avenue (Canadiana Square) and 10472 Islington Avenue (Canadiana House) site with respect to providing 23 parking spaces for the use of the subject lands to accommodate commercial and residential visitors, and an easement for access onto 10462 Islington Avenue (Canadiana Square) and 10472 Islington Avenue (Canadiana House);
- b) that the Site Plan Letter of Undertaking or Agreement include the following conditions:
  - i) that prior to the issuance of a Building Permit, the Owner shall pay the City, Region and Board of Education Development Charges in accordance with the City of Vaughan Development Charge By-law in effect at the time of payment;
  - ii) that prior to the initiation of any development on the subject lands:
    - 1. A designated substance survey (DSS) is undertaken on the existing buildings on-site given their age; and,
    - 2. Any abandoned wells on-site be properly decommissioned in accordance with Ontario Regulation 903 (as amended);
  - iii) that the Owner shall have entered into an agreement with the Owner(s) of the combined 10462 Islington Avenue (Canadiana Square) and 10472 Islington Avenue (Canadiana House) site for the provision of 23 at-grade parking spaces for the use of the subject lands to accommodate off-site parking for commercial and residential visitors, and an easement for access onto 10462 Islington Avenue (Canadiana Square) and 10472 Islington Avenue (Canadiana House);
  - iv) that the Owner shall pay cash-in-lieu of the dedication of parkland equivalent to 1 ha per 300 units or 5% of the value of the subject lands or units for the residential portion, whichever is greater, and 2% for the commercial portion prior to the issuance of a Building Permit, in accordance with the Planning Act and the City's approved "Cash-in-Lieu of Parkland Policy". The Owner shall submit an appraisal report prepared by an accredited appraiser for approval by the Vaughan Legal Services Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment;

- v) that the Owner shall agree to notify both the Ministry of Tourism and Culture and the City of Vaughan Recreation and Culture Department (Cultural Services Division) immediately in the event that:
    - 1. archaeological resources are found on the property during grading or construction activities, to which the Owner must cease all grading or construction activities; and,
    - 2. human remains are encountered during grading or construction activities, to which the proponent must cease all grading or construction activities. The Owner shall contact York Region Police, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services;
  - vi) that the Owner shall contact Enbridge Gas Distribution to discuss installation and clearance requirements for service and metering facilities with the Enbridge Customer Connections Department, arrange for the installation of the gas plant prior to the commencement of the asphalt paving or landscaping, and provide, if required, easements at no cost to Enbridge Gas Distribution; and,
  - vii) that the Owner shall agree to consult with Canada Post to determine the locations of a suitable mailbox/mailroom location to Canada Post's specifications.
5. THAT Council pass the following resolution with respect to the allocation of sewage capacity from the Kleinburg Servicing Scheme and water supply capacity from the York Water Supply System in accordance with the Servicing Capacity Distribution Protocol dated October 15, 2013, and to be approved by Vaughan Council on October 29, 2013.

“IT IS HEREBY RESOLVED THAT Site Development File DA.12.045 (Heritage Hill Developments (II) Corporation) be allocated sewage capacity from the Kleinburg Servicing Scheme and water supply capacity from the York Water Supply System for a total of 28 residential units.”

### **Contribution to Sustainability**

The applications implement the following Goals and Objectives of Green Directions Vaughan:

Goal 2: To ensure sustainable development and redevelopment

- Objective 2.3: To create a City with sustainable built form

Goal 3: To ensure that getting around in Vaughan is easy and has a low environmental impact

- Objective 3.1: To develop and sustain a network of sidewalks, paths and trails that supports all modes of non-vehicular transportation

Goal 4: To create a vibrant community where citizens, businesses and visitors thrive

- Objective 4.1: To foster a City with strong social cohesion, an engaging arts scene, and a clear sense of its culture and heritage
- Objective 4.2: Ensure that the City of Vaughan attracts businesses and investment that will result in well-paying jobs for Vaughan citizens, a sustainable tax base and continuing prosperity into the 21st century

In accordance with the goals and objectives identified above, the Owner has advised that the following, but not limited to, sustainable site and building features will be included in the proposed development:

- a) Sustainable Site:
  - i) using local building and plant material to reduce energy consumption (i.e. minimize transportation distance);
  - ii) providing locker rooms in the underground parking areas to accommodate bikes and at-grade short term bicycle parking spaces;
  - iii) using organic mulch to retain water and suppress weeds; and,
  - iv) planting drought tolerant vegetation;
- b) Stormwater Management:
  - i) detaining stormwater on site to reduce the amount sent to the storm sewer;
  - ii) using planted swales/outfalls to enhance water quality;
  - iii) reducing pollution by treating stormwater on site (i.e., stormceptor stormwater treatment system whereby oils, grease and sediment are separated from the stormwater); and,
  - iv) using open grid paving (i.e. unit pavers) to promote some infiltration;
- c) Water Efficiency:
  - i) installing low-flow water toilets, faucets and showerheads in all residential bathrooms;
- d) Materials and Resources:
  - i) retaining and restoring 2 heritage buildings;
- e) Energy and Atmosphere:
  - i) providing high level of thermal insulation; and,
  - ii) providing energy efficient lighting.

**Economic Impact**

There are no requirements for new funding associated with this report.

**Communications Plan**

On October 12, 2012, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands, and to the Kleinburg and Area Ratepayers' Association. Two written comments were received through the notification with the following comments:

- i) October 30, 2012 correspondence from S. Davis and the Davis Family, Islington Avenue, respecting the height and size of Building "C" not being in keeping with the character of Kleinburg; and, the proposal contributing to traffic congestion and parking shortages in the Mainstreet Area; and,
- ii) December 17, 2012 correspondence from the Kleinburg and Area Ratepayers' Association respecting the overall scope and size being too large and the density too high for the proposed development which is not appropriate for the commercial core of a historic, heritage village; the concerns regarding traffic, safety and the impact to the residential properties to the east; the proposed modifications to the Official Plan policies to allow for a mixed-use development that does not provide at-grade commercial; the proposed building height being too high and that exceeds the maximum building height of 9.5 m not being enforced; and parking shortages.

The concerns noted above will be discussed in the report.



The recommendation of the Committee of the Whole to receive the Public Hearing report of November 6, 2012, and to forward a comprehensive technical report to a future Committee of the Whole meeting, was ratified by Vaughan Council on November 20, 2012.

**Purpose**

The Owner has submitted the following applications on the subject lands shown on Attachments #1 and #2:

1. Official Plan Amendment File OP.12.008 to amend OPA #601 (Kleinburg-Nashville Community Plan), as amended by OPA #633 (Kleinburg Commercial Core Plan), specifically to amend the policies respecting the “Mainstreet Commercial” designation as follows for the subject lands shown on Attachment #3:

	<b>Official Plan Policies for the Mainstreet Commercial Designation</b>	<b>Proposed Amendments to OPA #601 as amended by OPA #633</b>
a.	Permitted uses include small scale mixed-use buildings with at-grade commercial uses and an upper floor residential component.	Permit in Building “C”, residential use only, where the commercial uses are located in separate buildings.
b.	Permit a maximum Floor Space Index (FSI) ranging between 0.2 and 1.0.	Permit a maximum Floor Space Index (FSI) of 1.014.
c.	Maximum Building Height of 9.5m measured above finished grade.	Permit a maximum height for Building “C” of 12.7m (3-storeys) measured to the top of a flat roof.
d.	No parking within the Mainstreet Commercial designation shall be permitted between the main building (Building “C”) and a public street.	Permit parking to be located between the main building (Building “C”) and a public street (Islington Avenue).

2. Zoning By-law Amendment File Z.12.022 to amend Zoning By-law 1-88, specifically, to rezone the subject lands from R1 Residential Zone to C11 Mainstreet Commercial Zone, and to amend the permitted uses and the development standards of Zoning By-law 1-88 as identified in Table 1 of this report; and,

3. Site Development File DA.12.056 to permit the conversion of 2 existing heritage dwellings to commercial buildings and to permit a new 3-storey residential apartment building with 28 apartment dwelling units, as shown on Attachments #4 to #8 inclusive. The proposed development statistics are as follows:

<b>Lot Area</b>	3,084.07 m <sup>2</sup> / 0.308 ha
<b>Lot Frontage</b>	40.1 m
<b>Lot Depth</b>	62.6 m
<b>Floor Space Index (F.S.I.)</b>	1.014
<b>Residential Density</b>	90.8 units per hectare
<b>Lot Coverage</b>	47.6% (1468.8 m <sup>2</sup> )
<b>Total Building Gross Floor Area (GFA)</b>	3,130 m <sup>2</sup>
	Commercial GFA = 366 m <sup>2</sup>
	Residential GFA = 2,764 m <sup>2</sup>
<b>Landscaped Area / Percentage</b>	1,098.3 m <sup>2</sup> / 35.6%
<b>Paved Area / Percentage</b>	652.52 m <sup>2</sup> / 21.2%

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	<b>Building A</b>	<b>Building B</b>	<b>Building C</b>
<b>Use &amp; Total Gross Floor Area</b>	Commercial (Existing Heritage Building)  144.8 m <sup>2</sup> (98.8 m <sup>2</sup> Eating Establishment and 46 m <sup>2</sup> Outdoor Patio)	Commercial (Existing Heritage Building)  221.2 m <sup>2</sup> (Eating Establishment or Retail Use)	Residential (Proposed New Building)  2,764 m <sup>2</sup>
<b>Height</b>	1 storey (4.77 m)	1.5 storeys (4.26 m)	3 storeys (12.7 m to the top of roof)
<b>Parking Required (Zoning By-law 1-88)</b>	23.1 (Eating Establishment - 16 spaces/100 m <sup>2</sup> of GFA)	35.3 (Eating Establishment - 16 spaces/100 m <sup>2</sup> of GFA)  The parking requirement for the highest use demand is used as there are multiple uses proposed.	49 (42 - 1.5 Residential Apartment spaces/unit, plus 7 - 0.25 Visitor spaces/unit)
<b>Parking Required (108 Spaces)</b>	59		49
<b>Parking Provided</b>	10		26

<b>Units/Amenity Area</b>	<b>1 Bedroom with a Den</b>	<b>2 Bedroom</b>
<b>Unit Total By Bedroom</b>	20	8
<b>Total Units</b>	28	
<b>Amenity Area by Bedroom (Determined)</b>	400 m <sup>2</sup> (20m <sup>2</sup> /Unit)	440 m <sup>2</sup> (55m <sup>2</sup> /Unit)
<b>Amenity Area (Required)</b>	840 m <sup>2</sup>	
<b>Amenity Area by Use</b>	Common Use Interior Amenity Area = 79.15 m <sup>2</sup>	
	Common Use Exterior Amenity Area = 652.51 m <sup>2</sup>	
	Semi-Private Exterior Amenity Area = 624.20 m <sup>2</sup>	
<b>Amenity Area (Total Provided)</b>	Private Exterior Amenity Area - Balconies/Terraces = 245.82 m <sup>2</sup>	
	977.48 m <sup>2</sup>	

## **Background - Analysis and Options**

### Location

The subject lands shown on Attachments #1 and #2 are located on the east side of Islington Avenue, south of Nashville Road. The subject lands have a total lot area of 0.308 ha and frontage of 40.1 m. The surrounding land uses are shown on Attachment #2.

Supporting Documentation

The following reports were submitted in support of the applications on the subject lands:

- *Heritage Square - Planning Justification Report*, dated June 20, 2012 by Metropolitan Consulting Inc.;
- *Heritage Impact Assessment - Heritage Square*, dated June 12, 2012 by Stephen Bernatt, Architect;
- *Research Report into the History of the Buildings, the People and the Events Associated with 10423 and 10429 Islington Avenue, Kleinburg*, dated May 25, 2012 by Bruce Corley CAHP;
- *Phase 1 Environmental Site Assessment - Heritage Square*, dated April 23, 2012 by Forward Engineering and Associates Inc.;
- *Geotechnical Investigation - Proposed Heritage Square*, dated March 15, 2012 by Forward Engineering and Associates Inc.;
- *Traffic Impact and Parking Study*, dated May 17, 2012 and revised September 2013 by Mark Engineering;
- *Parking Study*, dated June 18, 2013 by Mark Engineering;
- *Functional Servicing and Stormwater Management Report - Proposed Mixed Use Development (Heritage Hill)*, dated March 20, 2012 and revised March 13, 2013 and May 22, 2013 by Condeland Engineering Ltd.;
- *Environmental Noise Report*, dated June 22, 2012 by Jade Acoustics Inc.; and
- *Tree Inventory and Plan of Preservation for 10423 and 10429 Islington Avenue*, dated March 9, 2012 by Charles Tree Service.

Official Plan - Land Use Designation/Uses/Density

i) Region of York Official Plan

The subject lands shown on Attachment #2 are designated “Urban Area” by the Region of York Official Plan (Regional Official Plan Amendment (ROPA) 52), which permits a wide range of residential, commercial, industrial and institutional uses. The proposal conforms to the Regional Official Plan.

ii) Official Plan Amendments #600 and #633

The subject lands are designated “Mainstreet Commercial” by OPA #601 (Kleinburg-Nashville Secondary Plan), as amended by OPA #633 (Kleinburg Commercial Core Plan). The Official Plan permits the following uses within the Mainstreet Commercial designation:

- retail store;
- personal service shop;
- business and professional office; and,
- small-scale mixed-use developments with at-grade commercial uses and an upper floor residential component.

The Official Plan provides specific development and design criteria to maintain a traditional mainstreet commercial character, to provide for a pedestrian-friendly form of development, and to be compatible with the existing building form and residential areas and uses within the Kleinburg-Nashville Heritage Conservation District. These development and design criteria include limiting buildings up to a maximum height of 9.5 m, and providing for a Floor Space Index ranging between 0.2 and 1.0. Further, the Mainstreet Commercial policies do not permit parking between the main building and a public street, and requires cash-in-lieu of parking where there is a parking deficiency.

The Owner has submitted a proposal on the subject lands, shown on Attachments #4 to #8, for restoring two existing heritage detached dwelling units previously used for residential purposes which are to be converted for commercial use, and is proposing to develop a new 3-storey low-rise building for residential use only for 28 apartment units with a maximum building height of 12.7m, and a total

combined on-site Floor Space Index of 1.014. The proposal does not entirely comply with the Official Plan, and requires amendments to the policies of the “Mainstreet Commercial” designation.

The “Mainstreet Commercial” designation requires that for mixed-use commercial and residential development that there be at-grade commercial uses and the upper floor(s) be of a residential use. This proposal provides for commercial uses in the existing heritage buildings (Buildings “A” and “B”) facing Islington Avenue and residential use exclusively in the proposed building (Building “C”) at the rear of the subject lands shown on Attachment #4. Given that the subject lands propose both commercial, which provides direct access to the public sidewalk along Islington Avenue, and residential on the subject lands, the proposal maintains the intent of the Official Plan by providing for a mixed-use development.

The Official Plan permits a maximum building height of 9.5 m above the finished grade. The building height is calculated based on the average finished grade at the front of the building. The building height for Building “C” is 12.7 m, which includes the underground parking entrance, shown on Attachment #7. The increased height is due to the topography of the subject lands which slopes to the south and east in order to accommodate the underground parking area and provide a building design in keeping with the heritage policies for the Kleinburg-Nashville Heritage Conservation District. The development on the subject lands also proposes a Floor Space Index of 1.014, which is a negligible increase above the maximum Floor Space Index of 1.0 in the Official Plan.

The “Mainstreet Commercial” designation does not permit any parking between the main building (Building “C”) and a public street (Islington Avenue). The subject lands are providing 6 parking spaces between the main building and a public street. The parking spaces, which includes a barrier-free space, are to service both commercial buildings along Islington Avenue on the subject lands shown on Attachment #4. The Owner is proposing to provide landscaping to screen the parking spaces. Also, the parking spaces and driveway areas are to be paved in decorative pavers to complement the pedestrian walkway to provide a more visible pleasing environment. There is also additional parking to the east of Building “B”, which is not visible from the street. A total of 10 at-grade parking spaces are being proposed, and as there is a deficiency of parking spaces, the elimination of the 6 parking spaces is not feasible. The provision of landscaping and decorative pavers, as well as, the location of the heritage buildings, to mitigate the visibility of the parking spaces from the street, is acceptable.

The “Mainstreet Commercial” policies stipulate cash-in-lieu of parking is required where the proposal does not provide the required amount of parking and the supporting Parking Study determines that the proposed parking cannot accommodate the expected demand. The funds from the cash-in-lieu of parking would be dedicated to managing existing parking resources and /or the establishment of new parking facilities. However, the applicant has demonstrated through their parking study that the proposed parking supply can accommodate the expected demand, and therefore, cash-in-lieu of parking is not applicable to the subject development as confirmed by the Vaughan Development/Transportation Engineering Department and Vaughan Development Planning Department.

Zoning By-law 1-88 requires 60 parking spaces for the commercial uses proposed on the subject lands shown Attachment #4 as indicated in the following breakdown by use:

<b>Parking Required (Zoning By-law 1-88)</b>	59 Eating Establishment Use: 16 spaces/100 m <sup>2</sup> of GFA (366 m <sup>2</sup> )
<b>Parking Provided</b>	10

The Owner proposes 10 at-grade parking spaces for the commercial and/or residential visitor use. There would be 26 underground parking spaces for the residential use. Eight of the underground

parking spaces include a tandem parking space which would bring the Owner's parking calculation to 34 parking spaces underground. The Owner's total parking proposed would be 44 parking spaces. However, the City does not recognize tandem parking, which therefore cannot be included in the parking calculation, resulting in the parking space deficiency being 72 parking spaces (108-36 spaces) based on the parking requirements in Zoning By-law 1-88, as detailed earlier in the report in item 3 of the purpose section.

The Owner's *Parking Study* dated September 2013 determined that the subject lands require a total of 59 parking spaces to support both the commercial, residential and residential visitor parking. The *Parking Study* relied on the parking requirements contained in the City's draft parking study report, *Review of Parking Standards Contained Within the City of Vaughan's Comprehensive Zoning By-law*, dated March 2010 by the IBI Group, which indicated that a total of 59 parking spaces are required for the commercial (being eating establishments for the two commercial buildings), residential and residential visitor parking spaces for the subject lands.

The subject lands are proposing 36 on-site parking spaces, where 26 parking spaces are provided underground for the residential users and 10 parking spaces are provided at-grade for the commercial (eating establishment) use and residential visitor users. The shortage of 23 parking spaces (59-36) can be addressed by providing parking off-site at the combined site of Canadiana Square (10462 Islington Avenue) and Canadiana House (10472 Islington Avenue), which is owned by the same Owner as the subject lands.

The *Parking Study* undertook a review of the parking required on the Canadiana Square and Canadiana House site in order to demonstrate that this site can accommodate the parking from the subject lands shown on Attachment #2. The mixed-use residential and commercial Canadiana Square and Canadiana House site requires 86 parking spaces in accordance with the parking requirements in Zoning By-law 1-88 for the C11 Mainstreet Commercial Zone. Specifically, 59.6 parking spaces (at 6 spaces/100 m<sup>2</sup> of GFA) for the commercial use (994 m<sup>2</sup> of GFA), 22.5 parking spaces (at 1.5 spaces per unit) for the residential use (15 apartment units) and 3.8 parking spaces (at 0.25 spaces per unit) for the residential visitor use. The *Parking Study's* analysis finds that this site, based on the application of the parking requirements in the City's draft parking study report, *Review of Parking Standards Contained Within the City of Vaughan's Comprehensive Zoning By-law*, requires 58 parking spaces to support the existing mixed-use residential and commercial development. The parking spaces required for the commercial component would be 40.3 spaces, the residential component would be 14.6 spaces and the residential visitor component would be 3 spaces. At the highest peak of parking usage on the site, 42 spaces were used. Through the *Parking Study* analysis, there was a difference of 28 parking from the required parking in accordance with Zoning By-law 1-88 to what would be required to support the demand on the site. Based on the *Parking Study's* findings, 23 parking spaces can be provided on the Canadiana Square and Canadiana House site for the subject lands.

The Owner's *Parking Study* concludes the following (in part):

- “ - The parking demand for the site cannot be met on the site, even if the tandem parking spaces are included in the supply.
- There is a parking space surplus at the Canadiana Square that could serve the excess demand for the site.
- An agreement for Canadiana Square to provide sufficient spaces to serve the proposed development should be reachable.

Therefore, the overall conclusion is that sufficient parking can be provided to serve the proposed development.”

The Vaughan Development/Transportation Engineering Department has reviewed the *Parking Study* and advised that, “the proposed parking supply (26 underground plus 10 surface parking plus 23 off-

site parking) is found adequate based on supporting analysis provided in the Consultant's report (*Traffic Impact and Parking Study*, dated May 17, 2012 and revised September 2013 by Mark Engineering). The recommended parking supply is also comparable to the City's draft parking study report, *Review of Parking Standards Contained Within the City of Vaughan's Comprehensive Zoning By-law*, dated March 2010 by the IBI Group."

The *Parking Study* recommends that the parking shortage could be addressed by providing parking off-site across the street for the subject lands at Canadiana Square and Canadiana House, which is owned by the same Owner of the subject lands. The Development Planning Department can support the provision of off-site parking for the proposal. Accordingly, the Owner of the subject lands and the Owner(s) of the lands at Canadiana Square and Canadiana House, shall be required to register an agreement on title for the subject lands and the Canadiana Square and Canadiana House lands whereby 23 parking spaces and access to the parking spaces on the Canadiana Square and Canadiana House lands are provided for the subject lands. The site plan letter of undertaking or agreement will require that the 23 off-site parking spaces and access to the spaces has been registered, prior to the execution of the site plan letter of undertaking or agreement. Conditions to this effect are included in the recommendation of this report.

iii) City of Vaughan Official Plan 2010

The subject lands are designated "Low-Rise Mixed-Use Mainstreet Commercial" by the City of Vaughan Official Plan 2010 (VOP 2010) as an Area Specific Policy under Section 12.4 of Volume 2. Volume 1 VOP 2010 was adopted by Vaughan Council on September 7, 2010 (as modified 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 approved, in part, by the Ontario Municipal Board on July 23, 2013. Volume 2 of VOP 2010 was adopted by Vaughan Council on September 27, 2010 (as further modified on March 20, 2012) and is also pending approval by the OMB. Both Volume 1 and Volume 2 constitute VOP 2010 for the subject lands as policies in Volume 1 may be applicable to lands within Volume 2.

The "Low-Rise Mixed-Use Mainstreet Commercial" designation permits buildings up to a maximum height of 9.5 m, with a floor space index ranging between 0.2 and 1.0 and includes the following uses:

- retail store;
- personal service shop;
- business and professional office; and,
- small-scale mixed-use developments with at-grade commercial uses and an upper floor residential component.

VOP 2010 has policies that do not permit parking between the main building and a public street, as well as, policies respecting cash-in-lieu of parking. The proposal does not entirely conform to VOP 2010. The Low-Rise Mixed-Use Mainstreet Commercial policies of VOP 2010 would need to be amended to implement the proposal on the subject lands.

iv) Amendments to In-effect and New Official Plans

The Development Planning Department can support the approval of Official Plan Amendment Application OP.12.008, to apply appropriate land use policies to both the in-effect and new Official Plans to implement the proposed mixed-use commercial and residential development, as discussed above and identified in the recommendation of this report.

Kleinburg-Nashville Heritage Conservation District

The subject lands includes two heritage residential buildings that are to be retained, restored and converted for commercial use. Building "A" (10423 Islington Avenue) was built circa 1920 in the Edwardian Style and Building "B" (10429 Islington Avenue) was built circa 1870 in the Victorian Gothic Revival (or Ontario Gothic Vernacular) style. Both buildings have had additions to the rear of the buildings which will be demolished, along with the detached garage and deck for Building "A".

Building “A” and Building “B” are designated under Part V of the *Ontario Heritage Act*, as part of the Kleinburg-Nashville Heritage Conservation District Guidelines, with Building “B” included in the Listing of Buildings of Architectural and Historical Value, the City of Vaughan's Register of Property of Cultural Heritage Value as per Part IV, Subsection 27 of the *Ontario Heritage Act*. Designated buildings are protected by By-law and shall be preserved. Proposed changes to properties designated within a Heritage Conservation District must be in keeping with the heritage character of the building, the historical streetscape and must be in conformance with the Heritage Conservation District Plan and Design Guidelines. A further discussion is provided later in the Vaughan Cultural Services section of this report.

### Zoning

The subject lands are zoned R1 Residential Detached Zone by Zoning By-law 1-88. The Owner submitted Zoning By-law Amendment File Z.12.022 to amend Zoning By-law 1-88, specifically, to rezone the subject lands from R1 Residential Zone (single detached dwellings) to C11 Mainstreet Commercial Zone, as shown on Attachment #2, and amend the permitted uses and development standards of Zoning By-law 1-88. The following site-specific zoning exceptions are required to implement the proposal as shown on Attachments #3 to #8:

Table 1:

	<b>By-law Standard</b>	<b>Zoning By-law 1-88, C11 Mainstreet Commercial Zone Requirements</b>	<b>Proposed Exceptions to Zoning By-law 1-88, C1 Mainstreet Commercial Zone</b>
a.	Definitions	<p>ii) “Mixed Use Development Mainstreet” means a building or part of a building that contains permitted commercial uses and residential uses in combination, excluding a hotel, motel or tourist home, provided that all main residential uses are located in a storey above the first storey, except for entrances and lobbies which are located on the first floor and accessory uses, such as but not limited to storage, mechanical and laundry facilities, which may be permitted to be located in a basement or cellar.</p> <p>iii) “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 Planning Act, R.S.O. 1983 would not be required for its conveyance. For the</p>	<p>ii) “Mixed Use Development Mainstreet” means a building or part of a building that contains permitted commercial uses and residential uses in combination, and where the permitted commercial uses and permitted residential uses are in separate buildings on the same lot, excluding a hotel, motel or tourist home, and provided that residential uses can be located on the ground floor and in a storey above the first storey, including entrances and lobbies which are located on the first floor and accessory uses, such as but not limited to storage, mechanical and laundry facilities, which may be permitted to be located in a basement or cellar.</p> <p>iii) “Lot” means to deem the two existing lots to be one lot for the purposes of zoning regardless of the number of buildings or</p>

	By-law Standard	Zoning By-law 1-88, C11 Mainstreet Commercial Zone Requirements	Proposed Exceptions to Zoning By-law 1-88, C1 Mainstreet Commercial Zone
		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.	structures erected and regardless of any conveyances, easements, or condominiums, and whether the buildings or structures have or do not have a common basement or are or are not connected below or above finished grade.
b.	Permitted Uses	Small scale mixed-use with at-grade commercial uses facing the street, and an upper floor residential component.	<p>i) Small scale mixed-use development where the commercial use component (Buildings “A” and “B”) that faces a public street, and the residential use component (Building “C”), are in separate buildings.</p> <p>ii) An outdoor patio may be established in association with any permitted commercial use and shall be subject to Subsection 6.8.4 in Zoning By-law 1-88.</p> <p>iii) Permit only an Apartment Dwelling, up to a maximum of 28 units in Building “C”.</p>
c.	Minimum Parking Requirements	<p>iv) Eating Establishment: 16 spaces/100 m<sup>2</sup> GFA @ 366 m<sup>2</sup> (59 spaces)</p> <p>+</p> <p>v) Residential Apartment Units: 1.5 spaces/unit @ 28 units (42 spaces)</p> <p>+</p> <p>vi) Residential Visitor: 0.25 spaces/unit @ 28 units (7 spaces)</p> <p>Total Required Parking Spaces = 108 spaces</p>	<p>v) *Eating Establishment Use: 8 spaces/100 m<sup>2</sup> @ 366 m<sup>2</sup> (29.28 spaces)</p> <p>+</p> <p>vi) Residential Use (plus 6 Tandem Parking - which are not recognized as part of the parking calculation): 0.8 spaces/1 bedroom unit @ 20 units (16 spaces) and 1 spaces/2 bedroom unit @ 8 units (8 spaces) = (24)</p> <p>+</p> <p>vii) *Residential Visitor: 0.2 spaces/unit @ 28 units (5.6 spaces)</p> <p>Total Proposed Parking = 59 spaces (rounded)</p>



	By-law Standard	Zoning By-law 1-88, C11 Mainstreet Commercial Zone Requirements	Proposed Exceptions to Zoning By-law 1-88, C1 Mainstreet Commercial Zone
			*36 spaces will be provided on site, and 23 parking spaces will be provided off-site for the commercial and residential visitor users at the combined site of Canadiana Square (10462 Islington Avenue) and Canadiana House (10472 Islington Avenue).
d.	Minimum Parking Space and Barrier Free Parking Space Size (Length x Width)	ii) 6 m x 2.7 m Parking Space iii) 6 m x 3.9 m Barrier Free Parking Space	i) 5.8 m x 2.7 m for 10 underground parking spaces (Tandem parking spaces located in the underground parking area are not recognized as parking spaces and therefore the parking space adjacent to the tandem parking space would be 6 m or greater in length.)  ii) 5.8 m x 3.9 m for 1 underground barrier free parking space
e.	Parking Space Location	A parking area shall not be located closer to a street line than the main building (Building "C") on the lot.	i) Permit a parking area to be located between a street line and the main building (Building "C") on the lot.  ii) Permit 23 parking spaces off-site for the commercial and residential visitors at the combined site of Canadiana Square (10462 Islington Avenue) and Canadiana House (10472 Islington Avenue).
f.	Parking and Access Requirements (Parking Area for Multiple Dwelling)	A strip of land not less than three (3) metres in width around the periphery of an outdoor parking area and within the lot on which the said parking area is situated shall be used for no other purpose than landscaping, but this shall not prevent the provision of access driveways across the said strip.	A strip of land not less than 1.2 metres in width around the periphery of an outdoor parking area to the north.  (A 3 m wide landscape strip will be provided where the parking area directly abuts Islington Avenue)

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	<b>By-law Standard</b>	<b>Zoning By-law 1-88, C11 Mainstreet Commercial Zone Requirements</b>	<b>Proposed Exceptions to Zoning By-law 1-88, C1 Mainstreet Commercial Zone</b>
g.	Loading Space Requirements	Loading Space Size: iv) 9 m length v) 3.5 m width vi) 4.2 vertical clearance	Loading Space Size: vii) 33 m <sup>2</sup> area viii) 2.44 m vertical clearance
h.	Minimum Landscape Strip Width Abutting a Street (Islington Avenue)	6 m	1.2 m (in front of Buildings "A" and "B"; 3 m in front of parking)
i.	Minimum Landscape Strip Width Abutting a Residential Zone	2.4 m	1.5 m (north lot line – Building "B") 0 m (north lot line – Building "C" for the extent of the exterior stairs) 0.5 m (south lot line - for the extent of Building "A")
j.	Minimum Front Yard (Islington Avenue)	1 m	1.2 m (Buildings "A" and "B")
k.	Maximum Front Yard (Islington Avenue)	6 m	35 m (Building "C")
l.	Minimum Rear Yard (East)	15 m	4 m (Building "C")
m.	Minimum Interior Side Yard	1.8 m	1.5 m (north lot line - Building "B")  0 m (north lot line - Building "C" for the extent of the exterior stairs)  0.5 m (south lot line - Building "A")
n.	Maximum Lot Coverage	30%	47.6%

	<b>By-law Standard</b>	<b>Zoning By-law 1-88, C11 Mainstreet Commercial Zone Requirements</b>	<b>Proposed Exceptions to Zoning By-law 1-88, C1 Mainstreet Commercial Zone</b>
o.	Maximum Building Height (Top of Roof Surface)	9.5 m	12.7 m (3-storeys) (Building “C”)
p.	Maximum Gross Floor Area	1,850.44 m <sup>2</sup> (0.6 times the Lot Area)	3,130 m <sup>2</sup> (1.014 times the Lot Area)
q.	Minimum Interior Side Yard Setback from a Residential Zone	2.4 m	1.5 m (north lot line - Building “B”)  0 m (north lot line - Building “C” for the extent of the exterior stairs)  0.5 m (south lot line - Building “A”)
r.	Accessory Uses, Buildings and Structures - Minimum Interior Side Yard (Raised Patio)	1.8 m	0.5 m (south lot line - Building “A”)

The Development Planning Department has reviewed the proposed site-specific exceptions to Zoning By-law 1-88 and provides the following comments:

i) Definitions/Permitted Uses

Zoning By-law 1-88 defines “Mixed Use Development Mainstreet Commercial” to be a building that contains both commercial and residential uses where the commercial use is at-grade and the residential use is on the upper floor(s) above the commercial use. This proposal provides for commercial uses in the existing heritage buildings (Buildings “A” and “B”) facing Islington Avenue and the residential use is exclusively in the proposed building (Building “C”) at the rear of the subject lands shown on Attachment #4. Given that the subject lands propose both commercial, which provides direct access to the public sidewalk along Islington Avenue, and residential on the subject lands, the proposal maintains the intent of providing for a mixed-use development which still maintains commercial uses to support the mainstreet commercial area. The Owner, due to the amalgamation of the two properties has requested that the two lots be deemed one lot for the purposes of the proposal.

The C11 Mainstreet Commercial Zone, which implements the “Mainstreet Commercial” policies of the Official Plan, requires at-grade commercial uses and upper floor residential uses in a small-scale mixed-use development. In order to implement the proposal, the residential building for up to a maximum of 28 apartment dwelling units, where there is no commercial use at-grade in the same

building, is to be added as a permitted use. The Owner proposes an eating establishment use for Building “A”, which includes a 46 m<sup>2</sup> outdoor patio. The renovation plans to the heritage building (Building “A”) will include providing a patio door to access the raised wood patio, which will require approval and a permit from Heritage Vaughan. Should the eating establishment uses change in the future to another permitted use, the Owner wants to be able to use the outdoor patio regardless of the future use. The use of the outdoor patio can contribute to providing private outdoor amenity area and function as a gathering place. The Owner is proposing 28 apartment dwellings for the residential building. Due to the limitation of parking being provided for the residents, the number of permitted apartment units will be limited to not exceed 28 apartment dwellings

ii) Parking Spaces/Requirements

The subject lands do not provide the parking required to support the commercial (eating establishments) use, residential apartment use and residential visitor use in accordance with Zoning By-law 1-88, which requires a total of 108 parking spaces as follows:

Eating Establishment: 16 spaces/100 m<sup>2</sup> GFA @ 366 m<sup>2</sup> (59 spaces)  
+  
Residential Apartment: Units: 1.5 spaces/unit @ 28 units (42 spaces)  
+  
Residential Visitor: 0.25 spaces/unit @ 28 units (7 spaces)

The Owner proposes 10 at-grade parking spaces for the commercial and/or residential visitor use. There will be 26 underground parking spaces for the residential use. Eight of the underground parking spaces include a tandem parking space which would bring the Owner's parking calculation to 34 parking spaces underground. The Owner's total parking proposed would be 44 parking spaces. However, the City does not recognize tandem parking, which therefore cannot be included in the parking calculation, resulting in the parking space deficiency being 72 parking spaces (108-36 spaces) based on the parking requirements in Zoning By-law 1-88.

The Owner's *Parking Study*, dated September 2013, determined that the subject lands require a total of 59 parking spaces to support all of the commercial (eating establishments), residential and residential visitor uses, in accordance with the following reduced standards, which are in keeping with the City's draft parking study report, *Review of Parking Standards Contained Within the City of Vaughan's Comprehensive Zoning By-law*.

Eating Establishment: 8 spaces/100 m<sup>2</sup> GFA @ 366 m<sup>2</sup> (29.28 spaces)  
+  
Residential Apartment: 0.8 spaces per 1 bedroom unit @ 20 units and 1 space per 2 bedroom unit @ 8 units (24 spaces)  
+  
Residential Visitor: 0.2 spaces/unit @ 28 units (5.6 spaces)

As the subject lands can only support 36 on-site parking spaces, the shortage of 23 parking spaces can be addressed by providing parking off-site at the combined site of Canadiana Square (10462 Islington Avenue) and Canadiana House (10472 Islington Avenue), which is owned by the same Owner as the subject lands: The Owner's *Parking Study*, dated September 2013, concluded the following (in part):

- “ - The parking demand for the site cannot be met on the site, even if the tandem parking spaces are included in the supply.
- There is a parking space surplus at the Canadiana Square that could serve the excess demand for the site.
- An agreement for Canadiana Square to provide sufficient spaces to serve the proposed development should be reachable.

Therefore, the overall conclusion is that sufficient parking can be provided to serve the proposed development.”

The Owner's *Parking Study*'s findings concluded that in accordance with the the City's draft parking study report, *Review of Parking Standards Contained Within the City of Vaughan's Comprehensive Zoning By-law*, the Canadiana Square and Canadiana House site requires 58 parking spaces to support the existing mixed-use residential and commercial development, as discussed earlier in this report. The site has 86 parking spaces, and therefore, as 58 parking spaces are required, there are 28 parking spaces available to support the subject lands. Based on the *Parking Study*'s findings, 23 parking spaces can be provided off-site on the Canadiana Square and Canadiana House site for the subject lands.

The Vaughan Development/Transportation Engineering Department has reviewed the *Parking Study* and advised that the parking analysis is acceptable. The Vaughan Development Planning and Legal Services Departments would be required to ensure that the Owner registers an agreement(s) on title for the combined site of Canadiana Square (10462 Islington Avenue) and Canadiana House (10472 Islington Avenue) to provide 23 parking spaces and access to the parking spaces for the subject lands. Furthermore, the site plan would need to provide appropriate signage for the subject lands to indicate the location of off-site parking for the commercial and residential visitors. Conditions respecting these requirements are included in the recommendation of this report.

The Owner is requesting an exception to the length of the parking space from a minimum of 6 m to 5.8 m for the 9 parking and 1 barrier free parking spaces. This is a minor reduction from the zoning standard due to the Owner providing 1.5 m long lockers in the underground garage at the end of the parking space to accommodate the residents' requirements, as well as, to provide a storage area for bicycles.

iii) Parking Location/Area/Access Requirements

The C11 Mainstreet Commercial Zone prohibits a parking area between the main building (Building “C”) and the street (Islington Avenue) in order to maintain a visually pleasing environment. The proposal provides for 6 parking spaces, one of which includes a barrier-free parking space, on the south side of and parallel to Building “B”, which are between Building “C” and Islington Avenue. The location of the parking area, which serves the commercial uses in the two heritage buildings are located along and face Islington Avenue, and will be screened from the street with a mix of deciduous trees and deciduous and coniferous shrub plantings, as well as, the decorative concrete unit pavers on the driveway and parking area to minimize the parking areas visual impact. The retention of the existing heritage buildings and the proposed building and site configuration limits the location of parking resulting in some parking being visible from the street. Accordingly, the zoning requirement of a parking area not being closer to the street than the main building (Building “C”) can be supported. Further, a 3 m wide strip of landscaping will abut the parking area, where it abuts Islington Avenue and at the east end of the parking area. However, there is a pedestrian walkway connection that is 1.5 m wide on the north side of the parking spaces, and a 1.2 m wide walkway behind Building “B”, in front of the other easterly parking area, which does not allow for a full 3 m wide landscape strip to be provided. The location of the existing heritage buildings, as well as, maintaining the driveways required 6 m width, and the parking spaces required 6 m length, prohibits providing a 3 m landscaping strip around the periphery of the two parking areas. In front of the existing heritage buildings (Buildings “A” and “B”), a 1.2 m wide landscape strip will be provided.

The zoning would need to be amended to permit 23 parking spaces off-site for the commercial and residential visitors at the combined site of Canadiana Square (10462 Islington Avenue) and Canadiana House (10472 Islington Avenue), instead of on-site on the subject lands. An agreement(s) will need to be registered on title for the combined site of Canadiana Square (10462 Islington Avenue) and Canadiana House (10472 Islington Avenue) to provide 23 parking spaces and access to the parking spaces for the subject lands.

iv) Loading Space Requirements

A loading space is not required for commercial uses where the gross floor area is 500 m<sup>2</sup> or less. The gross floor area proposed for the subject lands totals 366 m<sup>2</sup>. The modification to the loading space requirements is to accommodate a pick-up area for the waste management vehicles servicing the commercial and residential uses and creates an area of 33 m<sup>2</sup> which is larger than the 31 m<sup>2</sup> (9 m length x 3.5 m width) but in a different area configuration. The vertical clearance modification for the door for the residential buildings refuse/recycling room is for bins and not for vehicles.

v) Landscaping Strip Widths/Front Yard

The Owner undertook a survey of the property, as part of the detailed site plan work, and is providing the dimensions for incorporation into a Zoning By-law to recognize the landscaping strip widths abutting Islington Avenue and the surrounding Residential Zone, as well as, the front yards for the existing heritage buildings (Buildings "A" and "B"). The Zoning By-law will reflect the yard and landscaping requirement for the existing buildings as identified in Table 1.

vi) Maximum Front/Minimum Rear Yards

The location of the existing heritage buildings (Buildings "A" and "B") and the provision of a driveway to the subject lands necessitates Building "C" being located further from the street than the maximum distance of 6 m and providing a 4 m rear yard.

vii) Interior Side Yard/Setback to a Residential Zone/Accessory Uses, Buildings & Structures

The reduction to the interior side lot lines is due to the location of the existing heritage buildings (Buildings "A" and "B"). The Zoning By-law will reflect the yard and landscaping requirement for the existing buildings as identified in Table 1. No side yard is being provided to the north lot line of Building "C" for the extent of the exterior stairs which creates a pedestrian connection to the rear yard. The reduction applies only for the portion of the building and is deemed to be minor.

viii) Lot Coverage/Gross Floor Area

The zoning permits a maximum lot coverage of 30%. The Owner proposes a maximum lot coverage of 47.6% to facilitate the development shown on Attachment #4. The lot coverage of the proposed building on the subject lands is 35.75%, slightly higher than the zoning requirement. The inclusion of the gross floor area and outdoor patio area for the existing heritage buildings (Buildings "A" and "B") of 11.8%, which results in the lot increase to 47.6%. As the existing heritage buildings are being maintained, the actual increase is 5.75% for the new development (Building "C"). In addition, marginal increase to the Floor Space Index of 0.14 is minor. The increase to the lot coverage and Floor Space Index is in keeping with the intent of the Official Plan.

ix) Building Height

The zoning permits a maximum building height of 9.5 m above the finished grade. The building height is calculated based on the average finished grade at the front of the building. The building height is 12.7 m for the Building "C" proposal, which includes the underground parking entrance, shown on Attachment #7. Specifically, the 3 storey building facing Islington Avenue, if the zoning definition was not applied with respect to the averaging of the grade would be 10.43 m to the top of the flat roof. The increased height is due to the topography of the subject lands which slopes to the south and east in order to accommodate the underground parking area and provide a building in the design style for a 19<sup>th</sup> Century Inn for the residential use in keeping with the heritage policies for the Kleinburg-Nashville Heritage Conservation District.

x) Summary of Zoning Exceptions

In summary, these modifications to the Official Plan and exceptions to the Zoning By-law maintain the intent of providing for a commercial mainstreet environment in keeping with the Kleinburg-Nashville Heritage Conservation District. A number of the modifications to the parking area, loading, yard and lot coverage requirements is as a result of retaining and restoring the existing heritage buildings (Buildings "A" and "B") for commercial use, which is encouraged for the mainstreet commercial area. For the reasons discussed above, the Development Planning Department can support the proposed zoning exceptions, subject to the conditions of approval included in the recommendation of this report.

Site Plan Review

The Vaughan Development Planning Department is satisfied with the proposed site plan, landscaping and building elevations, as shown on Attachments #3 to #8 inclusive, subject to providing signage indicating the location and/or sharing of parking for the commercial and/or residential visitor users. The final site plan, landscape plan and building elevations must be approved to the satisfaction of the Development Planning Department.

Vaughan Development/Transportation Engineering Department

The Vaughan Development/Transportation Engineering Department has no objections to the proposal and requires that the final site grading, servicing, stormwater management and lighting plans, and supporting reports including the Functional Servicing Report, Traffic Impact and Parking Study, and Environmental Noise Assessment, be addressed to their satisfaction.

The Development/Transportation Engineering Department has reviewed the following:

- Site Screening Questionnaire and Certificate;
- Phase 1 Environmental Site Assessment - Heritage Square, dated April 23, 2012 by Forward Engineering and Associates Inc.; and,
- Geotechnical Investigation - Proposed Heritage Square, dated March 15, 2012 by Forward Engineering and Associates Inc.

Based on the Engineering Department's review of the documents, the City is satisfied with the assessed environmental condition of the subject lands and no further environmental items are required by the City at this time. The City, however, recommends that prior to the initiation of any development on-site, which is included in the recommendation of this report:

- i) A designated substance survey (DSS) is undertaken on the existing buildings on-site given their age; and,
- ii) Any abandoned wells on-site be properly decommissioned in accordance with Ontario Regulation 903 (as amended).

The Owner's *Parking Study* dated September 2013 supports the subject development with a reduced parking supply of 59 spaces (26 underground plus 10 at-grade parking plus 23 off-site parking) over the Zoning By-law 1-88 requirement of 108 spaces. The submitted study report concludes that the on-site available parking spaces of 36 spaces (26 underground plus 10 at-grade parking) would not be sufficient for the proposed development (28 residential units plus Eating Establishment having total GFA of 366 m<sup>2</sup>).

In order to estimate the parking demand of the subject development, the study utilized survey data of the following similar type of facilities (these developments are located in close proximity to the subject lands):

- Canadiana Square at 10462 Islington Avenue & Canadiana House at 10472 Islington Avenue; and,

- 10499 Islington Avenue and 2 & 4 Kellam Street.

According to the parking utilization survey/data at the above mentioned developments, 23 additional spaces would be required to serve the proposed development. The estimated number of parking spaces (36 on-site plus 8 tandem parking plus 23 off-site parking spaces) is also considered appropriate based on the preliminary findings of the City of Vaughan Draft Parking Standards completed by IBI Group.

The study recommends that *“there is a parking space surplus at the Canadiana Square (owned and managed by the subject lands’ Owner) that could serve the excess parking demand of the proposed development”*. Furthermore as per the letter by the Owner dated September 16, 2013, *“The off-site parking arrangement can be managed for both sites by the same property owner, using similar restrictions for all Heritage Square tenants. Commercial leases would restrict all commercial tenants and their staff to park at the rear of Canadiana Square and residential tenants to park underground at Heritage Square (subject lands). This would allow all 10 surface parking spaces on the subject lands to be used by customers only. Signage located at several locations in the parking lot would also be used to restrict surface parking to “Customers only”*.

The proposed parking supply (26 underground plus 10 surface parking plus 23 of-site parking) is found adequate based on supporting analysis provided in the Consultant’s report. The recommended parking supply is also comparable to the IBI Draft Parking Standard. However formalizing the proposed off-site parking arrangement requires further input by the Development Planning and Legal Services Departments.

#### Vaughan Public Works Department - Solid Waste Management

The proposed refuse and recycling methods for this development meet the requirements of the City’s Waste Collection Design Standards to the satisfaction of the Public Works Department, subject to the modifications required for the Building “C” waste storage room exterior roll-up door height being revised to a minimum of 2.44 m to allow space so that the bins can be maneuvered in and out without interfering with the Trisorter 3 cubic yard bins.

Garbage and recycling pick-up and snow removal on the site will be privately administered and the responsibility of the building operator/future residents.

#### Vaughan Recreation and Culture Department - Cultural Services Division

The Vaughan Cultural Services Division has reviewed the proposal and advises that the subject lands contain Building “A” (10423 Islington Avenue), which was built circa 1920, in the Edwardian Style and Building “B” (10429 Islington Avenue), which was built circa 1870, in the Victorian Gothic Revival (or Ontario Gothic Vernacular) style. Both buildings have had additions to the rear of the buildings, which will be demolished, along with the detached garage and deck for Building “A”. Buildings “A” and Building “B” are designated under Part V of the *Ontario Heritage Act*, as part of the Kleinburg-Nashville Heritage Conservation District Guidelines, with Building “B” included in the Listing of Buildings of Architectural and Historical Value, the City of Vaughan’s Register of Property of Cultural Heritage Value as per Part IV, Subsection 27 of the *Ontario Heritage Act*. Designated buildings are protected by By-law and shall be preserved. Buildings “A” and “B” are being restored and preserved for commercial use. Building “C” proposes a design approach approved in the Guidelines for a 19<sup>th</sup> Century Inn for residential use. As such, all renovations, alterations and new development on the subject lands will require a Heritage Permit with Heritage Vaughan Committee approval, in addition to any other City approval such as Building Permits or Planning Application approvals.

On May 22, 2013, Heritage Vaughan recommended approval of the proposal, which was endorsed by Vaughan Committee of the Whole at its meeting on June 11, 2013 and was adopted by Vaughan Council on June 25, 2013, subject to the following conditions:



- "1) That Heritage Vaughan approve the subject proposal at 10423 and 10429 Islington Avenue which includes the demolition of rear additions to the buildings on the property and the detached garage and deck at 10423 Islington Avenue; and,
- 2) That the new residential development at the rear of the site, Building "C" be subject to the following conditions:
  - i) That proposed building materials be reviewed and approved by Cultural Services staff.
  - ii) That the proposed ground sign be no higher than 1.8 metres and no wider than 1.1 metres.
  - iii) Second floor window above the entrance on Building "C" be removed or changed.
  - iv) Windows on Building "C" be changed to 6/6 double hung windows.
  - v) All eaves returns be executed properly on Building "C".
  - vi) Doors on Building "C" be changed to style A, B, C, or D on p.85 of Guidelines.
  - vii) Windows on Building "B" be changed to 2/2 double hung.
  - viii) Window sills be added to windows on Building "B".
  - ix) Front door on Building "B" be replaced with A, B, C, or D, Section 9.2.3, p.85.
- 3) That the applicant be advised that if there are any new changes as a result of addressing issues from review by other departments, a new submittal for review for the Heritage Vaughan Committee may be required and any previous approval granted may be deemed invalid based on the new information provided."

The Cultural Services Division advises that subject to several design changes, the proposed development contains an architectural style precedent found in the Guidelines and generally conforms to the Nashville-Kleinburg Heritage Conservation District Guidelines.

Further, the Cultural Services Division advises of the following conditions for site plan approval for the subject lands:

- i) compliance with the applicable Zoning By-law be confirmed by the Building Standards and Development Planning Departments;
- ii) review and approval by the Cultural Services Division/Heritage Vaughan Committee and issuance of a Heritage Permit;
- iii) all material samples and specifications must be submitted to Cultural Services for review; and,
- iv) the Owner is to be aware that the subject parcel of land lies in an area identified as being of high archaeological potential in the City's database of archaeological resources. As such, the Owner is advised that the following standard clauses apply:
  1. in the event that archaeological resources are found on the property during grading or construction activities, the Owner must cease all grading or construction activities; and,
  2. in the event that human remains are encountered during grading or construction activities, the Owner must cease all grading or construction activities. The Owner shall contact York Region Police, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services.

The Cultural Services Division has no objection to the approval of the mixed commercial and residential development, and supports the proposal, subject to the conditions included in the recommendation of this report.

Vaughan Development Finance and Investments Department

The Vaughan Development Finance and Investments Department has advised that prior to the issuance of a Building Permit, the Owner shall pay the City, Region and Board of Education Development Charges in accordance with the City of Vaughan Development Charge By-law in effect at the time of payment, which will be included as a condition in the Site Plan Letter of Undertaking.

Vaughan Real Estate Division

The Vaughan Real Estate Division has advised that the Owner shall be required to pay cash-in-lieu of the dedication of parkland equivalent to 1 ha per 300 units or 5% of the value of the subject lands or units for the residential portion, whichever is greater, and 2% for the commercial portion, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City's approved "Cash-in-Lieu of Parkland Policy". The Owner shall submit an appraisal report prepared by an accredited appraiser for approval by the Vaughan Legal Services Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment. A condition of approval to this effect is included in the recommendation of this report.

York Region (Public) District School Board

The York Region (Public) District School Board has no objections to the proposal, as the *Functional Servicing and Stormwater Management Report - Proposed Mixed Use Development* (Heritage Hill), dated March 20, 2012 and revised March 13, 2013 and May 22, 2013 in support of the proposal has been reviewed, and the Board is satisfied that the proposed revised stormwater drainage for the development, which will connect to the existing storm sewer, will eliminate overland flow drainage onto Kleinburg Public School. The Board requests that due to the proximity of the proposed development to the Kleinburg Public School, that the City implement appropriate safety measures during the construction for school related pedestrian traffic.

Enbridge Gas Distribution

Enbridge Gas Distribution has no objections to the applications. Enbridge advises that at this time, there is not a commitment by Enbridge Gas Distribution to service this site, or to service this site by a given date or that there will be no costs for servicing this site. The Owner is to contact the Enbridge Customer Connections Department at their earliest convenience to discuss the installation and clearance requirements for service and metering facilities. The Owner is to arrange for the installation of the gas plant prior to the commencement of the asphalt paving and landscaping. In the event that easements are required to service the development, the Owner will provide easements at no cost to Enbridge Gas Distribution. This is included in the conditions of approval in the recommendation of this report.

Canada Post

Canada Post has no objections to the proposal subject to the Owner installing and maintaining a centralized mailbox facility to the satisfaction of Canada Post, which is included as a condition in the recommendation of this report.

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

This report is consistent with the following initiatives set forth in the Vaughan Vision 2020/Strategic Plan:

- i) Lead and Promote Environmental Sustainability  
The Owner will be incorporating the sustainable site and building features identified in this report.

The proposed development includes a three stream waste disposal system, which will contribute to increasing the waste diversion targets as part of the Greening Vaughan strategy.

The proposed landscape plan includes drought tolerant plant material to promote water efficiency.

ii) Plan and Manage Growth & Economic Vitality

The proposed development implements the City's current Official Plan and the Growth Management Strategy as set in Vaughan Official Plan 2010.

iii) Preserve Our Heritage and Support, Diversity, Arts & Culture

The Owner is proposing to retain and use/upgrade 10423 and 10429 Islington Avenue in the proposed development. The Vaughan Cultural Services Division and Heritage Vaughan Committee have reviewed the proposal and supports the proposed development subject to the comments in this report.

iv) Enhance and Ensure Community Safety/Health and Wellness

The proposed development includes amenity space and bicycle storage facilities to enhance the City's existing inventory of public amenity space.

**Regional Implications**

The subject lands shown on Attachment #2 are designated "Urban Area" by the Region of York Official Plan (Regional Official Plan Amendment (ROPA) 52), which permits a wide range of residential, commercial, industrial and institutional uses. The ROPA 52 area has been identified as "Strategic Employment Lands" by the Regional Official Plan.

The proposal was reviewed by the Region's Transportation and Community Planning Department, and based on the review, the proposed Official Plan Amendment appears to be a routine matter of local significance. Furthermore, in accordance with Regional Official Plan Policy 7.2.7, the proposed Official Plan Amendment does not adversely affect Regional planning policies or interests. Pursuant to Regional Council authorization, the Official Plan Amendment is exempted from approval by Regional Planning Committee and Council. Further, the Region has no objections to the approval of the proposal and has no conditions of approval for the proposal. Should Vaughan Council approve the subject Official Plan Amendment Application OP.12.008, the final approval of the implementing Official Plan Amendment will rest with the City of Vaughan.

**Conclusion**

Official Plan Amendment File OP.12.008 to amend the Mainstreet Commercial policies of the Official Plan; Zoning By-law Amendment File Z.12.022 to rezone the subject lands from R1 Residential Zone to C11 Mainstreet Commercial Zone with site-specific exceptions; and, Site Development File DA.12.056 to facilitate a mixed-use development where the commercial uses, which will be in existing heritage buildings that will be restored, and a new 12.7 m (3-storey) high residential building for 28 apartment dwelling units, have been reviewed in accordance with the policies of the Official Plan, the Kleinburg-Nashville Heritage Conservation District Plan, the requirements of Zoning By-law 1-88, comments from City Departments and external public agencies, and the area context.

The Vaughan Development Planning Department is satisfied that the proposed mixed commercial and residential development as shown on Attachments #4 to #8 inclusive is appropriate and compatible with the existing and permitted uses in the surrounding area. Accordingly, the Development Planning Department can support the approval of the Official Plan Amendment, Zoning By-law Amendment and Site Development Applications, subject to the recommendations in this report.

**Attachments**

1. Context Location Map
2. Location Map / Zoning
3. Schedule A-1 to Official Plan Amendment (OPA) #601
4. Site Plan
5. Proposed Elevations - Building "A" (Existing)
6. Proposed Elevations - Building "B" (Existing)
7. Proposed Elevations - Building "C"
8. Landscape Plan
9. Communication C6 Mr. Frank Greco, dated October 24, 2013
10. Communication C7 Commissioner of Planning, dated October 24, 2013
11. Communication C16 Mr. Ken Schwenger, KARA, P.O. Box 202, Kleinburg, dated October 28, 2013
12. Communication C17 KARA Communications Committee, dated October 28, 2013

**Report prepared by:**

Judy Jeffers, Planner, ext. 8645  
Carmela Marrelli, Senior Planner, ext. 8791  
Mauro Peverini, Manager of Development Planning, ext. 8407

**211. SITE DEVELOPMENT FILE DA.13.056  
TORONTO AND REGION CONSERVATION AUTHORITY  
WARD 2 - VICINITY OF ISLINGTON AVENUE AND KILORAN AVENUE  
(Referred Item 1)**

This matter was stood down and was dealt with later in the meeting.

*Refer to Minute No. 218 with respect to disposition of this matter.*

**212. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION**

**FINANCE AND ADMINISTRATION COMMITTEE REPORT NO. 13**

(Refer to Committee Report for complete recommendations and documentation on all Committee items.)

ITEM - 1      INTERNAL AUDIT REPORT – ANONYMOUS REPORTING SYSTEM

MOVED by Regional Councillor Schulte  
seconded by Councillor Iafrate

THAT Item 1, Finance and Administration Committee Report No. 13 be adopted and amended, as follows:

By approving the following:

That the Information Technology and Legal Departments obtain assurances from the third party supplier that the City will own the data and that the City will be in compliance with Canadian privacy requirements; and

That Communication C6 from the Director of Internal Audit, dated November 14, 2013, be received.

CARRIED

ITEM - 3      AUTOMATION UPGRADES AND ENHANCEMENTS  
AMANDA COMPUTER SYSTEM  
BUILDING STANDARDS DEPARTMENT

MOVED by Regional Councillor Di Biase  
seconded by Councillor Racco

THAT Item 3, Finance and Administration Committee Report No. 13 be adopted and amended, as follows:

By approving the following:

That recommendation 2 in the report of the Commissioner of Planning and the Director of Building Standards, dated November 4, 2013, be amended to read as follows:

2.      That the City in accordance with corporate purchasing policy enter into an agreement with CSDC Systems to proceed with the acquisition of additional licensing for existing AMANDA user groups for the proprietary software of the AMANDA system at a total amount of \$355,000 (excluding taxes); and

That Communication C12 from the Commissioner of Planning, dated November 19, 2013, be received.

CARRIED

**COMMITTEE OF THE WHOLE REPORT NO. 47**

(Refer to Committee Report for complete recommendations and documentation on all Committee items.)

ITEM - 15      OFFICIAL PLAN AMENDMENT FILE OP.11.013  
ZONING BY-LAW AMENDMENT FILE Z.11.044  
SITE DEVELOPMENT FILE DA.12.079  
FCHT HOLDINGS (ONTARIO) CORPORATION  
WARD 4 – NORTHWEST OF BATHURST STREET AND  
RUTHERFORD ROAD

MOVED by Councillor Carella  
seconded by Councillor DeFrancesca

THAT Item 15, Committee of the Whole Report No. 47 be adopted without amendment.

FAILED TO CARRY UPON A RECORDED VOTE

YEAS

Regional Councillor Rosati  
Councillor DeFrancesca  
Councillor Carella  
Councillor Iafrate

NAYS

Councillor Shefman  
Councillor Racco  
Regional Councillor Schulte  
Regional Councillor Di Biase

**213. RECONSIDERATION**

OFFICIAL PLAN AMENDMENT FILE OP.11.013  
ZONING BY-LAW AMENDMENT FILE Z.11.044  
SITE DEVELOPMENT FILE DA.12.079  
FCHT HOLDINGS (ONTARIO) CORPORATION  
WARD 4 – NORTHWEST OF BATHURST STREET AND  
RUTHERFORD ROAD  
(Report No. 47, Item 15)

MOVED by Councillor Carella  
seconded by Councillor Iafrate

That the foregoing matter be reconsidered and referred to Closed Session for legal advice.

CARRIED

*Refer to Minute No. 219 for disposition regarding this matter.*

**214. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION**

**COMMITTEE OF THE WHOLE (CLOSED SESSION) REPORT NO. 48**

(Refer to Committee Report for complete recommendations and documentation on all Committee items.)

ITEM - 2      CANADIAN UNION OF PUBLIC EMPLOYEES (CUPE), LOCAL 905,  
                    VAUGHAN UNIT FULL TIME CLERICAL & TECHNICAL AND HOURLY  
                    RATED COLLECTIVE AGREEMENTS UPDATE

MOVED by Councillor Carella  
seconded by Regional Councillor Schulte

THAT Item 2, Committee of the Whole (Closed Session) Report No. 48 be adopted without amendment.

CARRIED

*Councillor Iafrate declared an interest with respect to the foregoing matter on the basis that she has a non-arm's length financial familial interest and did not take part in the discussion or vote on the foregoing matter.*

**FINANCE AND ADMINISTRATION COMMITTEE REPORT NO. 14**

(Refer to Committee Report for complete recommendations and documentation on all Committee items.)

ITEM - 1      DRAFT 2014 BUDGET AND 2015-2017 PLAN

MOVED by Councillor Carella  
seconded by Regional Councillor Schulte

THAT Item 1, Finance and Administration Committee Report No. 14 be received.

CARRIED

*Councillor lafrate declared an interest with respect to the foregoing matter insofar as it relates to the contingency budget, as she has a non-arm's length financial familial interest, and did not take part in the discussion or vote on the matter.*

**215. RECONSIDERATION**

ONTARIO MUNICIPAL BOARD HEARING  
CITY OF VAUGHAN OFFICIAL PLAN 2010  
(Report No. 48, Item 7)

MOVED by Regional Councillor Schulte  
seconded by Councillor Racco

That the foregoing matter be reconsidered and referred to Closed Session for legal advice.

CARRIED

*Refer to Minute No. 219 for disposition regarding this matter.*

**216. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION**

**COMMITTEE OF THE WHOLE (CLOSED SESSION) REPORT NO. 48**

(Refer to Committee Report for complete recommendations and documentation on all Committee items.)

ITEM - 8      ONTARIO MUNICIPAL BOARD HEARING  
OFFICIAL PLAN AMENDMENT FILE OP.07.001  
ZONING BY-LAW AMENDMENT FILE Z.09.038  
CASERTANO DEVELOPMENT CORPORATION  
OFFICIAL PLAN AMENDMENT FILE OP.09.006  
ZONING BY-LAW AMENDMENT FILE Z.09.037  
SANDRA MAMMONE  
WEST SIDE OF JANE STREET SOUTH OF RUTHERFORD ROAD  
WARD 4

MOVED by Councillor Racco  
seconded by Councillor lafrate

THAT Item 8, Committee of the Whole (Closed Session) Report No. 48 be adopted and amended, as follows:

By approving the following:

That Confidential Communication C7 from the Commissioner of Legal & Administrative Services/City Solicitor, the Commissioner of Planning, the Commissioner of Engineering and Public Works, and the Commissioner of Community Services, dated November 19, 2013, be received.

CARRIED

**217. RESOLUTION TO RESOLVE INTO CLOSED SESSION**

MOVED by Councillor DeFrancesca  
seconded by Regional Councillor Di Biase

That Council resolve into Closed Session for the purpose of discussing the following matters:

1. ONTARIO MUNICIPAL BOARD HEARING  
CITY OF VAUGHAN OFFICIAL PLAN 2010  
(Item 7, Committee of the Whole (Closed Session), Report No. 48)  
  
(litigation or potential litigation)
2. PROPERTY MATTER 3  
LICENSE RENEWAL WITH VAUGHAN SOCCER CLUB  
WILLIAM DEVELIN HOUSE  
11151 KEELE STREET  
WARD 1  
(Item 9, Committee of the Whole (Closed Session), Report No. 48)  
(acquisition or disposition of property)
3. OFFICIAL PLAN AMENDMENT FILE OP.11.013  
ZONING BY-LAW AMENDMENT FILE Z.11.044  
SITE DEVELOPMENT FILE DA.12.079  
FCHT HOLDINGS (ONTARIO) CORPORATION  
WARD 4 – NORTHWEST OF BATHURST STREET AND  
RUTHERFORD ROAD  
(Item 15, Committee of the Whole, Report No. 47)  
  
(solicitor/client privilege)
4. OFFICIAL PLAN AMENDMENT FILE OP.12.008  
ZONING BY-LAW AMENDMENT FILE Z.12.022  
SITE DEVELOPMENT FILE DA.12.022  
HERITAGE HILL DEVELOPMENTS (II) CORPORATION  
WARD 1 - VICINITY OF ISLINGTON AVENUE AND NASHVILLE ROAD  
(Referred Item 1)  
  
(solicitor/client privilege)

CARRIED

Council recessed at 2:35 p.m.

MOVED by Councillor Iafrate  
seconded by Regional Councillor Schulte

THAT Council reconvene at 3:27 p.m.

CARRIED



Council reconvened at 3:27 p.m. with the following members present:

Regional Councillor Gino Rosati, Chair  
Regional Councillor Michael Di Biase  
Regional Councillor Deb Schulte  
Councillor Tony Carella  
Councillor Rosanna DeFrancesca  
Councillor Marilyn Iafrate  
Councillor Alan Shefman  
Councillor Sandra Yeung Racco

Referred Item

**218. SITE DEVELOPMENT FILE DA.13.056  
TORONTO AND REGION CONSERVATION AUTHORITY  
WARD 2 - VICINITY OF ISLINGTON AVENUE AND KILORAN AVENUE**  
(Referred Item 1)

MOVED by Regional Councillor Schulte  
seconded by Councillor Carella

That consideration of this matter be deferred to the Council meeting of December 10, 2013;

That the confidential recommendation of the Council (Closed Session) meeting of November 19, 2013, be approved; and

That the following Communications be received:

- C4. Mr. Sean Galbraith, Proliferate Consulting Group Inc.;
- C5. Commissioner of Planning, dated November 13, 2013.

CARRIED

Recommendation of the Council meeting of October 29, 2013

Council, at its meeting of October 29, 2013, adopted the following recommendation (Item 17, CW Report No. 42):

*That consideration of this matter be deferred to the Council meeting of November 19, 2013, to allow further consultation with residents; and*

*That staff request comments from TRCA with respect to this matter.*

Committee of the Whole recommendation of October 15, 2013:

The Committee of the Whole recommends:

- 1) That consideration of this matter be deferred to the Council meeting of October 29, 2013, pending further discussions with affected residents.

Report of the Commissioner of Planning and the Director of Development Planning, dated October 15, 2013:

**Recommendation**

The Commissioner of Planning and the Director of Development Planning recommend:

1. THAT Site Development File DA.13.056 (Toronto and Region Conservation Authority) BE APPROVED, to permit the installation of a 40 m high shrouded tripole telecommunication tower and associated radio equipment cabinets (Attachments #3 to #5 inclusive) on the subject lands shown on Attachments #1 and #2.

**Contribution to Sustainability**

N/A

**Economic Impact**

There are no requirements for new funding associated with this report.

**Communications Plan**

Pursuant to the City's current telecommunication tower/antenna facilities protocol, the Proponent (Rogers Communications Inc.) held a Public Consultation Meeting on September 19, 2013, which is discussed in the Protocol section of this report.

**Purpose**

The Proponent (Rogers Communications Inc.) has submitted Site Development File DA.13.056 on the subject lands shown on Attachments #1 and #2 for the installation of a 40 m high shrouded tripole telecommunication tower and associated radio equipment cabinets, as shown on Attachments #3 to #5 inclusive.

**Background - Analysis and Options**

**Location**

The subject lands shown on Attachments #1 and #2 are located at 8739 Islington Avenue, known as the Boyd Conservation Area, and is situated south of Rutherford Road on the east side of Islington Avenue, in the City of Vaughan.

**City of Vaughan's Telecommunication Tower/Antenna Protocol**

On June 23, 2003, the City of Vaughan adopted a protocol for establishing telecommunication tower/antenna facilities. In accordance with the City's Protocol, all new tower/antenna systems greater than 16.6 m in height (now 15 m as superseded by Industry Canada's Protocol, January 2008) require consideration by Vaughan Council. The proposed 40 m high telecommunication tower exceeds the 15 m maximum exemption height and is subject to site plan approval.

In accordance with the Protocol, the Proponent attended a Pre-Application Consultation meeting with the Vaughan Development Planning Department, prior to submitting the subject application. The Proponent conducted a survey of the surrounding area and determined that there were no existing facilities suitable for co-location within the vicinity network coverage.

On June 7, 2011, Vaughan Council resolved to appoint a Telecommunication Facility Task Force comprised of residents and industry representatives to review the City of Vaughan's existing protocol for establishing Telecommunication Tower/Antenna Facilities. The Telecommunication Task Force is currently conducting a background review and consulting key stakeholders, prior to preparing a Findings Report that will support the development of a new City of Vaughan Telecommunication Facility Siting Protocol. On June 7, 2011, Council also resolved:

"THAT Site Development Applications for new telecommunication facilities submitted prior to approval of a new City protocol be reviewed under the current City of Vaughan Protocol for Establishing Telecommunication Towers/Antenna Facilities."

The City's Protocol states that applications for telecommunication towers less than 100 m away from residential areas require the Proponent to provide notice of a community meeting by regular mail to all landowners within a radius of 120 m from the tower base. As the subject lands are located adjacent to lands zoned for residential purposes, this application was subject to the City of Vaughan's public consultation process. Given the location of the tower within the Boyd Conservation Area, the notification radius was increased to 180 m and also includes an extended notification area to properties abutting Islington Avenue in proximity to the tower location, as shown on Attachment #2.

On September 19, 2013, the Proponent held a Public Consultation Meeting at the Al Palladini Community Centre from 6:00 pm to 8:00 pm. In accordance with the City's Protocol, notice for this meeting was provided by regular mail to all notified residents a minimum of 20 days in advance of the Public Consultation meeting. No residents attended the Public Consultation Meeting and no concerns by residents have been received by the Development Planning Department.

### Official Plan and Zoning

The subject lands are designated "Drainage Tributary" by in-effect OPA #240 (Woodbridge Community Plan). The subject lands are also designated "Natural Areas" by the City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified September 27, 2011, March 20, 2012, and April 17, 2012), and further modified and endorsed by Region of York Council on June 28, 2012, and approved, in part, by the Ontario Municipal Board on July 23, 2013.

The subject lands are zoned OS2 Open Space Park Zone by Zoning By-law 1-88. The *Radiocommunication Act* designates Industry Canada as the approval authority for all matters respecting telecommunication towers and antenna facilities. Federal regulations are not subject to Provincial policies, which include the *Planning Act* and *Building Code Act*. As such, telecommunication towers and antenna facilities are exempt from municipal official plans and zoning by-law requirements and site plan control (i.e. no implementing Site Plan Agreement or Letter of Undertaking).

### Planning Considerations

The proposed 40 m high shrouded tripole telecommunication tower is required due to the pending removal of an existing telecommunication tower installation on the site known as the Al Palladini Community Centre, which is located at the southeast corner of Rutherford Road and Islington Avenue. The installation of a new tower in the Boyd Conservation Area, together with the proposed telecommunication tower at the northeast corner of Rutherford Road and Napa Valley Avenue (Site Development File DA.13.055) will allow for the removal of the existing tower at the Al Palladini Community Centre, while ensuring that network services are maintained in addition to further improving network coverage and capacity in the area.

An existing Bell/Telus telecommunications tower (flagpole design) is located on the subject lands approximately 20 m west of the proposed Rogers tower, as shown on Attachment #3. According to the Proponent, the existing Bell/Telus telecommunications tower does not have sufficient space to provide for appropriate co-location that will facilitate Rogers' equipment. In addition, no other towers or other tall structures that could support antenna facilities are located within the vicinity of the site. On this basis, the Proponent has advised that a new tower is required to appropriately satisfy coverage requirements as a result of the pending removal of the existing tower located at the Al Palladini Community Centre.

The proposed 70.4 m<sup>2</sup> equipment compound is enclosed by a 2.4 m high board fence stained in a green hue to match the existing Bell/Telus compound fence. The compound is accessed via an existing gravel driveway from Islington Avenue on lands leased to the Proponent, as shown on Attachment #3. The telecommunications tower is located approximately 20 m east of the existing Bell/Telus tower. The relatively close proximity of the two towers will assist in mitigating their visual impact from a far distance. The compound includes a 40 m high white tripole and associated radio equipment cabinet, as shown on Attachment #4. The accessory radio cabinet measures

approximately 2.4 m x 1.6 m, and is constructed of galvanized steel situated on a 2.55m x 1.83 m concrete pad, as shown on Attachment #5. All hydro requirements to service the equipment cabinets for the telecommunications tower must be to the satisfaction of PowerStream Inc.

The proposed tower has been designed to support future technology and co-location with additional carriers. The Development Planning Department has no objection to the proposed layout, design and location of the compound and telecommunications tower.

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

This report is consistent with the following initiative set forth in the Vaughan Vision 20/20 Strategic Plan:

i) **Manage Growth and Economic Well-being**

The proposal will support the development of a high-speed telecommunications and data network throughout Vaughan to contribute to economic competitiveness and support widespread access to such services.

#### **Regional Implications**

On April 23, 2009, the Region of York adopted Industry Canada's Protocol (CPC-2-0-03) to reduce redundancies and permit a more efficient and consistent approach for regulating telecommunication facilities, while providing an opportunity for local municipalities to determine individual procedures and protocols. The proposed compound area and telecommunication tower conforms to the Region of York's adopted Protocol.

#### **Conclusion**

The Vaughan Development Planning Department has reviewed the proposal for a 40 m high shrouded tripole telecommunication tower and associated radio equipment cabinets in accordance with the Official Plan, Zoning By-law 1-88, the City of Vaughan's Protocol for Establishing Telecommunication Tower/Antenna Facilities, and Industry Canada's Protocol for Radiocommunication and Broadcasting Antenna Systems. The installation of the tower and accessory radio equipment is considered acceptable. Accordingly, the Development Planning Department can support the approval of Site Development File DA.13.056.

#### **Attachments**

1. Context Location Map
2. Location Map
3. Site Plan
4. Compound Layout Plan & Tower Elevation
5. Cabinet Drawings

#### **Report prepared by:**

Mark Antoine, Planner, ext. 8212

**219. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION**

**COMMITTEE OF THE WHOLE REPORT NO. 47**

(Refer to Committee Report for complete recommendations and documentation on all Committee items.)

ITEM - 15      OFFICIAL PLAN AMENDMENT FILE OP.11.013  
                    ZONING BY-LAW AMENDMENT FILE Z.11.044  
                    SITE DEVELOPMENT FILE DA.12.079  
                    FCHT HOLDINGS (ONTARIO) CORPORATION  
                    WARD 4 – NORTHWEST OF BATHURST STREET AND  
                    RUTHERFORD ROAD

MOVED by Councillor Carella  
seconded by Councillor Iafrate

THAT Item 15, Committee of the Whole Report No. 47 be adopted without amendment.

CARRIED UPON A RECORDED VOTE

YEAS

Regional Councillor Rosati  
Councillor DeFrancesca  
Councillor Carella  
Councillor Iafrate

NAYS

Councillor Shefman  
Councillor Racco  
Regional Councillor Di Biase

**COMMITTEE OF THE WHOLE (CLOSED SESSION) REPORT NO. 48**

(Refer to Committee Report for complete recommendations and documentation on all Committee items.)

ITEM - 7      ONTARIO MUNICIPAL BOARD HEARING  
                    CITY OF VAUGHAN OFFICIAL PLAN 2010

MOVED by Regional Councillor Di Biase  
seconded by Councillor Iafrate

THAT Item 7, Committee of the Whole (Closed Session) Report No. 48 be adopted and amended, as follows:

By approving the confidential recommendation of the Council (Closed Session) meeting of November 19, 2013; and

By receiving Confidential Communication C13.

CARRIED

ITEM - 9      PROPERTY MATTER  
                    LICENSE RENEWAL WITH VAUGHAN SOCCER CLUB  
                    WILLIAM DEVELIN HOUSE  
                    11151 KEELE STREET  
                    WARD 1

MOVED by Regional Councillor Schulte  
seconded by Councillor Iafrate

THAT Item 9, Committee of the Whole (Closed Session) Report No. 48 be adopted and amended, as follows:

By approving the confidential recommendation of the Council (Closed Session) meeting of November 19, 2013.

CARRIED

**220. RECONSIDERATION**

ONTARIO MUNICIPAL BOARD HEARING  
OFFICIAL PLAN AMENDMENT FILE OP.07.001  
ZONING BY-LAW AMENDMENT FILE Z.09.038  
CASERTANO DEVELOPMENT CORPORATION  
OFFICIAL PLAN AMENDMENT FILE OP.09.006  
ZONING BY-LAW AMENDMENT FILE Z.09.037  
SANDRA MAMMONE  
WEST SIDE OF JANE STREET SOUTH OF RUTHERFORD ROAD  
WARD 4  
(Report No. 48, Item 8)

MOVED by Councillor Racco  
seconded by Regional Councillor Schulte

That the foregoing matter be reconsidered and referred to Closed Session for legal advice.

CARRIED

*Refer to Minute No. 222 for disposition regarding this matter.*

**221. RESOLUTION TO RESOLVE INTO CLOSED SESSION**

MOVED by Councillor Racco  
seconded by Regional Councillor Schulte

That Council resolve into Closed Session for the purpose of discussing the following matter:

1. ONTARIO MUNICIPAL BOARD HEARING  
OFFICIAL PLAN AMENDMENT FILE OP.07.001  
ZONING BY-LAW AMENDMENT FILE Z.09.038  
CASERTANO DEVELOPMENT CORPORATION  
OFFICIAL PLAN AMENDMENT FILE OP.09.006  
ZONING BY-LAW AMENDMENT FILE Z.09.037  
SANDRA MAMMONE  
WEST SIDE OF JANE STREET SOUTH OF RUTHERFORD ROAD  
WARD 4  
(Report No. 48, Item 8)

(litigation or potential litigation)

CARRIED

Council recessed at 3:46 p.m.

MOVED by Councillor Carella  
seconded by Councillor Racco

THAT Council reconvene at 4:32 p.m.

CARRIED

Council reconvened at 4:32 p.m. with the following members present:

Regional Councillor Gino Rosati, Chair  
Regional Councillor Deb Schulte  
Councillor Tony Carella  
Councillor Rosanna DeFrancesca  
Councillor Marilyn Iafrate  
Councillor Sandra Yeung Racco

**222. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION**

**COMMITTEE OF THE WHOLE (CLOSED SESSION) REPORT NO. 48**

(Refer to Committee Report for complete recommendations and documentation on all Committee items.)

ITEM - 8      ONTARIO MUNICIPAL BOARD HEARING  
OFFICIAL PLAN AMENDMENT FILE OP.07.001  
ZONING BY-LAW AMENDMENT FILE Z.09.038  
CASERTANO DEVELOPMENT CORPORATION  
OFFICIAL PLAN AMENDMENT FILE OP.09.006  
ZONING BY-LAW AMENDMENT FILE Z.09.037  
SANDRA MAMMONE  
WEST SIDE OF JANE STREET SOUTH OF RUTHERFORD ROAD  
WARD 4

MOVED by Councillor Carella  
seconded by Regional Councillor Schulte

THAT Item 8, Committee of the Whole (Closed Session) Report No. 48 be adopted and amended, as follows:

By approving the confidential recommendation of the Council (Closed Session) meeting of November 19, 2013.

CARRIED

*Councillor Racco declared an interest with respect to the foregoing matter on the basis that a member of her family works for a company that is a party to this application and did not take part in the discussion or vote on the foregoing matter.*

**223. BY-LAWS**

MOVED by Regional Councillor Schulte  
seconded by Councillor Iafrate

THAT the following by-laws be enacted:

By-Law Number 150-2013	A By-law to declare City land surplus and to authorize the sale of City lands, described as Portion of Part 3, Reference Plan 65R-18059 and a Portion of Part 14, Reference Plan 65R-25141, in the vicinity of Gatehouse Court and to authorize the execution of the Agreements of Purchase and Sale. (Council, April 23, 2013, Item 3, Committee of the Whole (Closed Session), Report No. 15)
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- By-Law Number 151-2013      A By-law to exempt parts of Plan 65M-3992 from the provisions of Part Lot Control. (PLC.11.007, PLC.11.013, 7933 Huntington Road Investments Ltd., located at 7933, 7911 and 7901 Huntington Road (being Blocks 22, 23 and 24 on Registered Plan 65M-3992), north of Regional Road 7, east of Huntington Road, in Lot 7, Concession 9) (Delegation By-law 196-2010)
- By-Law Number 152-2013      A By-law to repeal By-law 151-2013. (PLC.11.007, PLC.11.013, 7933 Huntington Road Investments Ltd., located at 7933, 7911 and 7901 Huntington Road (being Blocks 22, 23 and 24 on Registered Plan 65M-3992), north of Regional Road 7, east of Huntington Road, in Lot 7, Concession 9) (Delegation By-law 196-2010)
- By-Law Number 153-2013      A By-law to exempt parts of Plan 65M-4188 from the provisions of Part Lot Control. (PLC.13.008, Nine-Ten West Ltd., located north of Rutherford Road, west of Dufferin Street with frontage onto Grand Trunk Avenue, being Blocks 32 to 39 inclusive on Registered Plan 65M-4188 and Parts 2 to 4 inclusive on Reference Plan 65R-32546, in Part of Lots 16 and 17, Concession 3) (Delegation By-law 196-2010)
- By-Law Number 154-2013      A By-law to repeal By-law 153-2013. (PLC.13.008, Nine-Ten West Ltd., located north of Rutherford Road, west of Dufferin Street with frontage onto Grand Trunk Avenue, being Blocks 32 to 39 inclusive on Registered Plan 65M-4188 and Parts 2 to 4 inclusive on Reference Plan 65R-32546, in Part of Lots 16 and 17, Concession 3) (Delegation By-law 196-2010)
- By-Law Number 155-2013      A By-law to amend City of Vaughan By-law 1-88, as amended, by By-law 120-2012. (Z.13.035, Z.10.031, Z.13.002 & 19T-10V004, Nashville Developments Inc. (located north of Major Mackenzie Drive and east of Huntington Road, being Part of the West Halves of Lots 21 and 22, Concession 9) (Council, November 29, 2011, Item 16, Committee of the Whole, Report No. 50)

CARRIED

**224. CONFIRMING BY-LAW**

MOVED by Councillor Carella  
seconded by Regional Councillor Schulte

THAT By-law Number 156 -2013, being a by-law to confirm the proceedings of Council at its meeting on November 19, 2013, be enacted.

CARRIED



225. **ADJOURNMENT**

MOVED by Councillor Carella  
seconded by Councillor Iafrate

THAT the meeting adjourn at 4:34 p.m.

CARRIED

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Hon. Maurizio Bevilacqua, Mayor

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Jeffrey A. Abrams, City Clerk