

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 8, 2014**

Item 1, Report No. 16, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on April 8, 2014.

**1**

**OFFICIAL PLAN AMENDMENT FILE OP.14.002  
ZONING BY-LAW AMENDMENT FILE Z.14.003  
1678573 ONTARIO INC.  
WARD 3 - VICINITY OF HIGHWAY #400 AND MAJOR MACKENZIE DRIVE**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning and the Interim Director of Planning/Director of Development Planning, dated March 25, 2014, be approved;
- 2) That the following deputations and Communication be received:
  1. Mr. Joseph Salvatore, Principal, SRN Architects, Rutherford Road, Vaughan, on behalf of the applicant;
  2. Mr. Frank Miele, Delia Place, Vaughan;
  3. Mr. Sam Audia, Vellore Woods Ratepayers' Association, Cormorant Crescent, Woodbridge;
  4. Mr. Adriano Volpentesta, America Avenue, Vaughan;
  5. Mr. John Harvey, Vellore Woods Ratepayers' Association, Thicket Trail, Woodbridge;
  6. Ms. Sonia Meucci, President, Weston Downs Ratepayers' Association, Blackburn Boulevard, Woodbridge;
  7. Ms. Elvira Caria, Co-Chair, Vellore Woods Ratepayers' Association, Bunting Drive, Woodbridge;
  8. Mr. Tim Soroichinsky, President, Millwood-Woodend Ratepayers' Association, Millwood Parkway, Woodbridge and Communication C2, dated March 25, 2014;
  9. Mr. Tanveer Husnani, Zachary Place, Woodbridge;
  10. Mr. Vince Vergopoulos, Dace Drive, Woodbridge; and
  11. Mr. Gregg Taylor, Grapevine Drive, Woodbridge; and
- 3) That Communication C1 from Kiet Ngo, Grapevine Drive, Vaughan, dated March 22, 2014, be received.

**Recommendation**

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

1. THAT the Public Hearing report for Files OP.14.002 and Z.14.003 (1678573 Ontario Inc.) BE RECEIVED; and, that any issues identified be addressed by the Planning Department in a comprehensive report to the Committee of the Whole.

**Contribution to Sustainability**

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

**Economic Impact**

This will be addressed when the technical report is completed.

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#### **Communications Plan**

- a) Date the Notice of a Public Hearing was circulated: February 28, 2014
- b) Circulation Area: Minimum 120 m as required by the Planning Act, plus an Extended polling area around the subject lands as shown on Attachment #1, and to the Vellore Woods Ratepayers Association. The Notice of Public Hearing was also posted on the City's website at [www.vaughan.ca](http://www.vaughan.ca)
- c) Comments received as of March 11, 2014: None

#### **Purpose**

To receive comments from the public and Committee of the Whole on Official Plan Amendment File OP.14.002 and Zoning By-law Amendment File Z.14.003 respecting the subject lands shown on Attachments #1 and #2, to permit two development scenarios on the lands, as shown on Attachments #3 and #4, consisting of the following:

##### Development Scenario 1 (Attachments #3 and #5)

- Building "A" - 6 to 13-storey apartment building
- Building "B" - 6 to 12-storey apartment building
- A total of 474 apartment units
- 145, 3-storey block townhouse units
- A maximum Floor Space Index (FSI) of 1.73

AND

##### Development Scenario 2 (Attachments #4 and #5)

- 200, 3-storey block townhouse units
- A maximum FSI of 1.73

These development scenarios are intended to replace the existing development approvals in place as shown on Attachment #6 that permit 2 denser 6 to 10 and 6 to 12-storey apartment buildings consisting of 864 apartment units and 54, two-storey block townhouse units, with a maximum combined FSI of 2.32. In order to implement the two above-noted less dense development scenarios, the owner has submitted the following applications:

1. Official Plan Amendment File OP.14.002, to amend OPA #600, as amended by site-specific OPA #723, specifically the "High Density Residential/Commercial" policies as follows:

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<b>Official Plan Requirement</b>	<b>Current Requirements of Official Plan Amendment #600, as amended by Site-Specific OPA #723 (Attachment #6)</b>	<b>Development Scenario 1 (Attachments #3 and #5)  Proposed Amendments to Official Plan Amendment #600, as amended by Site-Specific OPA #723</b>	<b>Development Scenario 2 (Attachments #4 and #5)  Proposed Amendments to Official Plan Amendment #600, as amended by Site-Specific OPA #723</b>
a. Maximum Building Height	Building A: 6 to 12-storeys  Building B: 6 to 10-storeys  Townhouse Units: 2-storeys and 11 m	Building A: 6 to 13-storeys  Building B: 6 to 12-storeys  Townhouse Units: 3-storeys and 13 m	Townhouse Units: 3-storeys and 13 m
b. Maximum Number of Units	864 apartment units and 54 block townhouse units	474 apartment units and 145 block townhouse units	200 block townhouse units
c. Maximum Floor Space Index (FSI)	2.32	1.73	1.73

2. Zoning By-law Amendment File Z.14.003 to amend Zoning By-law 1-88, specifically the RA3(H) Apartment Residential Zone with the Holding Symbol “(H)” and subject to site-specific Exception 9(416), as follows:

Table 1 - Development Scenario 1 (Attachments #3 and #5)

	<b>By-law Standard</b>	<b>By-law 1-88, RA3(H) Apartment Residential Zone Requirements, Exception 9(416)</b>	<b>Proposed Exceptions to the RA3(H) Apartment Residential Zone, Exception 9(416)</b>
a.	Maximum Number of Surface Parking Spaces	16 spaces	93 spaces
b.	Minimum Number of Loading Spaces	4 loading spaces located internal to the apartment building	2 loading spaces located internal to the apartment building
c.	Minimum Landscape Strip Width Abutting Highway #400	14 m	7.5 m

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d.	Maximum Driveway Width (Eagleview Heights Drive)	12 m	14 m
e.	Maximum Building Height	Building A: 6 to 12-storeys Building B: 6 to 10-storeys Block Townhouse Units: 2-storeys and 11 m	Building A: 6 to 13-storeys Building B: 6 to 12-storeys Block Townhouse Units: 3-storeys and 13 m
f.	Maximum Floor Space Index (FSI)	2.32	1.73
g.	Maximum Gross Floor Area (GFA)	Building A - 45,615 m <sup>2</sup> Building B - 38,910 m <sup>2</sup> Townhouse Units - 9,940 m <sup>2</sup>	Building A - 23,115 m <sup>2</sup> Building B - 21,575 m <sup>2</sup> Townhouse Units – 26,100 m <sup>2</sup>
h.	Definition of a Lot	Lot - Means a parcel of land fronting on a street separate from any abutting land to the extent that a Consent contemplated by Section 49 of the Planning Act, RSO. 1983 would not be required for its conveyance. For the purpose of this paragraph, land defined in an application for a building permit shall be deemed to be a parcel of land and a reserve shall not form part of the lot.	Lot - For the purposes of zoning compliance, the subject lands shall be deemed to be one lot, regardless of the number of buildings constructed thereon, the creation of separate units and or lots by way of plan of condominium, consent or other permission, and any easements or registrations that are granted.

Table 2 – Development Scenario 2 (Attachments #4 and #5)

	<b>By Law Standard</b>	<b>By-law 1-88, RA3(H) Apartment Residential Zone Requirements, Exception 9(416)</b>	<b>Proposed Exceptions to the RA3(H) Apartment Residential Zone, Exception 9(416)</b>
a.	Minimum Lot Area	41,473 m <sup>2</sup>	40,867 m <sup>2</sup>
b.	Minimum Parking Required	1.15 spaces per residential unit plus 0.25 spaces for visitor parking	1.5 spaces per residential unit plus 0.25 spaces for visitor parking (Note: this is current 1-88 minimum standard)

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c.	Maximum Building Height - Block Townhouse Units	2-storeys and 11 m	3-storeys and 13 m
d.	Maximum Floor Space Index	2.32	1.73
e.	Definition of a Lot	Lot - Means a parcel of land fronting on a street separate from any abutting land to the extent that a Consent contemplated by Section 49 of the Planning Act, RSO. 1983 would not be required for its conveyance. For the purpose of this paragraph, land defined in an application for a building permit shall be deemed to be a parcel of land and a reserve shall not form part of the lot.	Lot - For the purposes of zoning compliance, the subject lands shall be deemed to be one lot, regardless of the number of buildings constructed thereon, the creation of separate units and or lots by way of plan of condominium, consent or other permission, and any easements or registrations that are granted.

Additional zoning exceptions may be identified through the detailed review of the applications and will be considered in a technical report to a future Committee of the Whole meeting.

**Background**

The owner of the subject lands originally submitted Official Plan and Zoning By-law Amendment Files OP.08.016 and Z.08.062 to permit the development of the subject lands with 1,296 residential units in three apartment buildings up to 28-storeys in height. On May 27, 2011, the applicant appealed the Official Plan Amendment and Zoning By-law Amendment applications to the Ontario Municipal Board (OMB).

On January 6, 2012, the OMB approved the Official Plan Amendment (OPA #723) and Zoning By-law Amendment (By-law 7-2012, Exception 9(416)) to redesignate the subject lands to "High Density Residential/Commercial" and to rezone the property to RA3(H) Apartment Residential Zone with the Holding Symbol "(H)". Both the Official Plan and Zoning By-law include site-specific provisions. The OMB approval permits the development of the subject lands with a maximum of 864 residential apartment units within two apartment buildings having maximum heights of 6 to 10 and 6 to 12-storeys and 54, 2-storey block townhouse units with a maximum combined Floor Space Index (FSI) of 2.32, as shown on Attachment #6.

The owner has submitted new Official Plan and Zoning By-law Amendment applications to amend their existing land use approvals to permit the development of the subject lands with two potential apartment and block townhouse development scenarios, as shown on Attachments #3 and #4, and discussed in this report.

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#### Analysis and Options

Location	<ul style="list-style-type: none"><li>West side of Highway #400, south of Major Mackenzie Drive, known municipally as 77 Eagleview Heights, City of Vaughan, as shown on Attachments #1 and #2.</li><li>The 4.08 ha parcel is relatively flat and contains 7 buildings currently used for commercial sales of swimming pools and landscape material on the northerly portion of the property. The southerly portion of the site is undeveloped. All existing structures will be demolished.</li></ul>
Official Plan Designation a) OPA #600 as amended by OPA #723  b) New VOP 2010	<ul style="list-style-type: none"><li>The subject lands are designated “High Density Residential/Commercial” by OPA #600, as amended by site-specific OPA #723, which permits a maximum of 864 residential apartment units in two apartment buildings with maximum heights of 6 to 10 and 6 to 12 storeys and 54, 2-storey block townhouse units as shown on Attachment #6. The two proposed development scenarios do not conform with the site-specific provisions of the official plan, as identified in the purpose section of this report, and therefore, an amendment is required to the in-effect official plan to implement the proposal.</li><li>The subject lands are designated “High-Rise Residential” by the new City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified by Council 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 was approved in part by the Ontario Municipal Board on July 23, 2013, December 2, 2013, and February 3, 2014.</li><li>The subject lands are also identified as an area subject to site-specific plans as shown on Schedule 14C of Volume 1 of VOP 2010. Site-specific policies for the subject lands are contained in Volume 2 of VOP 2010, specifically Section 13.22, that incorporates the policies of OPA #723, which implement the development shown on Attachment #6 into VOP 2010 for the subject lands. Section 13.22 of Volume 2 of VOP 2010 was approved by the Ontario Municipal Board on December 2, 2013. The two development scenarios proposed by the owner do not conform with the site-specific policies of Section 13.22 of Volume 2 of VOP 2010.</li><li>The proposed development scenarios do not conform to OPA #600, as amended by OPA #723, or VOP 2010, and therefore, an amendment to the Official Plan is required to permit the proposal.</li></ul>

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Zoning	<ul style="list-style-type: none"><li>▪ The subject lands are zoned RA3(H) Apartment Residential Zone with the addition of the Holding Symbol “(H)” and subject to site-specific Exception 9(416) by Zoning By-law 1-88. The Zoning By-law permits a maximum of 864 residential apartment units within two apartment buildings with maximum heights of 6 to 10 and 6 to 12-storeys and 54, 2-storey block townhouse units on the subject lands, as shown on Attachment #6.</li><li>▪ The proposed development scenarios do not comply with Zoning By-law 1-88, and therefore, an amendment to the by-law is required to permit the proposed development scenarios shown on Attachments #3 and # 4.</li></ul>
Surrounding Land Uses	<ul style="list-style-type: none"><li>▪ Shown on Attachment #2.</li></ul>

**Preliminary Review**

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

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
a.	Conformity with Provincial Policies, and Regional and City Official Plans	<ul style="list-style-type: none"><li>▪ The applications will be reviewed in consideration of the applicable Provincial policies, and Regional and City Official Plan policies.</li><li>▪ Site-specific OPA #723 includes policies respecting the requirement for the owner to prepare a range of studies and documents including, but not limited to, a Transportation Demand Management Plan, an Urban Design and Architectural Design Brief, a Landscape Master Plan, and an Environmental Assessment as requirements for the site plan review process. The Amendment also requires the owner to participate in the Block 32 West Developers Group Agreement. Specific conditions for the removal of the Holding Symbol are also included in OPA #723.</li></ul> <p>The Official Plan Amendment application will be reviewed with respect to incorporating similar site-specific policies to the matters identified in OPA #723, as required, should the application be approved.</p>
b.	Appropriateness of Proposed Rezoning and Site-Specific Exceptions	<ul style="list-style-type: none"><li>▪ The appropriateness of the proposed rezoning, together with the site-specific zoning exceptions will be reviewed in consideration of the surrounding existing and planned land uses, with particular consideration given to the two development scenarios proposed by the owner.</li></ul>

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c.	Parking and Access	<ul style="list-style-type: none"><li>▪ The applications will be reviewed to ensure that adequate resident and visitor parking is proposed on the subject lands to minimize parking spillover into the adjacent residential community.</li><li>▪ The Vaughan Development/Transportation Department must review and approve the updated traffic and access studies submitted in support of the development proposal.</li></ul>
d.	Urban Design	<ul style="list-style-type: none"><li>▪ The applications will be reviewed in consideration of achieving the appropriate, but not limited to, built form, site organization, massing, building heights, shadow and micro-climatic impacts.</li><li>▪ Urban design policies, similar to those included in site-specific OPA #723, as applicable, will be included in the implementing Official Plan amendment, should the applications be approved.</li></ul>
e.	Open Space/Amenity Area and Pedestrian Connectivity	<ul style="list-style-type: none"><li>▪ The applications will be reviewed to ensure that the appropriate amount of private amenity/open space areas are provided across the site to serve the new residents and include pedestrian connectivity within the site and to the surrounding area including Eagleview Heights and to the GO commuter parking lot that abuts the subject lands to the north.</li></ul>
f.	Ministry of Transportation (MTO)	<ul style="list-style-type: none"><li>▪ The subject lands abut Highway #400 and therefore, the owner must satisfy all requirements of the Ministry of Transportation (MTO).</li><li>▪ Parking spaces are proposed along the east lot line within 14 m of the Highway #400 right-of-way that is typically protected by the MTO for the potential future widening of the highway. The provision of these parking spaces in this location must be reviewed and approved by the MTO. In addition, these parking spaces cannot be used to satisfy the minimum parking requirements of Zoning By-law 1-88 since they could be removed in the future, should the MTO require the lands within 14 m of the Highway #400 right-of-way for a future widening.</li></ul>
g.	Servicing Allocation	<ul style="list-style-type: none"><li>▪ The availability of water and sanitary sewage servicing capacity must be identified and allocated by Vaughan Council, if approved. Should servicing capacity be unavailable, the lands will be zoned with the Holding Symbol "(H)", which may be removed from the subject lands, or portion thereof, upon servicing capacity being allocated to the development.</li></ul>

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h.	Environmental	<ul style="list-style-type: none"><li>▪ The owner will be required to carry out any Environmental Site Assessment clearance to completion and to the satisfaction of the City of Vaughan. The Owner will be required as part of the approval of a future site plan application on the subject lands or phase thereof, to provide documented proof of the registration of the Record of Site Condition (RSC) with the Environmental Site Registry of the Ministry of Environment (MOE) to the satisfaction of the Vaughan Development/Transportation Engineering Department.</li></ul>
i.	Future Site Development Application(s)	<ul style="list-style-type: none"><li>▪ The owner will be required to submit a future Site Development application(s) to facilitate the development of the subject lands, or phase thereof, should the applications be approved. The application(s) will be reviewed in consideration of, but not limited to, appropriate site and building design, pedestrian connectivity including barrier free accessibility, sustainable site and building features, vehicular access, parking, building materials, site organization, shadow impacts, landscaping, servicing, grading and stormwater management.</li><li>▪ The Vaughan Design Review Panel (DRP) will review any future site development application(s) for a residential apartment building to consider its design. Townhouse dwellings will not be considered by the DRP.</li><li>▪ The design of the proposed road access connection to Eagleview Heights must be reviewed and approved by the Vaughan Development/Transportation Engineering Department.</li><li>▪ Opportunities for sustainable design, including CEPTED (Crime Prevention Through Environmental Design), Leeds (Leadership in Energy and Environmental Design), green roofs, etc. will be considered for inclusion within the development for implementation through the site plan approval process, if approved.</li></ul>

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

The applicability of these applications to the Vaughan Vision will be determined when the technical report is considered.

#### **Regional Implications**

The applications have been circulated to the Region of York Transportation and Community Planning Department for review. Any comments from the Region of York will be included in the technical report to the Committee of the Whole.

#### **Conclusion**

The preliminary issues identified in this report and any other issues identified through the processing of the applications will be considered in the technical review of the applications, together with comments from the public and Council expressed at the Public Hearing or in writing, and will be addressed in a comprehensive report to a future Committee of the Whole meeting.

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**Attachments**

1. Context Location Map
2. Location Map
3. Development Scenario 1
4. Development Scenario 2
5. Conceptual Building Elevations
6. Approved Zoning Schedule E-438

**Report prepared by:**

Eugene Fera, Planner, ext. 8064  
Carmela Marrelli, Senior Planner, ext. 8791  
Mauro Peverini, Manager of Development Planning, ext. 8407

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)