

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 23, 2018

Item 1, Report No.19, of the Committee of the Whole (Public Hearing), which was adopted, as amended, by the Council of the City of Vaughan on, May 23, 2018, as follows:

By receiving the following communications:

- C5 Mr. Paul Fallone, dated May 8, 2018;***
- C7 Mr. Michael Vani, Weston Consulting, Millway Avenue, Vaughan, dated May 8, 2018;***
- C8 Mr. Michael Vani, Weston Consulting, Millway Avenue, Vaughan, dated May 7, 2018; and***
- C10 Mr. Michael Vani, Weston Consulting, Millway Avenue, Vaughan, dated May 7, 2018.***

1 OFFICIAL PLAN AMENDMENT FILE OP.17.012 ZONING BY-LAW AMENDMENT FILE Z.17.033 2081447 ONTARIO INC.

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management, dated May 8, 2018, be approved;**
- 2) That the following deputations and communication, be received:**
 - 1. Ms. Sabrina Sgotto, Weston Consulting, representing the applicant;**
 - 2. Ms. Maria Pizzitola, Kellam Street, Kleinburg;**
 - 3. Mr. Richard Lorello, Treelawn Boulevard, Kleinburg;**
 - 4. Mr. Frank Fallico, Kellam Street, Kleinburg, and communication C3, dated May 8, 2018;**
 - 5. Mr. Eric Laichter, Kleinburg BIA, Nashville Road, Kleinburg; and**
 - 6. Ms. Rosanna Cannella, Wallace Street, Woodbridge; and**
- 3) That the following communications be received:**
 - C1 Mr. Michael Vani, Weston Consulting, Millway Avenue, Vaughan, dated April 30, 2018, containing 4 letters;**
 - C2 Mr. Michael Vani, Weston Consulting, Millway Avenue, Vaughan, dated May 7, 2018, containing 1 letter;**
 - C4 Ms. Kathryn Angus, Kleinburg and Area Ratepayers' Association, dated May 8, 2018; and**

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**C5 Mr. Michael Vani, Weston Consulting, Millway Avenue,
Vaughan, dated May 7, 2018, containing 1 letter.**

Recommendations

1. THAT the Public Hearing report for Files OP.17.012 and Z.17.033 (2081447 Ontario Inc.) BE RECEIVED; and that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

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

Item:



Committee of the Whole (Public Hearing) Report

DATE: Tuesday, May 08, 2018

WARD: 1

**TITLE: OFFICIAL PLAN AMENDMENT FILE OP.17.012
ZONING BY-LAW AMENDMENT FILE Z.17.033
2081447 ONTARIO INC.**

FROM:

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To receive comments from the public and the Committee of the Whole on Official Plan and Zoning By-law Amendment Files OP.17.012 and Z.17.033 (2081447 Ontario Inc.) for the Subject Lands shown on Attachments #1 and #2, to permit one and three-storey additions to the existing building comprised of residential uses and ground floor commercial uses, as shown on Attachments #3 to #5.

Report Highlights

- To receive input from the public and the Committee of the Whole for proposed one and three-storey additions to the existing building for comprised of residential uses (2nd and 3rd storeys) and ground floor commercial uses.
- Amendments to the Official Plan and Zoning By-law are required to permit the development.
- A technical report to be prepared by the Development Planning Department will be considered at a future Committee of the Whole meeting.

Recommendations

1. THAT the Public Hearing report for Files OP.17.012 and Z.17.033 (2081447 Ontario Inc.) BE RECEIVED; and that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Background

The subject lands are located at 10489 Islington Avenue, on the southeast corner of Islington Avenue and Kellam Road, shown as Subject Lands (the "Subject Lands") on Attachments #1 and #2. The surrounding land uses are shown on Attachment #2.

Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol

- a) Date the Notice of Public Hearing was circulated: April 13, 2018.

The Notice of Public Hearing was also posted on the City's web-site at www.vaughan.ca and a Notice Sign installed on the property in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: To all property owners within 150 m of the subject lands and to the Kleinburg and Area Ratepayers' Association.

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

Previous Reports/Authority

Not applicable.

Analysis and Options

Amendments to the Official Plan and Zoning By-law 1-88 are required to permit the proposed development

The Owner has submitted the following applications to permit the proposed development on the Subject Lands shown on Attachments #1 and #2:

1. Official Plan Amendment File OP.17.012 to amend Vaughan Official Plan 2010 ("VOP 2010"), Volume 2, specifically Area Specific Policy 12.4 Kleinburg Core, respecting the policies of the "Mainstreet Commercial" designation as follows:
 - a) To permit a three-storey (10.62 m) mixed-use development consisting of 5 residential units on the 2nd and 3rd storeys and 400.72 m² of ground floor

commercial uses, as shown on Attachments #3 to #5; whereas VOP 2010 permits a mixed-use building with a maximum building height of two-storeys (9.5 m), with ground commercial uses and only one additional floor for residential uses.

- b) To permit a maximum Floor Space Index (FSI) of 1.094 times the area of the lot, whereas the Official Plan permits a maximum FSI of 1.0.
2. Zoning By-law Amendment File Z.17.033 to amend Zoning By-law 1-88, specifically the C11 Mainstreet Commercial Zone to permit the following site-specific zoning exceptions:

Table 1:

	Zoning By-law Standard	C11 Mainstreet Commercial Zone Requirements	Proposed Exceptions to the C11 Mainstreet Commercial Zone Requirements
a.	Definition of "Mixed Use Development Mainstreet"	"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 to be 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.	Amend the definition of a "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 the two storeys 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.
b.	Minimum Parking Space Size	2.7 m x 6 m	2.7 m x 5.8 m

	Zoning By-law Standard	C11 Mainstreet Commercial Zone Requirements	Proposed Exceptions to the C11 Mainstreet Commercial Zone Requirements
c.	Minimum Number of Parking Spaces	i) <u>Commercial</u> 400.72 m ² @ 6 spaces/100m ² of GFA = 25 spaces ii) <u>Residential</u> 5 units @ 1.5 spaces unit = 8.5 spaces <u>Visitor</u> 5 units @ 0.25 spaces/unit = 2 spaces Total = 35 parking spaces	i) <u>Commercial</u> 400.72 m ² @ 2.2 spaces/100m ² GFA = 9 spaces ii) <u>Residential</u> 0.6 spaces/unit = 3 spaces <u>Visitor</u> : 0 visitor spaces (Commercial parking spaces to be used by the residences in the evenings) Total = 12 parking spaces
d.	Minimum Front Yard Setback (Islington Avenue)	2 m	1.6 m
e.	Minimum Interior Yard	1.8 m	0.2 m (South Lot Line)
f.	Minimum Exterior Yard (Kellam Street)	4.5 m	0.26 m
g.	Maximum Lot Coverage	30%	50%
h.	Maximum Building Height	9.5 m	10.62 m
i.	Maximum Gross Floor Area	510.84m ²	931.19m ²

	Zoning By-law Standard	C11 Mainstreet Commercial Zone Requirements	Proposed Exceptions to the C11 Mainstreet Commercial Zone Requirements
		(0.6 Times the Area of the Lot)	(1.094 Times the Area of the Lot)
j.	Minimum Landscape Strip Width	i) 2 m (abutting Islington Avenue) ii) 2m (abutting Kellam Street) iii) 2.4 m (abutting a Residential Zone) iv) 1.8 m (abutting a Commercial Zone)	i) 1.6m (abutting Islington Avenue) ii) 0.26m (abutting Kellam Street) iii) 0m (abutting a Residential Zone) iv) 0.2m (abutting a Commercial Zone)

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.

Official Plan Designation	<ul style="list-style-type: none"> ▪ The Subject Lands are designated “Mainstreet Commercial” by VOP 2010, Volume 2, Area Specific Policy 12.4 Kleinburg Core. This designation permits small scale mixed-use developments with at-grade commercial uses and one upper floor residential component with a maximum building height of 9.5 m and a Floor Space Index (“FSI”) ranging from 0.2 to 1 times the area of the lot. The policy also requires that development shall have consideration for the scale, massing and use of the existing development on abutting or adjacent properties. ▪ The Subject Lands are also located within an Intensification Area, specifically a Local Centre, by VOP 2010 - Schedule 1, Urban Structure. Local Centres within Intensification Areas are intended to act as the focus for communities, are lower in scale and offer a more limited range of uses. In addition, Local Centres provide a mixed-use focus for their respective communities, in a manner that is compatible with the local context. They will be predominantly residential in character but will also include a mix of uses to allow residents of the
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	<p>Local Centre and of the surrounding community to meet daily needs in close proximity to where they live or work.</p> <ul style="list-style-type: none"> ▪ The proposed development includes 2-storeys of residential units (only 1 permitted) and exceeds the maximum permitted number of storeys (two-storeys), building height (9.5 m) and FSI (1.0) identified by VOP 2010. An application to amend the Official Plan has been submitted.
Kleinburg-Nashville Heritage Conservation District	<ul style="list-style-type: none"> ▪ The Subject Lands are located within the Kleinburg-Nashville Heritage Conservation (HCD) District. ▪ The Subject Lands are designated under Part V of the <i>Ontario Heritage Act</i>, as part of the Kleinburg-Nashville Heritage Conservation District Guidelines. ▪ The Heritage Vaughan Committee must consider the proposed development.
Zoning	<ul style="list-style-type: none"> ▪ The Subject Lands are zoned C11 Mainstreet Commercial Zone by Zoning By-law 1-88, as shown on Attachment #2. ▪ The proposed three-storey development is not permitted in the C11 Mainstreet Commercial Zone and does not comply with the zoning requirements. The Owner has submitted an application to amend Zoning By-law 1-88. The C11 Mainstreet Commercial Zone will be maintained on the subject lands, together with the proposed site-specific zoning exceptions identified in Table 1 of this report.

Following a preliminary review of Official Plan and Zoning By-law Amendment Applications (the “Applications”), the Development Planning Department has identified the following matters to be reviewed in greater detail:

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Vaughan Official Plan 2010	<ul style="list-style-type: none"> ▪ The Applications will be reviewed in consideration of the applicable VOP 2010 policies.
b.	Appropriateness of Proposed Third Floor	<ul style="list-style-type: none"> ▪ The appropriateness of the proposed site-specific amendments to Zoning By-law 1-88 will be reviewed in consideration of the existing and planned surrounding

	MATTERS TO BE REVIEWED	COMMENT(S)
	Residential Use and the Site-Specific Zoning Exceptions	<p>land uses, with particular consideration given to land use and built form compatibility, and the appropriate development standards, including but not limited to:</p> <ul style="list-style-type: none"> i) the scale and massing of the proposed building in relation to the surrounding lands; ii) the proposed landscaping within the Heritage Conservation District; and iii) the urban design policies for the Mainstreet Commercial designation.
c.	Kleinburg-Nashville Heritage Conservation District	<ul style="list-style-type: none"> ▪ The development proposal will be reviewed in consideration of the policies of the Kleinburg-Nashville Heritage Conservation District. ▪ The Heritage Vaughan Committee must review the development proposal.
d.	Approved Source Water Protection Plan	<ul style="list-style-type: none"> ▪ The Subject Lands are located within the WHPA-Q (Wellhead Protection Area - Recharge Management Area), as identified in the approved Source Protection Plan, which provides policies for protecting the drinking water sources/supply. The Owner shall satisfy the requirements of the Toronto and Region Conservation Authority.
e.	Water and Servicing Allocation	<ul style="list-style-type: none"> ▪ The availability of water and sanitary sewage servicing capacity for the proposed residential units must be identified and allocated by Vaughan Council, if the applications are approved. If servicing capacity is unavailable, the Holding Symbol “(H)” may be applied to the subject lands. Removal of the Holding Symbol will be conditional on servicing being identified and allocated by Vaughan Council.
f.	Cash-in-Lieu of Parkland	<ul style="list-style-type: none"> ▪ Cash-in-Lieu of the dedication of parkland in accordance with the City’s Cash-in-Lieu of Parkland and Policy and the <i>Planning Act</i> is required, if the applications are approved.

	MATTERS TO BE REVIEWED	COMMENT(S)
g.	Cash-in-Lieu of Parking	<ul style="list-style-type: none"> ▪ The proposed development includes 12 parking spaces, whereas the Zoning By-law requires 35 parking spaces. ▪ The Owner has submitted a Parking and Access Study in support of the proposed parking supply. The development proposal will be reviewed in consideration of the policies of the Official Plan regarding to the payment of cash-in-lieu of the minimum required number of parking spaces, and the proposed removal of two existing municipal lay-by parking spaces along Kellam Street required to access to the proposed on-site parking area for the subject lands.
h.	Tree Preservation	<ul style="list-style-type: none"> ▪ The Owner submitted an Arborist Report, and Tree Inventory and Preservation Plan in support of the applications. ▪ The Arborist Report identifies three trees in fair condition near the south lot line that will be removed. The Arborist Report and Tree Inventory and Preservation Plan shall be reviewed to the satisfaction of the City.
i	Studies and Reports	<ul style="list-style-type: none"> ▪ The Owner has submitted the following studies and reports in support of the Applications, which must be approved to the satisfaction of the City and/or the respective public approval authority: <ul style="list-style-type: none"> • Planning Justification Brief • Cultural Heritage Impact Assessment (includes the Heritage Conservation District Conformity Report) • Archaeological Assessment Report • Urban Design Brief • Functional Servicing Report • Noise Impact Study • Parking and Access Study ▪ The requirement for additional studies/information may be identified through the development application review process.

	MATTERS TO BE REVIEWED	COMMENT(S)
j.	Related Site Development Application	<ul style="list-style-type: none"> ▪ The Owner has submitted related Site Development File DA.17.071 that will be reviewed in consideration of, but not limited to, the appropriate building and site design and buffer/transition to the low-rise residential area to the east, barrier free accessibility, pedestrian connectivity, amenity space, vehicular access, internal traffic circulation, parking, landscaping, environmental sustainability, signage, on-site lighting, waste management, stormwater management, and servicing and grading, if the subject applications are approved. ▪ All issues identified through the review of the related Site Development Application will be addressed together with the subject Official Plan and Zoning By-law Amendment Applications in a comprehensive technical report to a future Committee of the Whole meeting.
k.	Sustainable Development	<ul style="list-style-type: none"> ▪ Opportunities for sustainable design, including CEPTD (Crime Prevention Through Environmental Design), LEED (Leadership in Energy and Environmental Design), permeable pavers, bio-swales, drought tolerant landscaping, bicycle racks to promote alternative modes of transportation, energy efficient lighting, reduction in pavement to address the "heat island" effect, etc., will be reviewed and implemented through the site plan review process, if the proposed development is approved.

Financial Impact

This will be addressed when the technical report is completed.

Broader Regional Impacts/Considerations

The applications have been circulated to the York Region Community Planning and Development Services Department for review and comment. Any issues will be addressed when the technical report is considered. The Owner has submitted a request to York Region to exempt the Official Plan Amendment Application from Regional approval. York Region is currently reviewing the request.

Conclusion

The preliminary issues identified in this report and any other issues identified through the processing of the applications will be considered in the technical review of the applications, together with comments from the public and Vaughan Council expressed

at the Public Hearing or in writing, and will be addressed in a comprehensive report to a future Committee of the Whole meeting.

For more information, please contact: Judy Jeffers, Planner, ext. 8645.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Elevation Plan
5. Landscape Plan

Prepared by

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