

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 17, 2016

Item 5, Report No. 22, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on May 17, 2016.

5

**OFFICIAL PLAN AMENDMENT FILE OP.16.002
ZONING BY-LAW AMENDMENT FILE Z.15.038
2383717 ONTARIO INC.
WARD 1 - VICINITY OF NASHVILLE ROAD AND ISLINGTON AVENUE**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning & Growth Management, Director of Development Planning and Senior Manager of Development Planning, dated May 3, 2016, be approved;
- 2) That a community meeting be organized by the local Ward Councillor with the applicant, residents and appropriate City staff and Regional Councillors to address issues raised;
- 3) That the following deputations be received:
 1. Mr. Michael Auduong, Armstrong Planning and Project Management, Villarboit Crescent, Vaughan, on behalf of the applicant;
 2. Mr. Ken Schwenger, Kleinburg Area Ratepayers' Association, Coldspring Road, Kleinburg and Communication C17 dated April 25, 2016;
 3. Mr. David Brand, Camlaren Crescent, Kleinburg;
 4. Mr. Mark Inglis, Main Street, Kleinburg;
 5. Ms. Alexandra Hatfield, Camlaren Crescent, Kleinburg;
 6. Mr. Richard Lorello, Treelawn Boulevard, Kleinburg;
 7. Mr. Eric Laichter, Nashville Road, Kleinburg;
 8. Mr. Ian Robertson, 1Riser, Rivermede Road, Concord, on behalf of the applicant; and
- 4) That the following Communications be received:
 - C26. Mr. Roger Dickinson, Donhill Crescent, Kleinburg, dated May 3, 2016;
 - C28. Ms. Ruth Robbins, dated May 3, 2016;
 - C30. B. Parkes, dated May 2, 2016;
 - C34. Mr. Frank Greco, Islington Avenue, Kleinburg, dated May 3, 2016; and
 - C35. Alexandra and Mark Tatone, Nashville Road, Kleinburg, dated May 3, 2016.

Recommendation

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

1. THAT the Public Hearing report for Files OP.16.002 and Z.15.038 (2383717 Ontario Inc.) BE RECEIVED; and, that any issues identified be addressed by the Vaughan Development Planning Department in a comprehensive report to the Committee of the Whole.

Contribution to Sustainability

The contribution to sustainability such as site and building design initiatives will be determined when the technical report is considered.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 17, 2016

Item 5, CW(PH) Report No. 22 – Page 2

Economic Impact

This will be addressed when the technical report is completed.

Communications Plan

- a) Date the Notice of Public Hearing was circulated: April 8, 2016. 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 Sign Procedures and Protocol.
- b) Circulation Area: 150 m, and to the Kleinburg and Area Ratepayers' Association
- c) 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 Vaughan 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.

Purpose

To receive comments from the public and the Committee of the Whole on the following applications for the subject lands shown on Attachments #1 and #2, to facilitate the development of a 3-storey (11.7 m high) mixed-use development comprised of a commercial use (dance studio) containing 1,175.57 m² of gross floor area and thirteen residential units (1,418.11 m² of gross floor area) on the ground, second and third floors of a 0.259 ha site as shown on Attachments #3 to #6 inclusive:

1. Official Plan Amendment File OP.16.002 to amend the policies in Volume 2 of Vaughan Official Plan 2010 (VOP 2010), Area Specific Exception 12.4 - The Kleinburg Core, specifically the policies of the "Mainstreet Commercial" designation as follows:

Table 1

	Official Plan Policy (Mainstreet Commercial, VOP 2010, Volume 2 Area Specific Amendment 12.4)	Proposed Amendments to the Mainstreet Commercial Designation (VOP 2010, Volume 2 Area Specific Amendment 12.4)
a.	Permitted uses do not include residential uses on the ground floor.	To permit a mixed-use development with residential uses at-grade.
b.	Generally not to exceed a maximum building height of 9.5 m.	To permit a maximum building height of 11.7 m.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 17, 2016

Item 5, CW(PH) Report No. 22 – Page 3

2. Zoning By-law Amendment File Z.15.038 to amend Zoning By-law 1-88, specifically the C11 Mainstreet Commercial Zone as follows:

Table 2

	By-law Standard	Zoning By-law 1-88, C11 Mainstreet Commercial Zone Requirements	Proposed Exceptions to the C11 Mainstreet Commercial Zone Requirements
a.	Definition - Mixed Use Development Mainstreet	"Mixed Use Development Mainstreet" does not permit residential on the ground floor.	Amend the definition of "Mixed Use Development Mainstreet" to permit commercial uses and residential uses on the ground floor.
b.	Permitted Use	Permitted uses on the subject lands do not include a dance studio, and a residential use on the ground floor only.	Permit a mixed-use development with both commercial and residential uses at-grade and on the upper floors, and permit a dance studio with its associated office, change rooms, and common areas.
c.	Minimum Interior Side Yard	1.8 m	1.45 m (north)
d.	Minimum Rear Yard	15 m	0.8 m (west)
e.	Maximum Lot Coverage	30%	39.13%
f.	Maximum Building Height	9.5 m	11.7 m
g.	Maximum Gross Floor Area (Lot Area is 2,593.69m ²)	1,556.2 m ² (0.6 Times the area of the Lot)	2,593.69 m ² (1.0 Times the area of the Lot)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 17, 2016

Item 5, CW(PH) Report No. 22 – Page 4

h.	Minimum Landscape Strip Width Abutting a Residential Zone	2.4 m	i) 0 m (South Lot Line) ii) 0 m (West Lot Line)
i.	Minimum Landscape Strip Width Abutting an Open Space Zone	2.4 m	0 m (North Lot Line)
j.	Minimum Number of Parking Spaces Required	Residential: 13 units @ 1.5 spaces per unit and 0.25 visitor spaces per unit = 23 parking spaces + Dance Studio (Health Centre): 1,175.57 m ² @ 11 spaces per 100 m ² of gross floor area (GFA) = 130 spaces Total Parking Required = 153 spaces	Residential: 13 units @ 1.25 spaces per unit and 0.25 visitor spaces per unit = 20 parking spaces + Dance Studio: 1,175.57 m ² @ 1.45 spaces per 100 m ² of GFA = 17 spaces Total Parking Proposed = 37 spaces
k.	Minimum Parking Aisle Width	6 m	5.8 m
l.	Minimum Open Space Buffer	The By-law does not include a minimum open space buffer width.	i) Minimum 5.5 m wide open space buffer between the west property line and the southerly parking area (instead of to the top-of-bank located further east) ii) Minimum 10 m wide open space buffer between the west property line and the west side of the main building (instead of to the top-of-bank located further east)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 17, 2016

Item 5, CW(PH) Report No. 22 – Page 5

m.	Minimum Amenity Area	<p>The By-law does not include the zoning requirement for a minimum amenity area in the C11 Mainstreet Commercial zone. However, the following minimum amenity area requirement is applied in other zones for apartment dwelling units:</p> <p>One Bedroom Unit = 20 m² minimum</p> <p>Two Bedroom Unit = 55 m² minimum</p>	<p>i) One Bedroom Unit = 3.5 m² to 9.7 m² (balconies)</p> <p>ii) Two Bedroom Unit = 7.5 m² to 9.8 m² (balconies)</p>
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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 - Analysis and Options

Location	<ul style="list-style-type: none"> 10432 and 10422 Islington Avenue, located on the west side of Islington Avenue, south of Nashville Road, shown as "Subject Lands" on Attachments #1 and #2.
Official Plan Designation	<ul style="list-style-type: none"> The subject lands are designated "Mainstreet Commercial" by Section 12.4 (Kleinburg Core) in Volume 2 of the City of Vaughan Official Plan 2010 (VOP 2010) and are located within the Local Centre Intensification Area. The designation permits: small scale mixed-use developments with at-grade commercial uses and an upper floor residential component; an FSI between 0.2 to 1; generally, a maximum building height of 9.5m; and, development shall have consideration for the scale, massing and use of the existing development on abutting or adjacent properties. The subject lands are located within an Intensification Area, specifically a Local Centre, of which the greatest growth, mix of land uses, heights and densities can be accommodated in accordance with the Vaughan Official Plan, the Provincial Policy Statement, the Provincial Growth Plan for the Greater Golden Horseshoe and the York Region Official Plan.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 17, 2016

Item 5, CW(PH) Report No. 22 – Page 6

	<ul style="list-style-type: none"> ▪ The subject lands would remain designated “Mainstreet Commercial” with the proposed site-specific exceptions requested to the policies in the Official Plan, as identified in Table 1. Staff notes that the development limits need to be confirmed by the City and TRCA, and should there be a reduction in the developable land area, the FSI could increase above 1.0, resulting in an additional exception. ▪ The proposed development exceeds the building height identified by VOP 2010 (Volume 2). The application of bonusing pursuant to Section 37 of the <i>Planning Act</i> for the increase in height and/or density in exchange for the provision of community benefits will be reviewed through the processing of the applications. ▪ The proposed development application does not conform to the area specific policies of the Official Plan, and accordingly 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 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 proposal will need to be considered by the Heritage Vaughan Committee.
Zoning	<ul style="list-style-type: none"> ▪ The subject lands are zoned C11 Mainstreet Commercial Zone and R1 Residential Zone by Zoning By-law 1-88. ▪ The subject lands would need to be rezoned entirely to the C11 Mainstreet Commercial Zone, subject to the site-specific zoning exceptions to Zoning By-law 1-88 identified in Table 2. ▪ The proposed mixed-use development with commercial and residential uses on the ground floor, as well as on the upper floors, does not comply with the C11 Mainstreet Commercial Zone requirements, and therefore, an application to amend Zoning By-law 1-88, has been submitted.
Surrounding Land Uses	<ul style="list-style-type: none"> ▪ Shown on Attachments #1 and #2.

Preliminary Review

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 17, 2016

Item 5, CW(PH) Report No. 22 – Page 7

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	City Official Plan	<ul style="list-style-type: none"> ▪ The applications will be reviewed in consideration of the applicable VOP 2010 (Volume 2) Official Plan policies.
b.	Appropriateness of Proposed Uses and Site-Specific Official Plan and Zoning Exceptions	<ul style="list-style-type: none"> ▪ The appropriateness of permitting residential units on the ground floor, as well as in the upper floors with the dance studio use and the site-specific official plan and zoning exceptions identified in Tables 1 and 2 will be reviewed in consideration of the existing and planned surrounding land uses, with particular consideration given to land use and built form compatibility, and appropriate development standards, including but not limited to: <ul style="list-style-type: none"> i) the scale and massing of the proposed building in relation to the surrounding lands; ii) the building height and lot coverage; iii) the proposed landscaping within the Kleinburg-Nashville Heritage Conservation District; and, iv) the urban design policies for the Mainstreet Commercial designation.
c.	Kleinburg-Nashville Heritage Conservation District	<ul style="list-style-type: none"> ▪ The appropriateness of the proposal will be reviewed with respect to maintaining the heritage character of the Kleinburg - Nashville Heritage Conservation District, and must be in conformity with the Heritage District Plan and Design Guidelines. ▪ The applications must be reviewed by the Heritage Vaughan Committee.
d.	Design Review Panel	<ul style="list-style-type: none"> ▪ The proposed development must be reviewed by the Vaughan Design Review Panel.
e.	Traffic Impact Study/Parking	<ul style="list-style-type: none"> ▪ The Transportation Impact Study submitted in support of the applications must be reviewed and approved by the Vaughan Development Engineering and Infrastructure Planning Department (DEIP), including any road widenings on Islington Avenue. ▪ The proposal requires 153 parking spaces for the proposed uses and a total of 37 parking spaces have been provided, of which the southerly 8 parking spaces may be within the area of the open space buffer and may need to be eliminated, depending on the confirmation of the development limits and appropriate grading along the westerly portion of the site by the City and TRCA, and this must be taken into consideration into the overall feasibility of the development.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 17, 2016

Item 5, CW(PH) Report No. 22 – Page 8

		<ul style="list-style-type: none"> ▪ The Official Plan for the “Mainstreet Commercial” area and the By-law to implement Cash-in-lieu of Parking stipulate that 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 required parking and the requirement for cash-in-lieu of parking will be determined for the proposed development.
f.	Phase II Environmental Report	<ul style="list-style-type: none"> ▪ The Phase II ESA (Environmental Site Assessment) submitted in support of the applications must be approved to the satisfaction of the Vaughan DEIP Department.
g.	Servicing	<ul style="list-style-type: none"> ▪ The servicing infrastructure requirements, including sanitary, water and stormwater management, must be identified, to the satisfaction of the City. ▪ The availability of water and sanitary sewage servicing capacity for the proposed residential units must be identified and allocated by Vaughan Council, if 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.
h.	Development Limits	<ul style="list-style-type: none"> ▪ The development limits and appropriate site grading must be established to the satisfaction of the City and the Toronto and Region Conservation Authority (TRCA), as the subject lands are located within the TRCA Regulation Area. Meetings have commenced between the applicant, TRCA and City staff to review the development limits and engineering along the west property line, which has a bearing on the siting of the building and parking.
i.	Parkland Dedication	<ul style="list-style-type: none"> ▪ The provision of cash-in-lieu of parkland dedication in accordance with the City’s Cash-in-lieu of Parkland Policy and the <i>Planning Act</i> is required, if approved.
j.	Studies and Reports	<ul style="list-style-type: none"> ▪ The following documents submitted in support of the applications must be reviewed and approved to the satisfaction of the City and commenting public agencies: <ul style="list-style-type: none"> - Planning Justification Report - Cultural Heritage Resource Impact Assessment - Arborist Report and Tree Preservation Plan - Functional Servicing Report and Stormwater Management Report - Noise Feasibility Study

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 17, 2016

Item 5, CW(PH) Report No. 22 – Page 9

		<ul style="list-style-type: none">▪ The requirement for additional studies/information may be identified through the development application review process.
k.	Future Development Applications	<ul style="list-style-type: none">▪ The related Site Development File DA.15.091 will be reviewed in consideration of, but not limited to, appropriate building and site design, barrier free accessibility, pedestrian connectivity, vehicular access, internal traffic circulation, parking, landscaping, environmental sustainability, waste management, storm water management, and servicing and grading, if the subject applications are approved.▪ A Draft Plan of Condominium (Standard) Application will be required to permit a condominium tenure for the proposed development, if the subject applications are approved.▪ Opportunities for sustainable design, including CEPTD (Crime Prevention Through Environmental Design), LEEDS (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 and roof-top treatment to address the "heat island" effect, green roofs, etc., will be reviewed and implemented through the site plan approval process, if approved.

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

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

Regional Implications

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.

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.

Attachments

1. Context Location Map
2. Location Map
3. Conceptual Site Plan
4. Parking Plan
5. Elevations
6. Building Section

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 17, 2016

Item 5, CW(PH) Report No. 22 – Page 10

Report prepared by:

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Carmela Marrelli, Senior Planner, ext. 8791

(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.)