

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 4, 2013

Item 2, Report No. 25, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on June 4, 2013.

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**OFFICIAL PLAN AMENDMENT FILE OP.12.018
ZONING BY-LAW AMENDMENT FILE Z.12.046
DRAFT PLAN OF SUBDIVISION FILE 19T-12V011
YORK MAJOR HOLDINGS INC.
WARD 4 – VICINITY OF MAJOR MACKENZIE DRIVE AND
MCNAUGHTON ROAD EAST**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated May 21, 2013, be approved;**
- 2) That the following deputations be received:**
 - 1. Mr. Ryan Mino-Leahan, KLM Planning Partners Inc. Jardin Drive, Concord, on behalf of the applicant; and**
 - 2. Mr. Frank Masucci, Prestonwood Court, Maple; and**
- 3) That the following communications be received:**
 - C1. Yosmany Castaneda, Lindenshire Avenue, Vaughan, dated May 1, 2013; and**
 - C2. Ms. Angela Rasetta, dated May 2, 2013.**

Recommendation

The Commissioner of Planning recommends:

- 1. THAT the Public Hearing report for Files OP.12.018, Z.12.046 and 19T-12V011 (York Major Holdings 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.**

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.

Communications Plan

- a) Date the Notice of a Public Meeting was circulated: April 26, 2013
- b) Circulation Area: beyond the regular 150 m with an extended polling area of a minimum of 400 m as shown on Attachment #2 and those individuals that registered their names at the Maple GO Secondary Plan Open House.
- c) Comments received as of May 7, 2013: The Development Planning Department has received the following e-mail correspondence:
 - 1) From a resident on Lindenshire Avenue with the following concerns:
 - the proposed buildings will affect their quality of life;
 - the buildings are too high and will affect neighbourhood privacy, and increase noise;

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- want to preserve Maple as a quiet, well designed community;
- 10 and 12 storey buildings will block the sun; and,
- increased traffic.

2) From a resident in the area (no address provided) with the following concerns:

- the number of units concentrated in such a small area will create congestion, specifically in the GO parking area;
- there is already too much traffic during rush hour without the development; and,
- concerned that GO will not be able to accommodate all this demand.

Purpose

The Owner has submitted the following applications to facilitate residential development on the subject lands shown on Attachments #1 and #2, comprised of a total of 1,018 units as shown on Attachments #3 to #7 and including the following:

- i) 235 townhouse dwelling units including:
 - 70 units (Blocks 19 and 20) accessed by a private lane; and
 - 165 units (Blocks 1-18 inclusive and Blocks 21 to 35 inclusive) accessed by a public road; and,
 - ii) 783 residential apartment units within 5 apartment (future condominium) buildings (Buildings “D1”, “D2”, “E1”, “E2” and “E3”) ranging in height from 6 to 12 storeys and including ground floor retail and commercial uses.
1. Official Plan Amendment File OP.12.018 to amend OPA #332, as amended by OPA #535 (Maple Valley Plan) and OPA #604 (Oak Ridge Conformity Plan) to redesignate the subject lands from “Prestige Industrial - Parts ‘M’ and ‘B’” to “Mid-Rise Mixed-Use”.
 2. Zoning By-law Amendment File Z.12.046 to amend Zoning By-law 1-88, specifically to rezone the subject lands, from M1 Restricted Industrial Zone subject to site-specific Exception 9(1097) to the following zone categories in the manner shown on Attachment #4:
 - a) RT1 Residential Townhouse Zone with the Holding Symbol “(H)”;
 - b) RA3 Apartment Residential Zone with the Holding Symbol “(H)” (Buildings ‘D1’, ‘D2’, ‘E1’, ‘E2’ and ‘E3’);
 - c) OS2 Open Space Park Zone; and,
 - d) permit the following site-specific exceptions to Zoning By-law 1-88:

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	By-law Standard	By-law 1-88, RT1(H) Zone Requirements (Townhouse)	Proposed Exceptions to the RT1(H) Zone (Townhouse)
a.	<u>On a Lot Accessed by a Lane</u> i) Minimum Parking Space Size ii) Minimum Front Yard Setback ii) Maximum Building Height <u>Detached Garage located in Rear Yard:</u> i) Maximum Interior Garage Width ii) Minimum Interior Side Yard Setback (not attached to another garage)	i) 2.7 m by 6.0 m ii) 4.5 m iii) 11 m i) 3.048 m ii) 1.2 m	i) 2.5 m by 6.0 m ii) 4.0 m iii) 12 m i) 5.2 m ii) 0.6 m
b.	<u>On a Standard Lot, Not Accessed by a Lane</u> i) Minimum Lot Frontage ii) Minimum Lot Area iii) Minimum Lot Depth iv) Maximum Building Height v) Maximum Number of Townhouse Units in a Row/Block (Block 9 only)	i) 6.0 m ii) 162 m ² iii) 27 m iv) 11 m v) 6 units	i) 5.5 m ii) 140 m ² iii) 26 m iv) 12 m v) 7 units

	By-law Standard	By-law 1-88 RA3(H) Requirements (Apartment)	Proposed Exceptions to RA3(H) Requirements (Apartment)
c.	Minimum Landscape Strip Width Abutting a Street (Eagle Rock Way)	6 m	0 m
d.	Minimum Number Parking spaces	738 units @1.5 spaces / unit = 1175 spaces	738 units @ 1 space / unit = 738 spaces
e.	Minimum Number of Visitors Parking	738 units @ 0.25 visitors spaces / unit = 185 spaces	738 units @ 0.1visitor spaces / unit = 74 spaces
f.	Minimum Parking for Ground Floor Commercial Uses	6 spaces/100 m ²	No additional parking to be provided for ground floor commercial uses

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g.	Location of Loading Space	Not permitted between a building and a street	To permit loading/unloading between a building and a street (Between Buildings “E1”, “E2” and “E3” and Street “1” and between Buildings “D1” and “D2” and Street “4”,
h.	Maximum Driveway Width at Street Curb (Building “D1”, “D2”, “E1”, “E2” and “E3”)	6 m	11 m
i.	Uses Permitted	<ul style="list-style-type: none"> - Apartment Dwelling - Day Nursery 	<ul style="list-style-type: none"> - Apartment Dwelling - Day Nursery - Retail Store - Eating Establishment With Outdoor Patio - Personal Service Shop - Business or Professional Office - Banking or Financial Institution
j.	Minimum Lot Area	67 m ² / unit	18 m ² / unit
k.	Minimum Front Yard (Eagle Rock Way)	7.5 m	<ul style="list-style-type: none"> • Buildings “E1”, “E2” and “E3” - 0 m • Buildings “D1” and “D2” - 4.1 m
l.	Minimum Rear Yard (For Building “E1”) to Street “1”.	7.5 m	5.0 m
m.	Minimum Interior Side Yard (Buildings “D1”, “D2”, “E1” and “E2”)	7.5 m	3.0 m
n.	Minimum Exterior Side Yard (Building “E3”)	7.5 m	1.8 m

Additional zoning exceptions may be identified through the detailed review of the applications.

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3. Draft Plan of Subdivision File 19T-12V011 as shown on Attachment #4 to facilitate a residential Plan of Subdivision consisting of the following:

a) 33 Blocks for Townhouse Dwellings - 165 units (Blocks 1-18 and 21-35)	2.80 ha
b) 2 Blocks for Laneway Townhouse Dwellings - 70 units (Blocks 19 and 20)	0.97 ha
c) 2 Blocks for Apartment Dwellings - 783 units (Blocks 36 and 27)	1.41 ha
d) 2 Blocks for Parks (Blocks 38 and 39)	0.44 ha
e) Road Widening (Eagle Rock Way - Block 40)	0.10 ha
f) Buffer (Blocks 41 and 42)	0.20 ha
g) 0.3 m Reserve (Blocks 43 – 64)	0.01 ha
h) Streets and Laneways	2.20 ha
Total	8.13 ha

Background - Analysis and Options

Location	<ul style="list-style-type: none">▪ The subject lands are bounded by McNaughton Road East to the north, Troon Avenue to the east, Hill Street to the south, and the Maple GO parking lot to the west shown as "Subject Lands" on Attachments #1 and #2.
Official Plan Designation	<ul style="list-style-type: none">▪ "Prestige Industrial - Parts 'M' and 'B'" by in-effect OPA #332, as amended by OPA #535 (Maple Valley Plan) and OPA #604 (Oak Ridges Conformity Plan).▪ The designation permits processing, manufacturing, assembling, warehousing, and ancillary office uses. In addition, retail warehousing to a maximum of 25,000 m² is permitted. The proposed residential development plan does not conform to OPA #332, as amended by OPA #535 and OPA #604.▪ The subject lands are designated "Mid-Rise Mixed-Use" by 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 is pending approval from the Ontario Municipal Board. The "Mid-Rise Mixed-Use" designation permits the proposed residential apartment buildings, however, does not permit street or block townhouse units. In addition, VOP 2010 does not prescribe a maximum height or density for the subject lands as each will be determined through the Maple GO Station Secondary Plan Study (File 26.8) currently being undertaken by the Vaughan Policy Planning Department.

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<p>Maple GO Station Secondary Plan (File 26.8)</p>	<ul style="list-style-type: none">▪ On September 7, 2010, Vaughan Council adopted the Vaughan Official Plan 2010 (VOP 2010). The Plan originally designated the Secondary Plan area as “Commercial Mixed-Use” and prescribed a maximum building height of 4-storeys and a density of 1.5 FSI (Floor Space Index). This designation permitted a range of uses, and required development to be predominately commercial, provided for non-residential intensification, and to make efficient use of existing and planned transit investments.▪ On April 4, 2011, a request for a modification to VOP 2010 was submitted to the Region of York by the Owner, York Major Holdings Inc., to reconsider the land use designation for the subject lands. The Owner proposed a Mid-Rise Commercial-Residential development, whereas the “Commercial Mixed-Use” designation originally provided for in VOP 2010 prohibited residential uses.▪ At the Special Committee of the Whole Meeting held on September 12, 2011, Council adopted a recommendation that a Secondary Plan study be undertaken to determine the appropriate land use and urban design framework for the lands generally located north of Major Mackenzie Drive, south and west of McNaughton Road, adjacent to the Maple GO Station.▪ Subsequently, a follow-up report was considered by Vaughan Council on September 27, 2011. The following recommendation (in part) was adopted by Vaughan Council respecting the study area:<ul style="list-style-type: none">▪ That the westerly portion of the site between the existing retail uses and the GO Rail Station be redesignated “Mid-Rise Mixed-Use” (subject lands);▪ That the easterly portion of the site containing the retail uses, maintain the “Commercial Mixed-Use” designation (existing Lowes and Walmart);▪ That Schedule 14-A be amended to show the lands designated “Mid-Rise Mixed-Use” as a “required Secondary Plan Area.”▪ The “Mid-Rise Mixed-Use” designation did not prescribe a maximum building height or density, which were to be determined through the Secondary Plan study process.▪ On September 13, 2012, the Policy Planning Department held a Public Open House. A total of 12 participants attended the public forum where the Agent working on behalf of the Owner presented their plan and the City’s peer review consultant provided an explanation of the process and facilitated a discussion respecting the proposed Secondary Plan. The public forum allowed participants to provide their opinions respecting the proposed development. A separate report respecting the Maple GO Secondary Plan is being considered by the Committee of the Whole at this Public Hearing.
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Zoning	<ul style="list-style-type: none">▪ The subject lands are zoned M1 Restricted Industrial Zone by Zoning By-law 1-88, subject to Exception 9(1097), which does not permit residential uses. Therefore, an amendment to Zoning By-law 1-88 is required.
Surrounding Land Uses	<ul style="list-style-type: none">▪ Shown on Attachment #2.

Preliminary Review

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

	MATTERS TO BE REVIEWED	COMMENTS
a.	Conformity with Provincial policies, Regional and City Official Plans	<ul style="list-style-type: none">▪ The applications will be reviewed in consideration of the applicable Provincial policies, and Regional and City Official Plan policies.
b.	Maple GO Station Secondary Plan	<ul style="list-style-type: none">▪ The applications will be reviewed in consideration of the future policies in the Maple GO Station Secondary Plan including, but not limited to:<ul style="list-style-type: none">i) the vision and principles that will be identified in the Plan;ii) the structural concept of the Plan, which will identify the maximum permitted density and building heights for the subject lands.iii) the urban design and built form policies included in the plan to guide the development of the subject lands; and,iv) any other applicable policies relating to the development of the subject lands. <p>The technical report respecting the subject development applications will not be brought forward for Council's consideration until the Maple GO Secondary Plan Study is substantially complete.</p>
c.	Appropriateness of the Development Proposal	<ul style="list-style-type: none">▪ The appropriateness of the proposed development will be reviewed in consideration of, but not limited to, compatibility with the existing and planned land uses in the surrounding area including the existing residential to the south, the retail uses to the east, the Maple GO station and rail line to the west and future industrial to the north; built form, urban design, environmental sustainability, parking, traffic, the potential location for outdoor patio(s); compatibility with the proposed uses on the subject lands and in the surrounding area; and, shared access and easements as may be required.

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d.	Zoning By-law 1-88	<ul style="list-style-type: none">▪ The applications will be reviewed in consideration of the provisions of the City's Zoning By-law 1-88 and the appropriate zone categories and site-specific zoning exceptions required to implement the development proposal.
e.	City of Vaughan Design Review Panel	<ul style="list-style-type: none">▪ The applications will be reviewed with regard to the recommendations of the City of Vaughan Design Review Panel of April 25, 2013.
f.	Draft Plan of Subdivision	<ul style="list-style-type: none">▪ Draft Plan of Subdivision File 19T-12V011 will be reviewed in consideration of the surrounding land uses, to identify appropriate development blocks and Draft Plan of Subdivision conditions to ensure appropriate road alignments and connections, servicing and grading.
g.	Employment Land Conversion	<ul style="list-style-type: none">▪ The subject lands are currently located within an Employment Area. Under the Provincial Growth Plan, the introduction of a non-employment use (e.g. residential) would constitute an employment land conversion. Municipalities are permitted to convert employment lands to non-employment uses only through a comprehensive municipal Official Plan review.▪ As part of the City's comprehensive municipal Official Plan review (VOP 2010), a Housing Employment Land Needs Study was undertaken by Hemson Consulting Limited (dated April 23, 2010, as revised September 2011). Through this review it was determined that the conversion was warranted, largely as a result of the retail nature of the existing uses in the area, the area being well defined and separated from other employment uses, and the presence of the GO rail station provides the opportunity for a wider variety of transit oriented uses.▪ Accordingly, VOP 2010 as it pertains to the subject lands must be in-effect prior to the subject site-specific development applications being considered for approval on the subject lands.
h.	Proposed Public Parks	<ul style="list-style-type: none">▪ The proposed park blocks, as shown on Attachment #3, must be designed and developed in accordance with the City's "Active Together Masterplan for Parks", playground design vision and specifications, and Vaughan Parks Forestry and Operations and Building and Facilities design criteria. The size and configuration of the parks must be to the satisfaction of the Vaughan Parks Development and Development Planning Departments.

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i.	Supporting Documents	<ul style="list-style-type: none"> ▪ The following documents submitted in support of the applications must be reviewed and approved by the Region of York Transportation and Community Planning Department and/or the City of Vaughan Development/Transportation Engineering Department and/or the City of Vaughan Development Planning Department: ▪ Traffic Impact and Parking Study; ▪ Noise and Vibration Feasibility Study; ▪ Functional Servicing Report; ▪ Phase One Environmental Site Assessment; ▪ Interim Summary of Phase Two Environmental Site Assessment; ▪ Internal and External Traffic Impact Study; ▪ Geotechnical Site Development Report; ▪ Sustainable Design Features; ▪ Shadow Study; ▪ Oak Ridges Moraine Conformity Report; ▪ Urban Design Guidelines; and, ▪ Landscape Concept Plan.
j.	Oak Ridges Moraine Conformity	<ul style="list-style-type: none"> ▪ The subject lands are located within the Oak Ridges Moraine. An Oak Ridges Moraine Conformity Report has been submitted and must be reviewed to the satisfaction of the City.
k.	Planning Justification Report	<ul style="list-style-type: none"> ▪ The Planning Justification Report prepared by KLM Planning Partners Inc. in support of the applications must be approved to the satisfaction of the Vaughan Development Planning Department.
l.	Public Agency Review	<ul style="list-style-type: none"> ▪ The Owner will be required to address all City and Public Agency review comments.
m.	Future Draft Plan of Condominium Application	<ul style="list-style-type: none"> ▪ A future Draft Plan of Condominium application will be required, if the subject applications are approved, to create a Condominium Corporation for the mid-rise apartment buildings, and the common elements for the proposed laneway townhouses.
n.	Servicing	<ul style="list-style-type: none"> ▪ Servicing allocation for water and sanitary must be identified and assigned to the development, if approved. Should servicing capacity not be available, the Holding Symbol “(H)” will be placed on the subject lands. Removal of the Holding Symbol “(H)” will be conditional upon servicing capacity being allocated to the subject lands.

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o.	Future Site Development Application	<ul style="list-style-type: none">▪ A future Site Development Application(s) is required, if the subject applications are approved, to permit the proposed development and will be reviewed to ensure, but not limited to: appropriate building and site design; built form, pedestrian and vehicular access; internal circulation; landscaping, transition to surrounding land uses; barrier free design; location of loading areas; and, servicing and grading.▪ Opportunities for sustainable design, including CEPTD (Crime Prevention through Environmental Design), LEEDS (Leadership in Energy and Environmental Design), permeable pavers, bioswales, drought tolerant landscaping, bicycle racks to promote alternative modes of transportation, energy efficient lighting, reduction in pavement and roof-top treatments that address the “heat island” effect, green roofs, etc. will be reviewed and implemented through the site plan approval process, if approved.▪ Opportunities to incorporate Transportation Demand Management (TDM) measures into the proposed development, including, but not limited to, facilitating electric vehicles, bicycle racks, car-share facilities, transit passes for future residents, car-pooling, etc. will be reviewed.▪ The site plan drawings, if approved, must be reviewed and approved by the Control Architect for this area.
p.	Ministry of Environment	<ul style="list-style-type: none">▪ The applications will be reviewed in consideration of the Ministry of Environment Guidelines respecting sensitive land uses (ie. residential) located in the vicinity of employment lands.
q.	Toronto and Region Conservation Authority (TRCA)	<ul style="list-style-type: none">▪ The applications must be reviewed by the Toronto and Region Conservation Authority, and the Owner will be required to address their comments.
r.	Metrolinx (GO Transit)	<ul style="list-style-type: none">▪ The subject lands are located in proximity to the Maple GO Station and commuter parking lot. Opportunities for pedestrian linkages to the station, appropriate buffers, noise mitigation considerations, and site design will be reviewed. The applications must be reviewed by Metrolinx (GO Transit).

Relationship to Vaughan Vision 2020/Strategic Plan

The applicability of the 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 for review and comment. Any issues will be addressed when the technical report is considered. The Owner has not requested an exemption from Regional approval for the Official Plan Amendment application. Consequently,

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the Region of York will be the approval authority for the implementing adopted Official Plan Amendment, if the Official Plan Amendment application is approved by Vaughan Council. In order for the Region to be the final approval authority VOP 2010 must be in-effect.

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. Draft Plan of Subdivision 19T-12V011 + Proposed Zoning Z.12.046
5. Conceptual Elevations – Buildings D1 and D2
6. Conceptual Elevations – Building E1
7. Conceptual Elevations – Buildings E2 and E3

Report prepared by:

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(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.)