

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 1, Report No. 27, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on June 27, 2017.

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**OFFICIAL PLAN AMENDMENT FILE OP.17.004
ZONING BY-LAW AMENDMENT FILE Z.17.010
YORK MAJOR HOLDINGS INC.
WARD 4 - VICINITY OF MCNAUGHTON ROAD EAST AND MAJOR MACKENZIE DRIVE**

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 June 20, 2017, be approved; and**
- 2) That the deputation of Mr. Ryan Mino-Leahan, KLM Planning Partners Inc., Jardin Drive, Concord, on behalf of the applicant, be received.**

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.17.004 and Z.17.010 (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 such as site and building design initiatives 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 Public Hearing was circulated: May 26, 2017.

The Notice of Public Hearing was also posted on the City's web-site at www.vaughan.ca and a Notice Sign was installed on the McNaughton Road East frontage in accordance with the City's Notice Sign Procedures and Protocols.
- b) Circulation Area: 150 m and all individuals/ groups that appealed City of Vaughan Official Plan 2010, Volume 2, Area Specific Policy 12.3 - Keele Valley Landfill Area.
- 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 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.

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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 permit the expansion of an existing parking area on the portion of the subject lands identified as Area “A” on Attachment #3, that would allow a shared parking arrangement to serve both the existing Eagle’s Nest Turf maintenance building and a proposed medical office building to be located on the portion of the subject lands, identified as Area “B”, in the manner shown on Attachment #3:

1. Official Plan Amendment File OP.17.004, specifically to:
 - a) Amend Official Plan Amendment (OPA) #332 (North Maple Planning Study), as amended by OPA #535 (Maple Valley Plan), OPA #604 (Oak Ridges Moraine Conservation Plan) and OPA #666, to permit a shared parking area to be located in Area “B” of the subject lands (designated “Open Space Policy Area 3” and “Oak Ridges Moraine Settlement Area”) for the proposed medical building to be located in Area “A”; and
 - b) Amend City of Vaughan Official Plan (VOP 2010), specifically Volume 2, Area Specific Policy 12.3 – Keele Valley Landfill Area to redesignate Area “B” as shown on Attachment #3 from “Private Open Spaces – Policy Area 3” to “Commercial Mixed-Use” to correct a mapping error in Vaughan Official Plan (VOP 2010).
2. Zoning By-law Amendment File Z.17.010 specifically to amend Zoning By-law 1-88, subject to site-specific Exception 9(1097), to permit off-site parking on the lands zoned OS2 Open Space Park Zone (Area “A”) to serve the proposed medical building within Area “B” in the manner shown on Attachment #3, and to permit the following site-specific exceptions to the C1 Restricted Commercial Zone standards to facilitate the development of a proposed medical building:

Table 1: Area “A”

	Zoning By-law 1-88 Standard	OS2 Open Space Park Zone, Exception 9(1097)	Proposed Exceptions to the OS2 Open Space Park Zone, Exception 9(1097)
a.	Parking Requirements	Parking spaces and areas shall be provided and maintained on the lot on which the building is erected	Parking spaces and areas (including but not limited to parking ramps and aisles) for the medical office building located in Area “B” shall be provided and maintained on the adjacent OS2 Open Space Park Zone lot (Area “A”)

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b.	Uses Permitted	<ul style="list-style-type: none"> - Driving Range - Golf Course - Miniature Golf Course - Recreational Use as defined in Section 2.0 - Institutional Uses - Conservation Uses 	<p>Permit the following additional uses in the OS2 Zone:</p> <ul style="list-style-type: none"> - Off-site parking for Area “B” - Shared parking for Areas “A” and “B” - A ramp leading to the underground parking located in the C1 Zone (Area “B”)
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Table 2: Area “B”

	Zoning By-law 1-88 Standard	C1 Restricted Commercial Zone Requirements, Exception 9(1097)	Proposed Exceptions to the C1 Restricted Commercial Zone Requirements, Exception 9(1097)
a.	Definition of “Lot Line, Front”	Means the street line, provided that in the case of a corner lot, the shorter street line is deemed to be front lot line and provided further that in the case of a corner lot which has an abutting sight triangle the centre point of the lot line abutting the sight triangle shall be deemed to be the point of intersection of the front and side lot lines	Means the street line which is adjacent to McNaughton Road East
b.	Parking Requirements and Location of Ramp to Underground Parking	Parking spaces, aisles and ramp shall be provided and maintained on the lot on which the building is erected	Parking spaces and areas (including but not limited to parking ramp and aisles) required for the medical building use shall be provided and maintained on the adjacent lands (Area “A”)

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c.	Minimum Landscape Strip Width where a Commercial Zone abuts an Open Space Zone	2.4 m	No minimum landscape strip shall be required
d.	Minimum Front Yard Setback (McNaughton Road East)	9 m	6 m
e.	Minimum Exterior Yard Setback (Eaglet Court)	9 m	6 m
f.	Maximum Permitted Building Height	11 m	16.1 m (measured to the top of the parapet)
	Zoning By-law 1-88 Standard	C1 Restricted Commercial Zone Requirements, Exception 9(1097)	Proposed Exceptions to the C1 Restricted Commercial Zone Requirements, Exception 9(1097)
g.	Minimum Rear Yard Setback	15 m	0 m
h.	Minimum Lot Depth	60 m	30 m

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"> Northeast corner of McNaughton Road East and Eaglet Court, municipally known as 3 Eaglet Court (Area "A") and 1 Eaglet Court (Area "B"), shown as "Subject Lands" on Attachments #1 to #3. Areas "A" and "B" are shown on Attachment #3.
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Official Plan Designation	<p><u>Area “A”</u></p> <ul style="list-style-type: none"> Area “A” as shown on Attachment #3 is designated “Open Space Special Policy Area 3” by the in-effect Official Plan Amendment (OPA) #332, as amended by OPA #535 and OPA #666. The “Open Space Special Policy Area 3” designation permits golf courses and cemeteries, and monitoring activities related to the former Keele Valley Landfill site with accessory parking associated with the permitted use. Area “A” is also designated as “Private Open Spaces - Policy Area 3” by VOP 2010, Volume 2, Area Specific Policy 12.3 - Keele Valley Landfill Area. Policy 12.3 has been appealed to the Ontario Municipal Board and therefore, is not in-effect on the subject lands. The proposed parking lot in association with a medical office building is not a permitted use in Area “A” by either the in-effect or VOP 2010 Official Plan designations.
Official Plan Designation	<p><u>Area “B”</u></p> <ul style="list-style-type: none"> Area “B” as shown on Attachment #3, is designated “General Commercial” by in-effect OPA #332, as amended, which permits commercial uses including the proposed medical building. The proposal to permit off-site parking spaces and associated parking areas to be used for the proposed medical building on Area “B”, does not conform to the Official Plan. The land use designation of Area “B” is incorrectly identified in VOP 2010 as follows: <ul style="list-style-type: none"> i) in Volume 1 on Schedule 13 as “Private Open Spaces”; and, ii) in Volume 2, Area Specific Policy 12.3 - Keele Valley Landfill Area Map 12.3.A as “Private Open Spaces – Policy Area 3”. <p>These land use designations are not consistent with OPA #332, as amended. The correct land use designation is “Commercial Mixed-Use” within the Keele Valley Landfill Area Plan (Section 12.3) of VOP 2010, which would permit the proposed medical building.</p> <p><u>Oak Ridges Moraine Conservation Plan (ORMCP)</u></p> <ul style="list-style-type: none"> Both Areas “A” and “B” are designated “Oak Ridges Moraine Settlement Area” by OPA #604 and by VOP 2010. The “Oak Ridges Moraine Settlement Area” designation of the ORMCP permits the existing turf maintenance building and parking lot (Attachment #3). The ORMCP includes policies to minimize the impervious surface. The Owner has submitted an Oak Ridges Moraine Conservation Plan Conformity Report in support of the applications which must be reviewed to the satisfaction of the Development Planning Department.

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Zoning	<ul style="list-style-type: none"> ▪ The subject lands are zoned OS2 Open Space Park Zone (Area “A”) and C1 Restricted Commercial Zone (Area “B”) subject to site-specific Exception 9(1097) by Zoning By-law 1-88. The proposed office building is a permitted use within the C1 Restricted Commercial Zone. ▪ The Owner is proposing to add additional site-specific zoning exceptions to the OS2 Open Space Park Zone and the C1 Restricted Commercial Zone subject to site-specific Exception 9(1097), as identified in Tables 1 and 2. ▪ The proposal to permit a shared parking area associated with a medical building (Area “B”) in the OS2 Open Space Park Zone (Area “A”) does not comply with Zoning By-law 1-88, and therefore, an amendment to Zoning By-law 1-88 is required to facilitate the development.
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	COMMENT(S)
a.	Provincial Policies, Regional and City Official Plan Policies	<ul style="list-style-type: none"> ▪ The applications will be reviewed in consideration of the applicable Provincial policies, Regional and City Official Plan policies, particularly the policies in VOP 2010 and the Oak Ridges Moraine Conservation Plan (ORMCP). ▪ A mapping error has been identified for Area “B” on Schedule 13 of VOP 2010. Area “B” is designated “General Commercial” by in-effect OPA #332, as amended, which has not been accurately reflected on Schedule 13 and Map 12.3.A of VOP 2010, Volume 2, Keele Valley Landfill Area – Land Use Plan. Section 12.3 of Volume 2 of VOP 2010 has been appealed by landowners in the immediate area bound by Keele Street, McNaughton Road East and the rail line and do not affect the subject lands. The mapping error must be corrected in order to implement the proposal.

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b.	Appropriateness of the Proposed Official Plan Amendment, and Site-Specific Zoning Exceptions	<ul style="list-style-type: none"> ▪ The appropriateness of the proposed Official Plan Amendment and site-specific zoning exceptions to the OS2 and C1 Zones to permit the expansion of an existing parking area on Area “A” to facilitate a shared parking area to serve both the existing Eagle’s Nest Turf maintenance building and the proposed medical office building on Area “B” will be reviewed. ▪ The Private Open Space designation and the OS2 Open Space Park Zone do not permit a shared parking area associated with a medical building on Area “A”. ▪ The Owner has submitted a Planning Justification Report in support of the proposed development, which must be reviewed to the satisfaction of the Development Planning Department.
c.	Reports and Studies	<ul style="list-style-type: none"> ▪ The Owner has submitted the following reports and studies in support of the applications which must be approved to the satisfaction of the City or respective public approval authority. <ul style="list-style-type: none"> - Planning Justification Report - Oak Ridges Moraine Conformity Report - Access Brief - Draft Official Plan Amendment - Draft Zoning By-law Amendment - Water Balance Assessment - Transportation Demand Management - Stormwater Management Report - Tree Inventory and Preservation Brief <p>Additional reports may be required as part of the development application review process.</p>
d.	Ministry of Environment and Climate Change (MOECC)	<ul style="list-style-type: none"> ▪ The subject lands are located adjacent to the former Keele Valley Landfill site, therefore the development proposal must be reviewed by the Ministry of Environment and Climate Change (MOECC). An amendment to the existing Certificate of Approval (C of A) (now called an Environmental Compliance Approval) may be required. Final comments with regard to this matter are required from the MOECC.

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e.	Future Consent Application	<ul style="list-style-type: none"> ▪ The Owner will be required to submit a Consent Application to the Vaughan Committee of Adjustment in order to establish and register the appropriate reciprocal easements for the access and shared parking on the subject lands (Areas “A” and “B”), if the applications are approved.
f.	Related Site Development Files DA.17.020 (Area “A”) and DA.16.053 (Area “B”)	<ul style="list-style-type: none"> ▪ The Owner has submitted related Site Development Files DA.17.020 and DA.16.053 to facilitate the expansion of the parking lot for the lands identified as Area “A” and permit the development of the medical building, should the subject Official Plan and Zoning By-law Amendment applications be approved. ▪ The Site Development Applications will be reviewed in consideration of, but not limited to: <ul style="list-style-type: none"> - the appropriateness of a shared parking lot - site design and building orientation - pedestrian and barrier free accessibility - appropriate driveway and vehicular access - landscaping - environmental sustainability - servicing and grading - stormwater management - tree inventory and preservation - snow storage ▪ All issues identified through the review of the Site Development Files DA.16.053 and DA.17.020 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. ▪ Site Development File DA.17.020 has been submitted for the new parking area, which also includes a new parking area (32 spaces) on the east side of the turf maintenance building (Attachment #3) dedicated for use by the employees of the building which must be reviewed to the satisfaction of the City and the MOECC.
g.	Sustainable Development	<ul style="list-style-type: none"> ▪ Opportunities for sustainable design, including CPTED (Crime Prevention Through Environmental Design), LEED (Leadership in Energy and Environmental Design), permeable pavers, bio-swales, drought tolerant landscaping, energy efficient lighting, reduction in pavement etc., will be reviewed and implemented through the related site plan approval process, if the subject applications are approved.

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h.	Existing Mature Trees	<ul style="list-style-type: none">▪ All the existing trees located on the lands shown as Area “A” are proposed to be removed. The Tree Inventory and Preservation Brief submitted in support of the subject applications must be reviewed and approved by the Parks and Forestry Operations, Development Planning and Parks Development Departments. Should it be determined that some/all of the trees must be preserved, it may result in a loss of parking spaces on the site, alternatively if trees are to be removed, then appropriate compensation in accordance with the City’s Replacement Tree Requirements will be required.
i.	Toronto and Region Conservation Authority (TRCA)	<ul style="list-style-type: none">▪ The subject lands fall within the Recharge Protection Area of the Source Protection Plan and the Water Balance Assessment report must be reviewed and approved by the TRCA.

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 application, 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.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan and Zoning
4. Landscape Plan (Related Site Development Files: DA.16.053 and DA.17.020)
5. Medical Building Elevations (Related Site Development File: DA.16.053)

Report prepared by:

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Christina Napoli, Senior Planner, ext. 8483

(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.)