

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 25, 2013

Item 1, Report No. 34, of the Committee of the Whole (Public Hearing), which was adopted, as amended, by the Council of the City of Vaughan on June 25, 2013, as follows:

By receiving Communication C4 from Angelo and Leslie Potkidis, Rosebury Lane, Woodbridge, dated June 16, 2013.

1

**OFFICIAL PLAN AMENDMENT FILE OP.11.002
ZONING BY-LAW AMENDMENT FILE Z.06.079
MARKET LANE HOLDINGS INC.
WARD 2 - VICINITY OF WOODBRIDGE AVENUE AND CLARENCE STREET**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning and the Director of Development Planning, dated June 18, 2013, be approved;
- 2) That the deputation of Ms. Rosemarie L. Humphries, Humphries Planning Group Inc., Chrislea Road, Vaughan, on behalf of the applicant, be received; and
- 3) That Communication C2 from the Woodbridge Core Ratepayers' Association, Wallace Street, Woodbridge, dated June 15, 2013, be received.

Recommendation

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

1. THAT the Public Hearing report for Files OP.11.002 and Z.06.079 (Market Lane 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 Hearing was circulated: May 24, 2013
- b) Circulation Area: 150 m, Woodbridge Core Ratepayers Association and to individuals requesting to be notified.
- c) Comments Received as of June 4, 2013: None

Purpose

The Owner has submitted the following applications on the subject lands shown on Attachments #1 and #2, to facilitate the future development of a 7-storey (Building "G") residential apartment building (condominium) comprised of 70 units on a portion of the subject lands, as shown on Attachments #3 to #5:

1. Official Plan Amendment File OP.11.002 to amend OPA #240 (Woodbridge Community Plan) as amended by OPA #440 (Woodbridge Core Plan), specifically the "Mixed Use Commercial" designation policies to:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 25, 2013

Item 1, CW(PH) Report No. 34 – Page 2

- i) permit a residential building with no ground-floor commercial uses, whereas the Official Plan requires ground floor commercial uses; and,
 - ii) to increase the maximum permitted building height for proposed Building “G” from 4-storeys to 7-storeys.
2. Zoning By-law Amendment File Z.06.079 to amend Zoning By-law 1-88, specifically to rezone a portion of the subject lands as shown on Attachment #3, from C4 Neighbourhood Commercial Zone subject to Exception 9(348) to RA2 Apartment Residential Zone, with the following site-specific exceptions to Zoning By-law 1-88:

	By-law Standard	By-law 1-88, RA2 Apartment Residential Zone Requirements	Proposed Exceptions to RA2 Apartment Residential Zone Requirements
a.	Minimum Building Setback to Portions of the Buildings Below Grade	Front Yard and Rear Yard - 1.8 m	Front Yard (Woodbridge Avenue) - 0 m Rear Yard - 0 m
b.	Minimum Front Yard (Woodbridge Avenue) and Minimum Interior Side Yard (East Lot Line)	Front Yard - 7.5 m Interior Side Yard - 7.5 m	Front Yard - 1.6 m Interior Side Yard - 1.2 m
c.	Minimum Parking Requirements	70 Units @ 1.75 spaces/unit (1.5 resident spaces + 0.25 visitor spaces/unit) = 123 spaces Total Parking Required = 123 spaces	70 Units @ 1.25 spaces per unit (includes 1 residential space + 0.25 visitor parking spaces/unit) = 88 spaces Total Parking Proposed = 88 spaces
d.	Minimum Parking Space Size Minimum Barrier-Free Parking Space Size	2.7 m x 6.0 m 3.9 m x 6.0 m	2.6 m x 5.6 m 3.65 m x 5.6 m

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 25, 2013

Item 1, CW(PH) Report No. 34 – Page 3

e.	Definition of Lot	Means a parcel of land fronting on a street separate from any abutting land to the extent that a Consent (severance) 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 street.	For the purpose of zoning compliance, the subject lands shall be deemed to be one lot, regardless of the number of buildings constructed on the lot, the creation of any new lot by Plan of Condominium, Part Lot Control, Consent, and any easements or restrictions.
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An amendment to Zoning By-law 1-88 is also required to delete the northwest portion of the proposed condominium apartment lands (shown on Attachment #3) from the requirements of site-specific Exception 9(348), which applies to the Market Lane commercial lands, and to include these lands with the proposed residential development, if approved. Other zoning exceptions may be identified through the detailed review of the Zoning By-law Amendment application.

Background - Analysis and Options

In December 2006, the Owner submitted Zoning By-law Amendment File Z.06.079 on the subject lands (entire Market Lane property) as shown on Attachment #3, to facilitate the development of two, 4 storey mixed-use condominium buildings comprised of 102 residential units and 2,437 m² of ground floor commercial uses. The application was considered at a statutory Public Hearing on April 30, 2007, and subsequently held in abeyance pending the completion of the City of Vaughan Official Plan Review (VOP 2010) including the Special Policy Area Review. On September 7, 2010, Vaughan Council adopted VOP 2010, which is pending final approval from the Ontario Municipal Board. The Special Policy Area Justification Study (SPA Review) is in the process of being finalized and will require review from the Toronto and Region Conservation Authority (TRCA) and final approval from the Province.

On March 29, 2011, the applicant submitted Official Plan Amendment File OP.11.002, proposing a 6 storey building comprised of 79 residential units and ground floor commercial, which was considered together with Zoning By-law Amendment File Z.06.079 at the June 14, 2011 Public Hearing. The applications were held in abeyance until such time as the SPA Justification was completed and approved by the Province.

Since then, this temporary inactivity has provided the applicant the opportunity to address some of the City comments with respect to density, heritage conservation and building design. On April 25, 2013, the applicant amended the subject applications to permit the development of Building "G" on the subject lands as shown on Attachments #2 and #3. The applications have been revised to eliminate the ground floor commercial component within the residential building and to increase the building height from 6-storeys to 7-storeys, and with new elevations, thereby requiring a new Public Hearing, which is the subject of this report.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 25, 2013

Item 1, CW(PH) Report No. 34 – Page 4

Location	<ul style="list-style-type: none">North side of Woodbridge Avenue between Clarence Street and Wallace Street, municipally known as 112, 116, 124 and 140 Woodbridge Avenue, City of Vaughan, as shown on Attachments #1 and #2.The lands subject to the Official Plan and Zoning By-law Amendment applications are currently vacant and form part of the overall Market Lane commercial complex ownership (Attachment #3). The development site is located at the southeast portion of the property with access onto Woodbridge Avenue and is completely surfaced with asphalt.
Official Plan Designation	<ul style="list-style-type: none">The subject lands are designated “Mixed-Use Commercial” by OPA #240 (Woodbridge Community Plan), as amended by OPA #440 (Woodbridge Core Plan) and are also subject to the “Special Policy Area” (SPA) flood plain policies. A mixed-use building with a maximum building height of 4 storeys is permitted by the Official Plan. The Official Plan also requires that the ground floor of a building include a commercial component.The applicant is proposing to amend the Mixed-Use Commercial policies of OPA #240, as amended by OPA #440 (Woodbridge Core Policy), to permit a residential apartment dwelling only, with no ground floor commercial component, and with an increase in the maximum building height from 4-storeys to 7-storeys, which does not conform to the Official Plan, and therefore, an Official Plan Amendment is required.City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified by Vaughan Council on September 27, 2011, March 20, 2012, and April 17, 2012) as further modified and endorsed by the Region of York Council on June 28, 2012, and is pending approval from the Ontario Municipal Board. VOP 2010 designates the subject lands “Low-Rise Mixed-Use” (Woodbridge Centre Secondary Plan - Volume 2). This designation permits a mixed-use development with a maximum building height of 6-storeys and Floor Space Index (FSI) of 1.8 (calculated over the entire Market Lane property). The total FSI on the Market Lane property including the proposed condominium building is 0.88, which is based on the entire parcel. The proposed residential building with no ground floor commercial and a 7-storey building height does not conform to the policies of VOP 2010.
Zoning	<ul style="list-style-type: none">The subject lands are zoned C4 Neighbourhood Commercial Zone by Zoning By-law 1-88. The proposed residential uses are not permitted in the C4 Zone and site-specific zoning exceptions are required to implement the proposal. The northwest portion of the site is subject to Exception 9(348), which provides for site-specific zoning exceptions for the existing Market Lane development. An amendment to Zoning By-law 1-88 is required.
Surrounding Land Uses	<ul style="list-style-type: none">Shown on Attachment #2.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 25, 2013

Item 1, CW(PH) Report No. 34 – Page 5

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.	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.	Special Policy Area	<ul style="list-style-type: none">• The lands are currently subject to the Special Policy Area policies under OPA #240, as amended by OPA #440 (Woodbridge Core Plan). Amendments to the Official Plan for lands within a Special Policy Area must be approved by the Ministries of Natural Resources and Municipal Affairs and Housing.• The City is currently undertaking a Special Policy Area (SPA) Justification Study for the Woodbridge Centre Secondary Plan in consultation with the Toronto and Region Conservation Authority for Provincial approval. The study will delineate an updated boundary of the SPA and establish new policies respecting development in the SPA as required. Any changes to the policies and mapping will be reflected in VOP 2010.• The Vaughan Development Planning Department will continue to process the subject applications, however, a technical report with a recommendation will not proceed to the Committee of the Whole for consideration until such time as the SPA Justification Study is completed and approved by the Province.
c.	Appropriateness of Proposed Use and Site-Specific Exceptions	<ul style="list-style-type: none">▪ The appropriateness of the proposed use, together with the site-specific zoning exceptions required to implement the plan, will be reviewed in consideration of the surrounding existing and planned land uses, with particular consideration given to land use compatibility, built form, height, building setbacks, the availability of parking, and appropriate development standards.▪ The appropriateness of reducing the size of the regular and barrier free parking spaces will be reviewed in consideration of the applicable Accessibility standards in the Province.
d.	Impact on Adjacent City-Owned Lands	<ul style="list-style-type: none">▪ Review will be given to ensure the location of the proposed building abutting the City-owned lands (municipal parking lot), as shown on Attachment #3, does not adversely impact these City-owned lands. In addition, vehicular access to the development is proposed through the municipal parking lot. Arrangements to permit this access through City-owned lands will be reviewed for appropriateness with the Vaughan Legal Services and Real Estate Staff in consideration of such matters as liability, easements, and maintenance and replacement costs.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 25, 2013

Item 1, CW(PH) Report No. 34 – Page 6

e.	Heritage Conservation	<ul style="list-style-type: none">▪ The property is subject to the Woodbridge Heritage Conservation District Plan and is located adjacent to 124 Woodbridge Avenue, which is identified as a Heritage House (Gilmour House), as shown on Attachment #3. The applicant has restored and is maintaining the Gilmour House (124 Woodbridge Avenue) in situ. The proposed development will be reviewed in consideration of compatibility with the heritage building and conformity with the applicable Heritage Conservation District policies. The development should incorporate heritage architectural design features such as, colour scheme, signage and utilize angular planes to maintain the heritage character of the building and its prominence on Woodbridge Avenue.▪ The proposed development will require review and approval by the Vaughan Cultural Services Division and Heritage Vaughan.
f.	Traffic, Road Widening and Parking Review	<ul style="list-style-type: none">▪ Access improvements and any required road widening along Woodbridge Avenue must be identified and approved by the Vaughan Development/Transportation Engineering Department.▪ The subject property is dependent on City-owned lands (municipal parking lot to the north) for secondary access. The municipal parking lot shall not be used to satisfy the minimum parking requirements specified in Zoning By-law 1-88 for the proposed development.▪ An updated Parking Study to reflect the current revised proposal is required in support of the applications, to be reviewed and approved by the Vaughan Development / Transportation Engineering Department.
g.	Design Review Panel	<ul style="list-style-type: none">▪ The proposed development must be considered by the Vaughan Design Review Panel, with any comments provided as input in the review of the application by the Vaughan Development Planning Department.
h.	Additional Studies	<ul style="list-style-type: none">▪ Review will be given to determine if additional studies are required to support the proposed development.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 25, 2013

Item 1, CW(PH) Report No. 34 – Page 7

i.	Future Site Plan/Condominium Approval	<ul style="list-style-type: none">▪ If approved, development of the site will require the submission of Site Development and Draft Plan of Condominium Applications to facilitate the proposal, and create a future condominium block for Building "G". The development will be reviewed to ensure, but not limited to: appropriate site design, building design and materials and colours in keeping with heritage policies, transition between the proposed development and surrounding land uses, access, internal traffic circulation, parking, landscaping, servicing and grading, pedestrian connectivity, appropriate amenity area and barrier free accessibility.▪ Opportunities for sustainable design, including CEPTD (Crime Prevention Through Environmental Design), LEEDS (Leadership in Energy and Environmental Design), permeable pavers, 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 the subject applications are approved.
j.	Water and Servicing Allocation	<ul style="list-style-type: none">▪ The availability of water and sanitary servicing capacity for the proposed development must be identified and allocated by Vaughan Council, if approved. Should servicing not be available, the use of a Holding Symbol "(H)" will be considered for the subject lands.

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 for review and comment. Any issues will be addressed when the technical report is considered. To date, the Region of York has not exempted the Official Plan Amendment application from Regional approval.

Conclusion

The preliminary issues identified in this report and any other issues identified through the processing of these 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
4. Elevations- South & East
5. Elevations- North & West

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 25, 2013

Item 1, CW(PH) Report No. 34 – Page 8

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.)