

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES SEPTEMBER 25, 2012

Item 3, Report No. 35, of the Committee of the Whole (Public Hearing), which was adopted, as amended, by the Council of the City of Vaughan on September 25, 2012, as follows:

By receiving Communication C4 from Ms. Mara Farina, dated September 6, 2012.

3

**OFFICIAL PLAN AMENDMENT FILE OP.12.003
ZONING BY-LAW AMENDMENT FILE Z.12.008
JOHN DUCA
WARD 2 - VICINITY OF REGIONAL ROAD 7 AND KIPLING AVENUE**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated September 4, 2012, be approved;
- 2) That the Ward Councillor be directed to convene meetings of the parties in furtherance of this application, as deemed appropriate;
- 3) That the following deputations and communication be received:
 1. Mr. Gregg Fordyce, KFA Architect, Spadina Avenue, Toronto, on behalf of the applicant;
 2. Mr. Drazen Bulat, Veneto Drive, Woodbridge and communication C9, dated September 4, 2012;
 3. Ms. Carole Davies, Veneto Drive, Woodbridge;
 4. Ms. Ann Grech, Tasha Court, Woodbridge;
 5. Mr. Massimo Alfino, Kipling Avenue, Woodbridge;
 6. Mr. Phillip Franco, Veneto Drive, Woodbridge;
 7. Mr. Allen Kershaw, Veneto Drive, Woodbridge;
 8. Mr. Raymond Grech, Tasha Court, Woodbridge;
 9. Ms. Norma Basciano, Coles Avenue, Woodbridge;
 10. Ms. Anna Sirianni, Hawman Avenue, Woodbridge;
 11. Ms. Rosina D'Alimonte, Hawman Avenue, Woodbridge; and
 12. Mr. Nick Pinto, President, West Woodbridge Homeowners Association Inc., Mapes Avenue, Woodbridge; and
- 4) That the following communications be received:
 - C7. Mr. Enio Zeppieri, Zeppieri & Associates, Barristers and Solicitors, Wilson Avenue, Toronto, dated September 4, 2012; and
 - C8. Ms. Liberata D'Aversa, Whitfield Avenue, Toronto, dated September 4, 2012.

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for Files OP.12.003 and Z.12.008 (John Duca) 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.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES SEPTEMBER 25, 2012

Item 3, CW(PH) Report No. 35 – Page 2

Economic Impact

This will be addressed when the technical report is completed.

Communications Plan

- a) Date the Notice of a Public Meeting was circulated: August 10, 2012.
- b) Circulation Area: 150 m, the West Woodbridge Homeowners' Association, Dr. Fabio D'Ambrosi, Rosina D'Alimonte, and all individuals that had requested notice of Development Files OP.07.009, Z.07.049 and DA.09.056 (Pine Grove on Seven Inc.) for the development located at the southwest corner of Kipling Avenue and Regional Road 7.
- c) Comments Received as of August 21, 2012:
 - i) The West Woodbridge Homeowners Association Inc. provided comments in correspondence dated June 11, 2012. The correspondence states that they do not support the proposed development for a number of reasons, including but, not limited to:
 - the proposed development is not consistent with the policies and intent of the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe;
 - the proposed development is not consistent with the City's Official Plan with respect to land use, built form and the public realm policies that encourage fully integrated commercial, retail and residential uses within a comprehensively planned and designed development that has good transitional relationships to its surrounding context and protects the existing stable neighbourhood;
 - the proposed development is not consistent with the June 25, 2009 Ontario Municipal Board Decision and Order (respecting easterly Pine Grove on Seven site) that helps protect the character of the well-maintained neighbourhood;
 - the proposed development does not promote a pleasurable and safe walking and cycling environment along the Regional Road 7 corridor and Coles Avenue;
 - the proposed development does not enhance the attractiveness and safety of the pedestrian environment through the creation of vibrant streetscapes and active frontages, introducing new retail, personal services and restaurant uses, and providing pleasurable, comfortable and convenient experience on the site and active ground floor uses; and,
 - the proposed development does not create a vibrant and safe public realm, by placing eyes on the street, and creating an inviting and friendly streetscape for pedestrians.

The correspondence also states that the Association is committed to ongoing communication and discussions with John Duca and his representatives and the City of Vaughan staff to address their concerns.

Purpose

The Owner has submitted the following applications on the subject lands shown on Attachments #1 and #2, to permit the development of 6 stacked townhouse blocks with a total of 180 units and 225 underground parking spaces as shown on Attachments #3 to #5:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES SEPTEMBER 25, 2012

Item 3, CW(PH) Report No. 35 – Page 3

1. Official Plan Amendment File OP.12.003, specifically to amend OPA #240 (Woodbridge Community Plan), as amended by OPA #345 (Woodbridge Commercial Plan), to redesignate the southerly portion of the subject lands from “General Commercial” to “Prestige Areas – Centres & Avenue Seven Corridor” by OPA #240 (Woodbridge Community Plan), as amended by OPA #661 (The Avenue Seven Secondary Plan), that would apply a uniform designation and site-specific policies to the entirety of the subject property.
2. Zoning By-law Amendment File Z.12.008 to amend Zoning By-law 1-88, specifically to rezone the subject lands from C1 Restricted Commercial Zone, subject to Exceptions 9(791) and 9(424) (5289 and 5309 Regional Road 7, respectively) to RM2 Multiple Residential Zone, with the following site-specific zoning exceptions:

	By-law Standard	By-law 1-88 Requirements (RM2 Multiple Residential Zone)	Proposed Exceptions to By-law 1-88 (RM2 Multiple Residential Zone)
a.	Minimum Lot Area Per Unit	230 m ²	20 m ²
b.	Minimum Parking Requirement	1.5 spaces per dwelling unit, plus 0.25 for visitors (315 parking spaces)	1.0 space per dwelling unit and 0.2 for visitors (220 parking spaces)
c.	Minimum Number of Barrier Free Parking Spaces	3	2
d.	Minimum Front Yard Setback (Regional Road 7)	4.5 m	0 m
e.	Minimum Interior Yard Setback (East and West)	1.5m	1.0m
f.	Maximum Building Height	11.0m	12.8m

Other zoning exceptions may be identified through the detailed review of the Zoning By-law Amendment Application, and will be addressed in the technical report.

Background – Analysis and Options

Location	<ul style="list-style-type: none"> ▪ South side of Regional Road 7, west of Kipling Avenue. Lots 3-9 on Registered Plan 3762, in Lot 5, Concession 8, City of Vaughan. Municipally known as 5289 and 5309 Regional Road 7. Shown as “Subject Lands” on Attachments #1 and #2.
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CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES SEPTEMBER 25, 2012

Item 3, CW(PH) Report No. 35 – Page 4

Official Plan Designation	<ul style="list-style-type: none">▪ The northern portion of the subject lands are designated “Prestige Areas – Centres & Avenue Seven Corridor” by in-effect OPA #240 (Woodbridge Community Plan), as amended by OPA #661 (The Avenue Seven Secondary Plan). The southern portion of the subject lands are designated “General Commercial” by OPA #240 (Woodbridge Community Plan), as amended by OPA #345 (Woodbridge Commercial Plan). The proposed development does not conform with the “General Commercial” designation, which does not permit residential uses, and an Official Plan Amendment is required.▪ The “Prestige Areas – Centre & Avenue Seven Corridor” designation in OPA #661 permits a wide range of uses including office, business, retail, residential (which would include stacked townhouses) and civic uses. These uses may be in stand-alone buildings or may be part of mixed use complexes.▪ OPA #661 establishes Transit Stop Centres at various intersections, including the intersection of Kipling Avenue and Highway 7. The area of the Centre shall be generally defined based on a 200 metre distance from the transit stop, which would include the subject lands. The overall density within the Centre shall be a Floor Space Index of 3.0.▪ The maximum height of any building with a Transit Stop Centre shall be 10 storeys or 32 metres, whichever is less. However, OPA #661 includes height transition policies between development in the Centre and adjacent sensitive land uses. For sites that abut a low density residential designation, the maximum height of development, within 30 metres of such designation shall be 4 storeys, or 12.8 metres, whichever is less. Given the low density designation of the residential lots on Coles Avenue and abutting the subject lands, the majority of the overall subject lands will be subject to this policy (i.e. the 4 storey restriction would apply).▪ The plans submitted in support of the proposal indicate a Floor Space Index of 1.76, is consistent with the overall policies of OPA #661, but will need to be confirmed through the staff review. The plans also illustrate 4 storeys/levels of living space that includes a basement storey for habitable space, with another storey for roof-top mechanical equipment and an entrance to roof-top terraces. Zoning By-law 1-88 excludes roof-top mechanical rooms within the definition of building height. The plans will be reviewed for conformance with the definition of a storey in context with Official Plan policies, Zoning By-law 1-88 and the Ontario Building Code, so as to confirm the definitions of both the basement and rooftop area. Any exceptions to the Official Plan will be identified in the technical report and reviewed for appropriateness.▪ The northern portion of the subject lands are designated “Mid-Rise Mixed-Use”, which permits a maximum building height of 6 storeys and a maximum 2.0 FSI (Floor Space Index) by the new City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified by Council on September 27, 2011, March 20, 2012 and April 17, 2012) and is pending approval from the Ontario Municipal Board. The southerly portion of the subject lands are designated Low-Rise Residential. The proposal does not conform with VOP 2010.
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CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES SEPTEMBER 25, 2012

Item 3, CW(PH) Report No. 35 – Page 5

Zoning	<ul style="list-style-type: none"> 5289 Regional Road 7 is zoned C1 Restricted Commercial Zone, subject to Exception 9(791) and 5309 Regional Road 7 is zoned C1 Restricted Commercial Zone, subject to Exception 9(424) as shown on Attachment #2. An amendment to Zoning By-law 1-88 is required to rezone the subject lands to RM2 Multiple Residential Zone and permit the site-specific zoning exceptions to Zoning By-law 1-88 that are required to implement the proposal.
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.	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 of Vaughan Official Plan policies.
b.	Appropriateness of Proposed Uses	<ul style="list-style-type: none"> The appropriateness of permitting the proposed stacked townhouse units on the subject lands will be reviewed in consideration of compatibility with the surrounding planned and existing land use context.
c.	Appropriateness of the Proposed Rezoning and Site-Specific Exceptions	<ul style="list-style-type: none"> The appropriateness of the proposed rezoning of the subject lands, and the site-specific exceptions to Zoning By-law 1-88 that are required to facilitate the development will be reviewed in the context of the surrounding existing and planned land uses, with particular consideration given to land use and built form compatibility.
d.	Traffic Impact Study	<ul style="list-style-type: none"> The Traffic Impact study submitted in support of the applications must be reviewed and approved by the Region of York and the Vaughan Development/Transportation Engineering Department.
e.	Phase 1 Environmental Report	<ul style="list-style-type: none"> The Phase 1 ESA (Environmental Site Assessment) submitted in support of the applications must be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES SEPTEMBER 25, 2012

Item 3, CW(PH) Report No. 35 – Page 6

f.	Supporting Studies	<ul style="list-style-type: none">▪ The applicant has submitted supporting studies, including a Planning Justification Study and an Urban Design Brief that will be reviewed by the Vaughan Development Planning Department. Review will also be given to determine if additional studies are required.
g.	Sustainable Development	<ul style="list-style-type: none">▪ 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 future Site Development process, if approved.
h.	Water & Servicing Allocation	<ul style="list-style-type: none">▪ The availability of water and sanitary servicing capacity for the proposed development must be identified and formally allocated by Vaughan Council, if the Site Development Application is approved. Should servicing capacity not be available, use of the Holding Symbol "(H)" will be considered for the subject lands.
i.	Internal Driveway Design	<ul style="list-style-type: none">▪ The internal driveway design will need to be reviewed to determine the appropriateness of vehicle and truck maneuvering. Comments from the Vaughan Public Works Department, Vaughan Fire Department, and Vaughan Development/Transportation Engineering Department will be required.

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.

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 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.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES SEPTEMBER 25, 2012

Item 3, CW(PH) Report No. 35 – Page 7

Attachments

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

Report prepared by:

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Carmela Marrelli, Senior Planner, ext. 8791

Mauro Peverini, Manager of Development Planning, ext. 8407

/CM

(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.)