

**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 17, 2013**

**5 ZONING BY-LAW AMENDMENT FILE Z.08.051**  
**TERWOL DEVELOPMENTS LTD.**  
**WARD 3 - VICINITY OF MAJOR MACKENZIE DRIVE & FOSSIL HILL ROAD**

- 1) That the recommendation contained in the following report of the Commissioner of Planning and the Director of Development Planning, dated September 3, 2013, be approved;
- 2) That an evening community meeting be convened by the Ward 3 Councillor with the ratepayers, applicant and staff, to discuss issues in the community relating to this application;
- 3) That the deputation by Mr. Murray Evans, Evans Planning, Keele Street, Vaughan, on behalf of the applicant, and coloured renderings, be received; and
- 4) That the following Communications be received:
  - C6. Mr. Randy Vaine, Coranto Way, Woodbridge, dated July 28, 2013;
  - C7. Mr. Randy Vaine, Coranto Way, Woodbridge, dated August 27, 2013;
  - C8. Mr. Randy Vaine, Coranto Way, Woodbridge, Petition, dated July 28, 2013; and
  - C21. Mr. Mohammad Ahmed, Sibella Way, Vaughan, dated August 30, 2013.

1. THAT the Public Hearing report for File Z.08.051 (Terwol Developments Ltd.) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

- a) Date the Notice of a Public Meeting was circulated: August 9, 2013
- b) Circulation Area: 150 m, and to Millwood Woodend Ratepayers' Association, and East Woodbridge Community Association
- c) Comments Received as of August 20, 2013:
  - i) R. Vaine, Coranto Way, correspondence dated July 28, 2013, respecting concerns with the location and proximity of the proposed outdoor patio for Building "D" to Fossil Hill Road; the possibility of the outdoor patio for Building "D" being associated with a licensed eating establishment in close proximity to existing residential dwellings; and, noise associated with the outdoor patio use for Building "D".

# CITY OF VAUGHAN

## EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 17, 2013

Item 5, CW(PH) Report No. 37 – Page 2

### Purpose

The Owner has submitted Zoning By-law Amendment File Z.08.051 for the subject lands shown on Attachments #1 and #2, specifically to rezone the subject lands from A Agricultural Zone to C4 Neighbourhood Commercial Zone to facilitate the construction of a commercial development consisting of four buildings and associated outdoor patios and an outdoor playground area for a daycare, as shown on Attachments #3 to #8, together with the following site-specific zoning exceptions:

	<b>By-law Standard</b>	<b>By-law 1-88, C4 Neighbourhood Commercial Zone Requirements</b>	<b>Proposed Exceptions to C4 Neighbourhood Commercial Zone</b>
a.	Minimum Yard Requirements For Institutional Use (Daycare Suite – Building ‘C’, Unit 7)	15 m - All Yards	i) Front (East) - 10 m ii) Exterior Side (South) – 6m
b.	Minimum Yard Requirements	Front Yard (East) - 11 m Rear Yard (West) – 15 m Exterior Side Yard – 11 m (North and South)	i) 6 m – Building ‘D’ i) 12 m – Building ‘A’ ii) 1.2 m – Enclosed Refuse i) 6 m – Buildings ‘A’ and ‘D’ ii) 6 m – Buildings ‘B’ and ‘C’
c.	Minimum Setback to a Residential Zone	22.5 m	1.2 m (Enclosed Refuse Building)
d.	Maximum Driveway Width	7.5 m	9 m (Major Mackenzie Drive)
e.	Minimum Width of Landscape Strip Abutting a Residential Zone	2.4 m	1.2 m (West)
f.	Minimum Landscaped Strip Abutting a Street Line to be Used For No Other Purpose Than Landscaping	6 m	3 m i) Outdoor Patio (Building ‘A’) located within Landscape Strip adjacent to Major Mackenzie Drive ii) Daycare Playground Area (Building ‘C’) located within Landscape Strip adjacent to Fossil Hill Drive
g.	Minimum Parking Requirements Ratio	6 parking spaces per 100m <sup>2</sup> of GFA (191 spaces)	4.6 parking spaces per 100m <sup>2</sup> of GFA (150 spaces)

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 17, 2013

Item 5, CW(PH) Report No. 37 – Page 3

#### **Background - Analysis and Options**

On November 3, 2008, Zoning By-law Amendment File Z.08.051 was considered at a statutory Public Hearing to rezone the subject lands from A Agricultural Zone to C3 Local Commercial Zone, and to include additional uses not permitted as-of-right in the C3 Local Commercial Zone. Since that time, the application has been revised by the applicant to the current proposal, and therefore, a second Public Hearing is required.

Location	<ul style="list-style-type: none"><li>▪ The subject lands are located on the southwest corner of Major Mackenzie Drive and Fossil Hill Road, shown as "Subject Lands" on Attachments #1 and #2.</li><li>▪ The subject lands are currently vacant.</li></ul>
Official Plan Designation	<ul style="list-style-type: none"><li>▪ The subject lands are designated "Medium Density Residential/Commercial" by in-effect OPA #600 (Vellore Urban Village 1), which permits commercial uses located at-grade level, with an attractive pedestrian-friendly streetscape to enable residents to walk conveniently and safely to streets with transit services. The application conforms to the in-effect Official Plan.</li><li>▪ The subject lands are also designated "Low-Rise Mixed-Use" by the new City of Vaughan Official Plan 2010 (as modified September 27, 2011, March 20, 2012 and April 17, 2012, and as modified and endorsed by Regional Council on June 28, 2012), and approved in part by the Ontario Municipal Board on July 23, 2013.</li><li>▪ The "Low-Rise Mixed-Use" designation permits retail uses and encourages an integrated mix of residential, community and small scale retail uses intended to serve the local population. The application conforms to the new City of Vaughan Official Plan 2010.</li></ul>
Zoning	<ul style="list-style-type: none"><li>▪ The subject lands are zoned A Agricultural Zone by Zoning By-law 1-88, which does not permit commercial uses and therefore, a Zoning By-law Amendment application has been submitted.</li></ul>
Surrounding Land Uses	<ul style="list-style-type: none"><li>▪ Shown on Attachment #2.</li></ul>

#### **Preliminary Review**

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

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 17, 2013**

Item 5, CW(PH) Report No. 37 – Page 4

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
a.	Conformity with City Official Plan	<ul style="list-style-type: none"> <li>▪ The application will be reviewed in consideration of the applicable City Official Plan policies.</li> </ul>
b.	Appropriateness of Proposed Rezoning and Site-Specific Zoning Exceptions	<ul style="list-style-type: none"> <li>▪ The appropriateness of rezoning the subject lands to C4 Neighbourhood Commercial Zone will be reviewed in consideration of compatibility with the surrounding existing and planned land use context.</li> <li>▪ The appropriateness of the proposed outdoor patio locations will be reviewed: particularly, the outdoor patio on the west side of Buildings “A” and “B” and for Building “D” and its’ close proximity to existing residential dwellings; and, the proposed outdoor patio for Building “A” located within the landscape strip adjacent to Major Mackenzie Drive.</li> <li>▪ The appropriateness of the proposed daycare playground adjacent to Fossil Hill Drive located within the required landscape strip will be reviewed.</li> <li>▪ The proposed enclosed stand alone refuse and recycling area adjacent to the existing residential at the southwest end of the site should be removed and incorporated internally within a building.</li> <li>▪ The appropriateness of reducing the landscape strip width adjacent to the existing residential dwellings along the westerly limit of the site will be reviewed.</li> <li>▪ The proportionate amount of gross floor area, parking and landscaping on site to facilitate a balanced and well planned commercial development will need to be identified and confirmed.</li> </ul>
c.	Urban Design and Architectural Guidelines	<ul style="list-style-type: none"> <li>▪ The proposed development must conform to the applicable Urban Design Guidelines and Architectural Design Guidelines for the Block 39 community.</li> </ul>
d.	Related Site Development File DA.13.041	<ul style="list-style-type: none"> <li>▪ The related Site Development File DA.13.041 will be reviewed in consideration of, but not limited to, appropriate building and site design (including location of the patios, playground area, and enclosed refuse building), barrier free accessibility, pedestrian connectivity, vehicular access, internal traffic circulation, parking, appropriate setbacks, landscaping and appropriate widths, environmental sustainability, waste management, and servicing and grading, and stormwater management.</li> </ul>

## CITY OF VAUGHAN

### **EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 17, 2013**

Item 5, CW(PH) Report No. 37 – Page 5

		<ul style="list-style-type: none"><li>▪ All issues identified through the review of Site Development File DA.13.041 will be addressed together with the subject Zoning By-law Amendment application in a comprehensive report to a future Committee of the Whole meeting.</li><li>▪ Opportunities for sustainable design, including CEPTD (Crime Prevention Through Environmental Design), LEED (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.</li></ul>
e.	Traffic Impact and Parking Study	<ul style="list-style-type: none"><li>▪ The Traffic Impact and Parking Study submitted in support of the application, which will address traffic associated with the proposed development and impact on area traffic patterns, the proposed parking reduction, and the increased driveway width on Major Mackenzie Drive, must be reviewed and approved by the Region of York Transportation Department and the Vaughan Development/Transportation Engineering Department.</li></ul>
f.	Additional Studies	<ul style="list-style-type: none"><li>▪ Review will be given to determine if additional studies are required to support the proposed development.</li></ul>

#### **Relationship to Vaughan Vision 2020/Strategic Plan**

The applicability of this application to the Vaughan Vision will be determined when the technical report is considered.

#### **Regional Implications**

The application has 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 application 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. Landscape Plan
5. Elevations – Building 'A'

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 17, 2013**

Item 5, CW(PH) Report No. 37 – Page 6

- 6. Elevations – Building 'B'
- 7. Elevations – Building 'C'
- 8. Elevations – Building 'D'

**Report prepared by:**

Daniel Woolfson, Planner, ext. 8213

Carmela Marrelli, Senior Planner, ext. 8791

Mauro Peverini, Manager of Development Planning, ext. 8407

(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.)