

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES NOVEMBER 20, 2012

Item 5, Report No. 45, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on November 20, 2012.

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**OFFICIAL PLAN AMENDMENT FILE OP.12.015
ZONING BY-LAW AMENDMENT FILE Z.12.035
DRAFT PLAN OF SUBDIVISION FILE 19T-12V009
NINE-TEN WEST LIMITED
WARD 4 - VICINITY OF DUFFERIN STREET AND RUTHERFORD ROAD**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated November 6, 2012, be approved;
- 2) That the following deputations be received:
 1. Mr. Luch Ognibene, The Remington Group, Keele Street, Vaughan, on behalf of the applicant;
 2. Mr. Daniel Leeming, The Planning Partnership, on behalf of the applicant;
 3. Mr. Ori Bzowski, Apple Grove Court, Maple;
 4. Ms. Lucy Rapkin, Mintwood Road, Thornhill;
 5. Mr. John Zhang, Borjana Boulevard, Vaughan;
 6. Ms. Rachel DeBlois, Santa Amato Crescent, Thornhill;
 7. Mr. Joe Szabo, Apple Grove Court, Maple;
 8. Mr. Rupinder Ahluwalia, Crimson Forest Drive, Maple;
 9. Mr. Anthony Vercillo, Apple Grove Court, Vaughan;
 10. Mr. Scott McNabney, Santa Amato Crescent, Thornhill; and
 11. Ms. Marla Bzowski, Apple Grove Court, Maple; and
- 3) That communication C1 from Morris and Ketty Samel, Balsamwood Road, Vaughan, dated October 25, 2012, be received.

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for Files OP.12.015, Z.12.035 and 19T-12V009 (Nine-Ten West Limited) 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: October 12, 2012

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- b) Circulation Area: The extended Polling Area shown on Attachment #2 (includes minimum 150 m area), and the Valleys of Thornhill Ratepayers Association
- c) Comments Received as of October 23, 2012: None

Purpose

The Owner has submitted the following applications on the subject lands shown on Attachments #1 and #2:

1. Official Plan Amendment File OP.12.015 to amend in-effect OPA #600, as amended by OPA #651 (Carrville District Centre Plan) to reconfigure the approved land use designation boundaries, and modify the maximum permitted densities, building heights and the road pattern (Attachment #3) for the entirety of the subject lands in the manner shown on Attachment #4.
2. Zoning By-law Amendment File Z.12.035 to amend Zoning By-law 1-88, specifically to rezone portions of the subject lands in the manner shown on Attachment #5, from A Agricultural Zone and OS5 Open Space Environmental Protection Zone to:
 - a) RA3 Apartment Residential Zone (Blocks 6 and 7);
 - b) RT1 Residential Townhouse Zone (Blocks 1, 2, 3, 4 and 5);
 - c) OS1 Open Space Conservation Zone (Block 10);
 - d) OS2 Open Space Park Zone (Blocks 12, 13 and 14); and,
 - e) OS5 Open Space Environmental Protection Zone (Blocks 8 and 9).

In addition, the Owner has requested the following site-specific exceptions to Zoning By-law 1-88:

	By-law Standard	By-law 1-88 RA3 Apartment Residential Zone Requirements	Proposed Exceptions to RA3 Apartment Residential Zone Requirements
a)	Maximum Density Minimum Front Yard Setback Minimum Exterior Side Yard Maximum Building Height	67 m ² /unit 7.5 m 7.5 m 44 m	3.5 FSI (Floor Space Index) 3.0 m 6.0 m 22-storeys
	By-law Standard	By-law 1-88 RT1 Zone (Standard Lot)	Proposed Exceptions to RT1 Zone (Standard Lot)

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b)	Minimum Lot Frontage Minimum Lot Area Minimum Rear Yard Minimum Exterior Side Yard Maximum Building Height	6.0 m 162 m ² 7.5 m 4.5 m 11 m	4.5 m 120 m ² 6.0 m 3.0 m 4-storeys
	By-law Standard	By-law 1-88 RT1 Zone (Lot Accessed by a Lane)	Proposed Exceptions to RT1 Zone (Lot Accessed by a Lane)
c)	Minimum Lot Frontage Minimum Lot Area Minimum Rear Yard Minimum Exterior Side Yard Maximum Building Height	6.0 m 180 m ² 15 m 4.5 m 11 m	4.5 m 120 m ² 0.0 m 3.0 m 4-storeys

Other zoning exceptions may be identified through the detailed review of the application.

3. Draft Plan of Subdivision File 19T-12V009 for the portion of the subject lands as shown on Attachment #6 to facilitate a residential plan of subdivision consisting of the following:

a)	Low-Rise Mixed-Use Blocks (Blocks 1, 2, 3, 4 and 5)	4.02ha
b)	High-Rise Residential Blocks (Block 6)	1.90ha
c)	High-Rise Mixed Use Blocks (Block 7)	0.06ha
d)	Natural Areas (Blocks 8, 9 and 10)	6.84ha
e)	Open Space Greenway (Block 11)	0.05ha
f)	Parks (Blocks 12, 13 and 14)	2.45ha
g)	Buffer Areas (Blocks 15, 16 and 17)	1.15ha
h)	<u>Public Rights-of-Way</u> (Streets "A", "B" and "C")	<u>1.33ha</u>
	Total	17.8ha

Background - Analysis and Options

Following the approval of the Carrville District Centre Plan (OPA #651) in 2006, Vaughan Council approved the Carrville District Centre Urban Design Streetscape Master Plan Study in 2008, which enhanced and modified the policies of OPA #651 to achieve appropriate built form and massing within the Carrville District Centre. Other modifications include minor adjustments to the road and block pattern, increases to permitted building heights to maintain the same overall densities within the District Centre while reducing the size of the building floor plates. These enhancements will allow for taller buildings on podiums to reduce shadowing, and create a more interesting skyline. These changes, which include reconfigured land use designation boundaries, maximum densities and building heights and road pattern, were incorporated into the adopted City of Vaughan Official Plan 2010, as the Carrville Centre Secondary Plan (Volume 2, Section 11.2) as shown on Attachment #7. Through the final approval of the City of Vaughan Official Plan 2010, OPA #651 will be superceded by the Carrville Centre Secondary Plan.

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The Owner is proposing amendments to the Carrville Centre Secondary Plan (CCSP), which would be implemented through a site-specific Official Plan Amendment to the in-effect OPA #651, if the Official Plan Amendment Application is approved. The Official Plan Amendment has been prepared in consideration of the Carrville Centre Secondary Plan (VOP 2010, Volume 2) that includes policies which would permit minor variations to land use designation boundaries, land uses, road pattern and numerical requirements (maximum 5%) of the Plan, provided the specific development proposal satisfied the design objectives of the CCSP.

The CCSP includes land use designations and densities regulated by Floor Space Index (FSI) ratios and maximum building heights that are identified on the Land Use Schedule in the Plan as shown on Attachment #7. The maximum building height proposed for the Low-Rise Mixed-Use Blocks (1 to 5 inclusive) is 4-storeys which does not conform to the CCSP. The CCSP permits a stand-alone retail building on the block located at the southeast corner of Dufferin Street and Marc Santi Boulevard as shown on Attachment #7, whereas the Owner proposes to designate these lands “High-Rise Mixed-Use” as shown on Attachment #4, these which does not conform to the CCSP. These proposed modifications will be reviewed in consideration of the policies of the CCSP to ensure the proposal satisfies the objectives of the Secondary Plan.

Location	<ul style="list-style-type: none">▪ Northeast of Dufferin Street and Rutherford Road, Vaughan Planning Block 11, shown as “Subject Lands” on Attachments #1 and #2.
Official Plan Designation	<ul style="list-style-type: none">▪ “Carrville District Centre” by in-effect OPA #600, as amended by OPA #651 (Carrville District Centre Plan).▪ The proposed amendments do not conform to OPA #600 as amended by OPA #651.▪ The lands are subject to the Carrville Centre Secondary Plan (CCSP) area policies of the new City of Vaughan Official Plan 2010 (VOP 2010), Volume 2, Section 11.2, which was adopted by Vaughan Council on September 7, 2010 (as modified on September 27, 2011, March 20, 2012 and April 17, 2012) and is pending approval from the Ontario Municipal Board. The Official Plan Amendment application is consistent with the intent of CCSP.
Zoning	<ul style="list-style-type: none">▪ “A” Agricultural Zone and OS5 Open Space Environmental Protection Zone by Zoning By-law 1-88.▪ The proposed zoning does not comply with Zoning By-law 1-88, and therefore, an amendment is required.
Surrounding Land Uses	<ul style="list-style-type: none">▪ Shown on Attachment #2.

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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.	Appropriateness of Proposed Revisions to the Road Pattern, Land Use Configuration and Building Height	<ul style="list-style-type: none">▪ The appropriateness of the proposed modifications to the land use, road pattern, and building heights will be reviewed in consideration of compatibility with other uses on the site, the surrounding existing and planned land use context, and the general intent of the Carrville District Centre Plan (OPA #651), the Carrville District Urban Design Streetscape Master Plan Study and the City of Vaughan Official Plan, CCSP (Volume 2), to ensure that the area is the focus of the highest intensity and order of land uses within the Carrville urban community and its development as an urban core.
c.	Urban Design and Architectural Guidelines	<ul style="list-style-type: none">▪ The proposed development must conform to the Carrville Block 11 Urban Design Brief.
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 necessary to implement the development proposal.
e.	Block 11 Plan	<ul style="list-style-type: none">▪ The approved Block 11 Plan identifies the subject lands as the Carrville District Centre. The proposal will be reviewed in consideration of the Block 11 Plan and the surrounding existing and planned land uses and any Block Plan conditions respecting Regional infrastructure, including wastewater and water system improvements, any requirements for reconstruction of Dufferin Street and/or Rutherford Road and road widenings, and City infrastructure, including sanitary, water and stormwater management, to the satisfaction of the City.

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f.	Block 11 Developers Group Agreement	<ul style="list-style-type: none">▪ The Owner will be required to satisfy all obligations financial or otherwise of the Block 11 Developers Group Agreement to the satisfaction of the Block 11 Trustee and the City of Vaughan
g.	Parkland Dedication	<ul style="list-style-type: none">▪ The Owner will be required to provide parkland and/or cash-in-lieu of parkland dedication to the City of Vaughan in accordance with the City's Cash-in-lieu Policy.
h.	Public Agency Review	<ul style="list-style-type: none">▪ The Owner will be required to address all City and Public Agency review comments.
i.	Studies and Reports	<ul style="list-style-type: none">▪ The Owner has submitted the following studies and reports in support of the applications, which must be approved to the satisfaction of the City or respective approval authority:<ul style="list-style-type: none">- Planning Justification Report- Environmental Noise Report;- Geotechnical Report;- Environmental Impact Study and Tree Inventory;- Block 11 Tree Inventory (excerpts specific to Carrville Centre);- Urban Design and Sustainable Design Guidelines/Brief;- Landscape Master Plan;- Pedestrian and Bicycle Circulation Plan;- Park System Plan; and,- Road Hierarchy Plan.
j.	Functional Serving Report/Allocation	<ul style="list-style-type: none">▪ The MESP/Functional Serving Report/Stormwater Brief submitted in support of the applications must be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department. The availability of water and sanitary servicing capacity for the proposed development must be identified and formally allocated by Vaughan Council, if the application is approved. Should allocation not be available, use of the Holding Symbol "(H)" will be considered for the subject lands.
k.	Draft Plan of Subdivision	<ul style="list-style-type: none">▪ Draft Plan of Subdivision File 19T-12V009 will be reviewed in consideration of the surrounding land uses, to identify development blocks and to implement draft plan conditions to ensure appropriate road alignments and connections, servicing and grading.

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I.	Traffic Impact Study	▪ 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.
m.	Phase 1 Environmental Report	▪ 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.

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.

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.

Attachments

1. Context Location Map
2. Location Map
3. Approved Land Use/Density and Building Heights - Carrville District Centre (OPA #651)
4. Proposed Land Use, Density and Building Heights – Carrville District Centre (OPA #651)
5. Proposed Zoning (File Z.12.035)
6. Draft Plan of Subdivision (File 19T-12V009)
7. Vaughan Official Plan VOP 2010 – Carrville Centre Secondary Plan Land Use Schedule
8. Approved Block 11 Plan

Report prepared by:

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/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.)