

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2012

Item 1, Report No. 50, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on December 11, 2012.

1

**OFFICIAL PLAN AMENDMENT FILE OP.12.004
ZONING BY-LAW AMENDMENT FILE Z.12.010
2058258 ONTARIO LIMITED
WARD 2 – VICINITY OF REGIONAL ROAD 7 AND PINE VALLEY DRIVE**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated November 27, 2012, be approved;
- 2) That the following deputations and communications be received:
 1. Ms. Rosemary Humphries, Humphries Planning Group Inc., Chrislea Road, Woodbridge, on behalf of the applicant;
 2. Ms. Mary Mauti, Vaughanwood Ratepayers Association, Francis Street, Woodbridge;
 3. Mr. Rick Dizazzo, Anacapri Court, Woodbridge, and C5, PowerPoint slides;
 4. Ms. Lina Rico, Sydel Crescent, Woodbridge;
 5. Mr. Joseph Coiro, Sydel Crescent, Vaughan;
 6. Dr. Rakesh Rikhye, Anacapri Court, Woodbridge;
 7. Ms. Josie Violin, Sydel Crescent, Woodbridge;
 8. Mr. David Weisman, Okell & Weisman Barristers & Solicitors, Steeles Avenue, Vaughan, and Communications C18 and C19, both dated July 2, 2012;
 9. Mr. Robert Spadafora, Anacapri Court, Woodbridge; and
 10. Mr. Abijit Ganguli, Subway Restaurant, Highway 7, Vaughan, and Communication C20, dated November 15, 2012; and
- 3) That the following Communication be received:
 - C1. Mr. Roy Mason, KLM Planning Partners Inc., Jardin Drive, Concord, dated November 16, 2012.

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for Files OP.12.004 and Z.12.010 (2058258 Ontario 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.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2012

Item 1, CW(PH) Report No. 50 – Page 2

Communications Plan

- a) Date the Notice of a Public Meeting was circulated: November 2, 2012
- b) Circulation Area: 150 m and to the Vaughanwood Ratepayers' Association
- c) Comments Received as of November 13, 2012:
 1. Email correspondence was received from Rick Dizazzo, area resident, identifying health, noise and safety concerns regarding the proximity of development to Anacapri Court.
 2. Letter dated July 2, 2012 from Okell & Weisman, Barristers & Solicitors, representing 1326718 Ontario Limited, owners of Block 8 on Registered Plan 65M-3956 (shown on Attachment #2), adjacent parcel to the east (southern portion) of the subject lands, identifying the following:
 - i) Block 8 must be included in development plans of adjacent lands to the west (4603 and 4611 Regional Road 7) in accordance with Exception 9(1213) to Zoning By-law 1-88;
 - ii) Block 8 has been included as part of the setback calculations without consent from their Client (1326718 Ontario Limited); and,
 - iii) Block 8 will be unusable if the development is approved as proposed.
 3. Letter dated July 2, 2012 from Okell & Weisman, Barristers & Solicitors, representing Piazza Capri Inc., owners of 4585 Regional Road 7 (shown on Attachment #2), adjacent parcel to the east (northern portion) of the subject lands, identifying the following:
 - i) the plans show a proposed access road from Regional Road 7 that encroaches over the northwest portion of lands owned by Piazza Capri Inc.;
 - ii) Piazza Capri Inc. has never consented or agreed to the use of its lands despite discussions with the adjacent land owner;
 - iii) Piazza Capri Inc. has never granted any easement rights or rights over its lands;
 - iv) an excessive number of driveway entrances exist on the north side of Regional Road 7, west of Pine Valley Drive;
 - v) cars travelling eastbound on Regional Road 7 from Wigwoss Drive travel at excessive speeds without any traffic lights until Pine Valley Drive;
 - vi) safety for pedestrians regarding the speed of traffic;
 - vii) unsafe driving conditions for drivers due to the existing volume of traffic; and,
 - viii) new access point on the subject lands and the number of units proposed will result in further traffic congestion to the area.

The above-noted comments together with any additional comments received will be reviewed and addressed by staff in a future technical report to the Committee of the Whole.

Purpose

The Owner has submitted the following applications on the subject lands shown on Attachments #1 and #2 to facilitate development of a 14-storey apartment building (residential condominium) containing 126 units, and a 7-storey rental apartment building marketed to seniors and retirees containing 132 units, and with a common kitchen and dining area, connected by a 1-storey pavilion, for a total of 258 units with 227 parking spaces, and a Floor Space Index (FSI) of 2.41, as shown on Attachments #3 to #6:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2012

Item 1, CW(PH) Report No. 50 – Page 3

1. Official Plan Amendment File OP.12.004 to amend OPA #240 (Woodbridge Community Plan), as amended by OPA #661 (The Avenue Seven Land Use Futures Study) as follows:

	Policies of OPA #240, as amended by OPA #661	Proposed Amendment to Policies of OPA #240, as amended by OPA #661
a.	The maximum height of any building shall be 10-storeys or 32 metres, whichever is less.	Permit a maximum building height of 14-storeys and 42 metres.
b.	The maximum height of development within 30 metres of a "Low Density Residential" designation shall be 4-storeys or 12.8m, whichever is less.	Permit a maximum building height of 4-storeys and 13.5 metres within 30 metres of a "Low Density Residential" designation.
c.	The minimum distance for a 4-storey building abutting a "Low Density Residential" designation shall be 30 metres.	Permit a minimum distance of 28 metres for a 4-storey building abutting a "Low Density Residential" designation (south property limit only).

2. Zoning By-law Amendment File Z.12.010 to amend Zoning By-law 1-88, specifically to rezone the subject lands from R1 Residential Zone to RA3 Apartment Residential Zone (tableland) and OS1 Open Space Conservation Zone (valleylands) in the manner shown on Attachment #3, together with the following site-specific zoning exceptions:

	By-law Standard	By-law 1-88 Requirements of RA3 Apartment Residential Zone	Proposed Exceptions to RA3 Apartment Residential Zone
a.	Minimum Lot Area	67 m ² /unit	35.85 m ² /unit
b.	Minimum Parking Requirements	Residential - 1.5 spaces per unit @ 258 units = 387 spaces Visitors - 0.25 spaces per unit @ 258 units = 65 visitor spaces Total Parking Spaces Required = 452	Residential - 0.67 spaces per unit @ 258 units = 174 spaces Visitors - 0.21 spaces per unit @ 258 units = 53 spaces Total Parking Spaces Proposed = 227 (All below grade)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2012

Item 1, CW(PH) Report No. 50 – Page 4

c.	Use of Residential Lots	No person shall erect more than one single family detached dwelling on any lot as shown on Registered Plan 4319	The provisions of Section 3.20 “Use of Residential Lots” shall not apply to the subject lands
d.	Minimum Amenity Area	Bachelor Unit - 15 m ² One Bedroom Unit - 20 m ² Two Bedroom Unit - 55 m ² Three Bedroom Unit - 90 m ² Four Bedroom Unit or larger - 110 m ²	Building “A” (14-storey residential condominium): 11.04 m ² /unit Building “B” (7-storey seniors residential building): 13.82 m ² /unit
e.	Minimum Rear Yard	7.5 m	0m to Proposed Line of Condominium Corporation (shown on Attachment #3)
f.	Minimum Front Yard	7.5 m	Building “A”: 3.0 m to Regional Road 7 Building “B”: 0 m to Proposed Line of Condominium Corporation (shown on Attachment #3)
g.	Minimum Interior Side Yard	4.5 m	Building “A”: 12.5 m Building “B”: 0 m to Proposed Line of Condominium Corporation (shown on Attachment #3)

Background - Analysis and Options

Location	<ul style="list-style-type: none"> ▪ On the south side of Regional Road 7 and west of Pine Valley Drive, municipally known as 4603 and 4611 Regional Road 7, shown as “Subject Lands” on Attachments #1 and #2. ▪ The 1.64 ha property is rectangular in shape with approximately 47.84 m frontage on Regional Road 7 and a lot depth of 132.46 m. The property is currently vacant.
----------	--

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2012

Item 1, CW(PH) Report No. 50 – Page 5

<p>Official Plan Designation</p>	<ul style="list-style-type: none"> ▪ The subject lands are designated “Prestige Area – Centres and Avenue Seven Corridor” – “Transit Stop Centres” by OPA #240 (Woodbridge Community Plan), as amended by OPA #661 (The Avenue Seven Land Use Futures Study), which permits a mix of land uses on the subject lands at a maximum building height of 10-storeys or 32 m (whichever is less) and a maximum Floor Space Index (FSI) of 3.0. ▪ OPA 661 also restricts the maximum building height to 4-storeys or 12.8m within 30m of a “Low Density Residential” designation. ▪ The proposed development for a 14-storey residential condominium building and a 7-storey seniors’ residential building which steps down to 4-storeys and 13.5m in height at a distance of 28m from the “Low Density Residential” designation, does not conform to the Official Plan. ▪ The subject lands are designated “Mid-Rise Mixed-Use” by the new City of Vaughan Official Plan 2010 (VOP 2010), 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 “Mid-Rise Mixed-Use” designation provides for a mix of residential, retail, community and institutional uses that are to be carefully designed with a high standard of architecture and public realm, and well integrated with adjacent areas. The subject lands are permitted a maximum building height of 8-storeys and a maximum FSI of 2.5. The “Mid-Rise Mixed-Use” designation also requires that the ground floor frontage of buildings facing arterial and collector streets shall predominantly consist of retail uses or other active uses that animate the street. ▪ The proposed development does not conform to VOP 2010 as it exceeds the maximum 8-storey building height and does not provide retail or other active uses along the ground floor frontage facing Regional Road 7.
<p>Zoning</p>	<ul style="list-style-type: none"> ▪ The subject lands are zoned R1 Residential Zone by Zoning By-law 1-88. An amendment to Zoning By-law 1-88 is required to rezone the subject lands to RA3 Apartment Residential Zone (tableland) and OS1 Open Space Conservation Zone (valleylands), and to permit the site-specific zoning exceptions to Zoning By-law 1-88 that are required to implement the proposal.
<p>Surrounding Land Uses</p>	<ul style="list-style-type: none"> ▪ Shown on Attachment #2.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2012

Item 1, CW(PH) Report No. 50 – Page 6

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 the Proposed Rezoning and Site-Specific Exceptions	<ul style="list-style-type: none"> ▪ The appropriateness of the proposed rezoning of the subject lands, together with the site-specific zoning exceptions, will be reviewed in consideration of the requirements of Zoning By-law 1-88 and the surrounding existing and planned land uses. ▪ Zoning By-law 1-88 does not contain a definition for a seniors' rental apartment building with a common kitchen and dining area. In addition, the Owner has advised that a nurse will attend the property on a weekly basis. A site-specific definition to facilitate the proposed seniors' facility is required, if the applications are approved. ▪ The appropriateness of the proposed severance of the property, as shown on Attachment #3, through the establishment of condominium tenure in Building 'A', which results in both Buildings 'A' and 'B' requiring 0 m setbacks to the proposed line of the future Condominium Corporation will be reviewed.
c.	Urban Design and York Region Transit-Oriented Development (TOD) Guidelines	<ul style="list-style-type: none"> ▪ The proposed development will be reviewed in consideration of the applicable Urban Design Policies and the overall design vision identified in the Avenue Seven Land Use Futures Study (OPA #661) and the design policies outlined in the York Region Transit-Oriented Development (TOD) Guidelines.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2012

Item 1, CW(PH) Report No. 50 – Page 7

d.	Future Site Development Application	<ul style="list-style-type: none"> ▪ A future Site Development Application is required, should the applications be approved, and which would be reviewed to ensure, but not limited to, appropriate building and site design, pedestrian connectivity, sun, shadow and wind impacts, access, internal traffic circulation, barrier free accessibility, landscaping, servicing and grading. ▪ 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 site plan approval process, if approved.
e.	Future Draft Plan of Condominium Application	<ul style="list-style-type: none"> ▪ A Draft Plan of Condominium Application will be required to establish tenure in Building 'A' if the subject applications are approved. The Owner is proposing that Building "B" (seniors' residence) remain as a rental apartment building under private ownership.
f.	Traffic and Parking	<ul style="list-style-type: none"> ▪ A Traffic Impact study has been submitted in support of the applications and must be reviewed and approved by the Region of York and the Vaughan Development/Transportation Engineering Department. ▪ A Parking Study is required in support of the applications and must be reviewed and approved to the satisfaction of the Vaughan Development/Transportation Engineering Department. ▪ The location, design and configuration of the proposed driveway access to Regional Road 7, and confirmation of any required road widening(s) must be approved by the Region of York. ▪ The location of the proposed driveway access on Regional Road 7 encroaches over the property of the adjacent landowner to the east. In order for the driveway to remain at this location, the Owner of the adjacent property (4585 Highway 7) must grant an easement in favour of the subject lands, which must be created and registered on title, or alternatively, transfer ownership of the affected land area.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2012

Item 1, CW(PH) Report No. 50 – Page 8

g.	Additional Studies	<ul style="list-style-type: none"> ▪ The Phase 1 Environment Site Assessment (ESA) submitted in support of the applications must be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department.
.		<ul style="list-style-type: none"> ▪ A Phase 2 ESA has been recommended for the subject lands, which was corroborated by a Peer Review of the Phase 1 ESA. The Phase 2 ESA must be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department. ▪ A Sun/Shadow Study and a Wind Study have been submitted in support of the applications, which must be approved to the satisfaction of the Development Planning Department. ▪ The Arborist's Report, including a Tree Preservation Plan, submitted in support of the applications must be reviewed and approved to the satisfaction of the Development Planning Department and the Toronto and Region Conservation Authority. ▪ Review will be given to determine if any additional studies are required.
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 proposed development is approved. Should servicing capacity not be available, the use of a Holding Symbol "(H)" will be considered for the subject lands.
i.	City of Vaughan Design Review Panel	<ul style="list-style-type: none"> ▪ The applications will be reviewed in consideration of the recommendations of the City of Vaughan Design Review Panel of June 28, 2012.
j.	Adjacent Properties and Development Blocks	<ul style="list-style-type: none"> ▪ The partial use of the access on the adjacent easterly property at 4585 Regional Road 7 as shown on Attachment #2 will need to be addressed by the applicant with the adjacent owner together with review and consideration by the City and Region of the appropriateness of the driveway access at this location and in close proximity to the adjacent easterly driveway access. ▪ Site-specific Exception 9(1213) to Zoning By-law 1-88 specifies that Block 8 (southerly sliver of land to the southeast), as shown on Attachment #2, shall be developed only with the adjacent lands to the west (the subject lands). The applicant will need to work with the adjacent neighbour about acquiring Block 8 for incorporation into the subject development.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2012

Item 1, CW(PH) Report No. 50 – Page 9

k.	Recreational Trail	▪ A feasibility study for siting a recreational trail within the open space/valley lands was prepared by Stantec Consulting Ltd. on behalf of the Owner and concluded that a recreational trail is feasible and is recommended to run from Regional Road 7 south to a public easement located on Tall Grass Trail, a distance of approximately 300m. The potential for a recreational trail will be reviewed by the Development Planning Department, the Parks Development Department, and the Toronto and Region Conservation Authority.
l.	Toronto and Region Conservation Authority	▪ The subject lands abut open space/valley lands, and therefore, the following, but not limited to, must be reviewed to the satisfaction of the Toronto and Region Conservation Authority (TRCA) and the City: the proposed development limits, building setbacks, and buffer areas; tree preservation areas; geotechnical report; and, servicing. The Owner is also proposing to dedicate the open space/valley lands, as shown on Attachment #3, to the TRCA.

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. Official Plan Amendment File OP.12.004 is subject to review and approval from the Region of York. The Owner has requested that the Region of York exempt the Official Plan Amendment from Regional Approval. At this time, the Development Planning Department has not received any comment from the Region of York regarding the request for exemption from Regional Approval. Any issues will be addressed when the technical report is considered. The Owner will be required to satisfy all requirements of the Region of York, should the application be approved.

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 Proposed Zoning
4. Landscape Plan
5. Elevation Plan
6. Rendering – View Looking Southwest

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2012

Item 1, CW(PH) Report No. 50 – Page 10

Report prepared by:

Daniel Woolfson, Planner 1, 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.)