

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2012

Item 2, 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.

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**OFFICIAL PLAN AMENDMENT FILE OP.12.013
ZONING BY-LAW AMENDMENT FILE Z.12.031
DRAFT PLAN OF SUBDIVISION FILE 19T-12V006
NONNODESTO INCOME INC.
WARD 4 – VICINITY OF BATHURST STREET AND TESTON 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 27, 2012, be approved;
- 2) That the following deputations be received:
 1. Mr. John Stevens, Stevens Consulting, Macarthur Drive, Campbellville, on behalf of the applicant;
 2. Mr. Hamid Boland, Lady Nadia Drive, Maple;
 3. Mr. David Elliott, Lady Nadia Drive, Maple;
 4. Ms. Doris Garzon, Torah Gate, Maple;
 5. Ms. Julia Feldman, Lady Nadia Drive, Maple; and
 6. Mr. Saurabh Moudgil, Lady Nadia Drive, Maple; and
- 3) That the following Communications be received:
 - C3. Petition, dated November 23, 2012;
 - C4. Petition, dated November 19, 2012;
 - C7. Ms. Rossana Burgos, Chair, School Council, Herbet H. Carnegie Public School, Maple, dated November 26, 2012;
 - C8. Ms. Andrea Kuprejanov-Hatzis, Vanda Drive, Maple, dated November 26, 2012;
 - C10. Ms. Pooja Dhamija, Treasurer, School Council, Herbet H. Carnegie Public School, Maple, dated November 26, 2012;
 - C11. Ms. Laura and Mr. Pete Bhoi, Queen Filomena Avenue, Vaughan, dated November 26, 2012;
 - C12. Mr. Michael Albright, Lady Nadia Drive, Maple, dated November 27, 2012;
 - C13. Mr. Steven Bahadoor, dated November 27, 2012;
 - C14. Ms. Belle Yuan, Alysha Way, Vaughan, dated November 27, 2012; and
 - C17. Mr. Len Hatzis, Vanda Drive, Vaughan, dated November 27, 2012.

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for Files OP.12.013, Z.12.031 and 19T-12V006 (Nonnodesto Income 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.

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Communications Plan

- a) Date the Notice of a Public Meeting was circulated: November 2, 2012
- b) Circulation Area: 150 m
- c) Comments received as of November 13, 2012, are as follows:

The Development Planning Department has received correspondence from the following residents in opposition to the development:

- i) Mark and Afsaneh Pajot, Daniel Bran Drive;
- ii) Tomer Zarhi, Israel Zilber Drive.

The concerns identified in the correspondence are summarized as follows:

- i) did not receive notification on the proposed high density development;
- ii) desire to provide input in the design of high density development; and,
- iii) want a better vision for the area.

Any additional written correspondence received will be identified in the future technical report.

Purpose

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

1. Official Plan Amendment File OP.12.013 to amend the policies of in-effect OPA #600, as amended by site-specific OPA #638 to:
 - i) redesignate 1.98 ha of the subject lands, identified as Part "A" on Attachment #2, from "High Density Residential/Commercial" to "Low Density Residential" to facilitate the development of 34 single detached dwelling units, in the manner shown on Attachment #3; and,
 - ii) maintain the current "High Density Residential/Commercial" designation on Part "B" (0.88 ha) of the subject lands, as identified on Attachment #2, which permits as-of-right a minimum density of 250 units/ha, a Floor Space Index (FSI) of 2.95, and a maximum building height of 12 storeys.
2. Zoning By-law Amendment File Z.12.013 to amend Zoning By-law 1-88, specifically to:
 - i) rezone 1.98 ha of the subject lands identified as Part "A" on Attachment #2, from RA3(H) Apartment Residential Zone with the Holding Symbol "(H)" and subject to Exception 9(1261) to RD3(H) Residential Detached Zone Three with the Holding Symbol "(H)", RD4(H) Residential Detached Zone Four with the Holding Symbol "(H)" and OS2 Open Space Park Zone, in the manner shown on Attachment #3; and,
 - ii) maintain the existing RA3(H) Residential Apartment Zone Three Zone, with the Holding Symbol "(H)" and subject to Exception 9(1261) on Part "B" of the subject lands, as identified on Attachment #2, which provides for the following as-of-right site-specific zoning exceptions:

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	By-law Standard	By-law 1-88 RA3 Apartment Residential Zone Requirements	Exception 9(1261), RA3 Requirements (As-of-Right)
a.	Minimum Lot Area Per Unit	67 m ² /unit	40 m ² /unit
b.	Minimum Yards	i) Front Yard – 7.5 m ii) Rear Yard – 7.5 m iii) Interior Side Yard – 4.5 m iv) Exterior Side Yard – 7.5 m	i) 6 m ii) 6 m iii) 6 m iv) 6 m
c.	Maximum Building Height	44 m	12 storeys 38.5 m
d.	Minimum Parking Requirement	1.5 spaces/unit and 0.25 visitor spaces/unit	1.2 spaces/unit and 0.25 visitor spaces/unit
e.	Permitted Yard Encroachment for a Balcony	0.3 m into any yard	1.8 m into any required yard
f.	Minimum Amenity Area Per Unit	Bachelor Unit – 15 m ² 1 Bedroom Unit – 20 m ² 2 Bedroom Unit – 55 m ² 3 Bedroom Unit – 90 m ² 4 Bedroom Unit – 110 m ²	20 m ² for each unit type

3. Draft Plan of Subdivision File 19T-12V006 on Part “A” of the subject lands as shown on Attachment #2, consisting of the following as shown on Attachment #3:

34 residential lots for single family dwellings (Lots 1-34)	1.26 ha
1 future high-density residential block (Block 36) (Portion “B”)	0.88 ha
1 Landscape Buffer block (Block 35)	0.05 ha
Municipal Road (Street “A”)	0.63 ha
0.3 m Reserves (Blocks 37-42)	0.01 ha
Total Area	2.83 ha

Background - Analysis and Options

Location	<ul style="list-style-type: none"> The subject lands are located southwest of Bathurst Street and Teston Road, City of Vaughan, shown as “Subject Lands” on Attachments #1 and #2.
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Official Plan Designation	<ul style="list-style-type: none">▪ The subject lands are designated “High Density Residential/Commercial” and “Settlement Area” by in-effect OPA #600, as amended by OPA #604 (Oak Ridges Moraine Conservation Plan) and site-specific OPA #638.▪ Site-specific OPA #638 designates the entirety of the subject lands (Parts “A” and “B”) “High Density Residential/Commercial” with a maximum residential density of 250 units/ha, a maximum building height of 12-storeys, and a maximum Floor Space Index (FSI) of 2.95.▪ The proposal for 34 single-detached residential units on 1.95 ha of the subject lands identified as Part “A” on Attachment #2 does not conform to the Official Plan as it represents a down designation of the property.▪ The remaining 0.88 ha of the subject lands identified as Part “B” on Attachment #2, for future high density residential uses conforms to the Official Plan.▪ The subject lands are designated “Mid-Rise Mixed-Use” by the 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 VOP 2010 permits a maximum building height of 12-storeys and maximum density of 3.5 FSI on the subject lands. The development proposal for Portion “A” (34 single detached units) does not conform to VOP 2010 as it represents a down designation of the property. However, the proposal to maintain the existing “High Density Residential/Commercial” designation on Portion “B” is consistent with the policies of VOP 2010.
Zoning	<ul style="list-style-type: none">▪ The entirety of the subject lands (Parts “A” and “B”) are zoned RA3(H) Apartment Residential Zone with the Holding Symbol (H) by Zoning By-law 1-88, subject to Exception 9(1261).▪ The proposed 34 single-detached dwelling units does not comply with Zoning By-law 1-88, as amended, and therefore, an amendment to the Zoning By-law 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	COMMENTS
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 the Regional and City Official Plan policies.
b.	Appropriateness of the Development Proposal and Future High Density Residential Block	<ul style="list-style-type: none"> The appropriateness of down designating and permitting the proposed 34 single-detached dwelling units will be reviewed in consideration of, but not limited to, compatibility with the surrounding area including the existing residential development to the southwest, existing institutional use (place of worship) to the south and the existing commercial development to the north, lotting pattern, built form, urban design, environmental sustainability, and traffic. The appropriateness of the 0.88 ha “High Density Residential/Commercial” block identified as Part “B” on Attachment #2 will be reviewed in consideration of, but not limited to, compatibility with the other existing uses, size of development block, permitted density, building height, floor space index, achieving a transition with adjacent uses, and access.
c.	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.
d.	Archaeological Assessment	<ul style="list-style-type: none"> The archaeological assessment submitted in support of the applications must be reviewed and approved by the Vaughan Cultural Services Division.
e.	Supporting Documents	<ul style="list-style-type: none"> The following documents submitted in support of the applications must be reviewed and approved by the Region of York and/or the City of Vaughan Development/Transportation Engineering Department: <ul style="list-style-type: none"> Noise and Vibration Report; Functional Servicing Report; and, Pedestrian Wind Conditions Report.

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f.	Planning Justification Report	<ul style="list-style-type: none"> The Planning Justification Report prepared by J. H. Stevens Planning & Development Consultants in support of the proposal must be approved to the satisfaction of the Vaughan Development Planning Department.
g.	Servicing	<ul style="list-style-type: none"> Servicing Allocation must be identified and assigned to the development, if approved. Should servicing capacity not be available, the Holding Symbol “(H)” will continue to apply to the subject lands. Removal of the Holding Symbol “(H)” will be conditional upon servicing capacity being allocated.
h.	Block 12 Community Plan	<ul style="list-style-type: none"> The subject lands are located within the Block 12 Community Plan. The Owner will be required to revise the Block 12 Community Plan to reflect the proposed development should the subject applications be approved.
i.	Urban Design and Architectural Guidelines	<ul style="list-style-type: none"> The proposed development must conform to the approved Urban Design and Architectural Design Guidelines for Block 12.
j.	Future Site Development Application	<ul style="list-style-type: none"> A future Site Development Application will be required for the future high-rise residential block, if the subject applications are approved, and will be reviewed to ensure appropriate building and site design, barrier free accessibility, pedestrian connectivity, vehicular access, internal traffic circulation, parking, landscaping, waste management and 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 for the future high-rise residential block, if approved.
k.	Future Draft Plan of Condominium Application	<ul style="list-style-type: none"> A future Draft Plan of Condominium Application will be required for the high density residential block to create a condominium corporation for the residential apartment building(s).

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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. Proposed Zoning and Draft Plan of Subdivision 19T-12V006

Report prepared by:

Mary Caputo, Planner, ext. 8215
Christina Napoli, Senior Planner, ext. 8483
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.)