

**EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 23, 2015**

***By receiving the following Communications:***

- 2                                ZONING BY-LAW AMENDMENT FILE Z.15.023**  
**NORSTAR GROUP OF COMPANIES**  
**WARD 4 - VICINITY OF RUTHERFORD ROAD AND DUFFERIN STREET**

- 1) That the recommendation contained in the following report of the Commissioner of Planning, Director of Development Planning, and Manager of Development Planning, dated June 16, 2015, be approved;
- 2) That the following deputations be received:
  1. Mr. Michael Gutraing, Belvia Drive, Concord;
  2. Mr. Yu Zhang, Borjana Boulevard, Vaughan;
  3. Mr. Louie Polsinelli, Belvia Drive, Concord;
  4. Mr. Mikhail Maximov, Novella Road, Concord; and
  5. Mr. Tyler Grinyer, Associate, Bousfields Inc., Church Street, Toronto, on behalf of the applicant; and
- 3) That the following Communications be received:
  - C1. Mr. Leon Chonin, Honeywood Road, Thornhill Woods, dated May 29, 2015;
  - C2. Ms. Helen Mihailidi, Brattys LLP, Keele Street, Vaughan, dated May 28, 2015;
  - C3. Martin and Eileen Belitz, Maple Valley Road, Maple, dated May May 27, 2015; and
  - C4. Mr. Eran Nevat, Balsawood Road, Thornhill, dated May 27, 2015.

The Commissioner of Planning, Director of Development Planning, and Manager of Development Planning recommend:

- ## Contribution to Sustainability

## Economic Impact

 $\dots/2$

## CITY OF VAUGHAN

### **EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 23, 2015**

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#### **Communications Plan**

- a) Date the Notice of Public Hearing was circulated: May 22, 2015. The Notice of Public Hearing was also posted on the City's web-site at [www.vaughan.ca](http://www.vaughan.ca) and a Notice Sign was installed on the property in accordance with the City's Notice Sign Procedures Protocol
- b) Circulation Area: 150 m, and the expanded polling area shown on Attachment #1, and to the Eagle Hills Community Association and Preserve Thornhill Woods Association
- c) Comments Received as of June 2, 2015:
  - i. M. and E. Belitz, with correspondence dated May 27, 2015, concerning the perceived impacts respecting proposed density, traffic on Dufferin Street and Rutherford Road, and insufficient schools in the area to support the increase in population.
  - ii. E. Nevat, with correspondence dated May 27, 2015 concerning the perceived impacts respecting increased traffic, proposed impact on way of living and infrastructure like schools, water, and sewage.
  - iii. L. Chonin, with correspondence dated May 29, 2015, concerning the perceived impact of the proposed density on existing infrastructure including but not limited to sewage and storm water drainage, arterial road network, traffic, school accommodations, parks, community centres and public transit.
  - iv. H. Mihailidi, Brattys LLP, with correspondence dated May 29, 2015, outlining the requirement that the Owner, Norstar Group of Companies, enter into the Block 11 Cost Sharing Agreement in order to ensure that the Owner bears its fair and equitable share of the costs and burdens related thereto.

#### **Purpose**

To receive comments from the public and the Committee of the Whole on Zoning By-law Amendment File Z.15.023 to amend Zoning By-law 1-88, specifically to rezone the subject lands shown on Attachments #1 and #2 from A Agricultural Zone and OS5 Open Space Environmental Protection Zone, to RA3 Apartment Residential Zone and OS5 Open Space Environmental Protection Zone in the manner shown on Attachment #3.

The proposed rezoning will facilitate a 24 and 13 storey residential building connected by a two-storey podium, with a total of 438 residential apartment units, 601 m<sup>2</sup> of ground floor commercial uses and a Floor Space Index (FSI) of 2.84, as shown on Attachments #3 to #6. The following site-specific zoning exceptions to the RA3 Apartment Residential Zone are also required to implement the proposed plan:

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Table 1:

	<b>Zoning By-law 1-88 Standard</b>	<b>RA3 Apartment Residential Zone Requirement</b>	<b>Proposed Exceptions to the RA3 Apartment Residential Zone</b>
a.	Definition of Lot	“Lot” - means a parcel of land fronting on a street separate from any abutting land to the extent that a Consent contemplated by Section 49 of the Planning Act, R.S.O. 1983 would not be required for its conveyance. For the purpose of this paragraph, land defined in an application for a Building Permit shall be deemed to be a parcel of land and a reserve shall not form part of the lot.	“Lot” – for the purposes of this by-law, the subject lands shall be deemed to be one lot, regardless of buildings constructed thereon, the existing number of lots, the creation of separate units and/or lots by way of a plan of condominium, consent or other permissions, and any easements or registrations that are granted, shall be deemed to comply with the provisions of the By-law.
b.	Minimum Parking Requirement	Residential Apartment Dwelling - 483 units @ 1.5 parking spaces per unit = 725 spaces  Residential Apartment Dwelling, Visitor Parking - 483 units @ 0.25 parking spaces per dwelling unit = 121 spaces  Commercial: Not permitted in the RA3 Zone	Residential Apartment Dwelling - 483 units @ 1.0 parking space per unit = 483 spaces  Residential Apartment Dwelling, Visitor Parking - 483 units @ 0.20 spaces per unit = 97 spaces.  Permit the visitor parking spaces to be shared and satisfy the requirements for the residential visitor and commercial parking.
c.	Maximum Building Height	44 m	77 m, exclusive of all rooftop, mechanical HVAC, and parapets (24-storey Building)
d.	Minimum Unit Size	67 m <sup>2</sup>	48 m <sup>2</sup>

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e.	Permitted Uses	<ul style="list-style-type: none"> <li>- Apartment Dwelling</li> <li>- Day Nursery</li> </ul>	<p>Permit the following additional commercial uses to a combined maximum of 601 m<sup>2</sup>:</p> <ul style="list-style-type: none"> <li>- Bank or Financial Institution</li> <li>- Brewers Retail Outlet</li> <li>- Business or Professional Office</li> <li>- Eating Establishment - Convenience</li> <li>- Eating Establishment - Take Out</li> <li>- L.C.B.O. Outlet</li> <li>- Personal Service Shop</li> <li>- Photography Studio</li> <li>- Pharmacy</li> <li>- Print Shop</li> <li>- Retail Store</li> <li>- Supermarket</li> <li>- Video Store</li> </ul>
f.	Minimum Landscape Strip Width along a Streetline	6 m	<ul style="list-style-type: none"> <li>- 3 m along Dufferin Street</li> <li>- 2 m along Rutherford Road</li> </ul> <p>This shall not prevent the provision of access driveways, pedestrian walkways, paved patios and stairs across or within the landscape strip.</p>
g.	Minimum Amenity Area	<ul style="list-style-type: none"> <li>- Bachelor Unit: 15 m<sup>2</sup></li> <li>- One Bedroom Unit: 20 m<sup>2</sup></li> <li>- Two Bedroom Unit: 55 m<sup>2</sup></li> <li>- Three Bedroom Unit: 90 m<sup>2</sup></li> <li>- Four Bedroom Unit or larger: 110 m<sup>2</sup></li> </ul>	17 m <sup>2</sup> per dwelling unit
h.	Minimum Setback Requirements	<ul style="list-style-type: none"> <li>i) Front Yard (Rutherford Road) - 7.5 m</li> <li>ii) Exterior Side Yard (Dufferin Street) - 7.5 m</li> </ul>	<ul style="list-style-type: none"> <li>i) Front Yard - 2 m</li> <li>ii) Exterior Side Yard - 3 m</li> </ul>

Additional zoning exceptions may be identified through the detailed review of the application and will be considered in a technical report to a future Committee of the Whole meeting.

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#### Background - Analysis and Options

##### *Synopsis:*

*The Owner is proposing to amend the City's Zoning By-law 1-88 to rezone the subject lands from A Agricultural Zone and OS5 Open Space Environmental Protection Zone, to RA3 Apartment Residential Zone and OS5 Open Space Environmental Protection Zone. The proposed rezoning will facilitate a 24 and 13 storey residential building connected by a two-storey podium, for a total of 438 residential units and 601 m<sup>2</sup> of ground floor commercial uses. The purpose of this report is to receive comments from the public, the Committee of the Whole, City Departments, and external agencies, to be addressed in a comprehensive report at a future Committee of the Whole meeting.*

Location	<ul style="list-style-type: none"><li>▪ Northeast corner of Rutherford Road and Dufferin Street, municipally known as 1176 Rutherford Road, shown as "Subject Lands" on Attachments #1 and #2.</li></ul>
Official Plan Designation	<ul style="list-style-type: none"><li>▪ The subject lands are designated "High-Rise Mixed-Use" with a maximum building height of 24 storeys and a maximum density of 2.84 FSI (Floor Space Index) by Section 11.2 in Volume 2 of VOP 2010 (The Carrville Centre Secondary Plan). The proposed 24 and 13 storey buildings with an FSI of 2.84 conforms with VOP 2010.</li><li>▪ The "High-Rise Mixed-Use" designation represents the primary retail development area within the Carrville District Centre, and is intended to be developed as an active, mixed-use area characterized by high quality design standards. The "High-Rise Mixed-Use" designation permits residential units in low, mid and high-rise building formats, with a broad variety of retail and commercial activities, offices, and cultural, entertainment and social facilities.</li><li>▪ The Owner has submitted Zoning Amendment File Z.15.023 in accordance with VOP 2010. The Owner has appealed VOP 2010 (Appeal #103) as it applies to the subject lands, however, the appeal is scheduled to be considered at the scheduled Ontario Municipal Board Pre-Hearing Conference for VOP 2010 on June 15, 2015, and expected to be resolved. On this basis, the application would conform to VOP 2010, upon resolution of the appeal.</li></ul>
Zoning	<ul style="list-style-type: none"><li>▪ The subject lands are zoned A Agricultural Zone (tableland) and OS5 Open Space Environmental Protection Zone (valleyland) by Zoning By-law 1-88.</li><li>▪ The Owner is proposing to rezone the portion of the subject lands zoned A Agricultural Zone to RA3 Apartment Residential Zone, and to maintain the current OS5 Open Space Environmental Protection Zone on the northeast portion of the lands.</li></ul>

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	<ul style="list-style-type: none"><li>▪ The proposed rezoning and site-specific exceptions do not comply with the existing zoning of the property, and therefore, a zoning by-law amendment is required.</li></ul>
Site Development File DA.15.022	<ul style="list-style-type: none"><li>▪ The Owner has submitted related Site Development File DA.15.022, which will be reviewed concurrently with the subject Zoning By-law Amendment Application.</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 Vaughan Planning Department has identified the following matters to be reviewed in greater detail:

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
a.	City Official Plan Policies	<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 the Proposed Rezoning and Site-Specific Zoning Exceptions	<ul style="list-style-type: none"><li>▪ The appropriateness of the proposed rezoning of the subject lands and the site-specific zoning exceptions required to facilitate the proposed development as shown on Attachments #3 to #6 inclusive, will be reviewed in consideration of compatibility with the surrounding existing and planned land uses. Review will also be given to the proposed commercial uses, specifically those uses that yield a higher parking requirement (i.e. supermarket, eating establishment) in consideration of the proposed shared visitor and commercial parking area.</li></ul>
c.	Urban Design and Architectural Guidelines	<ul style="list-style-type: none"><li>▪ The proposed development must conform to the approved Carrville District Centre Urban Design Streetscape Master Plan Study.</li></ul>
d.	Vaughan Design Review Panel	<ul style="list-style-type: none"><li>▪ A preliminary design concept was considered by the Vaughan Design Review Panel (DRP) on April 24, 2014. The proposal is scheduled to be reconsidered by the DRP on June 25, 2015. The Owner must satisfactorily address the DRP's comments.</li></ul>

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e.	Block 11 Plan	<ul style="list-style-type: none"> <li>▪ The proposal will be reviewed in consideration of the Block 11 Plan and the surrounding and existing 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.</li> </ul>
f.	Block 11 Developers Group Agreement	<ul style="list-style-type: none"> <li>▪ 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.</li> </ul>
g.	Parkland Dedication	<ul style="list-style-type: none"> <li>▪ 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 Parkland Dedication and Cash-in-Lieu Policy.</li> </ul>
h.	Functional Servicing Report/Allocation	<ul style="list-style-type: none"> <li>▪ The Vaughan Development Engineering and Infrastructure Planning Services Department must review and approve the Functional Servicing Report submitted in support of the applications. The availability of water and sanitary servicing capacity for the proposed development must be identified and formally allocated by Vaughan Council, if the applications are approved. Should allocation not be available, use of the Holding Symbol "(H)" will be considered for the subject lands.</li> </ul>
i.	Related Site Plan File DA.15.022	<ul style="list-style-type: none"> <li>▪ The related Site Development File DA.15.022 will be reviewed in consideration of, but not limited to, appropriate design and building materials, site design and orientation, building setbacks, pedestrian connectivity, vehicular access, sufficient visitor and commercial parking, appropriate truck turning and maneuvering, appropriate snow storage, landscaping, lighting, signage, environmental sustainability, barrier free accessibility, waste management, and servicing and grading.</li> <li>▪ All issues identified through the review of Site Development File DA.15.022 will be addressed together with the subject Zoning By-law Amendment application in a comprehensive technical report to a future Committee of the Whole meeting.</li> <li>▪ 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.</li> </ul>

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j.	Studies and Reports	<ul style="list-style-type: none"><li>▪ The Owner has submitted the following studies and reports in support of the application, which must be approved to the satisfaction of the City or respective authority:<ul style="list-style-type: none"><li>- Planning Justification and Urban Design Rationale</li><li>- Geotechnical Investigation Report</li><li>- Natural Heritage Evaluation</li><li>- Pedestrian Wind Letter of Opinion</li><li>- Traffic Impact Study includes Parking Analysis</li><li>- Noise Impact Study</li><li>- Arborist and Tree Preservation Report</li><li>- Sun/Shadow Study</li></ul></li></ul>
k.	Toronto and Region Conservation Authority (TRCA)	<ul style="list-style-type: none"><li>▪ The subject lands abut lands zoned OS5 Open Space Environmental Protection Zone to the north and east, and are located within the TRCA's regulated area. The Owner must satisfy all requirements of the TRCA.</li></ul>
l.	Environmental Reports	<ul style="list-style-type: none"><li>▪ The Phase 1 and 2 ESA (Environment Site Assessment) submitted in support of the application must be approved to the satisfaction of the Vaughan Development Engineering and Infrastructure Planning Services Department.</li></ul>
m.	Rutherford Road Environmental Assessment	<ul style="list-style-type: none"><li>▪ York Region is undertaking the Rutherford Carrville Environmental Assessment (EA), which includes the entire Rutherford Road frontage of the subject lands. The Owner will be required to address any requirements of the EA process.</li></ul>

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

The applicability of the 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. The subject lands are located at the intersection of two Regional Roads (Rutherford Road and Dufferin Street). The Owner is required to satisfy all requirements of the Region, including but not limited to potential road widening requirements, intersection locations and design, the provision of transit facilities as may be required, turning lanes, and servicing. 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 Vaughan 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.



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**Attachments**

1. Context Location Map
2. Location Map
3. Site Plan and Proposed Zoning
4. Landscape Plan
5. South & West Elevations
6. North & East Elevations

**Report prepared by:**

Mark Antoine, Planner, ext. 8212  
Christina Napoli, Senior Planner, ext. 8483

(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.)

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**From:** Panaro, Doris  
**Sent:** Wednesday, June 17, 2015 1:34 PM  
**To:** 'Andre Muscat'; DevelopmentPlanning@vaughan.ca  
**Cc:** Antoine, Mark; Bellisario, Adelina  
**Subject:** RE: Opposed to Rezoning - FILE Z.15.023 (related FILE NUMBER: DA.15.022) at 1176 Rutherford Road submitted by applicant "Nyrstar Group of Companies"

Andre, I am forwarding your comments for communication and notification in regards to the above proposal to the Planner Mark Antoine and Clerk's Department. Thank you.

*Doris Panaro*

**DEVELOPMENT PLANNING DEPARTMENT**

2141 Major Mackenzie Drive  
Vaughan, ON L6A 1T1  
Tel: (905) 832-8565 ext. 8208 - Fax: (905) 832-6080 - [www.vaughan.ca](http://www.vaughan.ca)



C	<u>21</u>
Item #	<u>2</u>
Report No.	<u>27 (PH)</u>
Council	<u>June 23/15</u>

**From:** Andre Muscat [<mailto:andre.j.muscat@gmail.com>]

**Sent:** June-16-15 6:44 PM

**To:** [DevelopmentPlanning@vaughan.ca](mailto:DevelopmentPlanning@vaughan.ca)

**Subject:** Opposed to Rezoning - FILE Z.15.023 (related FILE NUMBER: DA.15.022) at 1176 Rutherford Road submitted by applicant "Nyrstar Group of Companies"

To whom it may concern

I am opposed to Rezoning - FILE Z.15.023 (related FILE NUMBER: DA.15.022) at 1176 Rutherford Road submitted by applicant "Nyrstar Group of Companies".

My name is Andre Muscat and I own and live at 10 Ohr Menachem Way, L4J8X7

The neighbourhood has terrible traffic (especially Bathurst and Dufferin and Rutherford). Schools are packed to the limit in the area. Thornhill Woods public school and others are over-capacity and have additional so called "temporary" classrooms which are also packed. These buildings would make things much worse. There have also been problems with sewage infrastructure and Bathurst between Rutherford and Highway 7 has seen major recent repairs.

In addition, the surrounding neighbourhoods have a small suburban feel and these monstrous buildings are totally out of context. This development will impact an affluent suburban neighbourhood in a negative way and give it an inner-city feel. The reason many families have moved to the surrounding neighbourhoods in the first place will evaporate if these high-rise buildings are allowed to be built.

I am totally opposed to this development.

Regards  
Andre Muscat

**From:** Panaro, Doris  
**Sent:** Wednesday, June 17, 2015 1:37 PM  
**To:** 'Mikhail Maximov'; DevelopmentPlanning@vaughan.ca  
**Cc:** Antoine, Mark; Bellisario, Adelina  
**Subject:** RE: Block 11 development area

Mikhail, I am forwarding your comments for communication and notification in regards to the above proposal to the Planner Mark Antoine and Clerk's Department. Thank you.

*Doris Panaro*

**DEVELOPMENT PLANNING DEPARTMENT**

2141 Major Mackenzie Drive  
Vaughan, ON L6A 1T1  
Tel: (905) 832-8565 ext. 8208 - Fax: (905) 832-6080 - [www.vaughan.ca](http://www.vaughan.ca)



C	<u>22</u>
Item #	<u>2</u>
Report No.	<u>27 (PH)</u>
Council -	<u>June 23/15</u>

**From:** Mikhail Maximov [<mailto:mikhail.maximov@gmail.com>]  
**Sent:** June-16-15 8:24 PM  
**To:** [DevelopmentPlanning@vaughan.ca](mailto:DevelopmentPlanning@vaughan.ca)  
**Subject:** Re: Block 11 development area

City of Vaughan  
Development Planning Department  
File number: Z.15.023  
Related file No: DA.15.022

I am a resident of Dufferin Hills community and I wish to register concern of abovementioned application to rezone the property located on North East corner of Dufferin and Rutherford.

I have the following concerns:

- this development was not included into Plan for future development from 2010
- it will increase traffic on already congested Dufferin Street and there is no public plans to widen of it
- habitants of the proposed building have to park their cars and there it is not clear from the Note, if there will be enough parking lots for planned 438 residential units
- it will increase strain on current infrastructure, like sewerage
- no new school is planned to build, but current schools already packed
- there will be negative impact on business development in the area, we already have multiple plazas here and a new one will affect business on all of them.
- because of the glass wall of the building there will be additional driving hazard due to mirrored sun rays
- increasing density of the suburban area - if I wish to live in downtown I'll move to downtown, please do not bring downtown here

Mikhail Maximov  
([Mikhail.Maximov@GMail.com](mailto:Mikhail.Maximov@GMail.com))



Bellisario, Adelina

**From:** Fari Sahel <farisahel64@gmail.com>  
**Sent:** Thursday, June 18, 2015 11:40 AM  
**To:** Clerks@vaughan.ca  
**Subject:** 1176 Rutherford Road (Attachments # 1 & 2 - Ward 4)

C	<u>23</u>
Item #	<u>2</u>
Report No.	<u>27(PH)</u>
Council -	<u>June 23/15</u>

To whom this may concern at Vaughan City Hall:

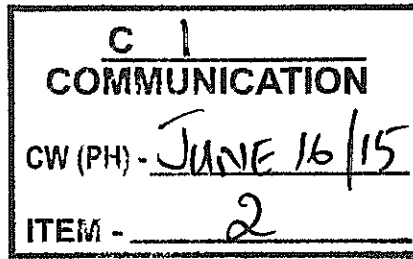
we are writing this statement to express our views on the proposed development application submitted by Norstar Group of Companies, with file No. Z.15.023 and Related File Number DA.15.022, regarding the rezoning of the northeast corner of the intersection of Dufferin and Rutherford Road to accomodate the construction of a 24-storey and a 13-storey residential building, connected by a two-storey podium.

We, as residents of the immediate and surrounding area of the specified zone, feel that such a development would NOT be appropriate because the Thornhill Woods neighbourhoods are a safe and flourishing collection of residences and parks that are home to young families, the majority of which have small children. People here also thrive on daily activities and and exercises, a lot of which are done on foot. As you must be well aware, the traffic on Rutherford and adjoining streets has steadily become a source of frustration and has made daily driving a tedious task. This is coupled with aggressive drivers who have become agitated with the congestion of vehicles in unreasonably small parking spaces and narrow entries and exits of retail centres. It is therefore less safe for pedestrians. To add these two buildings on the aforementioned lot will only worsen this situation. It is already evident from the grant given to the development of a 15-storey condominium unit at Bathurst and Rutherford, where maneouvering a vehicle has become nearly impossible during some periods of the day within the Rutherford Marketplace as it is, that adding yet another similar development is not practical and only stands to benefit the developer and builder.

The residents of the Thornhill Woods area will not gain anything if this application is granted for Norstar for the reasons mentioned above. We hope that this message is considered along with those that share the same opinion and taken seriously when processing a final decision. Thank you for your time.

Regards,

The Gheshmy Family

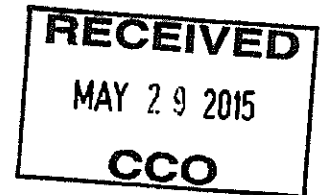


35 Honeywood Road,  
Thornhill Woods  
Vaughan, L4J 9C2

May 29, 2015

City of Vaughan  
Development Planning Department

Dear Sirs/Madams



**PROPERTY: 1176 RUTHERFORD ROAD**  
**APPLICANT: NORSTAR GROUP OF COMPANIES**  
**APPLICATION: REZONING FROM AGRICUTURAL TO APARTMENT RESIDENTIAL**  
**FILE NUMBER: Z.15.023**  
**RELATED FILE NO: DA.15.022**

Because I am unable to attend the open Council meeting scheduled for June 16 at 7pm I wish to submit my written comments on the abovementioned application to rezone the property located on the corner of Dufferin and Rutherford from agricultural to high rise apartment.

I as a resident of the Thornhill Woods wish to register my concerns that this application has not recognized the following issues that would have an immediate impact on this proposed development:

No information has been provided that the applicant has received exemption from the VOP 2010 long term development plan for the City of Vaughan which restricts any high rise development in agricultural zoned areas.

No evidence has been provided that the existing infrastructure will be able to cope with the increase in density arising from this development.

A road traffic study has not been provided to conclusively provide evidence that the increase in the proposed density will not adversely affect congestion and that sufficient parking has been provided to accommodate this proposed increased population in the area without the risk that it may overflow into the neighbouring streets.

No high rise development has been permitted beyond Highway 7 which I am given to understand has been designated as a high density development area that will be serviced by rapid public transport.

I therefore wish to register my objection to this application for rezoning until the members of the City Council have satisfied themselves that:

The proposal conforms with or has received prior exemption from the City's long term development plan.

The increase in density will not adversely affect the existing infrastructure that would include

- Sewage and storm water drainage
- Arterial road network
- Traffic congestion
- Schooling accommodation
- Parks and Community centres
- Public transport

The surrounding residences will not be cast in shadow by the height of this development and that it will not be aesthetically detrimental to the existing area and the value of these properties.

I trust the City will recognize that there are valid concerns with regard to this application and will direct the applicant to address these issues before permitting the rezoning of this property.

Sincerely

**Leon Chonin**  
Resident

Copies: Sandra Racco  
Cindy Furfaro  
Preserve Thornhill Woods Association



**BRATTYS** <sup>LLP</sup>  
BARRISTERS AND SOLICITORS

PLEASE REFER TO:  
Helen A. Mihailidi (Ext. 277)  
Email: [hmiailidi@bratty.com](mailto:hmiailidi@bratty.com)  
Assistant: Kellie White (Ext. 2711)  
Email: [kwhite@bratty.com](mailto:kwhite@bratty.com)

**Delivered via Email  
and Courier**

May 28, 2015

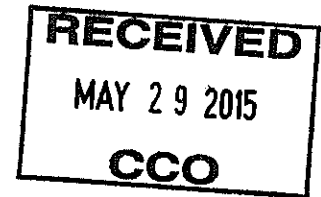
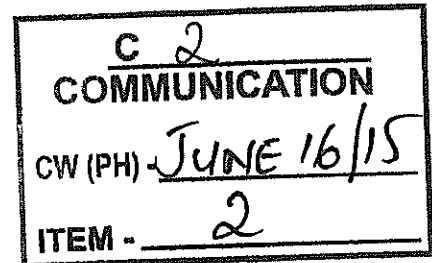
The Corporation of The City of Vaughan  
Planning Department (Development Planning Division)  
2141 Major Mackenzie Drive  
Vaughan, Ontario  
L6A 1T1

Attention: Mark Antoine, Planner

Dear Sir:

**RE: NORSTAR GROUP OF COMPANIES  
1176 RUTHERFORD ROAD (NE Corner of Rutherford and Dufferin)  
CITY FILE NOS. Z15.023 & DA.15.022**

**AND RE: BLOCK 11 DEVELOPMENT AREA**



We act as solicitors on behalf of the Block 11 Developers Group (the "Block 11 Group") and Block 11 Properties Inc. (the "Trustee") pursuant to the Block 11 Cost Sharing Agreement dated July 14, 2005 (the "Block 11 Cost Sharing Agreement"), entered into by the Block 11 Group in respect of the development of lands within the Block 11 Community.

We understand that the above-referenced owner is proceeding with the development of their lands within the Block 11 development area.

We are writing to advise the City that the subject lands are within the Block 11 Community development area and will benefit directly from community lands and infrastructure which have been or will be provided, constructed and/or financed by the Block 11 Group pursuant to the terms of the Block 11 Cost Sharing Agreement, as well as various agreements entered into or to be entered into by the Block 11 Group with the City of Vaughan, Region of York, and other applicable authorities.

Accordingly, the Block 11 Group requires that, as a condition of the development of any lands within the Block 11 development area, including the above-referenced lands, the owner of such lands must be required to enter into and be a participant in good standing (to be confirmed by the Trustee) under the Block 11 Cost Sharing Agreement, and to bear its fair and equitable share of the costs and burdens related to the community lands and infrastructure from which such lands will benefit. It would otherwise be unjust to permit such owner(s) to benefit from such infrastructure and community use lands provided or to be provided by the Block 11 Group without such owner(s) having to bear its proportionate share of

the costs and burdens related thereto. The Block 11 Group therefore requires the City's assistance in requiring all landowners within the Block 11 Community, including without limitation, Norstar Group of Companies, to enter into the Block 11 Cost Sharing Agreement in order to ensure that such owner(s) bears its fair and equitable share of the costs and burdens related thereto and to secure the Trustee's clearance prior to registration of any plan(s) of subdivision against such lands.

We look forward to receiving the City's confirmation in respect of the foregoing.

In addition, we hereby formally request notification of any future application or other action or procedure and/or any proposed zoning by-law amendment and/or any proposed decision of the City with respect to the proposed development or re-development of any lands within the Block 11 Community.

Should you have any questions or concerns, please feel free to contact the writer.

Yours truly,

**BRATTYS LLP**



Helen A. Mihailidi

HAM/klw

cc: Block 11 Landowners



**From:** Martin Belitz [<mailto:mibelitz@yahoo.com>]  
**Sent:** Wednesday, May 27, 2015 3:59 PM  
**To:** Racco, Sandra  
**Subject:** Upcoming public meeting at City Hall

C 3
COMMUNICATION
CW (PH) - JUNE 16 / 15
ITEM - 2

Dear Councillor Racco:

I am writing regarding the Committee of the Whole public hearing concerning the application by the Norstar group of companies application to build high density residential units at the corner of Dufferin and Rutherford, city file Z.15.023

As a local resident, I am objecting to this monster development in our low rise neighborhood. The density proposed is too high for this area considering that another high density block has already been approved just down the street on Rutherford between Dufferin and Crimson Forest.

Automobile traffic is already congested in this area. Neither Dufferin St. or Rutherford Road is equipped to handle existing traffic much less what will occur if these projects are allowed to be built.

The city should put infrastructure in place before allowing the increased density. Just as the City of Toronto built the Sheppard Subway before the new high rise buildings were approved, the city of Vaughan should widen the roadways or build a rapid transit system before allowing building permits for apartments. Traffic is at a crawl on Rutherford Rd especially since the GO train crossing backs up cars morning and evening. And the non synchronized lights cause major frustration on Rutherford and Dufferin streets.

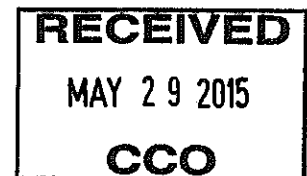
Additionally there are insufficient public schools in the area to support such a population increase. Local public schools are already full and using portables. My Daughter had to line up at 7:00 AM to register her child for an overflowing public school for a sign up that started at 9 AM.

We don't need 24 storey high rises. We also don't need more high rises on the west side of Dufferin north of Rutherford, a proposal for this is already on file. If I wanted to live in a high rise area I would have purchased a place down town Toronto not here in the suburbs.

Thank you for your consideration, I will be following this closely.

Martin and Eileen Belitz

45 Maple Valley Road, Maple, ON L6A 0X9



<u>C 4</u> <b>COMMUNICATION</b> CW (PH) <u>JUNE 16/15</u> ITEM - <u>2</u>
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**From:** Nevat [<mailto:nevateran@hotmail.com>]

**Sent:** Wednesday, May 27, 2015 9:49 PM

**To:** Racco, Sandra

**Subject:** Northeast corner of Dufferin St and Rutherford Rd. File number - Z.15.023

Hi Sandra,

I would like to share my concerns with the building proposal promoted by Norstar Group of Companies.

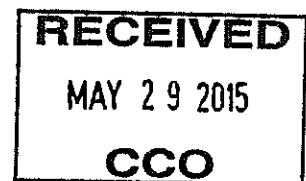
Two high rises, one with 24 floors and the second with 23 floors, will have an immediate impact of our way of living.

I'm sure you are aware of the traffic issues we are currently experiencing in our area. Both Bathurst and Dufferin are extremely crowded, residents are forced to use local roads as alternative routes.

I also question if the other infrastructures platforms (i.e. schools, water, sewage ) can support such a congested solution.

I would appreciate if you can share your opinion.

Thanks  
Eran Nevat  
11 Balsawood Rd.  
Thornhill, ON  
L4J 9C6



**JUNE 16, 2015**

- P.2015.21**

## Recommendation

The Commissioner of Planning, Director of Development Planning, and Manager of Development Planning recommend:

1. THAT the Public Hearing report for File Z.15.023 (Norstar Group of Companies) BE RECEIVED; and, that any issues identified be addressed by the Vaughan Planning Department in a comprehensive report to the Committee of the Whole.

## Contribution to Sustainability

The contribution to sustainability such as site and building design initiatives 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 Public Hearing was circulated: May 22, 2015. The Notice of Public Hearing was also posted on the City's web-site at [www.vaughan.ca](http://www.vaughan.ca) and a Notice Sign was installed on the property in accordance with the City's Notice Sign Procedures Protocol
- b) Circulation Area: 150 m, and the expanded polling area shown on Attachment #1, and to the Eagle Hills Community Association and Preserve Thornhill Woods Association
- c) Comments Received as of June 2, 2015:
- i. M. and E. Belitz, with correspondence dated May 27, 2015, concerning the perceived impacts respecting proposed density, traffic on Dufferin Street and Rutherford Road, and insufficient schools in the area to support the increase in population.
  - ii. E. Nevat, with correspondence dated May 27, 2015 concerning the perceived impacts respecting increased traffic, proposed impact on way of living and infrastructure like schools, water, and sewage.
  - iii. L. Chonin, with correspondence dated May 29, 2015, concerning the perceived impact of the proposed density on existing infrastructure including but not limited to sewage and storm water drainage, arterial road network, traffic, school accomodations, parks, community centres and public transit.
  - iv. H. Mihailidi, Brattys LLP, with correspondence dated May 29, 2015, outlining the requirement that the Owner, Norstar Group of Companies, enter into the Block 11 Cost Sharing Agreement in order to ensure that the Owner bears its fair and equitable share of the costs and burdens related thereto.

## **Purpose**

To receive comments from the public and the Committee of the Whole on Zoning By-law Amendment File Z.15.023 to amend Zoning By-law 1-88, specifically to rezone the subject lands shown on Attachments #1 and #2 from A Agricultural Zone and OS5 Open Space Environmental Protection Zone, to RA3 Apartment Residential Zone and OS5 Open Space Environmental Protection Zone in the manner shown on Attachment #3.

The proposed rezoning will facilitate a 24 and 13 storey residential building connected by a two-storey podium, with a total of 438 residential apartment units, 601 m<sup>2</sup> of ground floor commercial uses and a Floor Space Index (FSI) of 2.84, as shown on Attachments #3 to #6. The following site-specific zoning exceptions to the RA3 Apartment Residential Zone are also required to implement the proposed plan:

**Table 1:**

	<b>Zoning By-law 1-88 Standard</b>	<b>RA3 Apartment Residential Zone Requirement</b>	<b>Proposed Exceptions to the RA3 Apartment Residential Zone</b>
a.	Definition of Lot	“Lot” - means a parcel of land fronting on a street separate from any abutting land to the extent that a Consent contemplated by Section 49 of the Planning Act, R.S.O. 1983 would not be required for its conveyance. For the purpose of this paragraph, land defined in an application for a Building Permit shall be deemed to be a parcel of land and a reserve shall not form part of the lot.	“Lot” – for the purposes of this by-law, the subject lands shall be deemed to be one lot, regardless of buildings constructed thereon, the existing number of lots, the creation of separate units and/or lots by way of a plan of condominium, consent or other permissions, and any easements or registrations that are granted, shall be deemed to comply with the provisions of the By-law.
b.	Minimum Parking Requirement	Residential Apartment Dwelling - 483 units @ 1.5 parking spaces per unit = 725 spaces  Residential Apartment Dwelling, Visitor Parking - 483 units @ 0.25 parking spaces per dwelling unit = 121 spaces  Commercial: Not permitted in the RA3 Zone	Residential Apartment Dwelling - 483 units @ 1.0 parking space per unit = 483 spaces  Residential Apartment Dwelling, Visitor Parking - 483 units @ 0.20 spaces per unit = 97 spaces.  Permit the visitor parking spaces to be shared and satisfy the requirements for the residential visitor and commercial parking.

	<b>Zoning By-law 1-88 Standard</b>	<b>RA3 Apartment Residential Zone Requirement</b>	<b>Proposed Exceptions to the RA3 Apartment Residential Zone</b>
c.	Maximum Building Height	44 m	77 m, exclusive of all rooftop, mechanical HVAC, and parapets (24-storey Building)
d.	Minimum Unit Size	67 m <sup>2</sup>	48 m <sup>2</sup>
e.	Permitted Uses	<ul style="list-style-type: none"> <li>- Apartment Dwelling</li> <li>- Day Nursery</li> </ul>	<p>Permit the following additional commercial uses to a combined maximum of 601 m<sup>2</sup>:</p> <ul style="list-style-type: none"> <li>- Bank or Financial Institution</li> <li>- Brewers Retail Outlet</li> <li>- Business or Professional Office</li> <li>- Eating Establishment - Convenience</li> <li>- Eating Establishment - Take Out</li> <li>- L.C.B.O. Outlet</li> <li>- Personal Service Shop</li> <li>- Photography Studio</li> <li>- Pharmacy</li> <li>- Print Shop</li> <li>- Retail Store</li> <li>- Supermarket</li> <li>- Video Store</li> </ul>
f.	Minimum Landscape Strip Width along a Streetline	6 m	<ul style="list-style-type: none"> <li>- 3 m along Dufferin Street</li> <li>- 2 m along Rutherford Road</li> </ul> <p>This shall not prevent the provision of access driveways, pedestrian walkways, paved patios and stairs across or within the landscape strip.</p>
g.	Minimum Amenity Area	<ul style="list-style-type: none"> <li>- Bachelor Unit: 15 m<sup>2</sup></li> <li>- One Bedroom Unit: 20 m<sup>2</sup></li> <li>- Two Bedroom Unit: 55 m<sup>2</sup></li> <li>- Three Bedroom Unit: 90 m<sup>2</sup></li> <li>- Four Bedroom Unit or larger: 110 m<sup>2</sup></li> </ul>	17 m <sup>2</sup> per dwelling unit

h.	Minimum Setback Requirements	i) Front Yard (Rutherford Road) - 7.5 m  ii) Exterior Side Yard (Dufferin Street) - 7.5 m	i) Front Yard - 2 m  ii) Exterior Side Yard - 3 m
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Additional zoning exceptions may be identified through the detailed review of the application and will be considered in a technical report to a future Committee of the Whole meeting.

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

#### *Synopsis:*

*The Owner is proposing to amend the City's Zoning By-law 1-88 to rezone the subject lands from A Agricultural Zone and OS5 Open Space Environmental Protection Zone, to RA3 Apartment Residential Zone and OS5 Open Space Environmental Protection Zone. The proposed rezoning will facilitate a 24 and 13 storey residential building connected by a two-storey podium, for a total of 438 residential units and 601 m<sup>2</sup> of ground floor commercial uses. The purpose of this report is to receive comments from the public, the Committee of the Whole, City Departments, and external agencies, to be addressed in a comprehensive report at a future Committee of the Whole meeting.*

Location	<ul style="list-style-type: none"> <li>Northeast corner of Rutherford Road and Dufferin Street, municipally known as 1176 Rutherford Road, shown as "Subject Lands" on Attachments #1 and #2.</li> </ul>
Official Plan Designation	<ul style="list-style-type: none"> <li>The subject lands are designated "High-Rise Mixed-Use" with a maximum building height of 24 storeys and a maximum density of 2.84 FSI (Floor Space Index) by Section 11.2 in Volume 2 of VOP 2010 (The Carrville Centre Secondary Plan). The proposed 24 and 13 storey buildings with an FSI of 2.84 conforms with VOP 2010.</li> <li>The "High-Rise Mixed-Use" designation represents the primary retail development area within the Carrville District Centre, and is intended to be developed as an active, mixed-use area characterized by high quality design standards. The "High-Rise Mixed-Use" designation permits residential units in low, mid and high-rise building formats, with a broad variety of retail and commercial activities, offices, and cultural, entertainment and social facilities.</li> <li>The Owner has submitted Zoning Amendment File Z.15.023 in accordance with VOP 2010. The Owner has appealed VOP 2010 (Appeal #103) as it applies to the subject lands, however, the appeal is scheduled to be considered at the scheduled Ontario Municipal Board Pre-Hearing Conference for VOP 2010 on June 15, 2015, and expected to be resolved. On this basis, the application would conform to VOP 2010, upon resolution of the appeal.</li> </ul>

Zoning	<ul style="list-style-type: none"> <li>▪ The subject lands are zoned A Agricultural Zone (tableland) and OS5 Open Space Environmental Protection Zone (valleyland) by Zoning By-law 1-88.</li> <li>▪ The Owner is proposing to rezone the portion of the subject lands zoned A Agricultural Zone to RA3 Apartment Residential Zone, and to maintain the current OS5 Open Space Environmental Protection Zone on the northeast portion of the lands.</li> <li>▪ The proposed rezoning and site-specific exceptions do not comply with the existing zoning of the property, and therefore, a zoning by-law amendment is required.</li> </ul>
Site Development File DA.15.022	<ul style="list-style-type: none"> <li>▪ The Owner has submitted related Site Development File DA.15.022, which will be reviewed concurrently with the subject Zoning By-law Amendment Application.</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 Vaughan Planning Department has identified the following matters to be reviewed in greater detail:

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
a.	City Official Plan Policies	<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 the Proposed Rezoning and Site-Specific Zoning Exceptions	<ul style="list-style-type: none"> <li>▪ The appropriateness of the proposed rezoning of the subject lands and the site-specific zoning exceptions required to facilitate the proposed development as shown on Attachments #3 to #6 inclusive, will be reviewed in consideration of compatibility with the surrounding existing and planned land uses. Review will also be given to the proposed commercial uses, specifically those uses that yield a higher parking requirement (i.e. supermarket, eating establishment) in consideration of the proposed shared visitor and commercial parking area.</li> </ul>
c.	Urban Design and Architectural Guidelines	<ul style="list-style-type: none"> <li>▪ The proposed development must conform to the approved Carrville District Centre Urban Design Streetscape Master Plan Study.</li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
d.	Vaughan Design Review Panel	<ul style="list-style-type: none"> <li>A preliminary design concept was considered by the Vaughan Design Review Panel (DRP) on April 24, 2014. The proposal is scheduled to be reconsidered by the DRP on June 25, 2015. The Owner must satisfactorily address the DRP's comments.</li> </ul>
e.	Block 11 Plan	<ul style="list-style-type: none"> <li>The proposal will be reviewed in consideration of the Block 11 Plan and the surrounding and existing 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.</li> </ul>
f.	Block 11 Developers Group Agreement	<ul style="list-style-type: none"> <li>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.</li> </ul>
g.	Parkland Dedication	<ul style="list-style-type: none"> <li>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 Parkland Dedication and Cash-in-Lieu Policy.</li> </ul>
h.	Functional Servicing Report/Allocation	<ul style="list-style-type: none"> <li>The Vaughan Development Engineering and Infrastructure Planning Services Department must review and approve the Functional Servicing Report submitted in support of the applications. The availability of water and sanitary servicing capacity for the proposed development must be identified and formally allocated by Vaughan Council, if the applications are approved. Should allocation not be available, use of the Holding Symbol "(H)" will be considered for the subject lands.</li> </ul>
i.	Related Site Plan File DA.15.022	<ul style="list-style-type: none"> <li>The related Site Development File DA.15.022 will be reviewed in consideration of, but not limited to, appropriate design and building materials, site design and orientation, building setbacks, pedestrian connectivity, vehicular access, sufficient visitor and commercial parking, appropriate truck turning and maneuvering, appropriate snow storage, landscaping, lighting, signage, environmental sustainability, barrier free accessibility, waste management, and servicing and grading.</li> <li>All issues identified through the review of Site Development File DA.15.022 will be addressed together with the subject Zoning By-law Amendment application in a comprehensive technical report to a future Committee of the Whole meeting.</li> </ul>



	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
		<ul style="list-style-type: none"> <li>▪ 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.</li> </ul>
j.	Studies and Reports	<ul style="list-style-type: none"> <li>▪ The Owner has submitted the following studies and reports in support of the application, which must be approved to the satisfaction of the City or respective authority: <ul style="list-style-type: none"> <li>- Planning Justification and Urban Design Rationale</li> <li>- Geotechnical Investigation Report</li> <li>- Natural Heritage Evaluation</li> <li>- Pedestrian Wind Letter of Opinion</li> <li>- Traffic Impact Study includes Parking Analysis</li> <li>- Noise Impact Study</li> <li>- Arborist and Tree Preservation Report</li> <li>- Sun/Shadow Study</li> </ul> </li> </ul>
k.	Toronto and Region Conservation Authority (TRCA)	<ul style="list-style-type: none"> <li>▪ The subject lands abut lands zoned OS5 Open Space Environmental Protection Zone to the north and east, and are located within the TRCA's regulated area. The Owner must satisfy all requirements of the TRCA.</li> </ul>
l.	Environmental Reports	<ul style="list-style-type: none"> <li>▪ The Phase 1 and 2 ESA (Environment Site Assessment) submitted in support of the application must be approved to the satisfaction of the Vaughan Development Engineering and Infrastructure Planning Services Department.</li> </ul>
m.	Rutherford Road Environmental Assessment	<ul style="list-style-type: none"> <li>▪ York Region is undertaking the Rutherford Carrville Environmental Assessment (EA), which includes the entire Rutherford Road frontage of the subject lands. The Owner will be required to address any requirements of the EA process.</li> </ul>

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

The applicability of the 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. The subject lands are located at the intersection of two Regional Roads (Rutherford Road and Dufferin Street). The Owner is required to satisfy all requirements of the Region, including but not limited

to potential road widening requirements, intersection locations and design, the provision of transit facilities as may be required, turning lanes, and servicing. 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 Vaughan 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. South & West Elevations
6. North & East Elevations

### **Report prepared by:**

Mark Antoine, Planner, ext. 8212  
Christina Napoli, Senior Planner, ext. 8483

Respectfully submitted,

JOHN MACKENZIE  
Commissioner of Planning

GRANT UYEYAMA  
Director of Development Planning

MAURO PEVERINI  
Manager of Development Planning

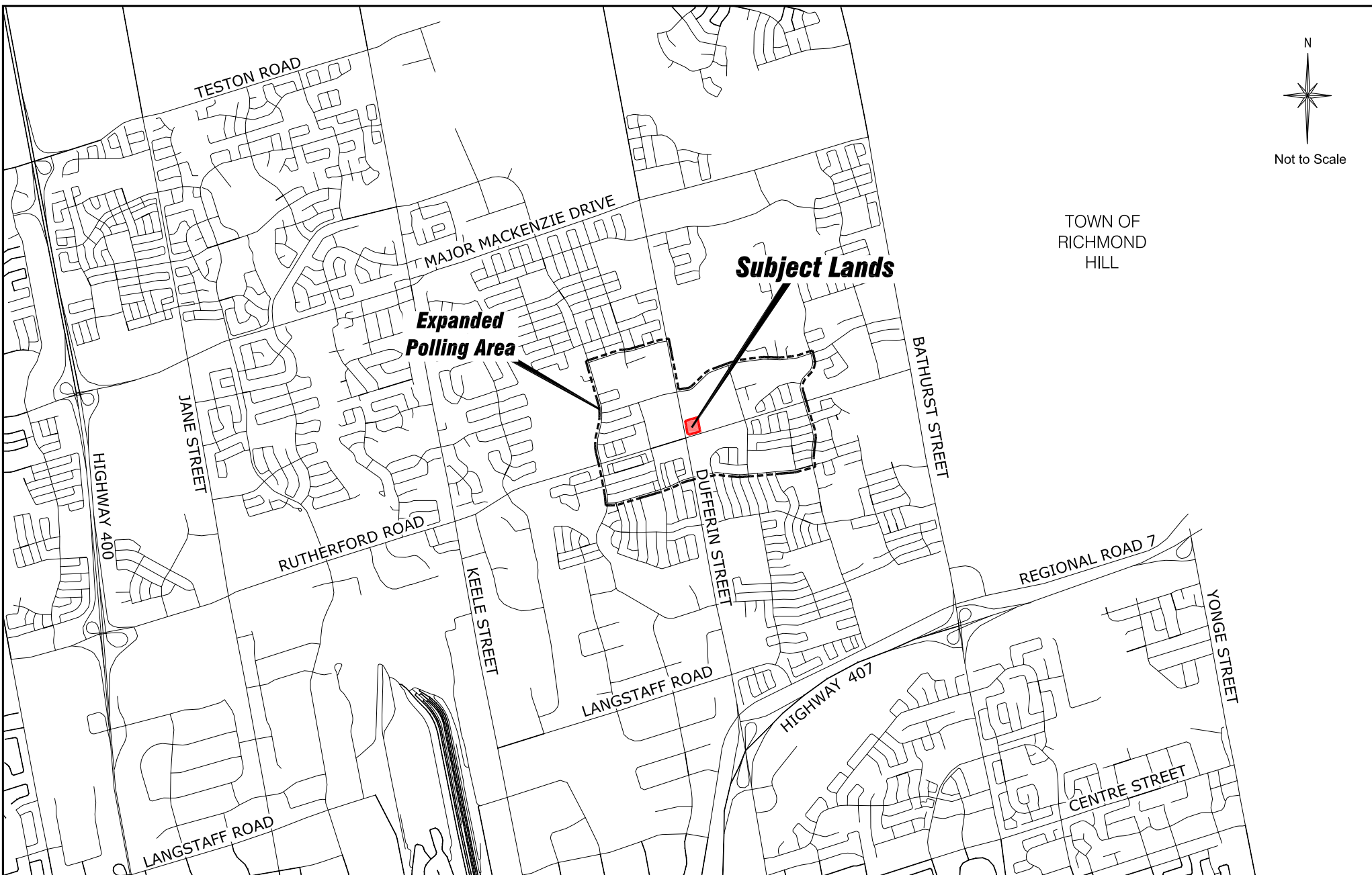
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TOWN OF  
RICHMOND  
HILL

**Subject Lands**

**Expanded  
Polling Area**



## Context Location Map

**LOCATION:**  
Part of Lot 16, Concession 2

**APPLICANT:**  
Norstar Group of Companies

N:\DFT\1 ATTACHMENTS\z\z.15.023da.15.022.dwg



## Attachment

**FILES:** Z.15.023 &  
DA.15.022

**DATE:** June 16, 2015

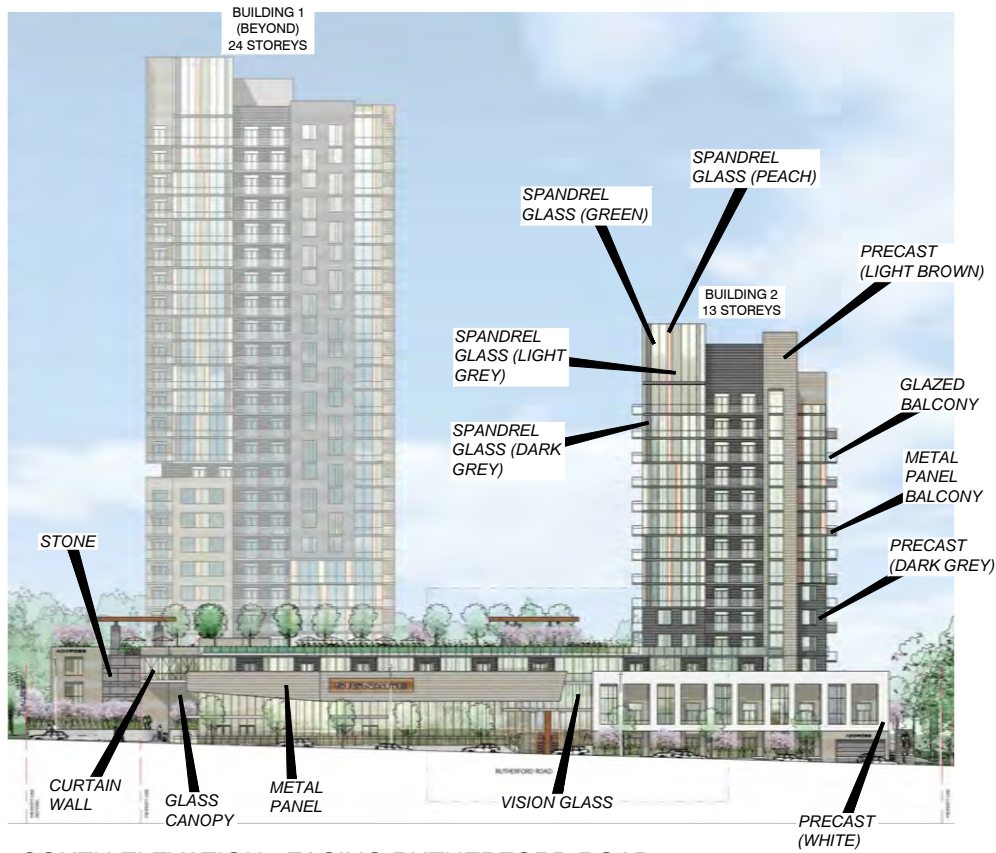
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SOUTH ELEVATION - FACING RUTHERFORD ROAD



WEST ELEVATION - FACING DUFFERIN STREET

Not to Scale

## South & West Elevations

**LOCATION:**  
Part of Lot 16, Concession 2

**APPLICANT:**  
Norstar Group of Companies



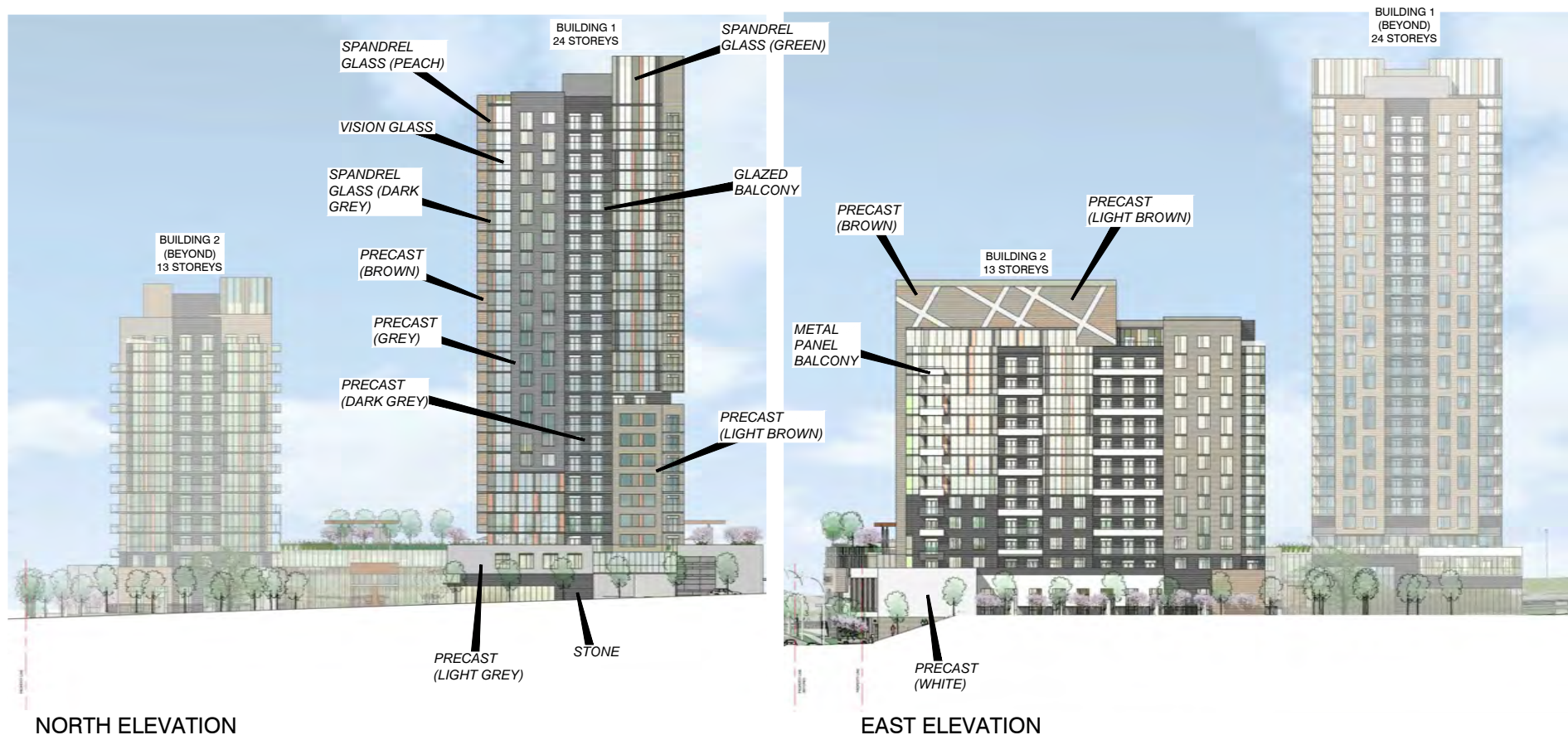
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FILES: Z.15.023 &  
DA.15.022

DATE: June 16, 2015

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Not to Scale

## North & East Elevations

**LOCATION:**  
Part of Lot 16, Concession 2

**APPLICANT:**  
Norstar Group of Companies



## Attachment

**FILES:** Z.15.023 &  
DA.15.022

**DATE:** June 16, 2015

# 6