

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF NOVEMBER 29, 2022

Item 2, Report No. 39, of the Committee of the Whole (Closed Session), which was adopted, as amended, by the Council of the City of Vaughan on November 29, 2022, as follows, and the confidential recommendations made public upon Council ratification:

By approving the confidential recommendation of the November 29, 2022 Council (Closed Session), as follows:

1. ***That Staff be directed to proceed with Option 4 - Plover Heights Extension full-moves intersection at Hawkview Blvd as outlined in Communication C6;***

By approving the recommendations contained in the report of the Deputy City Manager, Planning and Growth Management, dated November 22, 2022; and

By receiving Communication C6, confidential memorandum from the Deputy City Manager, Infrastructure Development and the Deputy City Manager, Administrative Services and City Solicitor, dated November 29, 2022.

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2. **WEST RUTHERFORD PROPERTIES INC. OFFICIAL PLAN AMENDMENT FILE OP.11.012, ZONING BY-LAW AMENDMENT FILE Z.11.043, SITE DEVELOPMENT FILE DA.11.114 - 3660 RUTHERFORD ROAD, VICINITY OF RUTHERFORD ROAD AND VELLORE WOODS BOULEVARD**

The Committee of the Whole (Closed Session) recommends:

- 1) **That this matter be deferred to the Council Meeting on November 29, 2022; and**
- 2) **That the verbal report of the Deputy City Manager, Legal and Administrative Services & City Solicitor, be received.**

Recommendations

1. THAT the Ontario Land Tribunal be advised that City of Vaughan Council APPROVES the following recommendations to permit a development consisting of two, 12-storey (20.35 m) apartment buildings and one, 6-storey apartment building with a total of 340 units and Floor Space Index ('FSI') of 2.91 (Net) the area of the lot as shown on Attachments 5 and 6:
 - 1) THAT Official Plan Amendment File OP.11.012 (West Rutherford Properties Inc.), BE APPROVED, to amend Vaughan Official Plan 2010 ('VOP 2010'), as follows:
 - a) Amend the "Mid-Rise Mixed-Use" designation on Schedule 13 - Land Use of VOP 2010 shown on Attachment 4 to permit:

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- i) a mid-rise building with a maximum building height of 12-storeys (20.35 m, average finished grade) and 340 dwelling units;
 - ii) a maximum Floor Space Index ('FSI') of 2.91 times the net area of the lot; and,
 - b) Amend Schedules 13 - Land Use and 14c - Areas Subject to Site Specific Plans of VOP 2010 to make the necessary mapping changes to implement the development.
- 2. THAT Zoning By-law Amendment File Z.11.043 (West Rutherford Properties Inc.), BE APPROVED to amend Zoning By-law 1-88, to rezone the Subject Lands from "A Agricultural Zone", as shown on Attachment 3 to "RA3(H) Apartment Residential Zone" with the addition of the Holding Symbol ("H") in the manner shown on Attachment 5, together with the site-specific zoning amendments identified in Table 1 in this report; and that the Implementing By-law will be prepared in accordance with Zoning By-law 1-88.
- 3. THAT the Holding Symbol ("H") on the Subject Lands shall not be removed until such time that:
 - a) A Phase 2 Environmental Site Assessment, Reliance Letter and Record of Site Condition are submitted and approved to the satisfaction of the Development Engineering Department.
 - b) The noise mitigation measures, including a registered agreement on title between the Owner and the owner of 3800 Rutherford Road for providing and the maintaining a full encloser for the loading area and garbage compactors for the commercial use (currently No Frills) at 3800 Rutherford Road in order for the Subject Lands to meet the Class 4 designation pursuant to the Ministry of the Environment, Conservation, and Parks Noise Guideline NPC-300 (Stationary and Transportation Sources -Approval and Planning), and that an amendment to the City's Noise By-law Schedule 4 include the Subject Lands upon approval of the implementing zoning by-law by Vaughan Council for Zoning Bylaw Amendment File Z.11.043 and on-site mitigation measures for the Subject Lands, be addressed to the satisfaction of the Development Engineering Department.

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4. THAT Site Development File DA.11.114 (West Rutherford Properties Inc.) BE DRAFT APPROVED AND SUBJECT TO THE CONDITIONS included on Attachment 1, to the satisfaction of the Development Planning Department, to permit the Development shown on Attachments 5 and 6.
5. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage servicing capacity:

“IT IS HEREBY RESOLVED THAT Site Plan Development Application File DA.11.114 (West Rutherford Properties Inc.) be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 340 residential units (758 persons equivalent). The allocation of said capacity may be redistributed (at the discretion of the City) in accordance with the City’s Servicing Capacity Allocation Policy if the development does not proceed to registration and/or building permit issuance within 36 months.”
6. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the City and/or the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands came into effect, to permit minor adjustments to the implementing Zoning By-law.
7. THAT should the Ontario Land Tribunal (‘OLT’) issue a decision to approve Official Plan Amendment File OP.11.012 and Zoning By-law Amendment File OP.11.012 (West Rutherford Properties Inc.), either in whole or in part, that the OLT withhold its final Order until such time that:
 - a) the implementing Official Plan and Zoning By-law Amendments are prepared to the satisfaction of the City; and
 - b) the Site Plan Agreement File DA.11.114 for the Subject Lands has been approved to the satisfaction of the City.