

COMMITTEE OF THE WHOLE NOVEMBER 19, 2001

**OFFICIAL PLAN AMENDMENT APPLICATION FILE OP.99.028
ZONING BY- LAW AMENDMENT APPLICATION FILE Z.99.057
REPORT #P.99.87
CYPRESS POINT HOLDINGS & NIVLOG INVESTMENTS LTD.**

Recommendation

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment Application OP.99.028 (Cypress Point Holdings & Nivlog Investments Ltd.):
 - a) BE APPROVED to permit driveway access from Steeles Avenue West; and
 - b) BE REFUSED with respect to the proposal to permit 12 detached units along the south side of Townsgate Road.
2. THAT Zoning By-law Amendment Application Z.99.057 (Cypress Point Holdings & Nivlog Investments Ltd.) BE APPROVED to rezone the subject property to RA3 Apartment Residential Zone (townhome and apartment units) and that the implementing zoning by-law:
 - a) provide the necessary exceptions to facilitate the proposed development;
 - b) zone the lands with the Holding Symbol (H) which would be lifted upon the owner entering into any necessary agreements (i.e. site plan, municipal services agreement) to the satisfaction of the City; and,
 - c) that prior to enactment of the by-law, Council shall have approved the required site plan application.

Purpose

On August 20, 1999, the Owners submitted applications to:

- 1) amend the Official Plan to permit detached residential units along the south side of the Townsgate Drive extension, whereas a 25-30m wide landscaped buffer is required, and to permit driveway access from Steeles Avenue West; and,
- 2) amend the Zoning By-law to rezone the subject lands to R3 Residential Zone (single detached units) and RA3 Apartment Residential Zone (townhome and apartment units).

These amendments would facilitate the development of 12 detached units (11.3m frontage), 122 townhome units, and 324 apartment units within two 15-storey buildings. Access to the site is proposed from Townsgate Drive and a right-in/right-out access to Steeles Avenue West.

Background - Analysis and Options

The subject lands are situated on the north side of Steeles Avenue West, through to the Townsgate Drive extension, between Emerald Lane and Cactus Avenue, being Part of Lots 10 and 11, Registered Plan 1607, in Lot 26, Concession 1, City of Vaughan. The two vacant, rectangular-shaped parcels have a combined area of 3.2 ha, with 160m frontage on Steeles Avenue West, and a depth of 91.5m. The surrounding land uses are:

North - planned Townsgate Drive extension; planned residential (R3-H Residential (Hold) Zone)
South - Steeles Avenue West; residential (City of Toronto)
East - vacant (R2 Residential Zone)
West - residential townhouse and apartment complex (RA3 Apartment Residential Zone)

On September 24, 1999, a notice of public hearing was circulated to all property owners within 120m of the subject lands, and to the Crestwood Springfarm Yorkhill Resident's Association. To date, one letter has been received (October 18, 1999), expressing concerns with traffic, density and the over-development of the site.

The recommendation of the Committee of the Whole to receive the Public Hearing of October 18, 1999, and forward a comprehensive report to a future Committee meeting, was ratified by Council on October 25, 1999.

Previous Applications

On January 6, 1988, Cypress Point Holdings Ltd. submitted applications to amend the Official Plan and Zoning By-law (OP.1.88 and Z.3.88), to permit high density residential development on the subject property. The Official Plan application was approved as part of OPA 247, which designated lands across the north side of Steeles Avenue, east from Bathurst Street for high density residential use.

On April 21, 1989, Cypress Point Holdings Ltd. appealed the re-zoning application (Z.3.88) to the Ontario Municipal Board (OMB). OPA 247 was appealed to the OMB and Cypress Point Holdings Ltd. requested to consolidation of their zoning referral for the OMB hearing.

On July 16, 1988, Cypress Point Holdings Ltd. submitted an application for Site Plan (DA.70.88), to permit a tiered, 18-storey apartment building containing 229 units. On May 24, 1989, Council approved the application, subject to conditions. To date, these conditions have not been fulfilled and the file remains inactive, but open.

On May 24, 1989, the OMB approved both OPA 247 and implementing zoning application Z.3.88, which the City supported. However, the OMB held issuance of its order approving the by-law until issues relating to the dedication of the east-west road (Townsgate Drive) and site plan approval were resolved.

Since approval, the OMB has been awaiting the submission of certificate and draft by-law documents for attachment to their Order. It is the applicants' intent to keep the previous zoning and site plan files open, pending the outcome of the subject applications, which include the adjacent Nivlog Investments Ltd. Lands.

OPA 210

The subject site is designated "High Density Residential" by OPA 210 (Thornhill Vaughan Community Plan), as amended by OPA 247. The subject lands form part of Planning Block 4 as identified in OPA 247. which states:

"The uses permitted on the lands designated High Density Residential shall be apartments or other residential forms, provided that residential development shall not exceed 124 units per gross residential hectare per Planning Block."

There are several other polices in OPA 247 relating to matters such as traffic, buffer areas, density bonusing and municipal services, which apply to the lands.

Two elements of the proposal do not conform to the policies of OPA 247. The first relates to the detached residential lots proposed within the designated 25-30m buffer area across at the north end of the site. The second is access to Steeles Avenue West. Therefore, an amendment to the Official Plan is required.

Zoning

The subject lands are zoned R3 Residential Zone by By-law 1-88, which only permits detached dwellings. Therefore, an amendment to the Zoning By-law is required to permit the residential use in conformity with the Official Plan.

Development Density

OPA 247 permits development at a density of 124 units per gross residential hectare, which includes all of the subject lands, excluding land required for widening Steeles Avenue West. OPA 247 also provides for a maximum density bonus of 24/units gross hectare, for a total density of 148 units/ gross hectare.

The bonus is on a graduated scale up to 24 units/gross hectare, based on a proposed development meeting all or part of the specific requirements set out in OPA 247, as follows:

- i) Incorporation of Architectural Elements - the architectural design and massing of buildings, including staggered, tiered facades, creating a distinctive view from Steeles Avenue West, and the residential neighbourhood to the north; and emphasis on the importance of exterior construction materials and architectural elements as specified by the municipality.
- ii) Public Uses - development of one or more senior citizen buildings, and/or agreement with the municipality for use of facilities by the municipality for its recreational program purposes.
- iii) Landscaping and fencing - landscape amenities being provided which contribute to creating a harmonious and park-like setting which will create a distinctive and attractive streetscape along the adjacent roads.
- iv) Parking - reduction of surface visitor parking by providing at least 80% of visitor parking underground.

With respect to the residential unit potential for the subject site, the application provides a calculated density proposal as follows:

Total Gross Residential Site Area:	3.2315ha
Less Steeles Avenue widening:	0.1257ha
Net Site Area:	3.1058ha
Density Permitted:	124 x 3.1058ha = 385 units
Bonus Density*:	24 x 3.1058ha = 75 units
<small>* Provided the proposal meets all of the bonus requirements in OPA 247</small>	
Total Units:	385 + 75 = 460 units

The proposed development represents the maximum density potential of 148 units per hectare, proposing to utilize all of the available bonus density. Some of the conditions for granting a bonus may be met, including the incorporation of architectural elements, landscaping/fencing and

a reduction of surface parking. However, the use of facilities for the City's recreational program or the designation of seniors' housing are not being proposed, and therefore, full density bonus may not be achieved.

A revised site plan and density calculation will be required for review at the site plan stage, to ensure confirmation with the maximum density permitted by the Official Plan.

Site Plan

The site is proposed to be developed with 12 detached units having 11.3m frontages on Townsgate Drive, 122 townhome units immediately south of the detached units, and 324 apartment units within two 15-storey buildings facing Steeles Avenue. The apartment buildings are proposed to have a right-in/right-out access to Steeles Avenue West. Access for the townhouse units is proposed via Townsgate Drive, between the attached units.

The singles and towers are of standard design. The 122-townhouse units comprise both 2 and 3 storey units. The most northerly and southerly units will have a traditional design, with at-grade rear yards. The central blocks will be back-to-back units, with amenity areas provided on roof-top terraces. Parking for all townhouse units will be provided within double car garages with direct access into the lowest level of each unit. The entire townhouse component will sit on top of a deck over the at-grade parking garage. A total of 892 parking spaces are proposed, in excess of the amount required for this site plan.

Urban Design

From an urban design perspective, the massing of the apartment buildings will provides definition to the Steeles Avenue corridor. This application proposes to continue the development pattern established with the high-rise residential developments currently on Steeles Avenue, east of Bathurst Street, as contemplated by OPA 247. The only variation on this pattern of development is proposed access to Steeles Avenue.

OPA 247 requires a 25-30m open space buffer along the south side of Townsgate Drive between the detached units on the north side and the designated high density residential development. The proposal inserts 12 detached units within this buffer with driveway access to Townsgate Drive. This is a deviation from the remainder of the OPA 247 development to the west, where the buffer has been provided and driveway access is limited.

Transportation

a) Traffic Study

At the public hearing of October 18, 1999, Council raised several traffic issues and requested that, "...a study be conducted for the surrounding streets." In May 2000, BA Consulting Group Ltd. prepared a Traffic Impact Assessment for the proposed development. Both the Vaughan Engineering Department and the City of Toronto Planning Department were satisfied with the study and its recommendations. The report concluded that, "*The subject lands can be reasonably accommodated by the existing and planned area road network without undue impacts*".

b) Road Network

With transportation a primary consideration in the Board's approval of the high density residential designation, OPA 247 establishes an internal road system for the area. The Plan provides for a new east/west collector road (Townsgate Drive) along the northerly limits of the subject properties, ending in a cul-de-sac just west of Payson Avenue. Townsgate Drive is presently constructed to the west of the subject lands and is proposed to be constructed along the full

northern limit of the site. The Plan provides for a number of north/south roads, connecting Steeles Avenue to Townsgate Drive, with driveway access from Steeles Avenue prohibited. These roads were to provide controlled access to Steeles Avenue from the apartment blocks. The subject development plan varies from the Official Plan with a direct access to Steeles Avenue and 12 individual driveway accesses, in addition to the townhouse driveway, to Townsgate Road.

c) Staging

OPA 247 includes policies respecting the transportation infrastructure that must be in place prior to the development proceeding. Development of the subject lands is dependant on the following:

- completion of road staging requirements, which includes the construction of the east/west collector (Townsgate Drive);
- provision of municipal services; and
- any outstanding matters or alternative arrangements be to the satisfaction of the City in consultation with the City of Toronto.

The application proposes to extend Townsgate Drive across the northern limits of the subject lands, and the applicant will be required to submit a Functional Servicing Report at the site plan stage.

Planning Consideration

Development of the subject lands is governed by the policies in OPA 247, the relevant ones being discussed below:

a) Access

OPA 247 requires that no direct access be permitted to the subject lands from Steeles Avenue. Access to Steeles Avenue is proposed via a right-in/right-out driveway. Both Vaughan and Toronto Staff have no objection to this amendment. Full access to the site is available via the Townsgate Drive frontage.

b) Landscape Buffer

OPA 247 requires that a landscaped buffer area of approximately 25-30m in width be provided along the Townsgate Drive frontage. The buffer strip is to maximize the distance separation between the new development and the detached houses along the north side of Townsgate Drive.

The Application proposes to introduce a built form buffer of detached residential units. The rationale is that the units *"...will perform the same function in terms of maintaining the distance separation between the high and low density development and providing an appropriate built form buffer in terms of use and scale."*

Detached units on the south side of Townsgate Drive would be compatible with the same type of development permitted on the north side, through rear-lot severance of lots on Crestwood Drive. However, a landscaped buffer has been maintained in all previous Planning Block developments within the OPA 247 area to the west. This parcel, together with the remaining narrow parcel to the east, is the only remaining residential block in OPA 247. To introduce a built-form buffer contrary to the policies of OPA 247 and inconsistent with the development to the west, would not serve to achieve the long-term vision of the Official Plan for this area.

c) Angular Plane

OPA 247 includes a policy requiring a building height/setback ratio of 1 to 1.5 to gradual transition between the high density development and the provide for a residential development north of Townsgate Drive. The setback ratio is to commence at the southerly limit of the landscaped buffer area abutting Townsgate Drive.

The intent of the policy is to minimize the effect of the high-density residential on the single detached to the north. The proposed detached units in the buffer area intervene between the Townsgate rear lots and the highest density residential, and do not achieve the desired effect of a physical separation.

d) Amenity Area

The amenity space standards for residential developments is as follows:

Bachelor Unit	15m ² /unit
One Bedroom Unit	20m ² /unit
Two Bedroom Unit	55m ² /unit
Three Bedroom Unit	90m ² /unit
Four Bedroom Unit or larger	110m ² /unit

The minimum amenity area may include patios, landscaped areas on the site, balconies, roof terraces, swimming pools, communal lounges and other areas suitable for recreational purposes.

The proposal may meet the amenity space requirements only with the provision of the required 25-30m landscaped buffer. The final amenity space calculations will need to be reviewed and confirmed at the site plan approval stage.

e) Financing

OPA 247 requires that all servicing, including but not limited to, storm and sanitary sewers, water, roads, sidewalks, street lights, etc., required by this development will be provided for by the appropriate agreement. The intent of the Official Plan is to require all benefiting owners to be required to pay, on a pro-rated basis, a proportionate amount of the cost for the services. The owners on the north side of Townsgate Drive will also be required to pay an appropriately pro-rated shared of the costs for the use of Townsgate Drive if the future severance potential of the lands is utilized.

Conclusion

Staff have reviewed the proposed applications to amend the Official Plan and Zoning By-law in accordance with the policies in OPA 247 and the requirements of By-law 1-88. Staff are satisfied that the proposed development, with the deletion of the proposed detached units along the south side of Townsgate Drive, is appropriate for the site and would continue the pattern of development established by the OMB decision on the OPA 247 lands.

The final site layout, building design, density calculations, landscaping, fencing and parking will all be reviewed at the site plan stage. The site plan will further ensure that the development of the site remains in character with the intent of the policies in OPA 247. A noise report will also be required.

With respect to the still pending zoning and site plan files at the OMB regarding the Cypress Point Holdings Ltd. lands, Staff recommend that these files be closed, as the original and proposed developments differ significantly.

Staff supports the Official Plan Amendment to permit right-in/right-out access on Steeles Avenue West, and the rezoning to RA3 Zone to permit the apartment and townhouse units. However, Staff is of the opinion that the proposed introduction of 12 detached units within the designated 30m landscape buffer would be inconsistent with the intent of the Official Plan to provide a distinct physical separation, defined by an angular plan, between the detached units to the north and the approved high density development. Also, individual driveway accesses would not respect the road and access network which was designed specifically to serve the designated high density development. As basically the last residential block in OPA 247, where the buffer has been respected in the development to the west, the proposal would not serve to achieve the long-term vision for the area.

Therefore, Staff recommends approval of the applications to amend the Official Plan and Zoning By-law, subject to conditions. Should the Committee concur, the recommendation of this report can be adopted

Attachments

1. Location Map
2. Proposed Site Plan, as *Red-lined*
3. OPA #247 Development Area

Report prepared by:

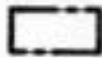
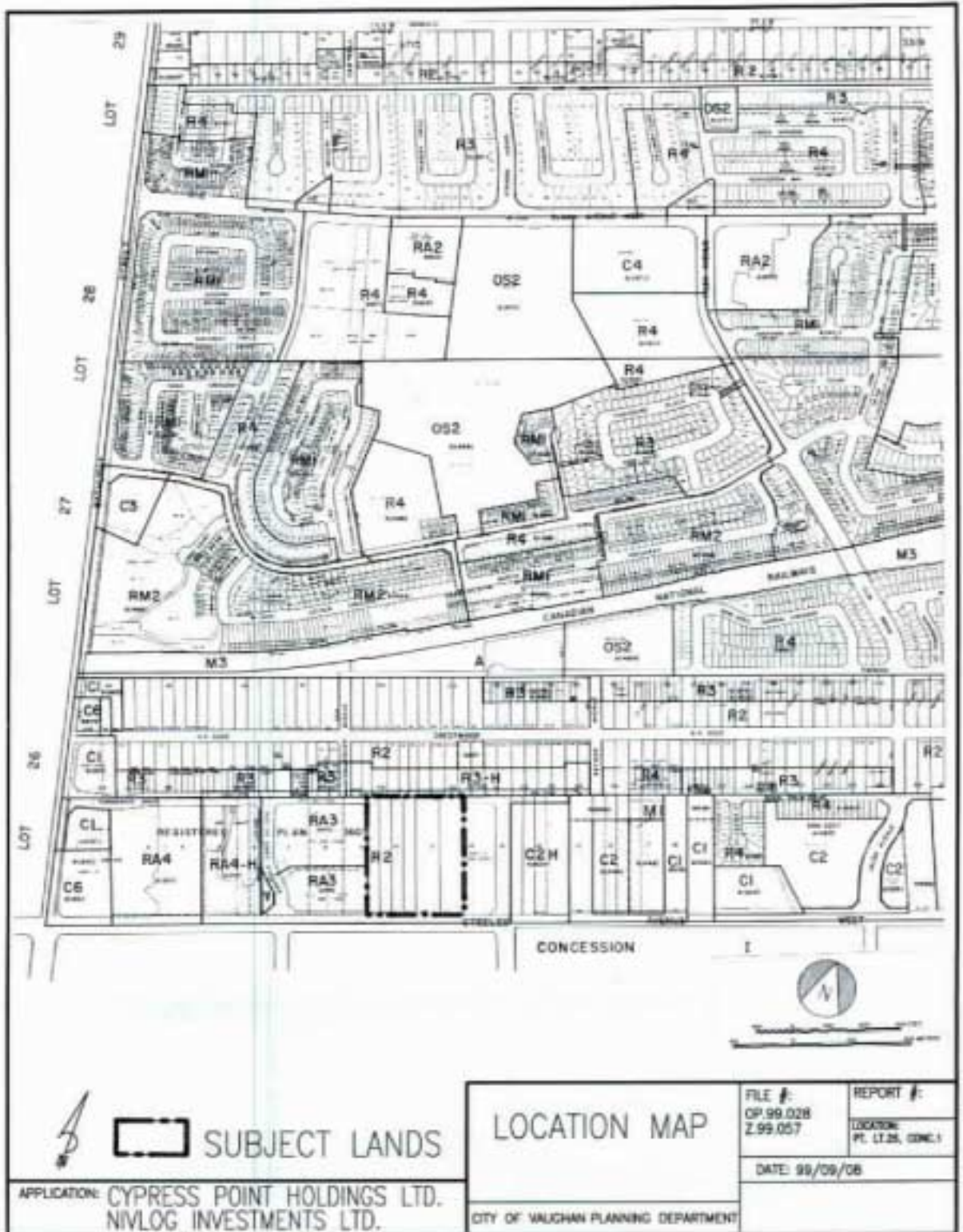
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Respectfully submitted,

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/LG



SUBJECT LANDS

LOCATION MAP

APPLICATION: CYPRESS POINT HOLDINGS LTD.
 NIVLOG INVESTMENTS LTD.

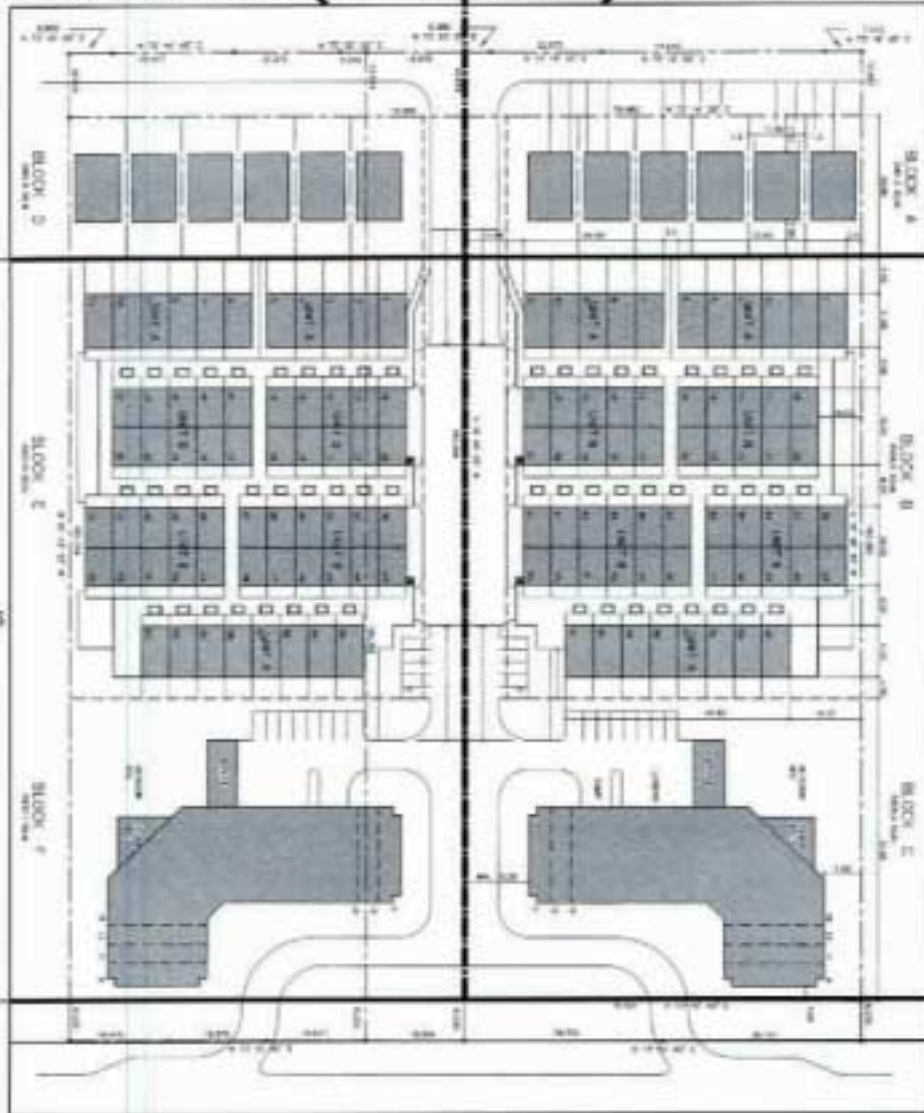
FILE #: OP.99.028 Z.99.057	REPORT #: LOCATION: PL. LT.28, CONC.1
DATE: 99/09/08	
CITY OF VAUGHAN PLANNING DEPARTMENT	

OPA REQUIRED FOR DEVELOPMENT IN THE
LANDSCAPED BUFFER AS PER OPA 247
STAFF NOT RECOMMENDING APPROVAL
OF PROPOSED SINGLES

TOWNSGATE DR.

NVLOG INVESTMENTS ← → CYPRESS POINT HOLDINGS

PROPOSED RA3
ZONING FOR RESI-
DENTIAL TOWNHOUSES
AND APARTMENTS
STAFF RECOMMEND
APPROVAL



STEELES AVE. W.

OPA REQUIRED FOR STEELES AVE. ACCESS
STAFF RECOMMEND APPROVAL

ATTACHMENT '2'
SITE PLAN

FILE #	REPORT #	DATE: 06/11/2001
2.99.057	FT. LOT 1, CON. 1	SCALE: NOT TO SCALE
CITY OF VAUGHAN PLANNING DEPARTMENT		APPLICANT: CYPRESS POINT HOLDINGS/NVLOG INVESTMENTS



ATTACHMENT "3"
OPA 247
Development Area

OP 99.028
Z 09.057
CYPRESS POINT HOLDINGS
AND NIVLOG INVESTMENTS