

COMMITTEE OF THE WHOLE MARCH 3, 2003

**ZONING BY-LAW AMENDMENT FILE Z.03.011
SITE DEVELOPMENT FILE DA.02.061
ALTERRA-FINER SPACE LIMITED**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.03.011 (Alterra-Finer Space Limited) BE APPROVED, to lift the Holding "H" provision, provided that the implementing by-law not be enacted until:
 - i) the applicant has entered into an agreement with the City and Region to construct and dedicate the cul-de-sac road;
 - ii) the applicant has entered into an agreement to convey the required Open Space-zoned lands to the City, free of all charge and encumbrances.

2. THAT Site Development File DA.02.061 (Alterra-Finer Space Limited) BE APPROVED, subject to the following conditions:
 - a) That prior to the execution of the site plan agreement:
 - i) the final site plan and elevation drawings shall be approved by the Community Planning and Urban Design Departments;
 - ii) the final landscape plan shall be approved by the Urban Design Department;
 - iii) cross-sectional details of the acoustic barrier along the south lot line, and the fencing around the service area, shall be to the satisfaction of the Engineering and Urban Design Departments;
 - iv) the final site servicing and grading plans and stormwater management report shall be approved by the Engineering Department;
 - v) access and on-site vehicular circulation shall be approved by the Engineering Department and the Region of York Transportation and Works Department;
 - vi) a Phase 1 Environmental Site Assessment (ESA) shall be submitted and approved by the Engineering Department;
 - vii) the Noise Impact Study, prepared by HGC Engineering and dated December 10, 2002, shall be approved by the Engineering Department; and,
 - viii) all hydro requirements shall be fulfilled to the satisfaction of Hydro Vaughan Distribution Inc. and Urban Design Department;
 - b) That the site plan agreement include the following conditions:
 - i) The Owner shall agree to construct, convey and dedicate to the City, the cul-de-sac lands (Parts 4 and 12 on Reference Plan 65R-20892), as

- ii) public highway, free of all costs and encumbrances, including the necessary and associated signalization and intersection improvements.
 - iii) The Owner shall agree to construct, convey, and dedicate to the Region of York, the cul-de-sac roads, (Parts 1, 2, 3, 9, and 11 on Reference Plan 65R-20892), as public highway, free of all costs and encumbrances, including the necessary and associated signalization and intersection improvements, which shall be to the satisfaction of the City and Region of York Transportation.
 - iv) The Owner shall agree to convey to the City, as a partial satisfaction of the parkland requirements, Parts 5, 14 and 16 on Reference Plan 65R-20892, free of all costs and encumbrances; and, that the remaining parkland dedication requirement be satisfied through cash-in-lieu pursuant to Section 42(1) of the *Planning Act*.
 - v) The Owner shall agree to convey Part 15 on Reference Plan 65R-20892 as an Open Space Block to the City, free of all costs and encumbrances.
 - vi) The Owner shall provide a landscape plan and cost estimate for the park and walkway blocks, identified as Parts 5, 14, and 16 on Reference Plan 65R-20892, and to construct said blocks in accordance with said plan, to the satisfaction of the Urban Design and Parks Development Departments.
 - vii) Prior to the issuance of a building permit, the City or a Professional Engineer qualified to provide acoustical engineering services in Ontario, shall review the builder's plans to certify that the noise control measures as recommended have been incorporated.
 - viii) The Owner acknowledges that the sanitary and storm services within Parts 5, 14, and 16 on Reference Plan 65R-20892 shall be private services, constructed on City-owned lands, and that servicing easements in favour of the Owner shall be acquired by, and be at the sole expense of the Owner.
 - ix) The Owner shall obtain an Ontario Regulation 158 permit from the Toronto and Region Conservation Authority for the proposed pedestrian walkway along the northeast portion of the subject property.
 - x) That upon development of the lands to the south, the Owner and/or Condominium Corporation shall agree to remove and/or relocate the acoustic barrier in whole or in part, at his expense, in accordance with the recommendation of a revised noise report submitted by the Owner and approved by the City.
- c) That the Owner shall include all necessary warning clauses in the property and tenancy agreements for all dwelling units, as identified in the Noise Impact Study prepared by HGC Engineering and dated December 10, 2002, to the satisfaction of the Engineering Department and CN Rail.
3. That Staff proceed with an administrative revision to the approved Site Plan Agreement (DA.38.93 Network Realty Limited) for the restaurant property to the south, required to accommodate the subject site plan.
4. That the cul-de-sac road, identified on Attachment '7', be named Chateau Court.

Purpose

On September 12, 2002, the Owner submitted a Site Plan Application to develop a 0.75 ha site for an 8-storey, 149 unit residential apartment building (Phase 1).

Background - Analysis and Options

The subject lands are located northeast of Steeles Avenue West and Dufferin Street, in Part of Lot 1, Concession 2, City of Vaughan. The L-shaped, 0.75ha site has 61.5m frontage on Dufferin Street, and a lot depth of 160.2m. The surrounding land uses are:

- North - future cul-de-sac; residential dwelling (A Zone)
- South - restaurant/future residential/commercial (RA3-H Zone); Steeles Avenue West
- East - park (OS2 Zone), open space valley (OS1 Zone)
- West - Dufferin Street; commercial (C1 Zone)

Official Plan

The subject lands are designated “*Mixed Commercial/Residential Area*” by OPA #210 (Thornhill-Vaughan Community Plan), as amended by OPA #471. The Official Plan permits, in part, apartment buildings having a residential density of 148 units per net hectare. Net density includes local and residential collector streets, public parks, as well as land for the dwelling units, but excludes open space areas and road widenings. The proposed site development is at a density of 148 units per hectare, in conformity with the Official Plan.

Zoning

The subject lands are zoned RA3-H Apartment Residential Zone, OS1 Open Space Conservation Zone, and OS2 Open Space Park Zone by By-law 1-88, subject to Exception 9(545). The proposal complies with the site-specific by-law in all respects.

The subject lands are zoned with a Holding (H) provision, which is to be lifted upon the following conditions being secured, to the satisfaction of the City:

- i) adequate provision has been made to construct and dedicate the full cul-de-sac street to the City and Region of York;
- ii) conveyance to the City of the walkway, parkland and valley blocks, that are zoned OS1 and OS2 Zones; and,
- iii) Site Plan Approval in accordance with Section 41 of the *Planning Act*.

The first two conditions would be included in the provisions of the site plan agreement, as a condition of site plan approval.

Site Design

The site plan consists of an 8-storey, 149-unit residential apartment building. The apartment building is ‘L-shaped’ and is tiered down to 7 storeys at both ends.

Full vehicle access to the site is from the future cul-de-sac off Dufferin Street, which leads to a drop-off/pick-up area at the main entrance at the west end of the building, and to the underground parking garage for 173 resident parking spaces. There are 30 visitor parking spaces provided at grade, adjacent to Dufferin Street.

The existing restaurant (Vinnie Zucchini’s) to the south is to remain until such time as it is redeveloped for a 6-storey apartment (Phase 2). In the interim, a minor amendment to the

approved Site Plan Agreement (DA.38.93 Network Realty Limited) for the restaurant is required to ensure proper site circulation between the integrated sites and to facilitate minor changes to the restaurant parking lot. The restaurant lands are permitted full vehicle access through the subject lands, and have a right-in/right-out access on Steeles Avenue West.

Noise Report

A Noise Impact Study prepared by HGC Engineering and dated December 10, 2002, was submitted in support of the subject application. The report states in part, that physical mitigation in the form of a 2.3m high acoustic barrier is required to reduce the sound levels in the ground floor outdoor amenity area, that is attributed to sound levels from Steeles Avenue West and Dufferin Street. Accordingly, an acoustic barrier will be constructed along the south lot line of the subject lands while the existing restaurant remains in operation. Staff will work with the applicant to ensure that the wood fence is attractively incorporated into the development. The Owner is to provide cross-sectional detail of the acoustic barrier along the south lot line, and the fencing around the service area, to the satisfaction of the Engineering and Urban Design Departments.

In addition, the report recommends that warning clauses be included for all units in the 8-storey residential building. Accordingly, the Owner is required to insert the following warning clauses in all property and tenancy agreements and in all Agreements for Offers of Purchase and Sale or Lease:

“Purchasers/tenants are advised that despite the inclusion of noise control features within the development area and within the building units, the sound levels from increasing vehicular traffic on Dufferin Street and Steeles Avenue West may continue to be of concern, occasionally interfering with some activities of the dwelling occupants.

This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the Municipality’s and the Ministry of the Environment’s noise criteria”; and,

“Warning: Canadian National Railway Company or its assigns or successors in interest has or have a right-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the rail facilities on such right-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way.”

The Engineering Department, in consultation with CN Rail, must approve the final Noise Impact Study, and any additional mitigation measures will be addressed in the final design and included in the site plan agreement.

Parkland Dedication

Part 5 on Reference Plan 65R-20892 is located on the adjacent property to the north, and is to be conveyed to the City as a partial satisfaction of the parkland requirements for the lands to the north, as per the Memorandum of Agreement dated April 26, 1999, between the City and the owners of the subject lands and the lands to the north and south, in accordance with the Ontario Municipal Board Decision of June 1997.

The City, in consultation with the Owner, who is also the Owner of the lands to the north, has agreed that the Part 5 parkland dedication be applied to the subject application, and that upon

future development of the lands to the north, that the entire parkland dedication requirement be satisfied through cash-in-lieu, pursuant to the Planning Act, and to the satisfaction of the Vaughan Legal Department, Real Estate Division.

Therefore, Parts 5, 14, and 16 on Reference Plan 65R-20892 will be conveyed to the City as a partial satisfaction of the parkland dedication requirement for the subject lands, free of all costs and encumbrances, with the remaining parkland requirement to be satisfied through cash-in-lieu dedication upon development of the lands to the north.

In addition, the Owner has agreed to work with the City to design and construct the future parkland and walkway block, with the intended use of the parkland being of a passive nature. The parkland and walkway area will likely consist of a footpath, gazebo, seating areas, lighting, and waste receptacles. A landscape plan and cost estimate to the satisfaction of the Urban Design Department and the Parks Department will be required. The Owner must also enter into a development agreement for construction of the parklands and walkway block.

Phase 2 - Conceptual Site Plan

A Phase 2 plan for the lands to the south (Attachment 3), has been submitted to demonstrate proper integration of the future 6-storey apartment with the current site development. Specifically, Staff reviewed the vehicle and pedestrian circulation, landscape requirements and the central courtyard amenity area. Staff is satisfied, in principle, with the phasing details as submitted as a foundation for the Phase 2 application.

It is anticipated that upon construction of the Phase 2 lands, the noise barrier along the south boundary will become redundant with another Phase 2 building buffering Steeles Avenue and Dufferin Street. Phase 2 plan shows a common amenity area between the Phase 1 and 2 buildings which, to be completed, would require removal and/or relocation of the acoustic barrier. A further noise report will be required upon submission of Phase 2 to determine the revised noise abatement requirements.

Accordingly, Staff recommends that the Site Plan Agreement require the Owner/Condominium Corporation to undertake the removal or relocation of the noise wall, if necessary, at no cost to the City, at the time of the construction of Phase 2.

Access/ Parking

Site access is from a full-movement driveway off the future cul-de-sac to the north of the subject lands. A looped driveway provides drop-off access to the main entrance at the west end of the building. The driveway also provides access to the underground parking entrance at the north end of the building, the surface parking adjacent to Dufferin Street and the service area at the south end of the building.

The required parking for the proposed development is 201 spaces, whereas 203 spaces have been provided. The parking standards are based on the following:

- 149 units x 1.15 parking spaces per unit plus 0.2 visitor parking spaces per unit
(1.35 x 149 units) = 201 parking spaces required

There are 30 visitor parking spaces provided at grade, with the remaining 171 resident parking spaces provided below grade, which include 26 tandem parking spaces.

The Engineering Department has reviewed the application and provides the following comments:

- the site plan is to show the location of the barrier-free parking space, including signage detail, and shall be dimensioned to show aisle widths, parking space size, and access widths;
- the end-aisle offsets for the at-grade and underground parking areas shall be increased to 1.5m for manoeuvrability;
- the underground parking plan shall be dimensioned to show aisle widths, parking space size, and access widths; and,
- the vehicle access point on Dufferin Street shall be approved by the Region of York.

Vehicle and pedestrian access and site circulation shall be to the satisfaction of the Engineering Department and the York Region Transportation and Works Department.

Building Elevations

The 8-storey apartment building is to be constructed with a light beige stucco façade, with the first two storeys being darker beige in colour. The building footprint is a reverse 'L-shape', with the main entrance of the building facing Dufferin Street. The building is tiered, with 7-storeys along the west (Dufferin Street) and south property lines. Walkout balconies are provided on all levels, with the 7th and 8th storeys consisting of a copper-toned pre-finished metal roofline.

The drop-off/pick-up area at the main entrance of the building is covered and comprises 2-storeys of the building envelope, with 5-storeys of residential to be constructed above.

All roof-top mechanical equipment will be screened from Dufferin Street and Steeles Avenue West, and all service doors and garbage enclosure doors, including the doorframes, are to be painted to match the stucco façade. The final elevations must be to the satisfaction of the Community Planning and Urban Design Departments.

Landscaping

The site will be landscaped with an extensive mix of deciduous and coniferous trees and shrubs, bushes, planting beds and sodded areas around the perimeter of the property and adjacent to apartment building. A roof-top terrace includes cedar decking and raised planting beds.

The site-specific by-law requires a minimum amenity area of 3,725m² (25m² per unit x 149 units) whereas 5,137m² of amenity space has been provided within the outdoor courtyard, roof-top terrace, and the individual suite balconies.

The plan shows a 1.8m high black metal picket fence with masonry piers along the west property line, and a 1.5m high black metal picket fence with masonry piers along the north and east property lines. A 2.3m high solid wood acoustic barrier fence is proposed along the south property line, in accordance with the Noise Impact Study.

A sidewalk connection is provided from the main entrance of the building to the signalized intersection at Dufferin Street and the future cul-de-sac. A second sidewalk connection is provided from the common amenity area between the subject lands and the lands to the south, which leads directly to a future City owned walkway running along the east property line. The City-owned walkway will ultimately provide a connection from Steeles Avenue West to the future cul-de-sac.

A common courtyard area is shown along the south edge of the building and includes a gazebo, water fountain and rock garden. A second water fountain and rock garden is proposed adjacent to the main entrance of the building, and includes two seating areas.

The final landscape plan must be to the satisfaction of the Urban Design Department.

TRCA

The Toronto and Region Conservation Authority has reviewed the subject application and has no objections, subject to the following conditions:

- “1) The applicant successfully obtain an Ontario Regulation 158 permit from this Authority for the proposed pedestrian walkway along the northeast portion of the subject property.
- 2) The applicant provides landscape plans and details, satisfactory to TRCA's planning ecologist.”

Servicing

The site has access to hydro, water, and sanitary and storm sewers. The applicant has submitted detailed engineering drawings, including site servicing and grading plans and a stormwater management report, which must be approved by the Engineering Department.

Since there are lands to be deeded to the municipality, a Phase 1 Environmental Site Assessment (ESA) for the subject lands must be submitted, which will be peer reviewed to the satisfaction of the Engineering Department.

The sanitary and storm services are proposed along Parts 5, 14, and 16 on Reference Plan 65R-20892, which are to be conveyed to the City for parkland and walkway purposes. The sanitary and storm servicing are to be private services, with the understanding that a servicing easement in favour of the Owner must be acquired by, and be at the sole expense of the Owner, to the satisfaction of the Engineering Department.

The garbage room is located internal to the building, with the garbage pick-up and service area at the bottom of a depressed ramp along the south elevation, and fully screened from view.

All hydro requirements must be addressed to the satisfaction of Hydro Vaughan Distribution Inc. Any above-ground facilities will be reviewed by the Urban Design Department in conjunction with the landscape plan.

Conclusion

Staff has reviewed the Site Plan Application in context of the Official Plan and Zoning By-law, and the Memorandum of Agreement between the City and the owners of lands to the north and south, in accordance with the Ontario Municipal Board Decision of June 1997. Staff have no objections to the proposed site plan to facilitate of an 8-storey, 149-unit apartment building on the subject lands.

Staff recommends approval of the Site Plan Application and the application to lift the “H” Holding provision, subject to conditions. Should the Committee concur, the recommendation in this report can be adopted.

Attachments

1. Location Map
2. Site Plan - Phase 1
3. Site Plan - Phase 2 conceptual
4. Elevations (south and west)
5. Elevations (north and east)
6. Landscape Plan
7. Location of the future Cul-de-Sac

Report prepared by:

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Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

JOANNE R. ARBOUR
Director of Community Planning

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SUBJECT LANDS



CITY OF TORONTO

Location Map

Part of Lot 1,
Concession 2

APPLICANT:
ALTERRA-FINER SPACE LIMITED



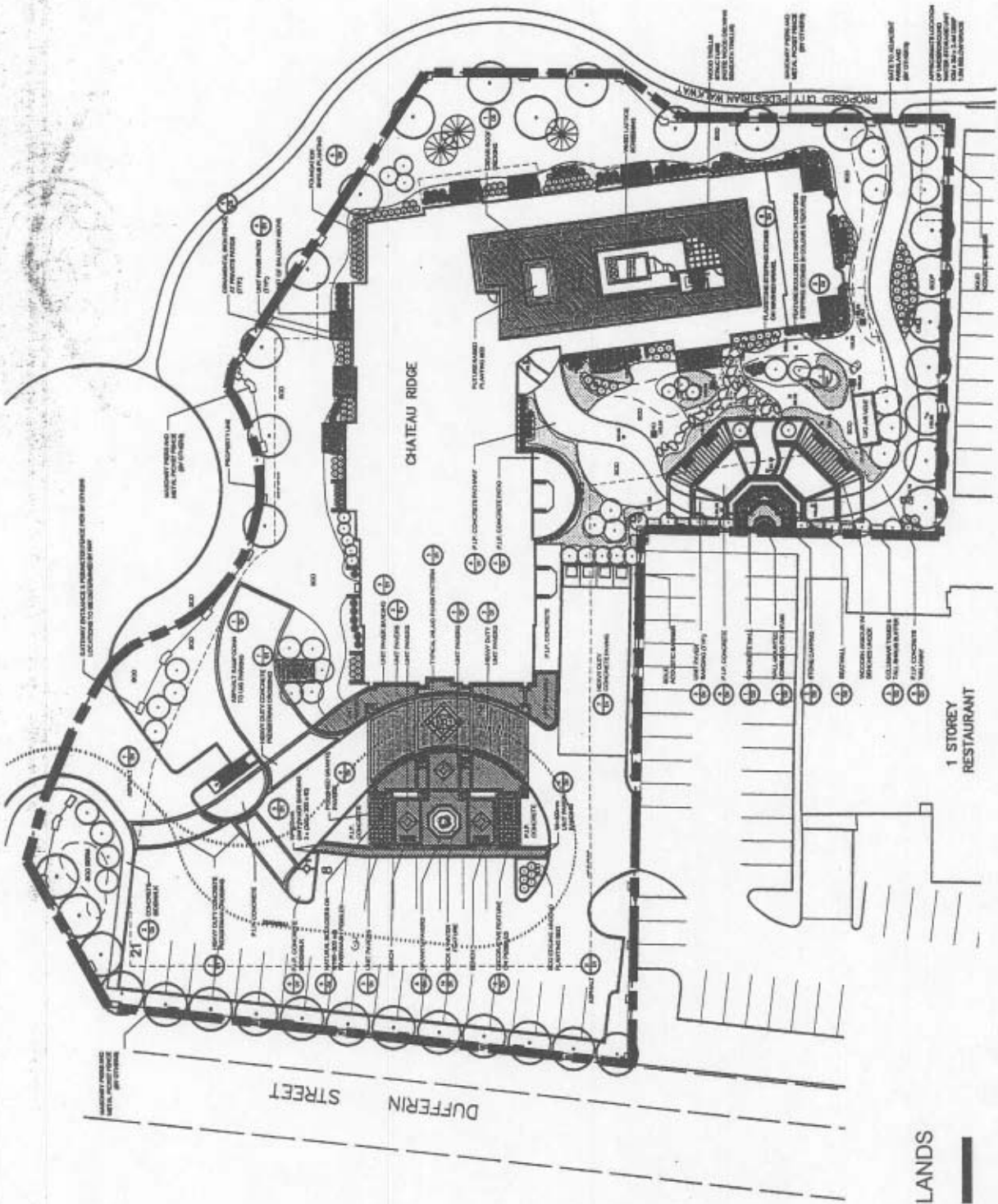
Community Planning Department

Attachment

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FILE No.:
DA.02.061

January 3, 2003
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SUBJECT LANDS
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Site Plan

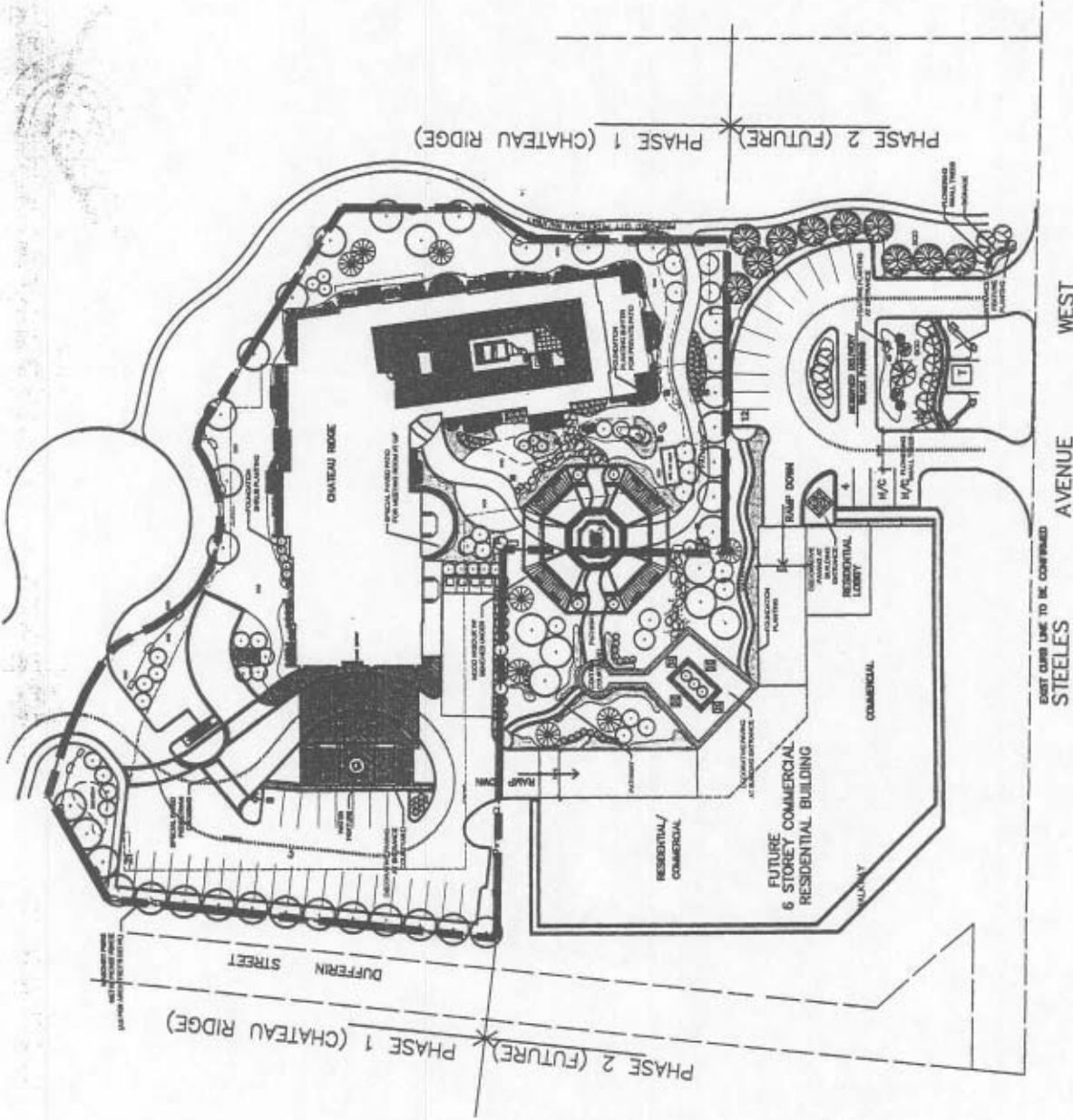
Part of Lot 1,
 Concession 2
 APPLICANT:
 ALTERRA-FINER SPACE LIMITED

City of Vaughan

Community Planning Department

Attachment 2

FILE No.:
 DA.02.061
 January 3, 2003
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SUBJECT LANDS



Attachment 3

FILE No.:
DA.02.061

January 3, 2003
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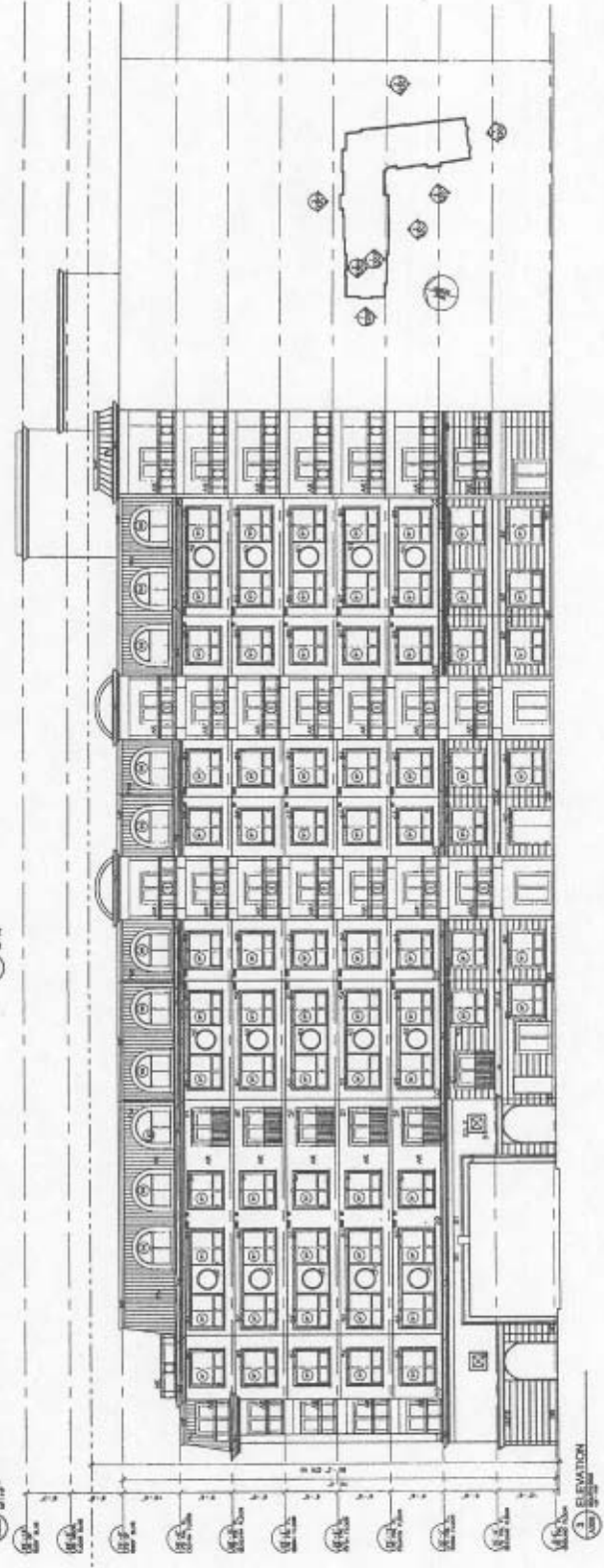
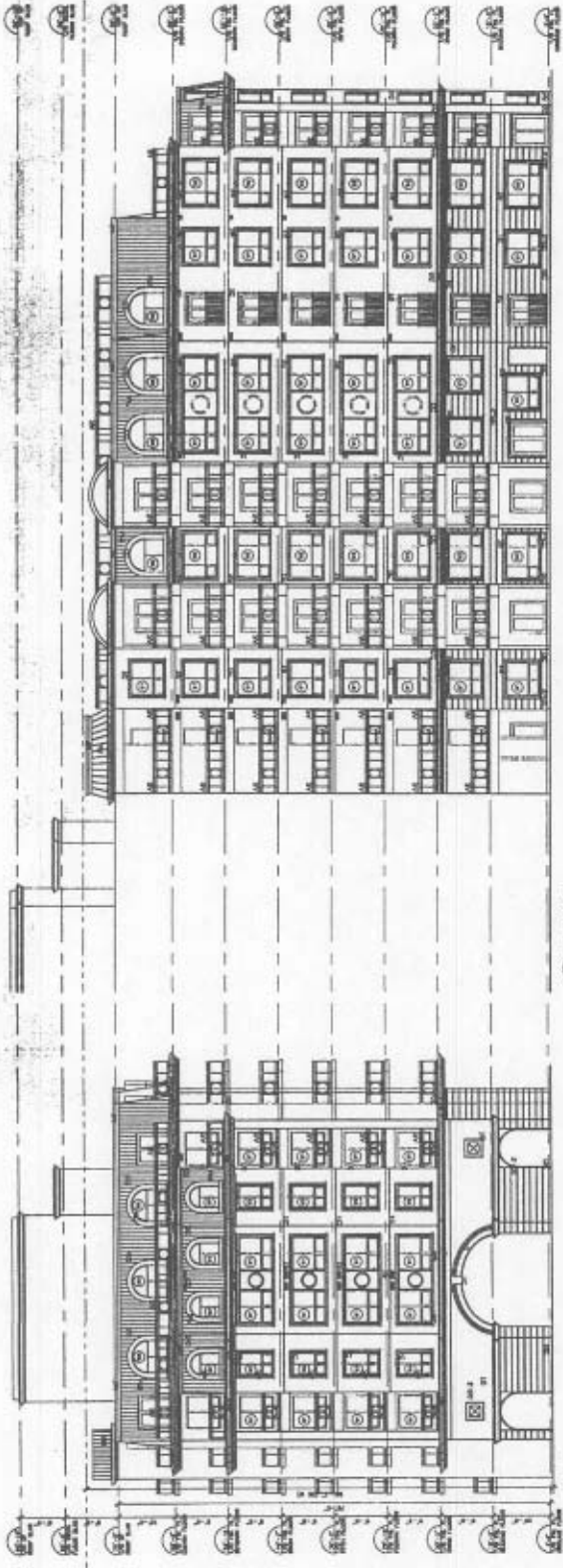
Phase 2 - Conceptual Plan

Part of Lot 1,
Concession 2

APPLICANT:
ALTERRA-FINER SPACE LIMITED



Community Planning Department



Elevations

Part of Lot 1,
Concession 2
APPLICANT:
ALTERRA-FINER SPACE LIMITED

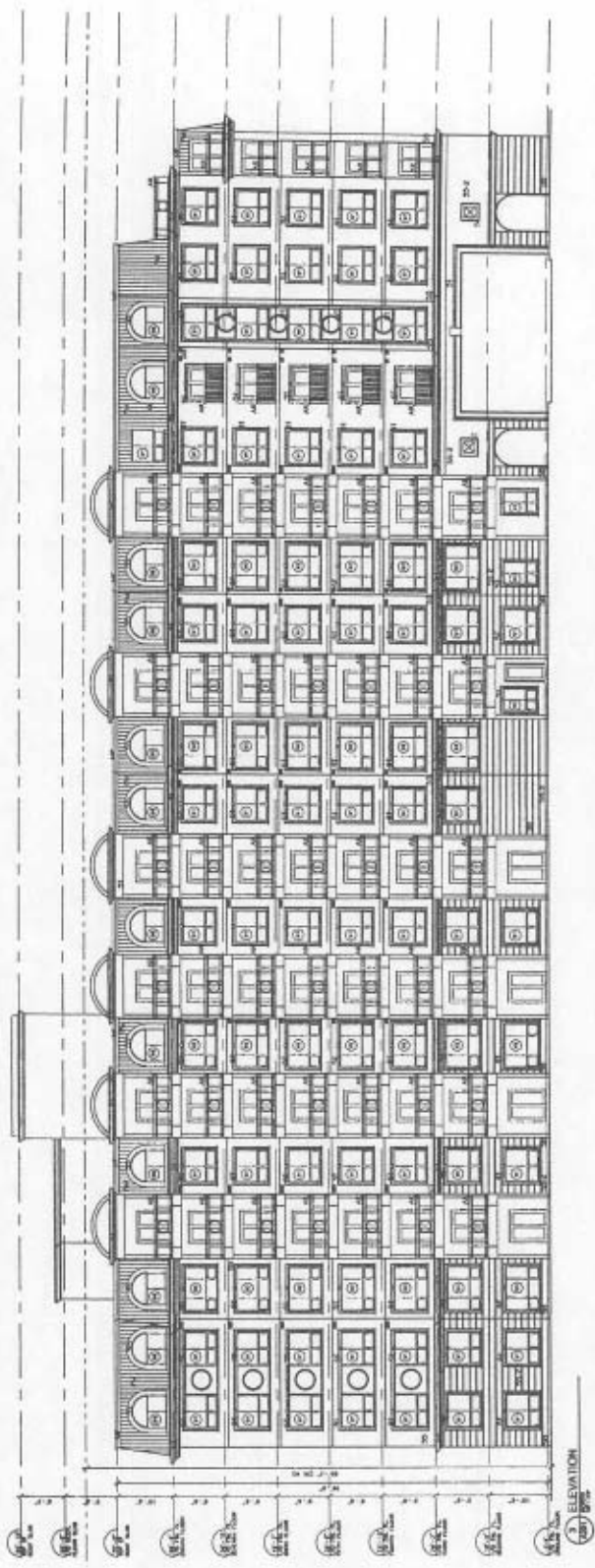
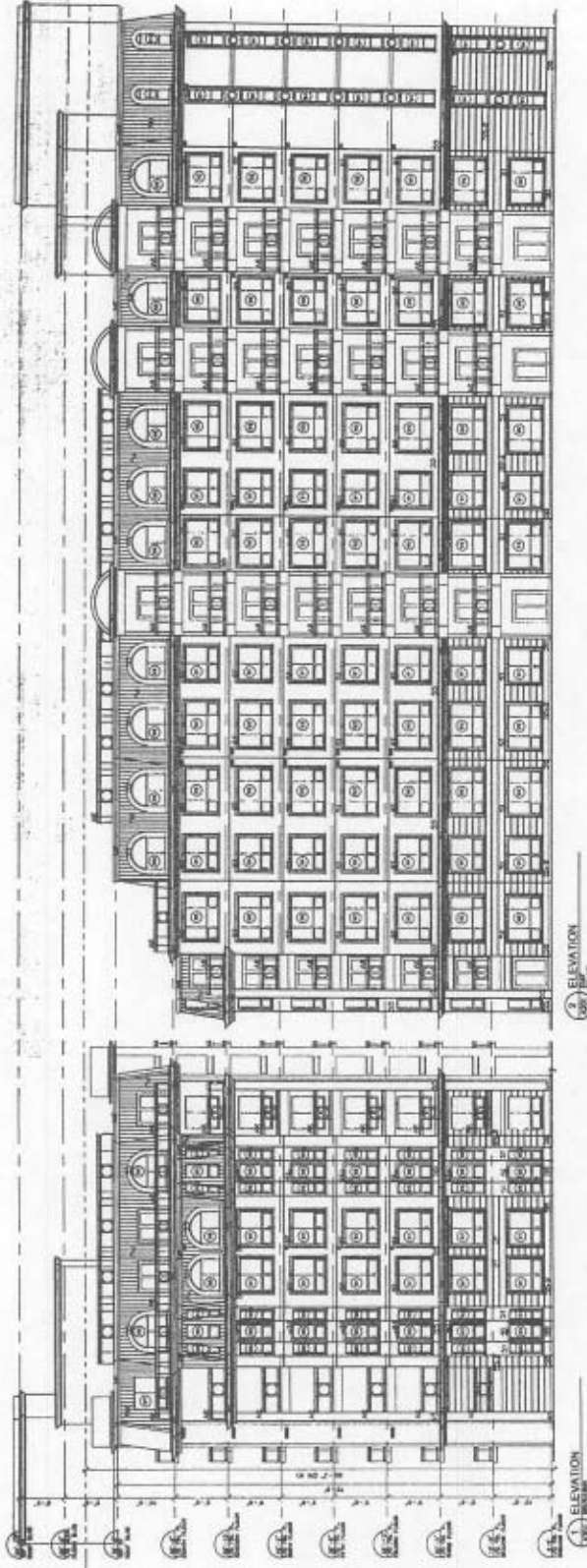


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Elevations

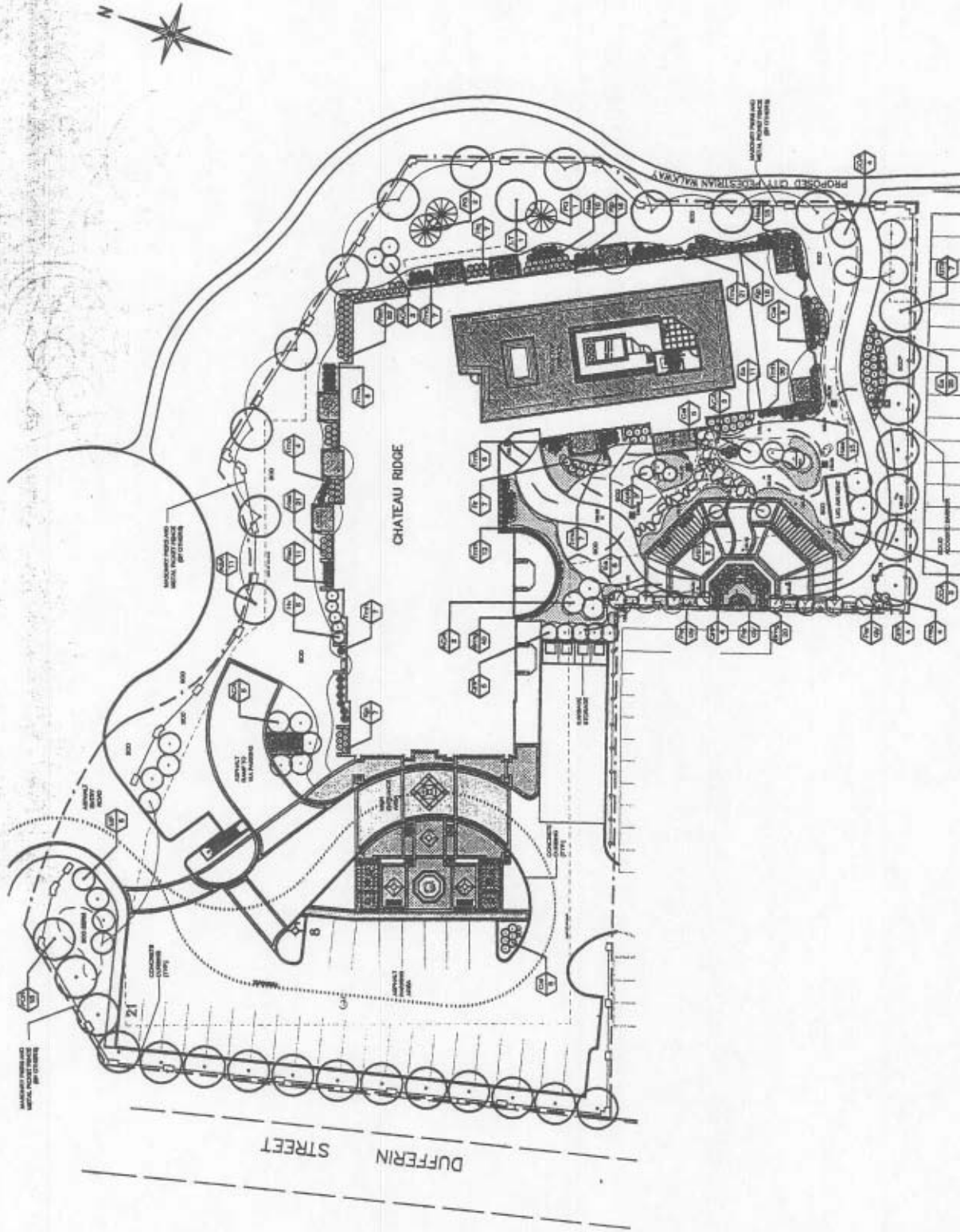
Part of Lot 1,
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 APPLICANT:
 ALTERRA-FINER SPACE LIMITED

City of Vaughan

Community Planning Department

Attachment 5

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Landscape Plan

Part of Lot 1,
Concession 2

APPLICANT:
ALTERRA-FINER SPACE LIMITED

City of Vaughan

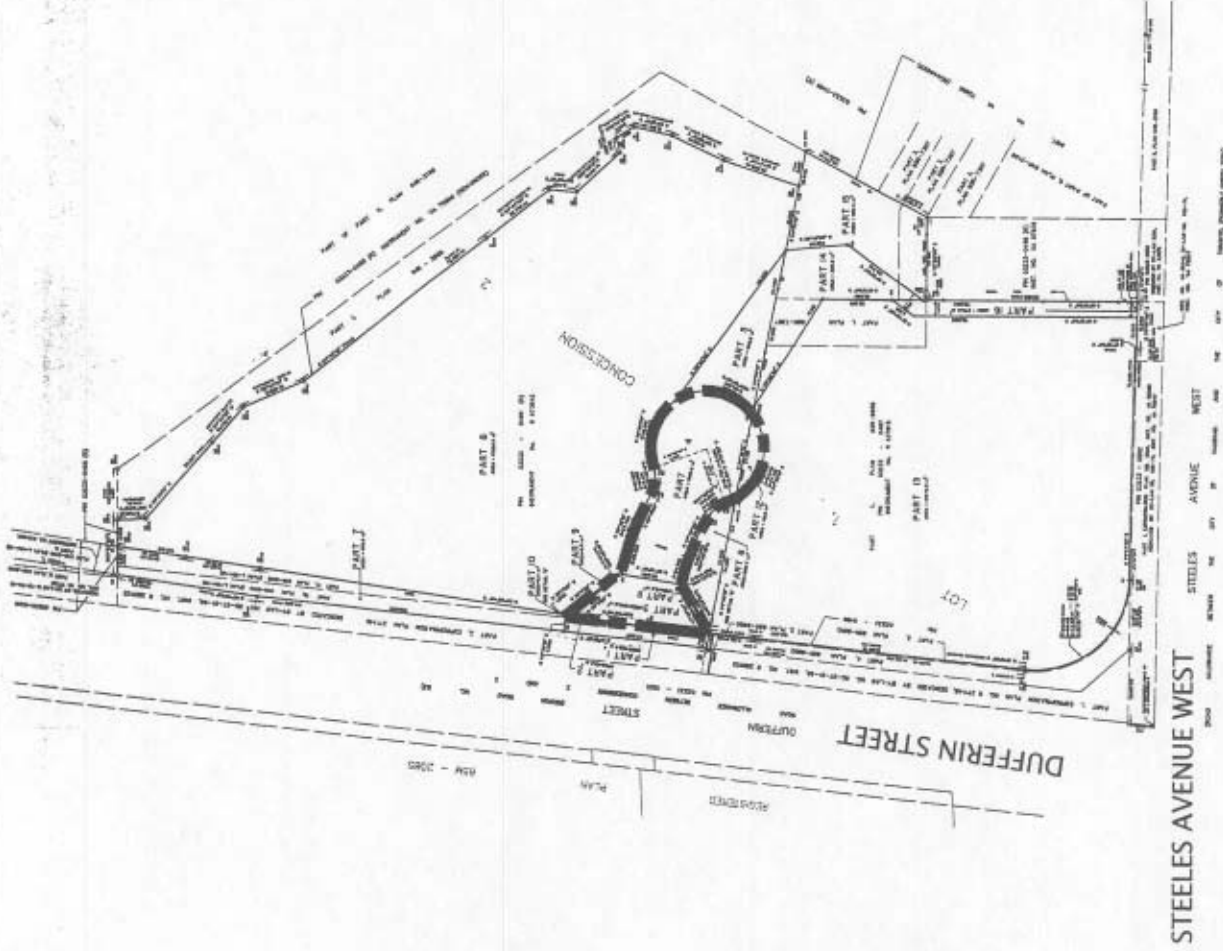
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Attachment

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DA.02.061

January 3, 2003
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SUBJECT AREA

STEELES AVENUE WEST

Attachment 7
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Part of Lot 1,
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APPLICANT:
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