

COMMITTEE OF THE WHOLE NOVEMBER 1, 2004

**OFFICIAL PLAN AMENDMENT FILE OP.03.024
ZONING BY-LAW AMENDMENT FILE Z.03.084
1541677 ONTARIO LIMITED (LIBERTY DEVELOPMENT CORPORATION)
REPORT #P.2004.1**

Recommendation

The Commissioner of Planning recommends:

1. THAT the Master Plan (Attachment #7) BE APPROVED as a guide for future development of the Liberty community, with details being defined and implemented through site plan approval.
2. THAT Official Plan Amendment File OP.03.024 (1541677 Ontario Limited) BE APPROVED, subject to the following:

a) That Official Plan Amendment #210 (Thornhill Community Plan) be amended as follows:

i) redesignate the subject lands from:

- "Institutional (Church)" and "Open Space (Park)" to "High Density Residential";
- "Town Centre Commercial" to "High Density Residential" and "Open Space (Park)";
- "High Density Residential" to "Open Space (Park)";
- maintain the "High Density Residential" designation on certain parcels;

all in the manner shown on Attachment #4, which will effectively redesignate the residential apartment and townhouse blocks to "High Density Residential", and the park block to "Open Space", as shown on Attachment #7;

ii) incorporate development policies that will:

- permit condominium apartment and townhouse dwelling units; and a convenience retail store and coffee shop/outdoor patio uses on the ground floor of condominium apartment Building "E", as shown on Attachment #7;
- permit a maximum density of 1,598 units comprising 93 condominium townhouse units and 1,505 condominium apartment units, or a combination thereof not to exceed 1,598 units provided the number of condominium apartment buildings is 7; and
- permit a maximum building height of 3 storeys for the townhouse units, and 22 storeys for the condominium apartment buildings.

3. THAT Zoning By-law Amendment File Z.03.084 (1541677 Ontario Limited) BE APPROVED, subject to the following:

a) That By-law 1-88, be amended, as follows:

i) rezone the subject lands from:

- A Agricultural Zone to RM2 Multiple Residential Zone, RA3 Apartment Residential Zone, and OS2 Open Space Park Zone;
- RA3 Apartment Residential Zone to RM2 Multiple Residential Zone and OS2 Open Space Park Zone;
- maintain the RA3 Apartment Residential Zone on certain parcels;

all in the manner shown on Attachment #6, which will effectively rezone the townhouse blocks to RM2 Multiple Residential Zone; the apartment blocks to RA3 Apartment Residential Zone, with exception to permit a convenience retail store and coffee shop/outdoor patio uses on the ground floor of condominium apartment Building "E"; and the park block to OS2 Open Space Park Zone, as shown on Attachment #7;

- ii) place the residential townhouse and apartment blocks in a Holding Zone, with the Holding "H" provision to be lifted in phases, as individual site plans are approved by Council in accordance with the phasing plan identified in the Traffic Impact/Phasing Report by Cansult;
- iii) permit a maximum of 1,598 units comprising 93 condominium townhouse units and 1,505 condominium apartment units, or a combination thereof not to exceed 1,598 units provided the number of condominium apartment buildings is 7;
- iv) permit a maximum building height of 3 storeys for the condominium townhouse units, and 22 storeys for the condominium apartment buildings in accordance with the individual heights shown on the Master Plan, on Attachment #7;
- v) require a minimum parking standard for the condominium apartment and townhouse units of 1.1 spaces/unit for residents, plus 0.2 spaces/unit for visitors, totaling 1.3 spaces/unit, and a parking stall depth of 5.8m;
- vi) incorporate the existing permitted variances to the RA3 Zone for approved condominium apartment Buildings "A", "B" and "C", shown on Attachment #7;
- vii) require a minimum 6m wide landscape strip to protect the treed areas and provide a landscaped buffer adjacent to the south property line, except for Building "C" where a variance has been granted for a 2.8m wide strip, as shown on Attachment #7;
- viii) require a minimum 3m setback and landscape strip width to be provided between a public street and a townhouse unit, and a minimum 6m setback and landscape strip width between a public street and an apartment building;

- ix) require a minimum site amenity area requirement of 15 m²/dwelling unit in the RM2 and RA3 Zones;
- x) require an exterior stairway for an apartment building to not exceed 1-storey in height in any yard within the RA3 Zone;
- xi) permit a 0m setback from any lot line to the nearest part of an apartment building below finished grade to facilitate the underground parking garages;
- xii) require a minimum 1.2m wide landscape strip comprising a mix of trees and shrubs around the periphery of an outdoor parking area, except when directly abutting a street where 3m will be required; and,
- xiii) include the site-specific exceptions to the RM2 (townhouse) and RA3 (apartment) Zones, as identified in the staff report.

Purpose

The Owner originally submitted applications to amend the Official Plan and Zoning By-law to permit in addition to the previously approved 614 condominium apartment units, the following: 1,047 condominium apartment units, 88 condominium townhouse units, 4.9 ha park, and an east/west local road from Bathurst Street to New Westminster Drive, on an 8.89 ha site. The total approved and proposed condominium apartment and townhouse unit count in the original submission was 1,661 units, and included 8 condominium apartment buildings with building heights up to 25 storeys.

Following staff review and community consultation, the Official Plan and Zoning By-law Amendment applications were revised to reduce the scale of the development. The proposal subject to this Committee of the Whole report is as follows:

1. Amend the Official Plan to permit in addition to the previously approved 614 condominium apartment units, the following: 891 condominium apartment units, 93 condominium townhouse units, 1.94 ha park, and an east/west local road from Bathurst Street to New Westminster Drive. The total approved and proposed condominium apartment and townhouse unit count is 1,598, and includes 7 condominium apartment buildings with building heights up to 22 storeys, as shown on Attachment #7.
2. Amend the Zoning By-law to:
 - a) rezone the subject lands from A Agricultural Zone and RA3 Apartment Residential Zone subject to Exception 9(1153), to RM2 Multiple Residential Zone (townhouse blocks), RA3 Apartment Residential Zone (apartment blocks) and OS2 Open Space Park Zone (park block); and,
 - b) provide exceptions to the residential zone standards to implement the proposed condominium townhouse and apartment development shown on the Master Plan.

The Owner has submitted a related Draft Plan of Subdivision 19T-04V08, which will be considered in a separate report to a future Committee of the Whole meeting.

Background - Analysis and Options

The subject property is located west of Bathurst Street, through to New Westminster Drive, and south of Beverley Glen Boulevard, in Part of Lot 6, Concession 2, Ward 4, City of Vaughan. The 8.89 ha rectangular site has 290m frontage on New Westminster Drive, and 370m flankage on Beverley Glen Boulevard, and is centrally bisected by a north/south public road (Disera Drive). Treed areas are located in the east portion of the property, and along the south property line.

The subject lands are designated "High Density Residential", "Open Space" and "Institutional" by OPA #210 (Thornhill-Vaughan Community Plan), as shown on Attachment #3. The property is zoned RA3 Apartment Residential Zone subject to Exception 9(1153), and A Agricultural Zone, by By-law 1-88, as shown on Attachment #5. The surrounding land uses are:

- North - Beverley Glen Boulevard; townhouse residential (RM1 Zone), future high density residential (RA3-H Zone)
- South - vacant/future development (A Zone, C4 Zone)
- East - vacant/future development (A Zone, C2 Zone), Bathurst Street
- West - New Westminster Drive; townhouse residential (RM1 Zone)

On December 15, 2003, a Notice of Public Hearing to consider the amendments to the Official Plan and Zoning By-law for the original 1,661 unit proposal was circulated to all property owners within 120m of the subject lands, and to the Beverley Glen Ratepayers Association. To date, nine written responses have been received, and summarized as follows:

- The number of people living in the area has dramatically increased over the last 2 years, and the traffic congestion and noise has increased to an unbearable level.
- Not supportive of apartments or townhouses in the area.
- High-rise buildings should not exceed 16 storeys. A high-rise condominium building in the area is generating revenue from leasing their roof to a communication provider, and any loss or impact to the signal, may result in the removal of the equipment and loss of revenue for their condominium reserve fund.
- The proposal would increase traffic in the area, devalue the price of homes in the neighbourhood, and create a less attractive look to the area.
- The proposal will diminish privacy of the residents backing onto the north side of Beverley Glen Boulevard.
- The proposed park should be a natural trail park to allow residents to enjoy a leisurely stroll, and should not include any sports fields as there are several fields in the vicinity.
- Preserve as many trees as possible, and give consideration to the habitat within the wooded area comprising of rabbits, skunks, raccoons, and foxes.
- The townhouses should be consistent with the Acorn development to the north in both architecture and value, or provide executive-style townhouses.
- Park will be an asset to the community, and the apartments will provide a type of housing that is not readily available in this area. The townhouses are proposed in an excellent location, and will enhance the existing residential in the neighbourhood.
- Ensure the Master Plan layout is designed to be seniors-friendly.

- The condominiums will meet the demand for high-rise housing and increase the population of the area sufficient to support the businesses in the area, as well as, allow seniors and empty-nesters to down-size, but still remain in the community.

Also, six members of the public spoke on deputation at the Public Hearing on January 5, 2004, with comments consistent with the above.

The recommendation of the Committee of the Whole to receive the Public Hearing held on January 5, 2004, and to forward a comprehensive report to a future Committee meeting, was ratified by Council on January 12, 2004, with the following resolution:

"That Staff be directed to arrange a public meeting with the Local Councillor, the Ward 4 Sub-committee and affected Ratepayer Associations including the Beverley Glen Ratepayers Association and the Brownridge Ratepayers Association, to resolve outstanding issues, prior to this matter being brought forward to a Committee of the Whole meeting."

Community Consultation

Two community meetings were held at the Rosemount Community Centre (1000 New Westminster Drive), to consider the original 1,661 unit/25 storey building height proposal. The first meeting was held by the Local Councillor for Ward 4 on January 21, 2004 at 7pm, and included Planning Staff, the applicant and consultants, and area residents (15 households) of Ward 4. The second meeting was held by the Local Councillor for Ward 5 on February 25, 2004 at 7pm, and included Planning Staff, the applicant and consultants, and area residents (32 households) in the adjacent Ward 5.

a) Ward 4 Community Meeting

The residents in Ward 4 expressed the following concerns:

- Traffic is extremely bad on Bathurst Street and Centre Street, and what will be the impact with the additional development.
- Is the access point on Bathurst to be full movement or right-in/right-out.
- Building height concern – sun/shade/wind and sight lines.
- Increased density and impact on traffic.
- Ensure ample tenant and visitor parking to prevent parking infiltration into the existing streets.
- Ensure sufficient private amenity area for the townhouses.
- Size and height of the townhouse units.
- Impact on existing water supply and sanitary capacity with the additional units.

b) Ward 5 Community Meeting

The residents in Ward 5 expressed the following concerns:

- Ensure the park is accessible to the residents east of Bathurst Street.
- Traffic is extremely bad on Bathurst Street and Centre Street, and what will be the impact with the additional development. People drive and will not use public transit. Do not want Bathurst Street to be widened.
- Lower the building heights to lower the unit count, to lessen traffic impact.
- Existing parks are not well maintained, so how will the City be able to maintain a new park.

- The location of a park closer to Bathurst may be inappropriate (traffic, noise, pollution).
- Impact of sun/shade and building height on the neighbourhood.
- Naturalized parks that are maintenance free is a good proposal.
- Impact on property values of existing homes in the area.
- Ensure ample tenant and visitor parking to prevent parking infiltration into the existing streets.
- Ensure sufficient private amenity area for the townhouses.
- Size and height of the townhouse units.
- Is there sufficient green space to address the population.
- Why is the proposal not included in the Centre Street Study.

Following staff review and community consultation, the Official Plan and Zoning By-law Amendment applications and the supporting Master Plan were revised to reduce the scale of the development to 1,598 units and a building height up to 22 storeys.

Policy Context

Provincial Policy Statement

The Provincial Policy Statement (PPS) supports efficient land use, a range and mix of housing types and densities, and residential intensification, which encourages the use of public transit. These objectives were considered and are reflected in the Master Plan for the Liberty community. The proposal meets the intent of the PPS.

Region of York Official Plan

The subject lands are designated "Urban Area" in the Region of York Official Plan, and served by major transportation corridors and future transit systems, including planned transit initiatives along Bathurst Street and Centre Street. An objective of the Regional Plan is to target growth to existing built-up portions of the urban areas, to encourage carefully planned intensification, and to provide for a broad range of housing types and higher density development. These objectives were considered and addressed in the Master Plan for the Liberty community. The proposal is consistent with the policies in the Regional Official Plan.

The proposed magnitude of the Liberty development represents a significant Regional interest, and therefore, the Region of York will be granting final approval, should Vaughan Council adopt an official plan amendment for the subject lands.

Vaughan Official Plan

The subject lands are currently designated "High Density Residential" on either side of Disera Drive; "Open Space" and "Institutional" on the east side of New Westminster Drive; and "Town Centre Commercial" in the easterly portion of the property, by OPA #210 (Thornhill-Vaughan Community Plan), see Attachment #3. The majority of the subject lands received draft plan approval (19T-91018, Estate of Raffaele Di Sera) in 1999, for two high density residential blocks totaling 4.1 ha, a 2.1 ha park, a 0.4 ha institutional block to be developed in conjunction with the Baif lands to the north, and a north/south road (Disera Drive) from Beverley Glen Boulevard to the south lot line (Attachment #2). The two high density Blocks 1 and 2 in Registered Plan 65M-3709 are permitted 361 and 253 apartment units, respectively, totaling 614 units, in conformity with the current density provisions (148 units/ha) for the Thornhill Town Centre.

On September 22, 2003, Council approved Site Plan File DA.03.014, to permit two 15-storey condominium apartment buildings containing 354 of the permitted 361 units on the southerly portion of Block 1 of Plan 65M-3709 (ie. Buildings "A" and "B" on Master Plan – see Attachment #7). These buildings are currently under construction. On June 14, 2004, Council approved Site Plan File DA.03.053, to permit one 18-storey condominium apartment building containing 253 units on the southerly portion of Block 2 of Plan 65M-3709 (ie. Building "C" on Master Plan – see Attachment #7). The site plan drawings and site plan agreement for Building "C" are being finalized with the applicant. To date, the site plan approvals account for 607 of the permitted 614 units under the current density provisions of OPA #210.

An amendment to the Official Plan is required to redesignate the residential blocks shown on the proposed Master Plan for the Liberty community, to "High Density Residential" to permit a combined total of 1,598 townhouse and apartment units, and the park block to "Open Space" (see Attachment #4). The high density residential apartment units that were originally planned to be concentrated on either side of Disera Drive are now proposed in the central and southern portions of the property, with the townhouses to be located adjacent to New Westminster Drive and Beverley Glen Boulevard, opposite the existing townhouse developments. The park block that was originally planned to be located adjacent to New Westminster Drive is now proposed in the northeasterly portion of the property. The place of worship that was intended to locate on the institutional block at the southeast corner of New Westminster Drive and Beverley Glen Boulevard has since obtained land on Bathurst Street, to the east of the property (ie. Rabbi Landa).

Thornhill Centre Street Study (Draft OPA #671)

The City and its consultant (IBI Group) are currently undertaking the Thornhill Centre Street Study, which is a review of land uses on the north and south sides of Centre Street, between Bathurst Street and Regional Road #7 to the west. The Centre Street Study was initiated to provide an up-to-date planning and urban design policy framework to guide development in the study area. A Public Hearing was held on September 20, 2004, to hear comments from the public on the Centre Street Study and the implementing draft OPA #671. A technical report with staff recommendation will be provided to the Committee of the Whole in the Fall of 2004.

The Liberty site is not within the Study Area. However, the adjacent southerly property is included, and proposed for a mix of residential, retail and office uses, together with high density residential at the northeast corner of Centre Street and New Westminster Drive.

Zoning

By-law 1-88 currently zones (see Attachment #5) the two residential blocks (Blocks 1 and 2 on Plan 65M-3709) on either side of Disera Drive as RA3 Apartment Residential Zone, subject to Exception 9(1153). The balance of the property is zoned A Agricultural Zone. An amendment to the Zoning By-law is required to:

- a) rezone the subject lands from A Agricultural Zone and RA3 Apartment Residential Zone subject to Exception 9(1153), to RM2 Multiple Residential Zone (townhouse blocks), RA3 Apartment Residential Zone (apartment blocks), and OS2 Open Space Park Zone (park block), in the manner shown on Attachment #6 and described in the Zoning Recommendation of this report.
- b) provide exceptions to the residential zone standards to implement the proposed condominium townhouse and apartment development shown on the Master Plan.

Planning Considerations

Thornhill Town Centre – OPA #210

OPA #210 establishes the Thornhill Town Centre, which is located north and south of Centre Street, between New Westminster Drive and Bathurst Street, and Clark Avenue to the south. The Liberty lands are located within the Thornhill Town Centre. The planning goals for this area include:

- a variety of housing, while protecting existing residential areas;
- a broad range of commercial facilities to meet the needs of the present and future residents of the community;
- a pedestrian system linking residential areas to shopping malls, transit routes, and the Town Centre; and
- an efficient system of roads, including the provision of rights-of-way for major and minor arterials, residential collectors and local streets to facilitate public and private vehicular movement; and to ensure that provision is made in the initial stages of development for servicing and road requirements needed in subsequent phases.

The policies within OPA #210 envision the Thornhill Town Centre to ultimately have 7,260 residents within 3,300 residential units when fully developed. The 2001 Canada Census indicated that the resident population totaled approximately 1,050 persons in 602 residential units. OPA #210 also envisions the entire Thornhill community to have a maximum population of 75,000 residents. The 2001 Census indicated a population of 64,241.

The Centre Street Study and draft OPA #671 contemplate an additional resident population of 1,200-1,800 persons in 600-900 new residential units. The Liberty site envisions approximately 3,054 persons in 1,598 new townhouse and apartment units. The existing and planned unit counts and populations for the Town Centre would be 5,904 persons in 3,100 units. The addition of a significant amount of new housing and population to the Town Centre will assist to meet the intended objectives in OPA #210, as well as, satisfy the intensification objectives in the Provincial Policy Statement and the Region of York Official Plan. This new resident population will continue to leave the Thornhill community and the Town Centre below the originally planned population maximums identified in OPA #210, which can be satisfied in the future with the development of the high density residential block in the northerly Baif subdivision and in the southerly Metrontario block, together with any infill development that may occur south of Centre Street.

In order to achieve the increased density within the Town Centre, it is necessary to facilitate development within high-rise buildings. Typically in the Thornhill area, buildings have been constructed to a height of 18-storeys, although there is no height limit in OPA #210, and height is governed through the zoning by-law. The Liberty Master Plan proposes two 15-storey, one 16-storey, three 18-storey, and one 22-storey condominium apartment buildings, which have been strategically placed to minimize shadow on the surrounding neighbourhood, as discussed later in this report. Accordingly, Staff will be recommending that the height for the buildings be capped at a maximum of 22-storeys in both the Official Plan and Zoning By-law, in accordance with the individual heights shown on the Master Plan (see Attachment #7). The height of the townhouses would be consistent with other townhouses in the area, and be restricted to 11m or 3-storeys.

Through the Official Plan review, Staff discussed with the applicant, the opportunity to provide a convenience retail store and coffee shop with outdoor patio uses on the ground

floor of condominium apartment Building "E" (Attachment #7), which would be located directly opposite the park to provide a service to both the residents and the larger community, and ensure an active streetscape at the intersection of Disera Drive and the east/west road. With the planned mixed-use development contemplated to the south by the City's Centre Street Study, it is not necessary to include additional commercial uses within the Liberty community, other than the convenience retail store and coffee shop/outdoor patio uses.

Section 2.2.1(g) of OPA #210 states: "The Town Centre shall be developed in accordance with a detailed development plan (or plans) including a transportation component and a comprehensive design scheme (or schemes), which is to be adopted by Council prior to any development proceeding in the Town Centre. This shall not, however, prevent the expansion or enlargement of any existing uses or establishment of any new uses in the Town Centre so long as such expansions or enlargement or establishment does not prejudice the ultimate long-term development proposed for the Town Centre and is in conformity with the intent and policies of this plan for development in the Town Centre." Liberty has submitted a Master Plan (Attachment #7) as a guide for the future development of their lands within the Town Centre, which considered traffic impact and transportation and road improvements, as discussed later in this report. The Master Plan is being recommended to Council for approval.

Liberty Master Plan

The applicant has submitted a conceptual Master Plan (Attachment #7) for the Liberty community in support of the Official Plan and Zoning By-law Amendment applications. The Master Plan shows street-related condominium townhouse units (minimum 6m wide) fronting onto New Westminster Drive and Beverley Glen Boulevard, with the remaining interior townhouse units fronting onto a private landscaped amenity space area or internal private road, with resident and visitor parking accessed from private internal laneways. The concept plan also shows 7 condominium apartment buildings (Buildings A, B, C, D and G) along the south lot line, ranging in height from 15 to 22 storeys. Two additional condominium apartment buildings (Buildings E and F) are shown west of Disera Drive, on the north side of the proposed east/west local road, ranging in height from 6 to 18 storeys. The majority of the parking is to be provided underground, with limited surface parking for visitors, however, additional visitor spaces will be required to be provided within the townhouse blocks, which the applicant has agreed to facilitate, with locations to be identified through the site plan process. This will be complemented by on-street parking to be provided on the north side of the east/west road, and on the west side of the park on Disera Drive, as supported by the Engineering and Public Works Departments.

A 1.94 ha park block is proposed in the northeast portion of the property. The park is generally intended to be passive and is to include landscaped gardens, pathways, a gazebo, amphitheatre, junior and senior play areas, and a 50m radius unstructured open space area that could provide future opportunities for the municipality to implement sports fields.

The Master Plan has received extensive review by City Departments, in consultation with the Region of York and the community. The original development contemplated for the Master Plan was scaled down with respect to the number of units and buildings, and with regard to building height, following Staff review and community consultation. Staff is now satisfied with the final Master Plan (Attachment #7) and the proposed layout of the streets, building placement for the townhouse and apartment buildings, building heights, the location and size of the park block, and the pedestrian linkages that are planned to connect the development to the park, existing residential neighbourhoods, and to the future mixed use, commercial and institutional uses to the south and east. The Liberty

community will consist of a maximum of 1,598 units comprising 93 condominium townhouse units and 1,505 condominium apartment units, or a combination thereof not to exceed 1,598 units provided the number of condominium apartment buildings is 7, to ensure the integrity of this plan is achieved.

The Liberty Master Plan layout is appropriate to facilitate the proposed land uses. Disera Drive is to extend south to Centre Street, and forge strong pedestrian links with the adjoining property, and provide another means of vehicular access to the Liberty community from the signalized intersection at Centre Street. The Liberty Master Plan identifies preferred and possible options for pedestrian walkway connections between the adjoining properties to the south, which will be reviewed further by Staff upon the submission of development applications by Liberty. The pedestrian connections would likely be secured through permanent easements in favour of the City, or alternatively through the creation of public walkway blocks through the subdivision or part lot control processes.

The Liberty Master Plan provides for a minimum 6m wide landscape strip to protect the trees along the south property line, except for Building "C", where a variance has been granted for a 2.8m wide strip. The Master Plan together with the urban design guidelines and landscape/streetscape and open space master plans will guide future development within the Liberty community, and ensure the sensitive integration of the Liberty development into the planning framework envisioned for the overall Thornhill Town Centre.

Urban Design

The applicant submitted an Urban Design Guidelines (UDG) Report prepared by Page + Steele Architects, dated July 27, 2004. The UDG are aimed at balancing the need for higher density buildings and a range of housing types with the desire to create a highly active pedestrian experience. The higher intensity apartment buildings are proposed along the southern edge, where it will abut the proposed mixed-use development in the OPA #671 area, stepping down with townhouses opposite the existing housing to the north and west. Buildings will be sited to promote an active and pedestrian-friendly environment. The provision of treed pedestrian links and an urban passive park will further encourage pedestrian activity and safety through "eyes-on-the-street". By facing the surrounding residential units towards the park, the park will be made safer and will become a place of activity, relaxation, and congregation for the larger community.

The Liberty community is designed to be lively with safe neighbourhoods that are walkable, pedestrian in scale, and linked to surrounding communities. While supporting a variety of built form, there is a common design vision that will link this community and create a sense of place. This will be achieved through on-street parking, special paving surfaces, co-ordinated signage, street furniture and street-light poles, and treed walkways on both sides of the street. Traffic-calming can also be implemented in appropriate places to ensure pedestrian safety, and include strategic planting, block lengths, on-street parking, built form setbacks, paving, and cross-walks.

The Liberty Master Plan is designed as a mixed residential development with varying heights and building typologies. This diversity will reflect the surrounding uses and address issues of sunlight penetration and appropriate architectural proportion. With controlled materials, the high-rise buildings can form landmarks and assist to create a distinct community that has a strong sense of place. The increased density on the site will reflect Thornhill's commitment to sustainable growth in order to ensure the viability of existing and future public amenities and public transit initiatives.

The UDG propose the townhouses and apartments to be set back 3m and 6m, respectively, from the streetline, with the provision of landscaping between the buildings and the street. The apartment structures should sit on an articulated podium at a minimum height of 2-storeys with upper storeys set back a minimum of 1.5m. The apartment buildings should preferably take the form of a point tower that will allow for a defined streetscape with sky views, fewer shadows, and to reduce negative wind conditions.

The final urban design guidelines report and accompanying landscape/streetscape/open space master plan will be approved to the satisfaction of the Development Planning Department, through the approval of the draft plan of subdivision and prior to the approval of any subsequent site plan phase.

Shadow Study

The applicant submitted a Shadow Study prepared by Page + Steele Architects, dated June 23, 2004, to determine the impact of shadow on the surrounding area from the high-rise apartment buildings contemplated in the Master Plan. This document considered the shadow impact on a typical March 21st, June 21st and September 21st at 10 am, 12 pm, 2pm and 4 pm. The study showed that the apartment buildings were strategically sited so that any shadows would remain entirely within the Liberty lands, and would not impact the existing residential to the north, west and east, except in the late afternoon in March on the east side of Bathurst Street.

In most cases, the shadows would remain in the vicinity of the apartment buildings. Longer cast shadows would extend over the proposed townhouses in the Liberty plan in the 10 am morning, and September and March scenarios. The advantage of the proposed point towers (tall/thin buildings) is that the period of shadow is minimized by way of a "sweep", as opposed to a larger shadow that would be caused by a slab building (short/wide).

Draft Plan of Subdivision

The applicant has submitted a related draft plan of subdivision application (File 19T-04V08), to permit, in addition to the previously approved 614 condominium apartment units (Blocks 3 and 4), the following (Attachment #8):

- 891 condominium apartment units (Blocks 2, 5 and 7)
- 93 townhouse units (Blocks 5, 6 and 7)
- 1.94 ha park (Block 1)
- an east/west local road from Bathurst Street to New Westminster Drive (Streets "A" and "B").

Staff has reviewed the draft plan of subdivision, and is satisfied with the proposed block and road pattern. The draft plan of subdivision will be considered in a separate report to a future Committee of the Whole meeting, once Council has approved the Master Plan.

Servicing

On September 7, 2004, the Committee of the Whole considered Item #20 being a report from the Commissioner of Engineering/Public Works and the Commissioner of Planning with respect to the "Interim Strategy for Allocation/Reservation of Servicing Capacity". The report recommended the reservation of water and sewage capacity to 1541677 Ontario Limited (Liberty) for a total of 1,598 units (93 townhouses and 1,505 apartments), of which 614 units were previously allocated on April 14, 2003. Accordingly, of the total 1,598 units, new capacity would be reserved for 984 units consisting of the 93 townhouse

and 891 apartment units. On October 12, 2004, Council ratified the decision of the Committee of the Whole. Final allocation would be granted by Council as part of the draft plan of subdivision or site plan approvals.

The property has access to municipal services, including water, sanitary and storm sewers, and hydro. The Engineering Department will require a storm water management report, sanitary/water servicing plan, and grading plans to be submitted at the subdivision and site plan stages.

The Master Plan Area will be served by two underground stormwater management (SWM) tanks, including one below the north frontage of the park, and the other below private laneway at the southwest corner of Liberty property. The SWM tanks will be owned by the municipality, however, an easement will be required for access to the southwesterly SWM tank, as it will be located on private condominium lands. Details of the access and maintenance of the SWM tanks will be identified through the subdivision process, by the Engineering, Public Works and Parks Departments.

Traffic Impact

The applicant submitted a Traffic Impact/Phasing Report, prepared by Cansult Limited, dated August 2004, in support of the Liberty applications. The study findings and recommendations are as follows:

- Intersections along Bathurst Street are currently operating at or near capacity, and improvements to increase capacity are required.
- The widening of Bathurst Street adjacent to the Liberty site is not identified in the Region's current 10 Year Capital Works Program, however, plans to widen the section of Bathurst Street between Centre Street and Highway #407 may be rescheduled to be in conjunction with the rapid transit initiatives.
- The Region of York has identified Bathurst Street and Centre Street as designated transit corridors with a dedicated median transitway. The intersection of Bathurst Street with proposed Street "B" will be right-in/right-out.
- Although not essential, Disera Drive should be extended to Centre Street to provide an alternate route into the Liberty community.
- The following local road improvements are required:
 - 2005 Signalization of Beverley Glen Boulevard and Bathurst Street intersection.
 - 2005/2006 Centre Street (at Bathurst Street intersection) improvement to include dual northbound left-turn lanes in support of the proposed developments in the area.
 - 2007 Widening of Bathurst Street to accommodate 3 through travel lanes in each direction for the section south of Highway #407 to Atkinson Avenue.
- In order to facilitate the Liberty proposal, Cansult has recommended that the development be initiated in phases as transportation improvements are undertaken in the area. The proposed development schedule/traffic phasing for the Liberty community is as follows:
 - 2004-2005 As-of-right 3 residential tower buildings

- | | | |
|---|-------------|--|
| | | "A", "B" & "C" (614 units). |
| - | 2005 | 55 townhouse units. |
| - | 2006 | 250 apartment units (1 tower) with construction in 2006 and occupancy in 2007. |
| - | 2007/beyond | Remaining development of 38 townhouse units and 641 apartment units. |

The Vaughan Engineering Department and the Region of York Transportation and Works Department have reviewed the Consult report, and are supportive of the recommendations. The final traffic report is to be approved by the Vaughan Engineering Department and the Region of York Transportation and Works Department, through the approval of the draft plan of subdivision. The implementing zoning by-law will include a Holding provision that will be lifted in part as individual site plans are approved in accordance with the above-noted phasing plan identified in the Traffic Impact/Phasing Report by Consult.

Environmental

On November 6, 2003, the City's peer reviewer – Terrapex Environmental Limited, concluded its peer review of the Phase 1 Environmental Site Assessment (ESA), and recommended that the City accept the ESA and agreed with the conclusion that the land is suitable for residential use. A Phase 2 Environmental Site Assessment will be required for the park block in accordance with the City's policy regarding the dedication of parkland. The Phase 2 report will be required through the draft plan of subdivision process.

Parkland Dedication

The Master Plan and draft plan of subdivision show a 1.94 ha park block. Within this block is a wooded area. The applicant submitted a "Vegetation Assessment" prepared by PD3 Planning + Design Solutions dated March 2004, which assessed the tree stand and provided recommendations to ensure the protection and sustainability of existing vegetation to be preserved. The consultant's report concluded that the stand of trees is in decline and is not sustainable over the long haul, and is further compromised by the invasive Buckhorn under-storey. The wooded area is not adjacent to any natural features, and therefore preservation is not justified. The consultant's report recommended the retention of some of the vegetation within the proposed park, which would provide the park with an "established" appearance, strategic screening of any undesirable views of Bathurst Street, and opportunities for shade.

It is the City's policy that any wooded areas within the park block will not be included in the calculation of parkland dedication. The total required amount of parkland dedication for the Liberty Master Plan in accordance with the Planning Act, will be calculated on the basis of 5% of the land area, or 1 ha/300 units, whichever is the greater amount. The latter amount is greater and would require a park size of 5.33 hectares (1,598 units x 1 ha/300 units).

The dedication of actual parkland will be 1.94 ha, minus any wooded areas, with the remainder to be cash-in-lieu of the dedication of parkland. The cash-in-lieu requirement for the residential apartment development would be based on a fixed unit rate of \$2,200/unit. For the residential townhouse development, the cash-in-lieu requirement would be equivalent to the value of 1ha/300 units, prior to the issuance of a Building Permit, all in accordance with the Planning Act and the City's Cash-in-lieu Policy. The parkland dedication and cash-in-lieu amounts will be confirmed through the subdivision process.

Zoning

Staff is satisfied with the Master Plan layout, and can support approval of the zoning by-law amendment application to facilitate the proposed Liberty development. The following amendments to By-law 1-88 will be required and are considered to be appropriate to facilitate an urban-oriented high density community:

- a) rezone the subject lands from:
 - A Agricultural Zone to RM2 Multiple Residential Zone, RA3 Apartment Residential Zone, and OS2 Open Space Park Zone;
 - RA3 Apartment Residential Zone to RM2 Multiple Residential Zone and OS2 Open Space Park Zone;
 - maintain the RA3 Apartment Residential Zone on certain parcels;

all in the manner shown on Attachment #6, which will effectively rezone the townhouse blocks to RM2 Multiple Residential Zone; the apartment blocks to RA3 Apartment Residential Zone, with exception to permit a convenience retail store and coffee shop/outdoor patio uses on the ground floor of condominium apartment Building "E"; and the park block to OS2 Open Space Park Zone, as discussed in this report, and shown on Attachment #7;

- b) place the residential townhouse and apartment blocks in a Holding Zone, with the Holding "H" provision to be lifted in part as individual site plans are approved by Council in accordance with the phasing plan identified in the Traffic Impact/Phasing Report by Cansult, as discussed in this report;
- c) permit a maximum of 1,598 units comprising 93 condominium townhouse units and 1,505 condominium apartment units, or a combination thereof not to exceed 1,598 units provided the number of condominium apartment buildings is 7, as discussed in this report;
- d) permit a maximum building height of 3 storeys for the condominium townhouse units, and 22 storeys for the condominium apartment buildings in accordance with the individual heights shown on the Master Plan, as discussed in this report, and shown on Attachment #7;
- e) require a minimum parking standard for the condominium apartment and townhouse units of 1.1 spaces/unit for residents, plus 0.2 spaces/unit for visitors, totaling 1.3 spaces/unit, and a parking stall depth of 5.8m, which would be consistent with the reduced standards granted to Buildings "A", "B" and "C" and supported by the Engineering Department;
- f) incorporate the existing permitted variances to the RA3 Zone for approved condominium apartment Buildings "A", "B" and "C", shown on Attachment #7;
- g) require a minimum 6m wide landscape strip to protect the treed areas and provide a landscaped buffer adjacent to the south property line, except for Building "C" where a variance has been granted for a 2.8m wide strip, as discussed in this report, and shown on Attachment 7 ;

- h) require a minimum 3m setback and landscape strip width to be provided between a public street and a townhouse unit, and a minimum 6m setback and landscape strip width between a public street and an apartment building, as discussed in this report;
- i) require a minimum site amenity area requirement of 15 m²/dwelling unit in the RM2 and RA3 Zones, to provide more appropriate standards for amenity areas in urban areas, whereas the current by-law standards result in amenity areas requiring very large sites (such as Blocks 1 and 2 on Plan 65M-3709);
- j) require an exterior stairway for an apartment building to not exceed 1-storey in height in any yard within the RA3 Zone, to provide more appropriate architectural design opportunities for each apartment building, whereas ½ -storey is currently permitted;
- k) permit a 0m setback from any lot line to the nearest part of an apartment building below finished grade to facilitate the underground parking garages, whereas a 1.8m setback is currently permitted;
- l) require a minimum 1.2m wide landscape strip comprising a mix of trees and shrubs around the periphery of an outdoor parking area, except when directly abutting a street where 3m would be required to provide more appropriate landscaping opportunities to suit the design of each site, whereas the by-law currently requires a 3m wide berm planted with 1.2m high evergreen trees; and,
- m) permit exceptions to the RM2 Zone (townhouse blocks):

	<u>Required</u>	<u>Proposed</u>
- Minimum Frontage	30m	30m
- Minimum Lot Area	230 m²/unit	90 m²/unit
- Minimum Front Yard	4.5m	3.0m
- Minimum Rear Yard	4.5m	4.5m
- Minimum Interior Side Yard	1.5m	1.5m
- Minimum Exterior Side Yard	4.5m	3.0m
- Maximum Lot Coverage	50%	50%
- Maximum Building Height	11m	11m

- n) permit exceptions to the RA3 Zone (apartment blocks):

	<u>Required</u>	<u>Proposed</u>
- Minimum Frontage	30m	30m
- Minimum Lot Area	67 m²/unit	---- *
- Minimum Front Yard	7.5m	6.0m
- Minimum Rear Yard	7.5m	4.0m
- Minimum Interior Side Yard	4.5m (5)	6.0m
- Minimum Exterior Side Yard	7.5m	6.0m
- Maximum Building Height	44m	44m (16)

*Minimum lot area to suit the needs of the individual site.

Add new Note (16): A maximum building height of 65m for Building "D", and 52m for Buildings "E", "F" and "G".

Relationship to Vaughan Vision 2007

This staff report is consistent with Vaughan Vision 2007, which encourages managed growth through the implementation of OPA #210.

Conclusion

Staff has reviewed the applications to amend the Official Plan and Zoning By-law, to redesignate and rezone an 8.89 ha site to permit 1,598 residential units comprising 93 townhouse and 1,505 apartment units, and a 1.93 ha park, within a new master planned community. The proposal has been considered in light of the policies in OPA #210 for the Thornhill Town Centre, the Provincial Policy Statement, the Region of York Official Plan, the Centre Street Study, the zoning requirements in By-law 1-88, the technical requirements of City Departments and external public agencies, and the comments of Council and the public through the public hearing and community consultation meetings.

The applicant has submitted a Master Plan (Attachment #7) together with urban design guidelines that will guide future development within the Liberty community, and ensure the sensitive integration of the Liberty development into the planning framework envisioned for the overall Thornhill Town Centre. Staff is satisfied that the proposed development is appropriate and compatible with the existing and planned uses for the area, and that the proposed residential density and traffic can be accommodated in accordance with the phasing plan in the Consult Traffic Impact/Phasing Report.

Staff can recommend approval of the Master Plan for the Liberty community, and the applications to amend the Official Plan and Zoning By-law, subject to the conditions identified in this report. Should the Committee concur, the recommendations in this report can be adopted.

Attachments

1. Location Map
2. Original Thornhill Town Centre Plan
3. Existing Official Plan Designations
4. Proposed Official Plan Designations
5. Existing Zoning
6. Proposed Zoning
7. Proposed Liberty Master Plan
8. Proposed Draft Plan of Subdivision 19T-04V08 (Liberty)

Report prepared by:

Grant A. Uyeyama, Manager of Development Planning, ext. 8635

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

/LG

R:\WORKING\UYEYAMA\LIBERTY.CW



Location Map

Part of Lot 6,
Concession 2
APPLICANT:
1541677 ONTARIO LIMITED
K:\JPT\1 ATTACHMENTS\OP\vp-03.024+03.084

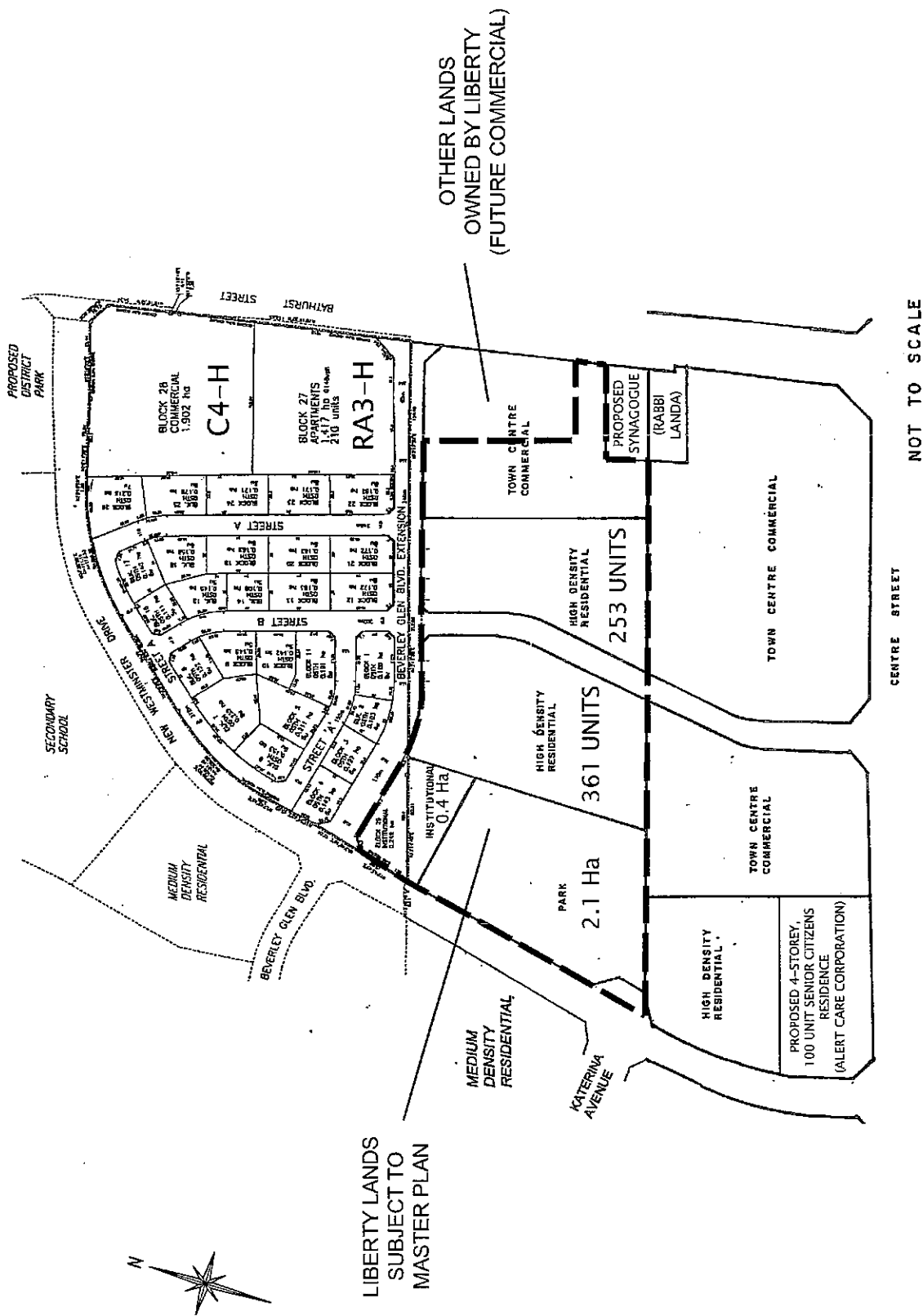


Development Planning Department

Attachment

FILE No.:
OP.03.024 & Z.03.084
RELATED FILE:
19T-04V08
October 21, 2004

1



Original Thornhill Town Centre Plan

APPLICANT:
1541677 ONTARIO LIMITED
Part of Lot 6,
Concession 2



Development Planning Department

Attachment

2

FILE No.:
OP.03.024 & Z.03.084
RELATED FILE:
19T-04V08
October 21, 2004



Not to Scale

REZONE FROM
AGRICULTURAL ZONE
TO RA3 ZONE

REZONE FROM
RA3 ZONE
TO RM2 ZONE

REGISTERED
MAINTAIN
RA3 ZONE

RESIDENTIAL

PLAN

65M

KINGSAROCK CIRCLE

REZONE FROM
RA3 ZONE
TO OS2 ZONE

REZONE FROM
AGRICULTURAL ZONE
TO OS2 ZONE

REZONE FROM
AGRICULTURAL ZONE
TO RM2 ZONE

RESIDENTIAL

REZONE FROM
AGRICULTURAL ZONE
TO RA3 ZONE

RA3 APARTMENT
RESIDENTIAL ZONE

OS2
OPEN SPACE (PARK)

SUBJECT LANDS

RM2 MULTIPLE
RESIDENTIAL ZONE
(TOWNHOUSES)

MAINTAIN
RA3 ZONE

REZONE FROM
AGRICULTURAL ZONE
TO RA3 ZONE

Proposed Zoning (By-Law 1-88)

APPLICANT:
1541677 ONTARIO LIMITED

Part of Lot 6,
Concession 2

N:\DPT\1 ATTACHMENTS\OP\Op.03.0241.03.084g

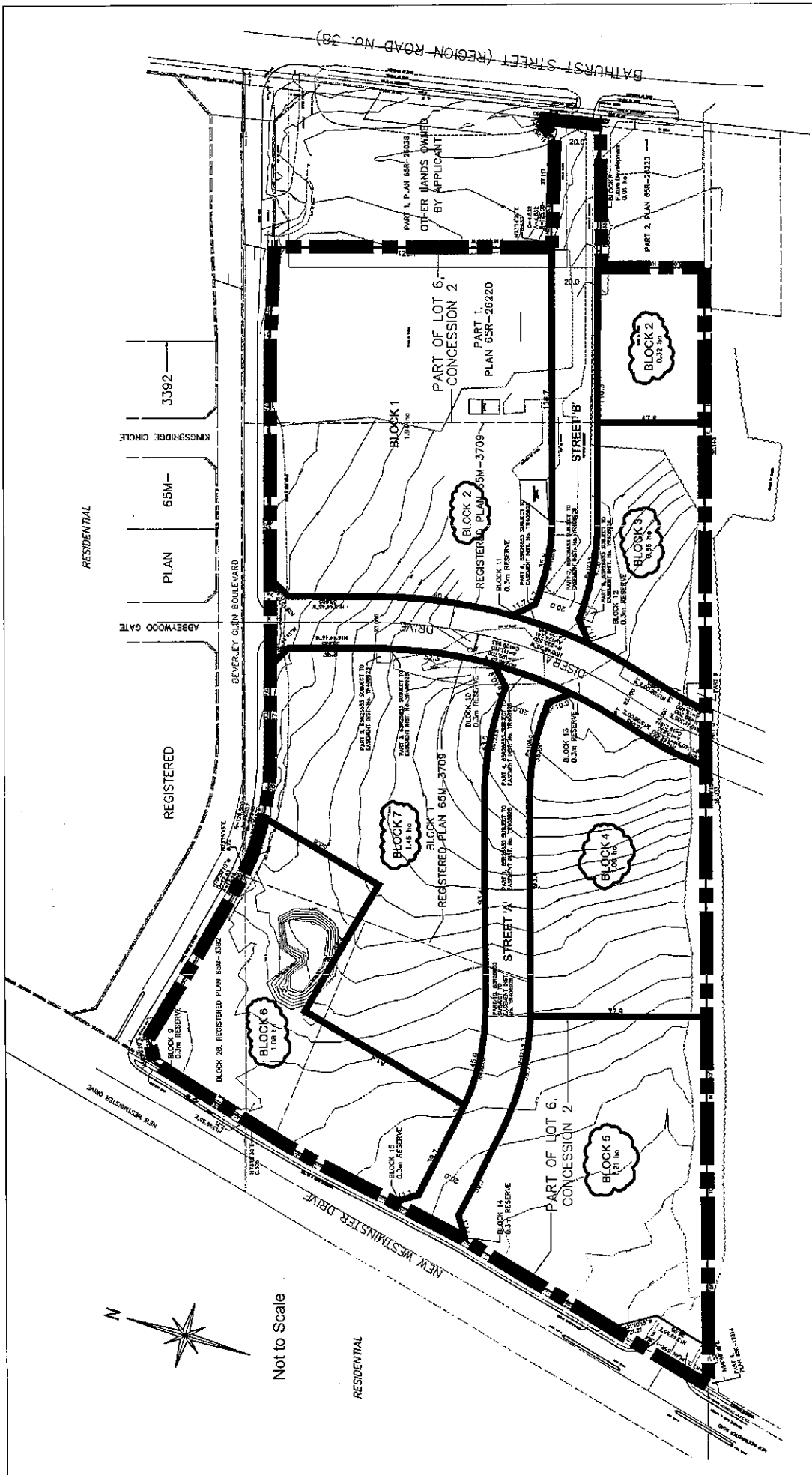
Attachment

6

FILE No.:
OP.03.024 & Z.03.084
RELATED FILE:
19T-04V08
October 21, 2004

Development Planning Department

City of
Vaughan



Attachment

FILE No.:
OP.03.024 & Z.03.084
RELATED FILE:
19T-04V08
October 21, 2004

City of
Vaughan

Development Planning Department

Draft Plan of Subdivision 19T - 04V08

Part of Lot 6,
Concession 2

APPLICANT:
1541677 ONTARIO LIMITED
N:\DFT\1 ATTACHMENTS\Op Op.03.024-03.084

SUBJECT LANDS