

COMMITTEE OF THE WHOLE FEBRUARY 28, 2012

**OFFICIAL PLAN AMENDMENT FILE OP.11.008
ZONING BY-LAW AMENDMENT FILE Z.11.033
VISTA PARC LIMITED
WARD 2**

Recommendation

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment File OP.11.008 (Vista Parc Limited) BE APPROVED, to amend OPA #661, as amended by site-specific OPA #682, specifically to increase the maximum permitted building height on the subject lands shown on Attachments #1 and #2 from 6 storeys to 7 storeys in the location shown on Attachment #3, to facilitate 2-storey apartment units between the 6th and 7th floors in the manner shown on Attachments #3 and #5.
2. THAT Zoning By-law Amendment File Z.11.033 (Vista Parc Limited) BE APPROVED, to amend Zoning By-law 1-88, specifically the RA2(H) Apartment Residential Zone subject to Exception 9(1131), to increase the maximum permitted building height on the subject lands shown on Attachments #1 and #2 from 6 storeys to 7 storeys in the location shown on Attachment #3, together with the site-specific zoning exceptions identified in Table 1 of this report, to facilitate the development shown on Attachments #3 to #5.

Contribution to Sustainability

This will be addressed in the future site plan report.

Economic Impact

There are no requirements for new funding associated with this report.

Communications Plan

On September 30, 2011, a Notice of Public Hearing was circulated to all land owners within 150m of the subject lands and to those requesting notification.

At the Public Hearing on October 25, 2011, several residents appeared and expressed the following concerns (in part):

- a) the proposed development should not exceed 6 storeys;
- b) the proposal will impact already adverse traffic conditions;
- c) concern with one access to serve the existing Cosmetic Surgery Hospital and the proposed development; and,
- d) existing trees along the western lot line should be maintained.

In response to those concerns, the Owner's agent indicated that a 6 storey building with one shared driveway access is currently permitted on the subject lands by site-specific OPA #682 and Zoning By-law 241-2008, and that the number of apartment units and the permitted density on the site will not change as a result of these applications. The applicant proposes a 7th storey to the north side of the building as shown on Attachments #3 and #5, to facilitate 2-storey units on the 6th and 7th floors.

The recommendation of the Committee of the Whole to receive the Public Hearing report of October 25, 2011, was ratified by Vaughan Council on November 8, 2011.

Purpose

The Owner has submitted the following applications on the subject lands shown on Attachments #1 and #2:

1. Official Plan Amendment File OP.11.008, specifically to amend OPA #661 as amended by site-specific OPA #682 to increase the maximum permitted building height on the subject lands from 6 storeys to 7 storeys (for the 6-storey portion of the building only) to facilitate 2-storey apartment units on the 6th and 7th floors of the proposed building, as shown on Attachments #3 and #5.
2. Zoning By-law Amendment File Z.11.033 to:
 - i) amend Zoning By-law 1-88, specifically the RA2(H) Apartment Residential Zone subject to Exception 9(1131), to increase the maximum permitted building height on the subject lands from 6 storeys to 7 storeys (for the 6 storey portion of the building only) together with the site-specific zoning exceptions identified in Table 1 of this report; and,
 - ii) remove the Holding Symbol "(H)" from the subject lands to facilitate the proposed development shown on Attachments #3 to #5.

Background and Analysis and Options

The subject lands shown on Attachments #1 and #2 represent Phase 2 of a two phase development, which includes the lands to the east at 4620 Regional Road 7. The Phase 1 site (shown on Attachment #2) is currently developed with a 4-storey, 81 unit apartment building. The Phase 2 proposal originally consisted of a 4 storey apartment building with 34 units in accordance with site-specific OPA #542. Phases 1 and 2 were originally approved under the same Official Plan and Zoning By-law Amendment Applications and respective site-specific OPA #542 and Zoning By-law Exception 9(1131), which implemented overall density and development standards for both phases.

In 2008, Vaughan Council approved Official Plan and Zoning By-law Amendment Files OP.06.013 and Z.06.035 (1643750 Ontario Limited, C/O Rice Developments) to amend site-specific OPA #542 to increase the maximum permitted density for the overall site from 85 units/ha to 150 units/ha thereby increasing the maximum number of permitted units for Phase 2 from 34 units to 122 units and the maximum building height from 4 storeys to 6 storeys.

The subject lands are zoned RA2(H) Residential Apartment Zone with the Holding Symbol "(H)", as shown on Attachment #2. The Holding Symbol can be removed from the property when Vaughan Council approves a Site Development Application and allocates water and sanitary sewage capacity to facilitate the development.

The 0.71 ha site is located on the north side of Regional Road 7, between Wigwoss Drive and Pine Valley Drive, as shown on Attachments #1 and #2, and is physically separated from Phase 1 by Jersey Creek. The site has 122 m of frontage on Regional Road 7 with an irregular lot depth ranging from 41 m to 104 m and is currently vacant. The surrounding land uses are shown on Attachment #2.

Land Use Policies/Planning Considerations

The Vaughan Development Planning Department has reviewed the Official Plan and Zoning By-law Amendment Applications in consideration of the following land use policies:

a) Provincial and Regional Policies

Site-specific OPA #682 permits a maximum 6-storey (24 m) apartment building with a maximum building height of 24 m and a maximum of 122 units as-of-right on the property. An amendment to the Official Plan is required to increase the maximum number of permitted storeys from 6 to 7 storeys in order to accommodate 2-storey units on the 6th and 7th floors as shown on Attachments #3 and #5. This proposal does not change the density or maximum building height permission granted through site-specific OPA #682 as the maximum unit count remains at 122 units, and the maximum building height is maintained at 24m. The proposed amendment to site-specific OPA #682 is consistent with Provincial and Regional policies that encourage intensification within planned intensification corridors such as on Regional Road #7.

b) City of Vaughan Official Plan

The subject lands are designated "Prestige Area-Centres Avenue Seven Corridor" by OPA #661, as amended by site-specific OPA #682, which was adopted by Vaughan Council on September 11, 2008. OPA #682 permits a maximum density of 150 units/ha on the subject lands and limits the maximum building height to 6-storeys and 24 m, for the portion of the building located beyond 30m from the "Low Density Residential" designation to the immediate west.

An Official Plan Amendment is required to increase the number of permitted storeys from 6 to 7-storeys. The maximum permitted building height (24 metres), density (150 units/ha), and unit count (122 units) will be maintained in accordance with OPA #682. The proposed 2-storey apartment units will occupy the 6th and 7th floors, and provide an alternative housing choice to potential future residents. The proposed amendment to increase the maximum number of storeys maintains the general intent and purpose of the Official Plan, and therefore, Development Planning Department supports the proposed Official Plan Amendment.

c) The City Of Vaughan Official Plan 2010 (VOP 2010)

On September 7, 2010, Vaughan Council adopted the new City of Vaughan Official Plan 2010 (VOP 2010), as modified on September 27, 2011, and is pending approval from the Region of York. VOP 2010 has regard for Provincial, Regional and municipal policy objectives. VOP 2010 designates the subject lands "Mid-Rise Mixed-Use" and a portion as "Natural Area" (east limit of the site). The "Mid-Rise Mixed-Use" designation permits residential uses with ground floor commercial, a maximum building height of 6 storeys and a Floor Space Index of 2.0 on the subject lands. The proposed development yields an FSI of 1.51. The proposed development does not conform to VOP 2010 as no ground floor commercial uses are proposed, the maximum building height is exceeded, and development is not permitted in the "Natural Areas" designation. However, the applications are proposed under the current in-effect site-specific Official Plan policies, and the developable limits and residential only development scenario was reviewed and approved by Council through previous Official Plan and Zoning By-law Amendment Applications (Files OP.06.013 and Z.06.035) in 2008, as discussed earlier in this report. The proposed increase in height is being reviewed through the current Official Plan and Zoning By-law Amendment Applications.

Zoning

The subject lands are zoned RA2(H) Apartment Residential Zone with the Holding Symbol "(H)" by Zoning By-law 1-88, subject to Exception 9(1131) as shown on Attachments #2 and #6. The Owner is proposing the following amendments to the RA2(H) Apartment Residential Zone, subject to Exception 9(1131) of By-law 1-88:

Table 1

	By-law Standard	By-law 1-88 Exception 9(1131) Requirements (Phase 2)	Proposed Exceptions to Exception 9(1131) Requirements (Phase 2)
a.	Maximum Building Height	6-storeys and 24m	7-storeys and 24 m
b.	Minimum Parking Required	183 Parking Spaces (1.25 parking spaces/unit and 0.25 visitor spaces/unit)	168 Parking Spaces (1.18 parking spaces/unit and 0.20 visitor spaces/unit)
c.	Minimum Parking Space Size	2.7 x 6.0 m	2.6 x 6.0 m

The proposed 7th storey will occur within the maximum 24 m building height that is already permitted under the current zoning for the subject lands and is only proposed over the 6-storey portion of the building as shown on Attachment #3. There are no additional apartment units proposed as a result of this application, as the 6th and 7th floor units will be combined to form 2-storey apartment units. Accordingly, the general intent and purpose of OPA #682 and the current zoning for the subject lands is being maintained with respect to the massing and building form on the subject lands.

The surrounding land uses are shown on Attachment #2 and includes the Cosmetic Surgery Hospital to the north of the site and an open space conservation area and an existing 4 storey residential apartment building (Phase 1) to the east. To the immediate west, the site abuts lots developed with existing detached residential dwellings that front onto Wigwoss Drive. Regional Road 7 and a mix of existing commercial, residential and open space uses are located south of the subject lands. A Zoning By-law Amendment and Site Development Application have been submitted for the lands located at the northwest corner of Regional Road 7 and Wigwoss Drive (Vaughanwood Mall) proposing a 10 storey building. Given that the proposed 7th storey will occur within the maximum building height already permitted on the subject lands and over the approved 6-storey portion of the building only (Attachment #3), the proposed zoning amendment will not impact on the surrounding land uses.

The applicant has submitted a Parking Study prepared by Cole Engineering Group in support of the proposed parking reduction. The Development/Transportation Engineering Department has reviewed the parking study and can support its' conclusions, which identifies that the proposed parking standard is consistent with the standard proposed by the City's parking review undertaken by the IBI Group and comparable to other constructed developments in the City of Vaughan. In addition, the reduced parking space width from 2.7 m to 2.6 m is considered minor. In summary, the proposed zoning exceptions are considered to be appropriate, and can be supported by the Development Planning Department.

The Owner has also requested that the Holding Symbol "(H)" be removed from the subject lands. The removal of the Holding Symbol "(H)" from the subject lands is contingent on a Site Development Application being approved and servicing being allocated by Vaughan Council. At this time, neither has occurred, and therefore, the Development Planning Department does not support the removal of the Holding Symbol from the subject lands. Both the applicant's site plan application and the City's Annual Servicing Capacity Allocation Protocol should be forthcoming in Spring 2012, and the discussion on the appropriateness of the removal of the Holding provision for the subject development will be addressed at that time.

Site Development Application

The Owner has submitted Site Development File DA.11.069 for the subject lands to facilitate the proposed development shown on Attachments #3 to #5. The proposed site plan includes a tiered 4 and 7-storey apartment building situated along the Regional Road 7 frontage. The majority of the site is relatively flat, and slopes gradually downward to the east. As a result of the natural eastward slope, the east and northeast portions of the proposed building would have a partially exposed basement level. However, the building will still comply with the maximum 24 m building height permitted on the subject lands. Detailed site plan issues including building design, servicing, allocation, landscaping, and Regional requirements will be reviewed at the Site Plan stage.

Cash-in-Lieu of Parkland Dedication

The Vaughan Real Estate Division has indicated that the Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a building permit, or a fixed rate per unit, whichever is higher, in accordance with the Planning Act and the City's Cash-in-Lieu Policy. This will be identified as a recommendation in the future Site Plan report.

Relationship to Vaughan Vision 2020

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Well-being".

Regional Implications

The Region of York Planning Department has indicated that the Official Plan Amendment Application was considered by the Regional Development Review Committee and was found to be of a routine matter of local significance and does not adversely impact Regional Interest. Pursuant to Regional Council authorization, the Application has been exempted from approval by the Regional Planning Committee and Council. This allows the Amendment to come into effect following the adoption by the City of Vaughan and the expiration of the required appeal period.

Conclusion

The Development Planning Department has reviewed Official Plan and Zoning By-law Amendment Files OP.11 008 and Z.11.033 (Vista Parc Limited) in consideration of the applicable Provincial policies, and Regional and City Official Plan policies, the requirements of Zoning By-law 1-88, and the surrounding land use context. The Official Plan Amendment Application proposes to amend the maximum building height permitted on the subject lands from 6-storeys to 7-storeys over the approved 6 storey portion of the building only. This Amendment is considered appropriate since it will result in a development that is consistent with the current development permissions for the subject lands and will provide an alternative housing choice to potential future residents. Similarly, the proposed site-specific amendments to Zoning By-law 1-88 are considered to be appropriate for the development of the subject lands. The Vaughan Development Planning Department is satisfied that the proposed development will be compatible with the surrounding lands from both a land use and built form perspective.

On this basis, the Vaughan Development Planning Department can support the approval of the Official Plan and Zoning By-law Amendment Applications, subject to the recommendations in this report.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. South and West Building Elevations
5. North and East Building Elevations
6. Approved Zoning By-law 1-88, Exception 9(1131)

Report prepared by:

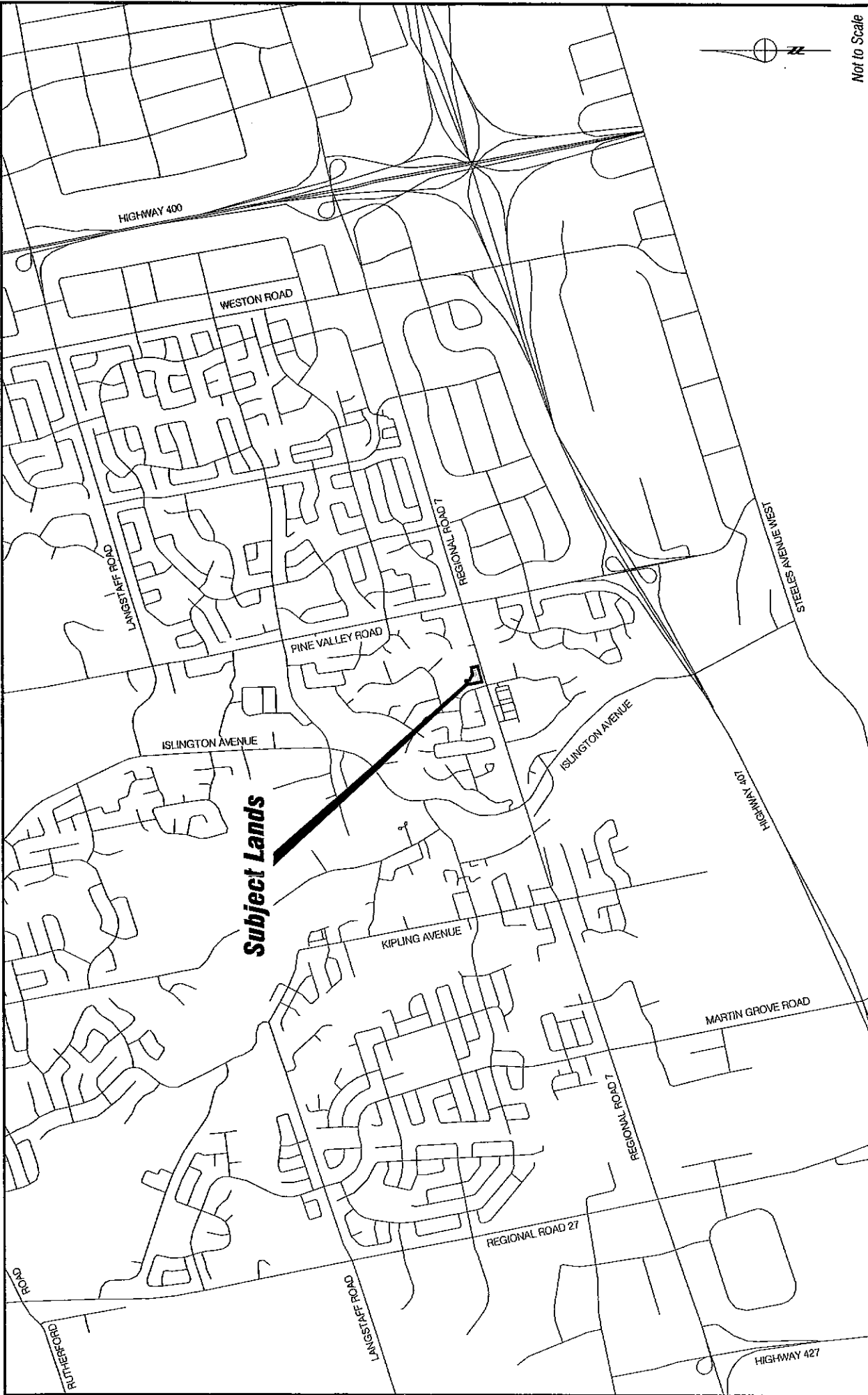
Eugene Fera, Planner, ext. 8064
Carmela Marrelli, Senior Planner, ext. 8791
Mauro Peverini, Manager of Development Planning, ext 8407

Respectfully submitted,

JOHN MACKENIZE
Commissioner of Planning

GRANT UYEVAMA
Director of Development Planning

/CM



Attachment 1

FILE: OP.11.008 / Z.11.033
 RELATED FILE: DA.11.069

DATE:
 January 27, 2012

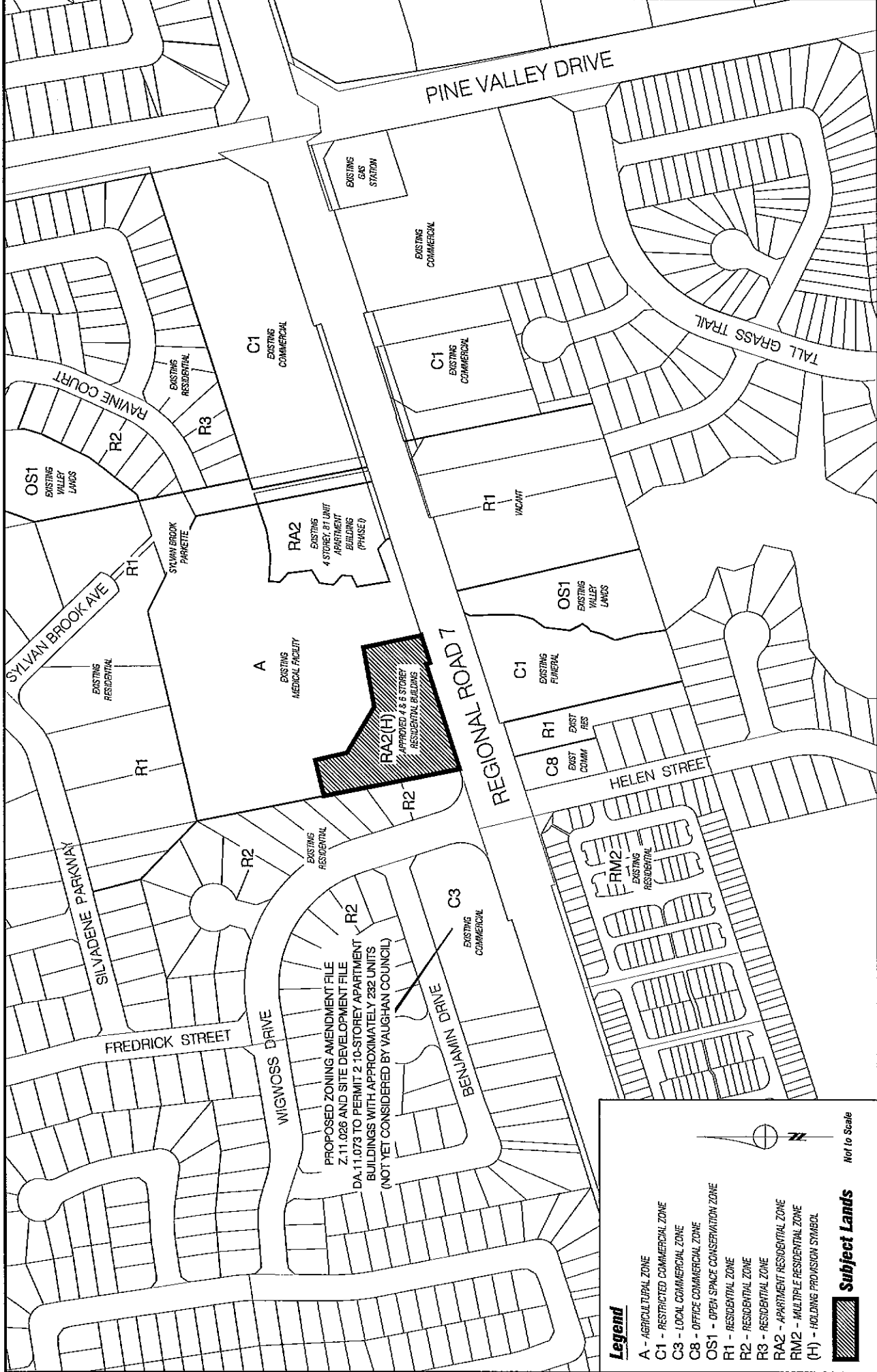


Context Location Map

LOCATION:
 Part of Lot 6, Concession 7

APPLICANT:
 Vista Parc Limited

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Legend

- A - AGRICULTURAL ZONE
- C1 - RESTRICTED COMMERCIAL ZONE
- C3 - LOCAL COMMERCIAL ZONE
- C8 - OFFICE COMMERCIAL ZONE
- OS1 - OPEN SPACE CONSERVATION ZONE
- R1 - RESIDENTIAL ZONE
- R2 - RESIDENTIAL ZONE
- R3 - RESIDENTIAL ZONE
- RA2 - APARTMENT RESIDENTIAL ZONE
- RM2 - MULTIPLE RESIDENTIAL ZONE
- (H) - HOLDING PROVISION SYMBOL

Subject Lands Not to Scale

N

Location Map

LOCATION:
Part of Lot 6, Concession 7

APPLICANT:
Vista Parc Limited

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Attachment

FILE: OP.11.008/Z.11.033
RELATED FILE: DA.11.069
DATE:
January 27, 2012

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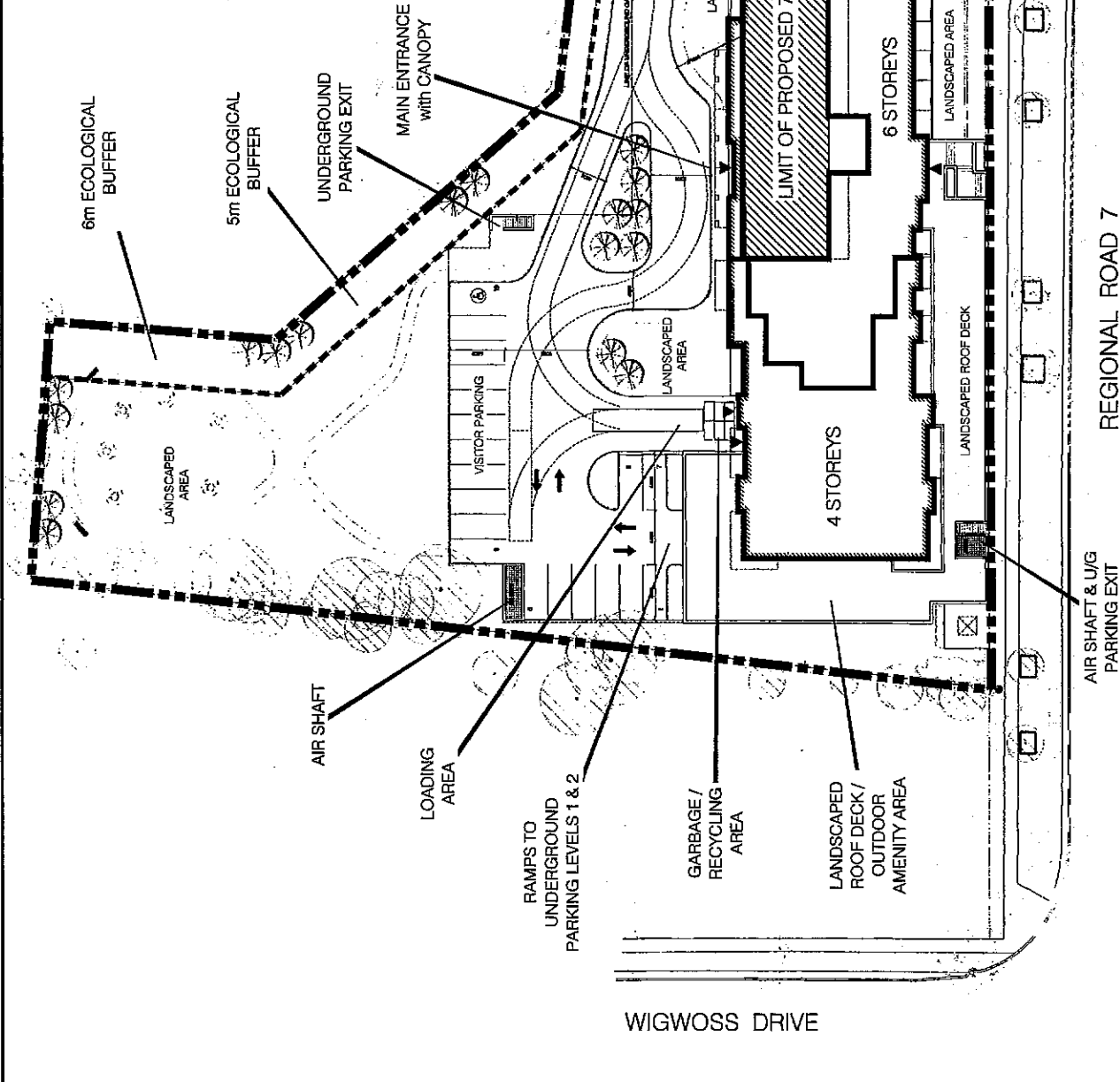
OFFICIAL PLAN AMENDMENT

TO AMEND OPA #682 TO INCREASE THE MAXIMUM NUMBER OF PERMITTED STOREYS ON THE SUBJECT LANDS FROM 6 STOREYS TO 7 STOREYS

ZONING BY-LAW AMENDMENT

TO AMEND ZONING BY-LAW 1-88, EXCEPTION PARAGRAPH 9(1131) SPECIFICALLY TO:

- i) INCREASE THE MAXIMUM BUILDING HEIGHT FROM 6 STOREYS TO 7 STOREYS
- ii) REDUCE THE REQUIRED PARKING FROM 1.5 SPACES PER UNIT TO 1.38 SPACES PER UNIT (INCLUDING VISITOR SPACES)
- iii) REMOVE THE HOLDING SYMBOL (H) FROM THE SUBJECT LANDS



Subject Lands

Not to Scale

Site Plan

LOCATION:
Part of Lot 6, Concession 7

APPLICANT:
Vista Parc Limited

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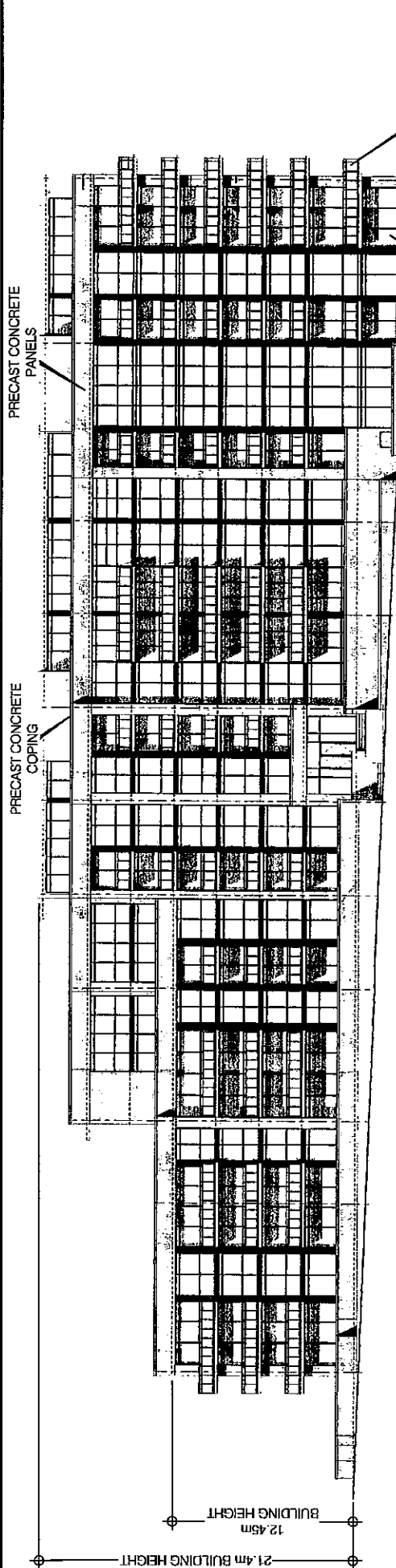


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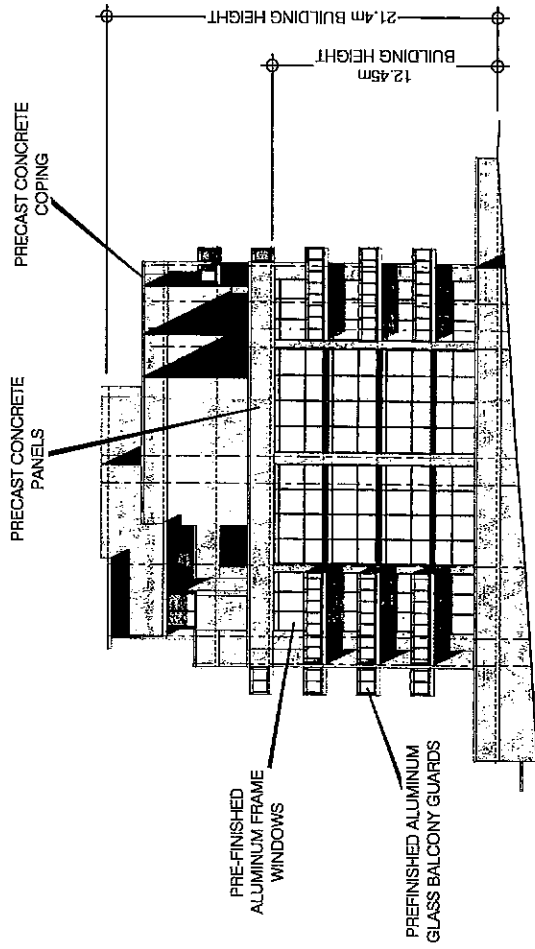
FILE: OP.11.008 / Z.11.033
RELATED FILE: DA.11.069

DATE:
January 27, 2012

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SOUTH ELEVATION
(FACING REGIONAL ROAD 7)



WEST ELEVATION

Not to Scale

South and West Building Elevations

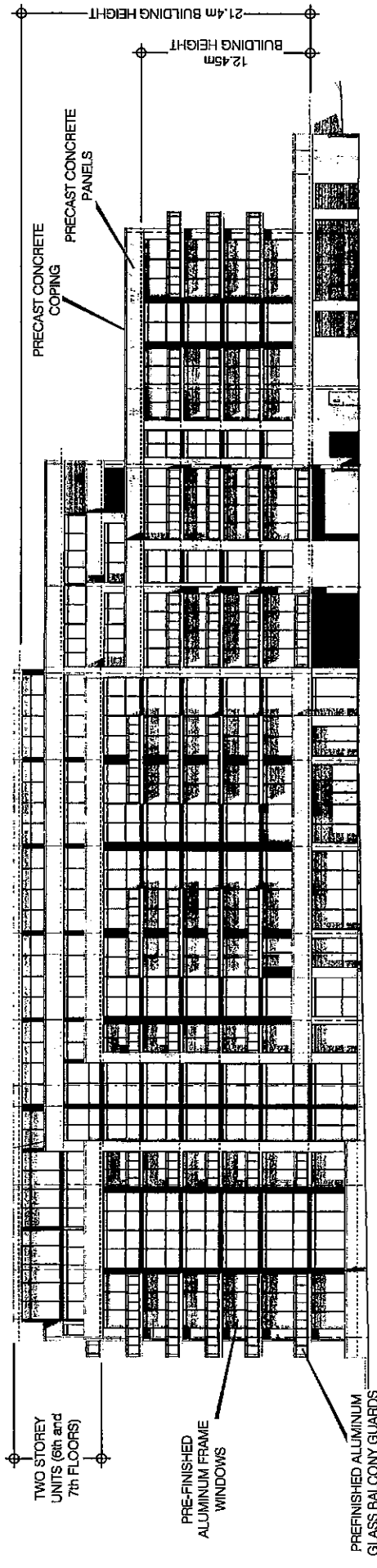
Attachment 4

FILE: OP.11.008 / Z.11.083
RELATED FILE: DA.11.069

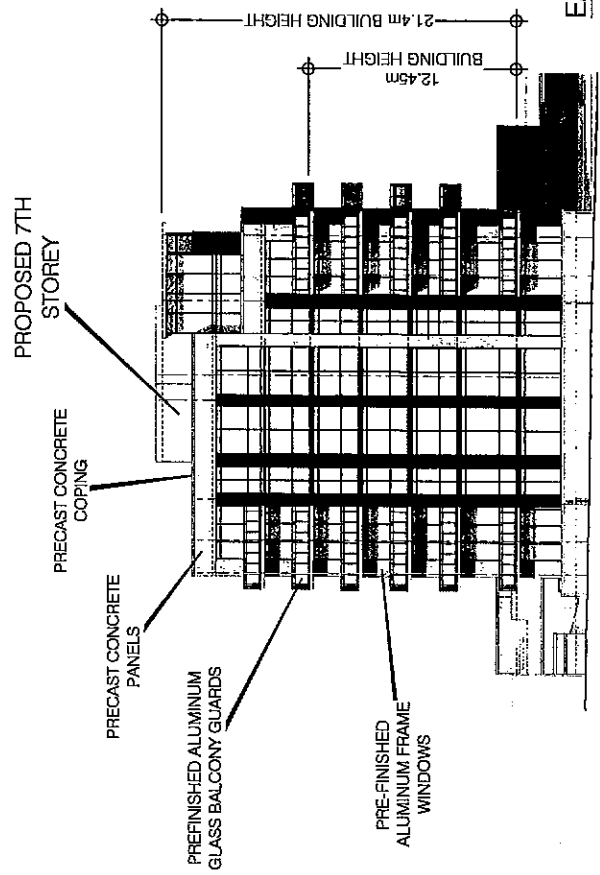
DATE: January 27, 2012



APPLICANT: Vista Parc Limited
LOCATION: Part of Lot 6, Concession 7
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NORTH ELEVATION



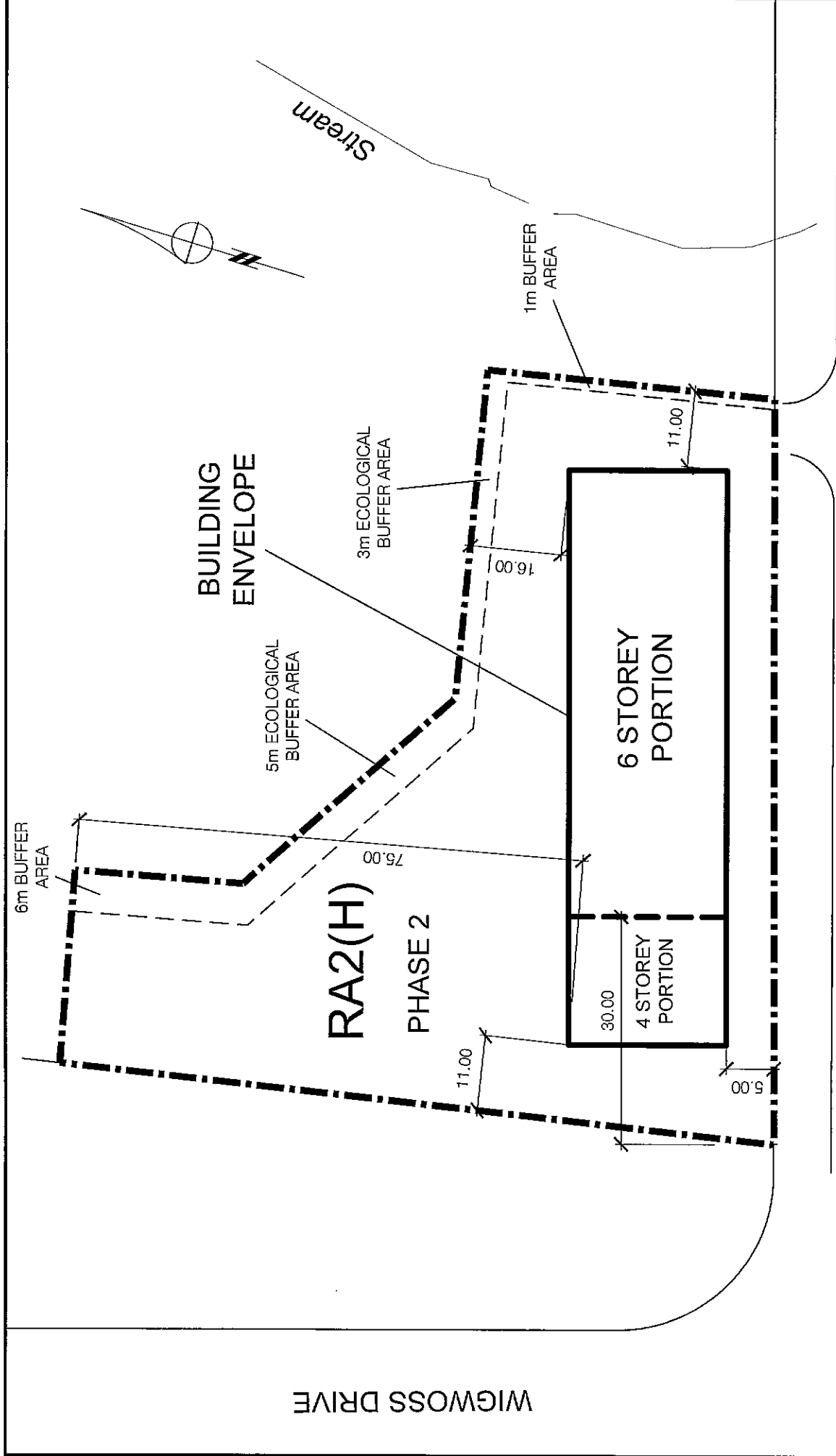
EAST ELEVATION

Not to Scale

North and East Building Elevations

APPLICANT: Vista Parc Limited
 LOCATION: Part of Lot 6, Concession 7
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THIS IS SCHEDULE 'E-1249'
TO BY-LAW 1-88, SECTION 9(1131)

REGIONAL ROAD 7

--- SUBJECT LANDS

Not to Scale

**Approved Zoning By-Law
1-88, Exception 9(1131)**

APPLICANT: Vista Parc Limited
LOCATION: Part of Lot 6, Concession 7
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Attachment

FILE: OP.11.008 / Z.11.033
RELATED FILE: DA.11.069

DATE: January 27, 2012

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