

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2011

Item 1, Report No. 3, of the Special Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on January 25, 2011.

**1 OFFICIAL PLAN AMENDMENT FILE OP.08.016
ZONING BY-LAW AMENDMENT FILE Z.08.062
1678573 ONTARIO INC.
WARD 3**

The Special Committee of the Whole recommends:

- 1) That the Region of York be requested to modify the City of Vaughan Official Plan to remove the Mid-Rise Residential land use designation and replace it with a Study Area designation to permit a review of the issues, including but not limited to access, traffic issues, density issues, community facility issues, and site environmental issues;
- 2) That the City of Vaughan establish a Ward 3 Sub-committee that will meet with the applicant and ratepayers to resolve outstanding issues and concerns before any permanent designation be placed on the lands;
- 3) That the City of Vaughan request the applicant to continue discussions with the ratepayers, and the Ward 3 Sub-committee to come to a more acceptable plan;
- 4) That the report of the Commissioner of Planning, dated January 11, 2011, be received;
- 5) That the following deputations and communications be received:
 - a) Ms. Manuela Pedano, Vellore Woods Ratepayers Association, 8 Timberland Drive, Woodbridge, L4H 1Y3, and communication C2;
 - b) Mr. Tim Sorochnsky, 275 Millwood Pkwy, Woodbridge, L4L 1A6, and communication C3, dated January 11, 2011;
 - c) Mr. Sam Audia, Vellore Woods Ratepayers Association, 143 Cormorant Crescent, Woodbridge, L4H 2K4, and communication C4, dated January 11, 2011;
 - d) Ms. Victoria Hudec, Vellore Woods Ratepayers Association, 48 Skylark Drive, Woodbridge, L4H 2C4, and communication C5, dated January 11, 2011;
 - e) Ms. Silvana DiMaria, 5 Oxbow Court, Woodbridge, L4H 2V4, and communication C6;
 - f) Ms. Elvira Caria, Vellore Woods Ratepayers Association, 15 Bunting Drive, Woodbridge, L4H 2E7, and communication C7, C8, and C9 dated January 12, 2011;
 - g) Mr. Savino Quatela, 134 Grand Valley Blvd., Maple, L6A 3K6;
 - h) Mr. Rick Fratianni, 42 Grapevine Drive, Woodbridge, L4H 2W2; and
 - i) Mr. Igor Solea, 43 Wildberry Crescent, Woodbridge, L4H 2C6; and
- 6) That the following communications be received:
 - a) Mr. Kurt Franklin, Weston Consulting Group Inc., 201 Millway Avenue, Unit 19, Vaughan, L4K 5K8, C1, dated January 11, 2011;
 - b) Mr. Noe Quatela, C10, dated January 11, 2011; and
 - c) Mr. John Harvey, C11.

Recommendation

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment File OP.08.016 (1678573 Ontario Inc.) BE APPROVED, specifically to amend OPA #600 for the subject lands shown on Attachments #1 and #2, to:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2011

Item 1, SPCW Report No. 3 – Page 2

- a) redesignate the subject lands from “General Commercial” to “High Density Residential” to permit the development of 54, 2-storey block townhouses and 864 high rise residential units in two, tiered apartment buildings (Building “A” having a maximum height of 12 storeys and Building “B” having a maximum height of 10 storeys, and a total maximum Floor Space Index (FSI) of 2.31 (based on a lot area of 40,867.22m²), to implement development consistent with the conceptual site plan shown on Attachment #3.
2. THAT the implementing Official Plan Amendment include, but not be limited to, the following policies:
- a) require that the multi-storey apartment buildings be tiered with the stepping down of heights being oriented towards the existing residential community to the west, and tiering and stepping down in the mid sections of the buildings along the easterly edge abutting Highway 400;
 - b) require that all roof-top mechanical equipment be integrated into the roof building form;
 - c) that the block townhouses abutting the westerly and southerly property lines be of a similar building form to the existing townhouse dwellings along these property lines and be a maximum of 2-storeys in height;
 - d) pursue through the site development process, a barrier free pedestrian connection to the GO commuter station, which could potentially function as a secondary emergency access;
 - e) require the applicant to provide an Urban Design and Architectural Design Brief, prior to the approval of the future Site Development application, to the satisfaction for the City, to address the following:
 - i) provide a comprehensive design scheme to be approved by the City, laying out the general orientation and configuration of the residential apartments and townhouses, and underground parking access points, on site traffic circulation, pedestrian circulation, landscaping and buffering;
 - ii) pedestrian walkways to include primary building entrance linkages through the site, lighting, bicycle parking, underground accesses and surface parking;
 - iii) building setbacks, maximum heights, visual screening, landscaping and planting, and fencing; and
 - iv) require that sustainable development objectives be implemented through water and energy efficiencies, energy alternatives, green building design, and the provision of bicycle parking on site.
3. THAT Zoning By-law Amendment File Z.08.062 (1678573 Ontario Inc.) BE APPROVED, specifically to amend By-law 1-88 for the subject lands shown on Attachments #1 and #2, to implement residential apartment and block townhouse development consistent with the conceptual site plan shown on Attachment #3, subject to the following:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2011

Item 1, SPCW Report No. 3 – Page 3

- a) rezone the subject lands from C2 General Commercial Zone to RA3(H) Apartment Residential Zone with the Holding Symbol '(H)' to facilitate the development of two, tiered apartment buildings having maximum heights of 12 and 10 storeys in Buildings "A" and "B", respectively, with a total of 864 apartment units, and 54, 2-storey block townhouse dwelling units, on the subject lands shown on Attachment #3.
4. THAT the implementing Zoning By-law include the following site-specific exceptions:
 - a) permit a maximum of 918 residential units, specifically 864 residential apartment units and 54 block townhouse units on the subject lands;
 - b) permit the site-specific zoning exceptions to the RA3(H) Apartment Residential Zone identified in Table 1 of this report;
 - c) provide zoning provisions for the landscaped court yards and on-site pedestrian system; and
 - d) any necessary zoning exceptions required to implement the proposed Conceptual Site Plan shown on Attachment #3.
 5. THAT the Holding Symbol '(H)' shall not be removed from the subject lands zoned RA3(H) Apartment Residential Zone until such time that the following conditions are addressed for the subject lands or portion of the subject lands (Phase(s)) thereof, to the satisfaction of the City:
 - a) the water supply and sewage servicing capacity has been identified and allocated to the subject lands or portion of the subject lands (Phase) thereof by the City of Vaughan;
 - b) the City is provided with written clearance from the Trustee for the Block 32 West Plan and that the Owner of the subject lands has entered into and signed the Block 32 West Cost Sharing Agreement;
 - c) The applicant shall carry out the Environmental Site Assessment clearance to completion, up to and including the satisfactory registration of the Record of Site Condition (RSC), the proof of which requires two (2) documents, a hard copy of the RSC signed by a Qualified Person and the Acknowledgement Form from the Ministry of Environment (MOE). The complete Environmental Site Assessment (ESA) will include the ESA Phase 1, if required an ESA Phase II, which will then determine the requirement of an ESA Phase III (a Remediation Plan), and finally the subsequent Remediation Plan Implementation Report. The approval of a site plan application will be conditional on, if required, the review and approval of the Remediation Plan. However, the review and approval of the Remediation Plan Implementation Report and the RSC will be a condition of site plan approval and will be required prior to issuance of any building permit;
 - d) The applicant addresses the requirements of the City's external review consultant (Decommissioning Consulting Services Limited) as delineated in their letter of October 18, 2010, to the satisfaction of the City.
 6. THAT the Owner shall contribute their proportionate share towards the provision of major community and infrastructure facilities such as schools, parks, greenways, roads and road improvements, external services and storm water management facilities. Property owners will be required to enter into one or more agreements as a condition of development approval, providing for the equitable distribution of the costs of the land and community faculties. The Trustee for Block 32 West shall provide the City with a letter indicating that the Owner has fulfilled all cost sharing and other obligations of the Block 32 West Developers Group Agreement.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2011

Item 1, SPCW Report No. 3 – Page 4

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 November 7, 2008, a Notice of Public Hearing was circulated to all property owners within 150m of the subject lands, as well as, an extended polling area to property owners within 500m of the subject lands based on the previous proposal as follows:

- i) the total number of units have been reduced from 1236 apartment units to 864 apartment units;
- ii) the total number of apartment buildings have been reduced from 3 to 2 buildings;
- iii) 54, 2-storey townhouse units are now proposed along the south and west lot lines and adjacent to the existing townhouse development as a buffer;
- iv) the apartment building heights were reduced from 23, 26 and 28 storeys to a maximum of 10 and 12-storey apartment buildings; and,
- v) buildings have been tiered between 6 and 12-storeys to respect angular planes and minimize shadowing and shading of adjacent properties.

Public notification of this application was expanded beyond the 120m notification area required under the Planning Act, to ensure the community received information about the proposal. The recommendation to receive the Public Hearing report of the Committee of the Whole of December 1, 2008, was ratified by Council on December 8, 2008.

At the Public Hearing a number of issues were raised by Council and the Ratepayers Group. These issues are summarized as follows:

i) Issues Raised by Residents

- traffic and site access;
- lack of public transit in area;
- Highway 400 noise;
- construction noise and dust;
- proposed development not part of original plans;
- Public Hearing Notices sent only to residents within notification area of the development proposal so lack of information provided on the proposal;
- low water pressure in area;
- the residents wanted to know MTO's position on the applications;
- developer should propose commercial uses;
- fire concerns;
- Vellore Village not the proper location for high rise development, which should be proposed along corridors where transit is located;
- residential development should not be located adjacent to Highway 400;
- proposal totally disregards zoning standards;
- spill over visitor parking from development may impact on neighbourhood;
- quality of life for future residents is threatened;
- shadow study needed for this development;
- the Vellore Woods Ratepayers Association indicated opposition to the development;

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2011

Item 1, SPCW Report No. 3 – Page 5

- the Vellore Woods Ratepayers requested a meeting with developer to discuss a viable, feasible proposal for the site;
- lack of hospital, lack of park land in the area, and inadequate provision of recreation programs;
- concern regarding ability of existing schools to accommodate additional students.

ii) Issues Raised by Council

- Councillors advised the applicant to meet with the community and work on resolving issues;
- Evening Committee of the Whole meeting is required as requested by the community.

On June 15, 2010, the former Ward 3 Councillor brought a New Business item to the Committee of the Whole requesting that staff give consideration to a request from the Vellore Woods Community Association to conduct an evening meeting relating to these applications.

The former Ward 3 Councillor forwarded a recommendation to the Committee of the Whole on August 31, 2010, that the subject applications be considered at a Special Committee of the Whole evening meeting commensurate with the first Committee of the Whole (Public Hearing) in January 2011 and that the City Clerk and the Development Planning Department give notice of this meeting to the Applicant, the local area ratepayers associations and any other individuals or groups having previously expressed interest in writing to be notified of the future meeting respecting these applications. This was ratified by Vaughan Council on September 7, 2010.

The applicant has indicated that they have met with the representative of the Vellore Woods Ratepayers Association to discuss the proposal. The original proposal has since been modified to address concerns raised at the Public Hearing.

Recommendations in this report are proposed to be included in the implementing Official Plan and Zoning By-law Amendments respecting specific permitted uses (block townhouses), maximum heights of buildings and number of units, as well as, including urban design requirements for the internal court yards with on-site pedestrian walkways, which will all be required at the Site Plan stage, should Council approve the implementing Official Plan and Zoning By-law Amendments.

On December 1, 2010, Notice of the Special Committee of the Whole evening meeting was posted on the City's Web-Site and on December 21, 2010, a Notice for this Special Committee of the Whole Meeting was sent to the Applicant, the local area ratepayers associations and approximately 225 other individuals having previously expressed interest in writing to be notified of future meetings including those individuals having appeared at the Public Hearing.

Purpose

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

1. An Official Plan Amendment Application (File OP.08.016), specifically to amend OPA #600:
 - i) to redesignate the subject lands from "General Commercial" to "High Density Residential-Commercial";

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2011

Item 1, SPCW Report No. 3 – Page 6

- ii) to specifically permit two apartment buildings with Building “A” having a maximum height of 12-storeys and Building “B” having a maximum height of 10-storeys, and 54 block townhouse dwelling units in buildings not to exceed 2-storeys;
 - iii) to permit a maximum of 918 units being 864 apartment units, and 54 block townhouse dwelling units on the site; and,
 - iv) to permit a total Floor Space Index (FSI) of 2.31.
2. A Zoning By-law Amendment Application (File Z.08.062) to amend By-law 1-88, specifically to rezone the subject lands from C2 General Commercial Zone to RA3 Apartment Residential Zone, with the following exceptions:
- i) to permit a total of 864 apartment dwelling units within 2 tiered apartment buildings with Building “A” not to exceed a maximum height of 12-storeys and Building “B” not to exceed 10-storeys, and 54 block townhouse dwelling units not to exceed 2-storeys, whereas the RA3 Apartment Residential Zone permits only apartment dwelling units; and,
 - ii) the site-specific exceptions identified in Table 1 of this report.

Background - Analysis and Options

Location

The 4.08 ha subject lands shown on Attachments #1 and #2, are located at 77 Eagleview Heights Drive, southwest of Highway 400 and Major Mackenzie Drive, being Part of Lot 20, Concession 5, City of Vaughan. The surrounding land uses are shown on Attachment #2. The irregular shaped property is currently used as a commercial pool sales outlet.

Site Statistics

The development statistics for the proposal shown on Attachment #3, is as follows:

Lot Area: 4.08 ha

Frontage: 26m (Eagleview Heights Drive)

Depth: 140m (to Highway 400)

Coverage: 30.88% (40,867.22m²/12,618.40m²)

Landscaping: 52.31% (21,378.33m²)

Paved Area: 15.2% (6,869.99m²)

<u>Residential Buildings</u>	<u>Storeys</u>	<u>Units</u>
Apartment Building “A”	12 (36 m)	467
Apartment Building “B”	10 (30m)	397
Block Townhouses	2 (11 m)	54
Total		918

Gross Floor Area

Apartment Building “A”	45,612.12 m ²
Apartment Building “B”	38,907.77 m ²
Block Townhouses	9,936.00 m ²
Total Residential GFA:	94,455.89 m ²

Floor Space Index (FSI): 2.31

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2011

Item 1, SPCW Report No. 3 – Page 7

Parking Provided

Surface Visitor Parking	16 Spaces
Underground Residential Apartment/Townhouses	<u>1056 Spaces</u>
Total Parking	1286 Spaces

Supporting Documents

The following supporting documents were submitted for review in consideration of the subject applications:

- i) Planning Analysis, prepared by Balor Development Services for 1678573 Ontario Inc.;
- ii) Conceptual Site Plan, Highway 400 and Major Mackenzie Drive, City of Vaughan, prepared by Intra Architects, dated June 1, 2010;
- iii) Functional Servicing Report, Highway 400 and Major Mackenzie Drive, City of Vaughan for Amicorp Developments Inc., prepared by Cole Engineering, dated July 2010;
- iv) Traffic Impact Study, Highway 400 and Major Mackenzie Drive, City of Vaughan for Amicorp Developments Inc., prepared by Cole Engineering, dated October 2009;
- v) Addendum Traffic Impact Study, Highway 400 and Major Mackenzie Drive, City of Vaughan for Amicorp Developments Inc., prepared by Cole Engineering, dated May 31, 2010;
- vi) Phase 1 and 2 Environmental Site Assessment, Proposed Building Development, Southwest Quadrant of Major Mackenzie Drive and Highway 400, by Soil Engineers Ltd., dated September 2005; and,
- vii) Updated Phase 1 and 2 Environmental Site Assessment, Proposed Residential Development Southwest Quadrant of Major Mackenzie Drive and Highway 400, by Soil Engineers Ltd., dated June 2, 2010.

Land Use Policy/Planning Considerations

The Vaughan Development Planning Department has reviewed the Official Plan Amendment application to redesignate the subject lands to “High Density Residential/Commercial” on the subject lands shown on Attachment #3, in light of the following land use policies respecting the proposal:

a) Provincial Policy Statement

Since the approval of OPA #600 in 2001 and the Block 32 West Plan in 1997, the Province approved the Provincial Policy Statement (PPS) 2005, which provides policy direction on matters of Provincial interest related to land use planning and development. The PPS includes policies that encourage the focus of new growth in urban areas. The PPS identifies the subject lands as within a Settlement Area. The Settlement Area policies state that these areas shall be the focus of growth and that Planning authorities shall identify and promote opportunities for intensification and land use patterns within Settlement Areas, which shall be based on, in part, densities and a mix of land uses which:

- i) efficiently use land and resources; and,
- ii) are appropriate for and efficiently use infrastructure and public service facilities which are planned and available and avoid the need for their unjustified and or uneconomical expansion.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2011

Item 1, SPCW Report No. 3 – Page 8

The PPS promotes a full range of housing types and densities to meet projected demographics and market requirements for the current and future residents by ensuring all forms of residential intensification to create a supply of housing. The proposed increase in residential density is consistent with the intent of the PPS with respect to the efficient use of land and infrastructure and would promote efficient land use and development patterns that would support a livable and healthy community. The increased density proposed for the site would also make more efficient use of land resources and public investment in infrastructure and public service facilities currently provided within Block 32 West and within the surrounding area.

The “Building Strong Communities” policies in the PPS state that sufficient land shall be made available through intensification and redevelopment and if necessary, designate growth areas to accommodate an appropriate range and mix of employment opportunities, housing and other land uses to meet projected needs for a time frame of up to 20 years. This application facilitates intensification within the existing built up area of the City.

The policies related to Managing and Directing Land Use state that healthy, livable and safe communities are sustained by accommodating an appropriate range and mix of residential, employment, recreational and open space uses to meet long-term needs; and, by promoting cost-effective development standards to minimize land consumption and servicing costs. The subject proposal will broaden the mix of residential uses in the area, which has been predominantly approved for low density residential development. It will also minimize land consumption and servicing costs as it allows more people to live in the area, which is already planned and serviced for urban growth.

The subject lands are within a Settlement Area as defined by the PPS. This portion of Major Mackenzie Drive is recognized in the new City of Vaughan’s Official Plan 2010 as a “Primary Intensification Corridor”. The proposal makes efficient use of the land by increasing the residential density along an intensification corridor in a Settlement Area.

The PPS Settlement Area policies also require that “new development within designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for efficient use of land, infrastructure and public service facilities”. The subject lands are located within a designated growth area, being the Vellore Urban Village area, as established by OPA #600 and are near other lands approved for higher densities in Block 40 South (Cicchino Holdings Ltd. on the north west corner of Major Mackenzie Drive and Weston Road).

The PPS housing policies also include policies requiring Planning authorities to provide an appropriate range of housing types and densities to meet projected requirements of current and future residents of the regional market area, and promote compact form and a structure of nodes and corridors. The proposed development will add to the housing types and density within the Block 32W area. Infrastructure and public service facilities for this development have been provided as part of the larger development that has occurred within Block 32W and within the surrounding Vellore Urban Village Area. The future residents of the proposed development will also help support public transit initiatives. The proposed development is in accordance with the policies of the PPS.

b) Places to Grow Plan

The Provincial Places to Grow Plan (2006) is a vision for the Greater Golden Horseshoe to 2031, and requires that a minimum 40% of a municipality’s residential development be located within the existing built up area by 2015, and that municipalities must develop intensification strategies and implement them through their Official Plan.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2011

Item 1, SPCW Report No. 3 – Page 9

The Region of York completed the “York Region 2031 Intensification Strategy” in February 2009. This strategy requires local municipalities to use the Region’s population and employment growth forecasts; identify and meet intensification targets; and, identify the appropriate type and scale of development for residential growth and intensification areas, urban growth centres and intensification corridors. The City of Vaughan’s Official Plan Update Study, “Directions on Where and How to Grow”, provided growth forecasts for 2031 and recognizes areas within the Vellore Urban Village as potential areas where additional residential units can be accommodated. Vaughan’s city-wide intensification strategy was implemented through the adoption of the new Vaughan Official Plan 2010. The proposed increase in density for this development is consistent with the intent of the Places to Grow Plan.

c) Region of York Official Plan

The subject lands are designated “Urban Area” in the York Region Official Plan. The Region of York has commented that the subject Official Plan amendment is in keeping with the Regional Official Plan Community Building policies that direct development to existing built-up portions of urban areas; establish a range of residential and commercial land uses in a mixed use format and encourage locating medium and higher density development adjacent to transit-intensive Local Corridor arterial roads. The Region also noted that “this application is in keeping with the Region’s newly approved Official Plan and will assist in ensuring that by the year 2015 and for each year thereafter a minimum of 40% of all residential development will occur within the built-up area as defined by the Province’s Built Boundary in Places to Grow: Growth Plan for the Greater Golden Horseshoe”.

The Region has also indicated that the proposed development should have an integrated and innovative approach to water management, be water efficient and minimize stormwater volumes and contaminant loads and maximize infiltration through an integrated treatment approach. The Region recommends it be designed to respond to the energy efficiency policies of the Regional Official Plan. These water management objectives will be considered at the site plan stage of development.

The Regional Roads, Transit and Infrastructure Planning – Transportation Services staff require through the future Site Plan approval process that all road improvements related to the subject development as recommended in the Traffic Impact Study be implemented through the site plan approval process; that the Owner agree to develop and implement a comprehensive Transportation Demand Management Program to the satisfaction of the Region of York; that the Owner agree to meet the Region’s Transit-Oriented Design Guidelines in the design of the proposed development; and, that the Owner address all of the Traffic Study comments to the satisfaction of the Region of York.

Details regarding both water and transportation management for the subject lands will be addressed through the Site Plan approval process and additional comments from the Region of York will be provided on a future Site Plan application for the subject lands.

d) Vaughan Official Plan Amendment #600

The subject lands are located in Block 32W of the “Vellore Urban Village 1” area. The lands are designated “General Commercial” in OPA #600. To facilitate the proposed development, the applicant submitted Official Plan Amendment File OP.08.016 on October 10, 2008, requesting a redesignation to “High Density Residential/Commercial” with a maximum FSI of 2.31 to facilitate the development of 868 apartment units in 2 tiered apartment buildings having a maximum building height of 12-storeys (Building “A”) and 10-storeys (Building “B”) and to permit 54 block townhouse dwelling units with a maximum height of 2-storeys.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2011

Item 1, SPCW Report No. 3 – Page 10

The proposed development concept responds to the surrounding community context. The land to the north is owned by MTO and is used as a GO commuter parking lot and bus terminal. The adjacent lands to the south and west are developed with street townhouses. Highway 400 is located adjacent to the east lot line of the subject lands. The subject Official Plan Amendment application proposes to amend Official Plan Amendment No. 600 to redesignate the lands from commercial to residential and to permit an increase in density and height on the subject lands. This proposal facilitates the provision of a broader mix of housing types which helps the City implement its intensification policies and better utilize the existing infrastructure and services in the area, including opportunities to increase ridership on public transit.

City of Vaughan Official Plan 2010

Since the submission of the subject applications in 2008, Vaughan Council has adopted City of Vaughan Official Plan 2010 (COVOP 2010) on September 7, 2010. The Urban Structure Schedule 1 in COVOP 2010 designates the section of Major Mackenzie Drive to the north of the subject lands as a "Primary Intensification Corridor". Schedule 13-N in Volume 1 of COVOP 2010 designates the site as "Mid-Rise Residential". Mid-Rise building types are generally buildings over 5-storeys and up to a maximum of 12-storeys depending on the height permitted on Schedule 13 in Volume 1. Schedule 13 does not identify a specific height or density for the subject lands, which are intended to be determined through the processing of the subject development applications. The Mid-Rise Building Types and Development Criteria policies of COVOP 2010 limit the maximum building height to 12-storeys. The proposed height of the apartment buildings is consistent with the policies of the COVOP 2010.

The "Mid-Rise Residential" policies allow for mid-rise residential buildings and townhouses to provide for an appropriate transition to the "Low-Rise Residential" area. The Mid-Rise Buildings policy also requires that within 70 m of an area designated as "Low-Rise Residential" or on streets that are not arterial streets or major collector streets, that townhouses and Low-Rise buildings are appropriate in order to provide for a transition to the "Low-Rise Residential" area. The policies require buildings to be set back a minimum of 7.5m from the property line and be contained within a 45 degree angular plane measured from the property line abutting the house forms, in order to provide sufficient privacy and daylight conditions. The townhouses provide an appropriate transition (setback 7.5 m from the south and west property lines) within the 70 m area. The tiered design of the proposed apartment buildings is consistent with the Roof-top policies of COVOP 2010 for Mid-Rise buildings which provide opportunities for landscaped green space, private outdoor amenity space and environmental features such as solar panels.

The proposal to amend the Official Plan to allow for residential uses, specifically buildings for apartment and block townhouse dwellings provides a wider range of land uses within a designated urban area, and is in accordance with the policies of the PPS and Places To Grow. The Development Planning Department is satisfied that the proposal and requested modifications to the Official Plan are appropriate for the reasons discussed below.

Proposed Development Concept

The proposed Conceptual Site Plan is shown on Attachment #3. The site is accessed from Eagleview Heights Drive. The conceptual site plan proposes two tiered apartment buildings with 54 block townhouse dwelling units located along the west and south property lines. The maximum height of the tiered Building "A" is 12-storeys, with the building stepping down in height towards the west to 6-storeys. The maximum height of the tiered Building "B" is 10-storeys and also steps down to a height of 6-storeys. The proposed 2-storey block townhouses provide an interface between the proposed apartments and existing residential community to the west. A total of 1286 parking spaces are being provided for the apartment and townhouse units including 16 surface spaces and 1056 underground spaces. While the townhouse blocks set a transition between the apartment blocks and the existing development to the west, the high-rise blocks are also designed with a large landscaped courtyards facing the townhouse blocks.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2011

Item 1, SPCW Report No. 3 – Page 11

Urban Design Guidelines and a Landscape Master Plan will be required for the proposed development at the site plan stage, as well as, a phasing plan, site plan showing parking and service areas for the development, and elevation plans showing the built form, building design, building massing, building materials and articulation. The Owner must submit a future Site Plan Application to implement this development proposal, which will be considered in a future report(s) to the Committee of the Whole, should the subject Official Plan and Zoning By-law Amendment applications be approved.

Proposed Zoning

The subject lands are zoned C2 General Commercial Zone by By-law 1-88, subject to Exception 9(416). To facilitate the proposed residential development as shown on Attachments #3 to #5, an amendment to By-law 1-88 is required to rezone the subject lands to RA3(H) Apartment Residential Zone with the Holding Symbol "(H)", and to provide the following site-specific exceptions to By-law 1-88:

Table 1: Proposed Zoning Exceptions

	By-law Standard	By-law 1-88 Requirements for the RA3(H) Apartment Residential Zone	Proposed Exceptions to the RA3(H) Apartment Residential Zone
a)	Definition of a "Lot"	Means a parcel of land that fronts onto a street	Means a parcel of land that is deemed to be one lot regardless of the number of buildings, and the creation of any new lot by plan of condominium, part lot control, consent and any easements or restrictions that are given
b)	Uses Permitted Maximum Number of Units	Permits Apartment Dwellings + Day Nursery Does not exist	Permit Block Townhouse dwellings as an additional use Include: - Maximum 864 apartment units - maximum 54 block townhouse units, with a maximum of 6 units per townhouse block
c)	Minimum Lot Area	Total lot area per unit is 67 m ² /unit	Total lot area per unit is 44.52m ²
d)	Minimum Rear Yard	7.5 m	14m setback from Highway 400 as requested by MTO

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2011

Item 1, SPCW Report No. 3 – Page 12

e)	Minimum Interior Side Yard	4.5m	For the Block Townhouses along the west and south lot lines require a minimum 7.5 m setback to provide the townhouse units with sufficient rear yard amenity area
f)	Maximum Lot Coverage	Not Applicable	30.88% (include)
g)	Floor Space Index (FSI)	Does not exist	2.31 FSI (include)
h)	Maximum Gross Floor Area	Not Applicable	Include: Building "A" - 45,612.12 m ² Building "B" – 38,907.77m ² Townhouses – 9,936.00m ²
i)	Maximum Building Height (measured in accordance with By-law 1-88 to the top of the roof surface and any parapet wall structure)	44 m	Building "A" – 12-storeys, not to exceed 36m maximum height (excluding mechanical penthouse in calculation) and tiered to a maximum of 6-storeys, not to exceed 18m at the westerly portion of the building Building "B" - 10 storeys, not to exceed 30m maximum height (excluding mechanical penthouse in calculation) and tiered to a maximum of 6-storeys, not to exceed 18m at the westerly portion of the building Block Townhouse Buildings - 2-storeys, not to exceed 11 m

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2011

Item 1, SPCW Report No. 3 – Page 13

j)	Minimum Landscaping Area Abutting Street Line	6 m	Eagleview Heights Drive: Not applicable
			Notwithstanding the By-law 1-88 requirement for a 6 m landscaped area abutting a Street Line, a 14m landscaped area shall be required adjacent to the property line abutting Highway 400 (to respect the MTO's 14 m setback requirement)
k)	Storage Requirements for All Refuse and Recycling Containers	Does not exist	All refuse and recycling containers shall be stored internally within a building (include)
l)	Minimum Loading Spaces	2 external spaces	4 spaces, which may be located internally in a building
m)	Minimum Parking Requirements:	<u>Total Spaces Required</u> 1607	<u>Total Spaces Provided</u> 1286 spaces
	<p>Parking for Apartment Dwellings including visitors parking</p> <p>Parking for Block Townhouse Dwelling including visitor parking</p>	<p><u>Buildings A & B</u></p> <p>864 units proposed x 1.5 Parking Spaces/Unit + 0.25 Visitor Parking Spaces/Unit = 1512 spaces required</p> <p><u>Townhouses</u></p> <p>54 units proposed x 1.5 Parking Spaces/Unit + 0.25 Visitor Parking Spaces/Unit= 95 spaces</p>	<p><u>Buildings A & B + Townhouses</u></p> <p>918 units x 1.15 Parking Spaces/unit + Visitor Parking at 0.25 Spaces/Unit = 1286 total spaces provided</p>

Planning Considerations

To integrate the proposed development with the adjacent existing residential development, the two residential apartment complex buildings are to be tiered with a stepping down of heights towards the westerly property line and also in the mid-sections of the buildings. This tiered

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2011

Item 1, SPCW Report No. 3 – Page 14

design of the buildings reduces the massing of the buildings and transitions the buildings scale toward the lower density townhouse building forms. The internal driveway and the proposed block townhouses along the west and south property lines provide a further transition toward the existing street townhouses adjacent to the subject property. The revised design addresses the height and massing issues discussed at the Public Hearing.

The internal courtyards and landscaped areas between the buildings and along the Highway 400 14 m setback, will provide outdoor amenity areas for the residents and pedestrian linkages through the site. Detailed landscape plans and floor plans will be required at the Site Plan stage of development to address amenity space within the buildings and the design of the outdoor areas.

The U-shaped apartment complexes are sited in an east to west orientation to provide year long sun exposure for part of the day, to each elevation of each building and to reduce and/or eliminate overshadowing of the adjacent residential areas from the east to southeast morning sun. The applicant provided a sun/shadow study which demonstrates the impact of the shadowing from the proposed buildings. The Development Planning Department is satisfied that the apartment buildings will not cast shadows on the existing residential community to the west and that the concerns of the residents regarding the impact of shadows has been adequately addressed.

The proposed RA3(H) Apartment Residential Zone is the typical zoning category used for multi-storey buildings containing apartment dwellings. An exception to the RA3(H) Zone is required to permit the block townhouse dwelling use. Exceptions to the minimum yard and maximum height are also required to facilitate this proposal. These site-specific exceptions ensure the proposed townhouse dwellings are in keeping with the scale and form of the existing development along the west and south property lines and that they provide an appropriate buffer between the existing community and the proposed apartment dwellings.

a) Holding Symbol “(H)”

The subject lands will be zoned with the Holding Symbol “(H)”, which shall not be removed until such time as the following conditions are addressed for the subject lands or portion of the subject lands (Phase) thereof, to the satisfaction of the City:

- i) traffic/parking and access, and Environmental Site Assessment issues identified in this report by the Region of York, MTO and Vaughan Engineering Department shall be addressed to the satisfaction of these respective agencies/departments at the site plan review stage;
- ii) water supply and sewage servicing capacity has been identified and allocated to the subject lands or portion of the subject lands (Phase) thereof by the City;
- iii) the approval of a site plan by Vaughan Council for the subject lands or portion of the subject lands (Phase) thereof, to the satisfaction of the City; and,
- iv) the City is provided with written clearance from the Trustee for the Block 32W Plan that the Owner has entered into and signed the Block 32W South Cost Sharing Agreement.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2011

Item 1, SPCW Report No. 3 – Page 15

b) Parking

By-law 1-88 requires a minimum total of 1697 parking spaces for the proposed development, whereas the applicant is proposing a total of 1286 parking spaces. The Vaughan Policy Planning Department has recently undertaken a review of the City's parking standards, which were created in 1988. A report titled "Review of Parking Standards" was completed in March 2010, and a staff report from the Policy Planning Department was considered by the Committee of the Whole (Working Session) on June 28, 2010, and a recommendation to receive this report was adopted by Vaughan Council on July 13, 2010. A Public Hearing and an implementing by-law are expected in Spring 2011.

Under the proposed Parking Standards for Residential Uses, the proposed development would require a minimum total of 1062 parking spaces for the apartment and townhouse units and visitor parking. A minimum total of 1286 spaces is proposed for the apartment and townhouse units and visitor parking. The total proposed parking for the development of 1286 spaces exceeds the recommended parking standard (1,062 spaces) in the City's Review of Parking Standards Study, and therefore is supportable.

Future Site Plan Approval

The subject lands will require Site Development approval by Vaughan Council. Details such as sustainability (site and building design features), landscaping, building elevations, amenity area, stormwater management, site circulation, site servicing, lot grading, an updated Noise Report, external lighting plan, and servicing will be reviewed at the Site Plan approval stage. The Site Plan Approval process will require the submission of a Site Plan, Landscape Plan and enhanced building elevations and floor plans for the apartment buildings and the townhouses. Enhanced building elevations will be required to ensure that high quality building facades will be developed. Site grading, site servicing, storm water management plans will be required in accordance with the City's Site Plan Guidelines.

Development of the subject lands may occur in phases, through the Site Plan process and approvals by Vaughan Council. The Site Plan process will also require approvals from the Region of York, MTO (GO Transit) and from the City of Vaughan departments. Through the Site Plan approval process, final plans for the development of the site must be approved to the satisfaction of the Development Planning Department. Traffic/parking, site access and Environmental Site Assessment matters identified in comments from the Region of York, MTO and Vaughan Engineering must be resolved to the satisfaction of the respective agencies/departments noted above, through the Site Plan approval process.

Traffic and Access

The supporting Traffic Impact Reports submitted by the applicant and the proposed Eagleview Heights Drive access to the site were reviewed by the Region of York, MTO and the City of Vaughan Engineering Department. The Region, MTO and the City of Vaughan have each provided comments requesting additional revisions to the traffic/transportation reports for these applications. Additional information has been requested to take into consideration the combined traffic impact of the future development of the subject lands with recently approved development of the surrounding properties (particularly the Major Weston Centre Limited Official Plan and Zoning By-law Amendments and the Cicchino Holdings Ltd. Official Plan and Zoning By-law Amendments) which are located on the north side of Major Mackenzie Drive, west of Highway 400, in close proximity to the subject lands. The applicants traffic consultant is currently conducting this additional study work and will be submitting revised reports to the City which will be circulated for review and approval by Vaughan Engineering, the Region of York and MTO. The updated traffic information must be reviewed and approved by the respective agencies/departments through the approval of the future Site Plan application. These studies relate to potential road and signal improvements on Major Mackenzie Drive and Weston Road.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2011

Item 1, SPCW Report No. 3 – Page 16

The Region of York has also requested conditions be added to the Official Plan Amendment to implement Traffic Demand Management principles.

b) Access

Given the location of the subject lands and the previous commercial use of the site, one access to the site is provided (via Eagleview Heights Drive). The Vaughan Engineering Department has indicated that, if feasible the City would like access to be provided to the site through the MTO lands to the north to function as a pedestrian access and possibly as a secondary emergency access through the MTO lands. GO Transit has also commented that a pedestrian / bicycle and barrier free access from the site to the existing MTO lands should be provided to allow access to the GO station, thus encouraging ridership. The Vaughan Engineering Department has requested that the Owner of the subject lands design and construct a suitable vehicular turnaround at the east end of Eagleview Heights for access to the site, as a condition of site plan approval. If feasible, the applicant shall design and construct a pedestrian access between the development and the adjacent GO Transit station to the satisfaction of the City, subject to MTO approval. If designed appropriately, this pedestrian connection may be able to function as an emergency access to the site from the adjacent GO station/parking lot subject to the approval of the relevant authorities, the feasibility of which is to be finalized through the site development application process.

The MTO has indicated that an easement for emergency access over its property would not be permitted for safety and operational reasons of the commuter parking lot. The applicant and the City Departments will explore this further with the MTO at the site plan stage.

It is recommended that these issues be addressed to the satisfaction of the relevant authorities through the future Site Plan approval process.

Vaughan Engineering Department

The Vaughan Engineering Department has reviewed the applications and has provided the following comments:

i) Sewage and Water Allocation

The application was reviewed by the Vaughan Engineering Department in accordance with the City's Servicing Capacity Distribution Protocol as adopted by Council on June 8, 2010, and servicing allocation capacity for the above noted development application has not been reserved nor assigned potential future capacity at this time. Therefore servicing allocation capacity is currently not available to support the proposed development concept. The availability of servicing allocation capacity for this development application may be revisited when the City undertakes its annual review of the status of the available and unused servicing capacity and related Distribution Protocol in Spring 2011.

If Council supports the approval of the proposed Official Plan and Zoning By-law Amendment Applications, the future implementing Zoning By-law will include a Holding Symbol "(H)" on the proposed RA3 Apartment Residential Zone to ensure that the development of these buildings does not proceed until Council allocates servicing capacity. The conditions for removing the Holding Symbol "(H)" will be Council's approval of the allocation for the proposed 868 apartment units and 54 block townhouse units, and site plan approval.

The Vaughan Engineering Department has reviewed the applicant's Functional Servicing Report and has no objections to the recommendations and conclusions in the report for servicing, storm and water distribution for the proposed development.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2011

Item 1, SPCW Report No. 3 – Page 17

However, additional comments and requirements for a stormwater management report, site servicing plan, lot grading, an updated (detailed) noise report, and an external lighting plan will be required at the site plan approval stage of the development.

ii) Environmental Site Assessment (ESA)

To address the Peer Review comments, the City of Vaughan will require that the applicant shall carry out the Environmental Site Assessment clearance to completion, up to and including the satisfactory registration of the Record of Site Condition (RSC), the proof of which requires two (2) documents, a hard copy of the RSC signed by a Qualified Person and the Acknowledgement from the Ministry of Environment (MOE). The complete Environmental Site Assessment (ESA) will include the ESA Phase I, if required an ESA Phase II, which will then determine the requirement of an ESA Phase III (a Remediation Plan), and finally the subsequent Remediation Plan Implementation Report. The approval of a site plan application will be conditional on, if required, the review and approval of the Remediation Plan. The review and approval of the Remediation Plan Implementation Report and the RSC will be a condition of site plan approval and will be required prior to issuance of any building permit.

As part of the future Site Plan process and prior to the approval of any Site Plan Application on the subject lands or Phase thereof, the City will require documented proof of the registration of the Record of Site Condition (RSC) with the Environmental Site Registry of the Ministry of the Environment (MOE), which includes the acknowledgement from the MOE and a signed RSC by a qualified person.

The applicant will be required to address the City's external peer review consultant Decommissioning Consulting Services Limited, as delineated in their letter of October 18, 2010, and to the satisfaction of the City.

iii) Development/Transportation

At the Site Plan stage, the site grading, servicing, stormwater management, lighting, noise and traffic/transportation plans and reports must be submitted for approval, a servicing agreement must be entered into, and any daylighting triangles and/or 0.3 m reserves must be conveyed to the satisfaction of the Vaughan Development/Transportation Engineering Department.

Vaughan Development Planning Department

The Vaughan Development Planning Department is satisfied with the built form, building massing and articulation. Conceptual elevations have been provided along with a conceptual site plan, which has been reviewed. The Development Planning Department is generally satisfied with the proposed development concept, with the details of the development to be reviewed through a future site plan application. Should Council approve the Official Plan and Zoning By-law Amendment applications, detailed information will be required for consideration through the future Site Development application, to include a fully dimensioned and labeled site plan, colour elevation renderings and dimensioned elevations which present realistic views of the proposed apartment buildings and townhouses, sustainable site and building features, textures and colours, landscaping, building cross sections, streetscape elevations, a landscape master plan, and sample building finish and cladding materials will also be required.

Vaughan Finance Department

The Vaughan Finance Department has indicated that the Owner will be required to pay development charges for the proposed development, and in addition, a woodlot fee of \$1000.00 for each residential dwelling unit will be required. The woodlot fee is payable at the Site Plan approval stage. Development charges will be required to be paid, prior to the issuance of a building permit.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2011

Item 1, SPCW Report No. 3 – Page 18

Vaughan Real Estate Division

The Vaughan Real Estate Division has identified that as a condition of future site plan approval, the Owner will be required to pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% or 1 ha per 300 units of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with the Planning Act, and Vaughan's Cash-in-Lieu of Parkland Policy in effect at the time. This will be implemented through the Site Plan approval process.

Comments from Other Public Agencies and City Departments

Vaughan Fire Department

The Vaughan Fire Department has no concerns with the proposal provided the Owner meets the Ontario Building Code Requirements.

School Boards

The York Region District (Public) School Board and York Catholic District School Board have reviewed the proposal and advise that they have no objection to the proposal.

Bell Canada

Bell Canada may require an easement to service the subject property and has requested the opportunity to comment on the future site plan application.

Toronto and Region Conservation Authority (TRCA)

The TRCA has confirmed that the site is not within the TRCA regulated area. Since the site is less than 5ha, the TRCA has deferred commenting on the storm water management to City staff but suggests the applicant prepare a water budget analysis for the site. The TRCA has also made suggestions regarding sustainability of the development to address rainwater harvesting, water efficiency, energy efficiency, and the possibility of geothermal heating and cooling.

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

The Region of York Planning Department provided comments dated July 7, 2010, as discussed earlier. The subject site is designated "Urban Area" by the York Region Official Plan and Major Mackenzie Drive is identified as a Local Corridor. The Region has advised the application is consistent with the Regional Official Plan policies and that the Region's comments regarding water management and Transportation Demand Management will be addressed through the future site plan approval process. The Region of York will be the approval authority for the subject Official Plan Amendment, should Vaughan Council approve the Official Plan Amendment Application, since Regional Exemption from the approval of the Amendment for the development was not requested by the Owner. The Region will also provide additional comments through the Site Development Application review process.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 25, 2011

Item 1, SPCW Report No. 3 – Page 19

Conclusion

The Owner has submitted an Official Plan Amendment Application (File OP.08.016) to amend Official Plan Amendment #600 to redesignate the subject lands from “General Commercial” to “High Density Residential/Commercial” to permit 864 apartment dwelling units in buildings not to exceed 12-storeys and 54 block townhouse dwelling units in buildings not to exceed 2-storeys in height. The Owner has also submitted a Zoning By-law Amendment Application (File Z.08.062) to amend By-law 1-88, specifically to rezone the subject lands from C2 Commercial Zone to RA3(H) Apartment Residential Zone with the “H” Holding Symbol together with the site-specific zoning exceptions noted in Table 1 of this report, to facilitate the development.

The Official Plan and Zoning By-law Amendment Applications propose to implement residential apartment and townhouse development, which meets the objectives of the Provincial Policy Statement and Places to Grow Act, and can be supported by the Region of York Official Plan policies. The proposal will result in development that is transit supportive, and appropriate and compatible with the context of the existing community. The City of Vaughan Official Plan and Zoning By-law will be amended to include policies and requirements to facilitate the development of two, tiered apartment buildings with 54 block townhouse dwellings to be directly located adjacent to the existing 2-storey townhouses abutting the site. Landscaped open space court yards will be provided between the apartment buildings, and landscaped pathways will be

provided throughout the site as amenity areas for the residents and will encourage pedestrian activity.

The Vaughan Development Planning Department is supportive of the proposed residential development, as shown on Attachment #3, which is appropriate and compatible with the existing and permitted uses in the surrounding area.

Attachments

1. Context Location Map
2. Location Map
3. Conceptual Site Plan
4. Conceptual East and West Elevations
5. Conceptual North and South Elevations

Report prepared by:

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/LG

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)