

COMMITTEE OF THE WHOLE JUNE 7, 2004

**ZONING BY-LAW AMENDMENT FILE Z.04.016
SITE DEVELOPMENT FILE DA.03.053
1541677 ONTARIO LIMITED**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.04.016 (1541677 Ontario Limited) BE APPROVED, to lift the Holding "H" provision on Block 2 of Plan 65M-3709.
2. THAT Site Development File DA.03.053 (1541677 Ontario Limited) BE APPROVED, subject to the following conditions:
 - a) That prior to the execution of the site plan agreement:
 - i) the final site plan and elevation drawings shall be approved by the Community Planning and Urban Design Departments;
 - ii) the final landscape plan shall be approved by the Urban Design Department;
 - iii) the final site servicing and grading plans and stormwater management report shall be approved by the Engineering Department;
 - iv) access and on-site vehicular circulation, including the underground parking garage, shall be approved by the Engineering Department;
 - v) all hydro requirements shall be fulfilled to the satisfaction of Hydro Vaughan Distribution Inc.;
 - vi) the required zoning exceptions shall be obtained, and shall be final and binding; and,
 - vii) the Owner shall submit a revised Stormwater Management Report detailing Level 1 Water Quality Controls, to the satisfaction of the Toronto and Region Conservation Authority.
 - b) That the site plan agreement include the following conditions:
 - i) parkland dedication pursuant to Sections 51 (1) and (2) of the Planning Act shall be satisfied through the registration of Draft Plan of Subdivision 19T-04V08. However, if required earlier, the Owner shall agree that the parkland dedication requirement shall be satisfied pursuant to Sections 42(1) and (3) of the *Planning Act*, to the satisfaction of the Legal Department - Real Estate Division;
 - ii) that the Owner shall include all necessary warning clauses in the property and tenancy agreements for all dwelling units as identified in the Detailed Noise Control Study, prepared by SS Wilson Associates and dated April 12, 2004, to the satisfaction of the Vaughan Engineering Department; and
 - iii) prior to the issuance of a building permit, the Owner shall provide a Letter of Credit in a format satisfactory to the Vaughan Finance

Department, in the amount equal to the cost of removing interim stormwater management facilities and replacing the services to municipal standards within the future municipal right-of-way prior to assumption, to the satisfaction of Vaughan.

Purpose

On August 25, 2003, the Owner submitted a Site Plan Application to develop the 1.71ha site for an 18-storey, 253 unit residential condominium apartment building.

Background - Analysis and Options

The subject lands are located on the southeast corner of Beverley Glen Boulevard and Disera Drive, west of Bathurst Street, being Block 2 on Plan 65M-3709, in Part of Lot 6, Concession 2, City of Vaughan. The rectangular-shaped, 1.71ha site has 74m frontage on Beverley Glen Boulevard, and 300m flankage on Disera Drive. The surrounding land uses are:

- North - Beverley Glen Boulevard; townhouse residential (RM1 Zone)
- South - vacant (C2 Zone)
- East - vacant (Agricultural and C2 Zones); Bathurst Street
- West - Disera Drive; apartment building (RA3 Zone)

The 361 apartment units on Block 1 west of Disera Drive, and the subject proposal for 253 units on Block 2, would complete the density permitted on the entire land holdings (Attachment #7).

The Owner has submitted Official Plan and Zoning By-law Amendment applications (OP.03.024 and Z.03.084) to increase the maximum density to enable, in addition to the permitted apartment units, 891 apartment units and 93 townhouse units are to be located on the larger land holding, as shown on the conceptual master plan (Attachment #7).

The conceptual master plan shows townhouse units fronting on New Westminster Drive and Beverley Glen Boulevard, with the remaining townhouse units fronting onto an internal road network, together with a 1.0 hectare park. The concept plan also shows 5 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 to the north of the proposed east/west road, ranging in height from 6 to 18 storeys, and a 1.94 hectare park block.

The conceptual master plan proposes to subdivide the subject lands (Block 2) with an east/west road (Street 'A') leaving the apartment block to the south and a park block to the north. This would require zoning variances to accommodate the 18-storey apartment building on a smaller lot, including, but not limited to, reduced setbacks and amenity space, increased lot coverage, as well as an amendment to the Official Plan for an increase in net density (units/hectare). The variances and density increase will be reviewed through the Draft Plan of Subdivision (19T-04V08), and related Official Plan and Zoning Amendment applications.

Official Plan

The subject lands are designated "*High Density Residential*" by OPA #210 (Thornhill-Vaughan Community Plan). The Official Plan permits, in part, apartment buildings having a residential density of 148 units per net hectare. Net density includes lands for the dwelling units, local and residential collector streets, and public parks, but excludes open space areas and arterial roads. The proposed site development, based on the entire Block 2 area, is at a density of 148 units per hectare, in conformity with the Official Plan.

Zoning

The subject lands are zoned RA3-H Apartment Residential Zone by By-law 1-88, subject to Exception 9(1153). The RA3 Zone permits the apartment building use, however, the following exceptions to the zone standards are required to facilitate the building on Block B:

- a 2.8m wide landscape strip along the length of the outdoor parking area (south), whereas 3m is required;
- the provision of a mix of tree and shrub planting, whereas a berm or evergreen hedgerow of 1.2m height is required adjacent to outdoor parking areas;
- a 0.0m interior side yard (east), whereas 25.77m is required (based on building height);
- a 51.55m (18 storeys) building height to the top of the parapet and a 63.1m building height to the top of the architectural design feature, whereas the maximum is 44m (16 storeys);
- a minimum of 329 parking spaces (1.3 spaces/unit), whereas 443 spaces (1.75 spaces/unit) is required; and,
- a 5.8m parking stall length, whereas 6m is required.

Staff is satisfied that the proposed exceptions to the by-law are appropriate in the context of the overall development.

The subject lands are zoned with a Holding "H" provision, which can be lifted upon Council's approval of the site plan application for the subject lands (Block 2 on Plan 65M-3709), in accordance with Section 41 of the *Planning Act*.

Site Design

The site plan consists of an 18-storey, 253 unit residential condominium apartment building, which steps down to 15 storeys along the east and west elevations. The 2-storey lobby/recreation area is located on the east side of the building, providing direct drop-off and pick-up access from the future east/west road to the main lobby area. The conceptual master plan proposes a condominium building addition on the east side of the lobby, should the Official Plan Amendment application be approved to increase the maximum density on the lands.

A second full access to the site is from Disera Drive, which leads to the visitor parking, the loading and garbage pick-up area, and the ramp to the underground parking garage. There are 52 visitor parking spaces, including 2 barrier-free spaces, provided at grade. The underground parking garage ramp is located at the southeast corner of the building, providing access to 288 parking spaces, including 2 barrier-free parking spaces.

Disera Drive is a public street running in a north/south direction between Beverley Glen Boulevard and terminating at the southern limit of the subject lands. Upon development of the lands to the south, the street will continue to the signalized intersection at Centre Street and North Promenade.

Parking

The required parking for the proposed development is 443 spaces, based on the following parking standards:

- 253 units x 1.5 parking spaces per unit, plus 0.25 visitor parking spaces per unit (1.75 x 253 units) = 443 parking spaces

The site plan proposes a reduction in the required parking from 443 spaces to 329 spaces, based on the following parking standards:

- 253 units x 1.15 parking spaces per unit, plus 0.15 visitor parking spaces per unit (1.3 x 253 units) = 329 parking spaces

On May 11, 2004, the Owner submitted a Parking Study undertaken by Consult, in support of reducing the parking standard to 1.15 spaces plus 0.15 visitor spaces per unit. The Engineering Department has reviewed the study and has no objection to the reduced parking standard, provided the parking ratio is revised to 1.1 spaces plus 0.2 visitor spaces per unit.

The Engineering Department has reviewed the site plan and underground parking drawings and requires the following revisions:

- the width of the barrier-free parking spaces shall be 3.9m, and not 3.6m as shown;
- the site plan shows 340 spaces, but approximately 8 underground parking spaces do not permit vehicles to have proper turning radii and must be removed.

Vehicular access and site circulation, including within the underground parking garage, must be to the satisfaction of the Engineering Department.

Building Elevations

The 18-storey condominium apartment building is to be constructed with a beige precast concrete paneled façade, with darker beige decorative metal features, and a significant amount of glass. The footprint is rectangular in shape, with the 2-storey lobby/recreation area having a square footprint.

Walkout balconies are provided on all levels, with a walkout terrace provided adjacent to the lobby/recreation area, on the second level.

The Urban Design Department has requested that the elevation plans clearly show the ground floor suite entry/exit doors.

All roof-top mechanical equipment will be screened from Centre Street, New Westminster Drive, Disera Drive, and Bathurst Street, and all service doors and garbage enclosure doors, including the doorframes, are to be painted to match the precast concrete paneled façade. The final elevations must be to the satisfaction of the Urban Design Department.

Landscaping

The site will be landscaped with an extensive mix of deciduous and coniferous trees and shrubs, bushes, planting beds and sodded areas around the perimeter of the property and adjacent to the apartment building.

The landscape plan shows a 1.5m high decorative metal picket fence with brick and precast concrete piers along the west property line, and includes a matching decorative masonry end wall at the west driveway access to the site, which will screen the loading area.

An interlocking brick walkway is provided from the northwest corner of the building to a future public sidewalk on Disera Drive and Street 'A'. A second interlocking brick walkway is provided

from the main lobby area on the north side of the building, which leads to a future public sidewalk on Street 'A'.

The by-law requires a minimum amenity area of 10,030m² (20m² per unit x 135 1-bedroom units, 55m² per unit x 94 2-bedroom units, and 90m² per unit x 24 - 3-bedroom units). The development provides for 10,095m² within the outdoor amenity and landscaped areas of the entire Block 2 and the terraces and individual suite balconies.

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

Parkland dedication pursuant to Sections 51 (1) and (2) of the Planning Act shall be satisfied through the registration of Draft Plan of Subdivision 19T-04V08. However, if required earlier, the Owner shall agree that the parkland dedication requirement shall be satisfied pursuant to Sections 42 (1) and (3) of the Planning Act.

Servicing

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

The Owner proposes to oversize the storm sewer pipe under the future east/west road (Street 'A') for storm water management purposes related to the subject application. The intent of the above is to provide interim storm water management facilities until such time as the overall servicing plan for the remaining land holdings have been reviewed and approved to the satisfaction of the City.

The Engineering Department has no objection to the above, provided the Owner submit a Letter of Credit in the amount equal to the cost of removing the interim stormwater management facilities and replacing the services to municipal standards.

The garbage room is located internal to the building, with the garbage pick-up and service area at the southwest corner of the building.

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

Noise Report

A Noise Control Study prepared by SS Wilson Associates, dated April 12, 2004, was submitted in support of the subject application. The report recommends that warning clauses be included for all property and tenancy agreements. Accordingly, the Owner is required to insert the following warning clauses in all property and tenancy agreements and in all Development Agreements and Offers of Sale and Purchase or Lease:

"Purchasers/tenants are advised that sound levels due to increasing road traffic on Bathurst Street, Centre Street and Disera Drive, may continue to be of concern, occasionally interfering with some activities of dwelling occupants as the sound level exceeds the Municipality's and the Ministry of Environment's sound level criteria"; and,

"Purchaser/tenants are advised that due to proximity of the adjacent commercial buildings to the south, sound levels from these commercial buildings may at times be audible".

In addition, the following warning clause shall be registered on title and included in all Development Agreements and Offers of Sale and Purchase or Lease of these properties having a balcony:

“Purchasers/tenants are advised that despite the inclusion of noise control features within the building units, sound levels from increasing road traffic on Bathurst Street, Centre Street and Disera Drive will continue to be of concern as the levels in the balcony exceed the Ministry of Environment criteria, and that a protected Common Indoor Living Area meeting the Ministry sound level criteria have been provided within the development”

Any additional mitigation measures will be addressed in the final design and included in the site plan agreement.

Conclusion

Staff has reviewed the Site Plan Application in accordance with the Official Plan and Zoning By-law, associated amendment applications and Master Plan review. Staff can support the approval of the proposed site plan to facilitate an 18-storey, 253 unit condominium apartment building on the subject lands. Exceptions to the by-law are required and must be obtained and in full force and effect prior to entering into a site plan agreement.

Therefore, Staff can recommend approval of the Site Plan Application and the application to lift the Holding “H” provision for Block 2 on Plan 65M-3709. Should the Committee concur, the recommendation in this report can be adopted.

Attachments

1. Location Map
2. Site Plan
3. Elevations (north)
4. Elevations (south)
5. Elevations (east and west)
6. Landscape Plan
7. Conceptual Master Plan

Report prepared by:

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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Manager of Development Planning

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Location Map

Part of Lot 6,
Concession 2
APPLICANT:
 1541677 ONTARIO INC.

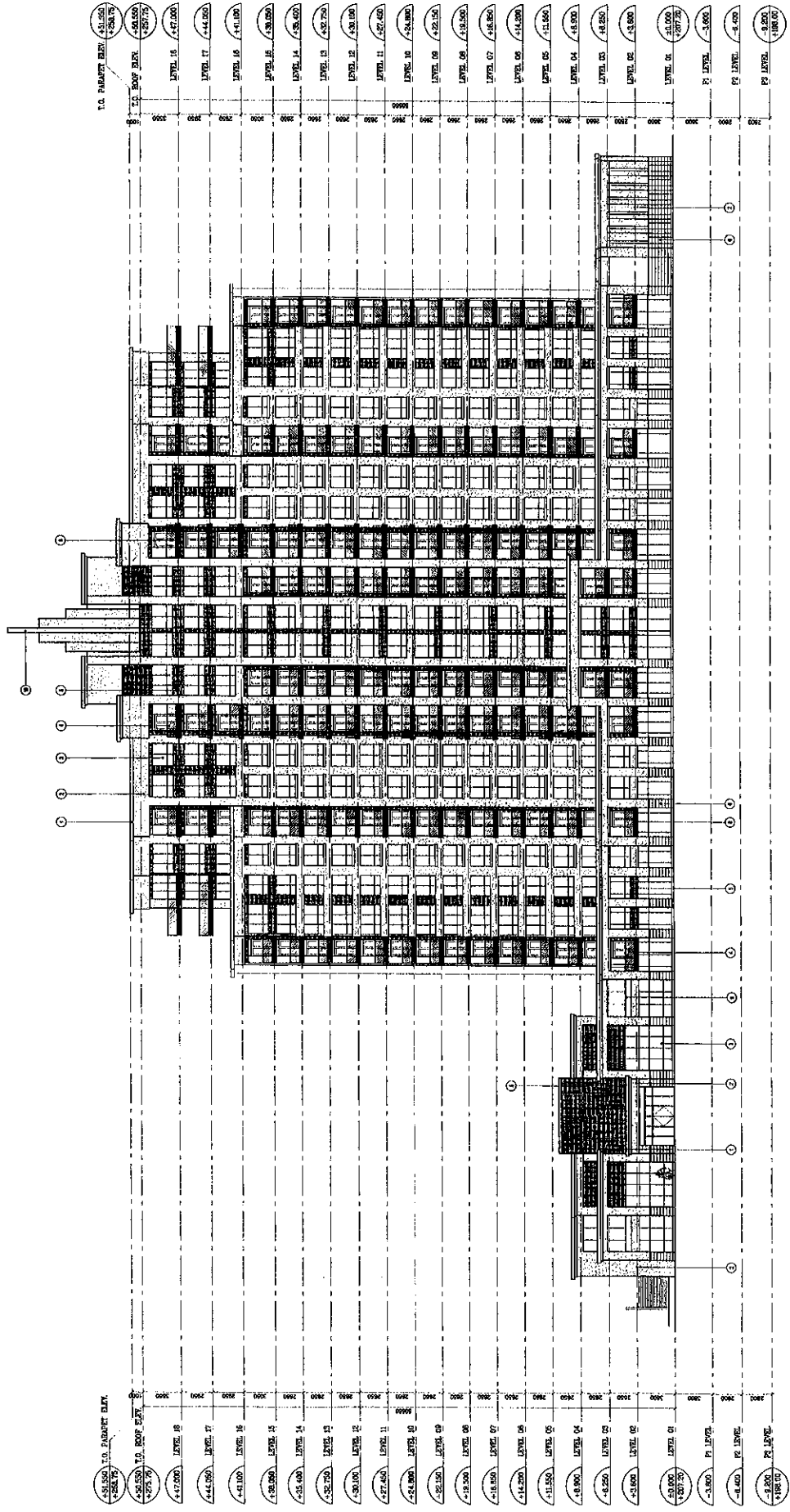


Community Planning Department

Attachment

1

FILE No.:
 DA.03.053
 Not to Scale
 May 17, 2004



Elevations - North

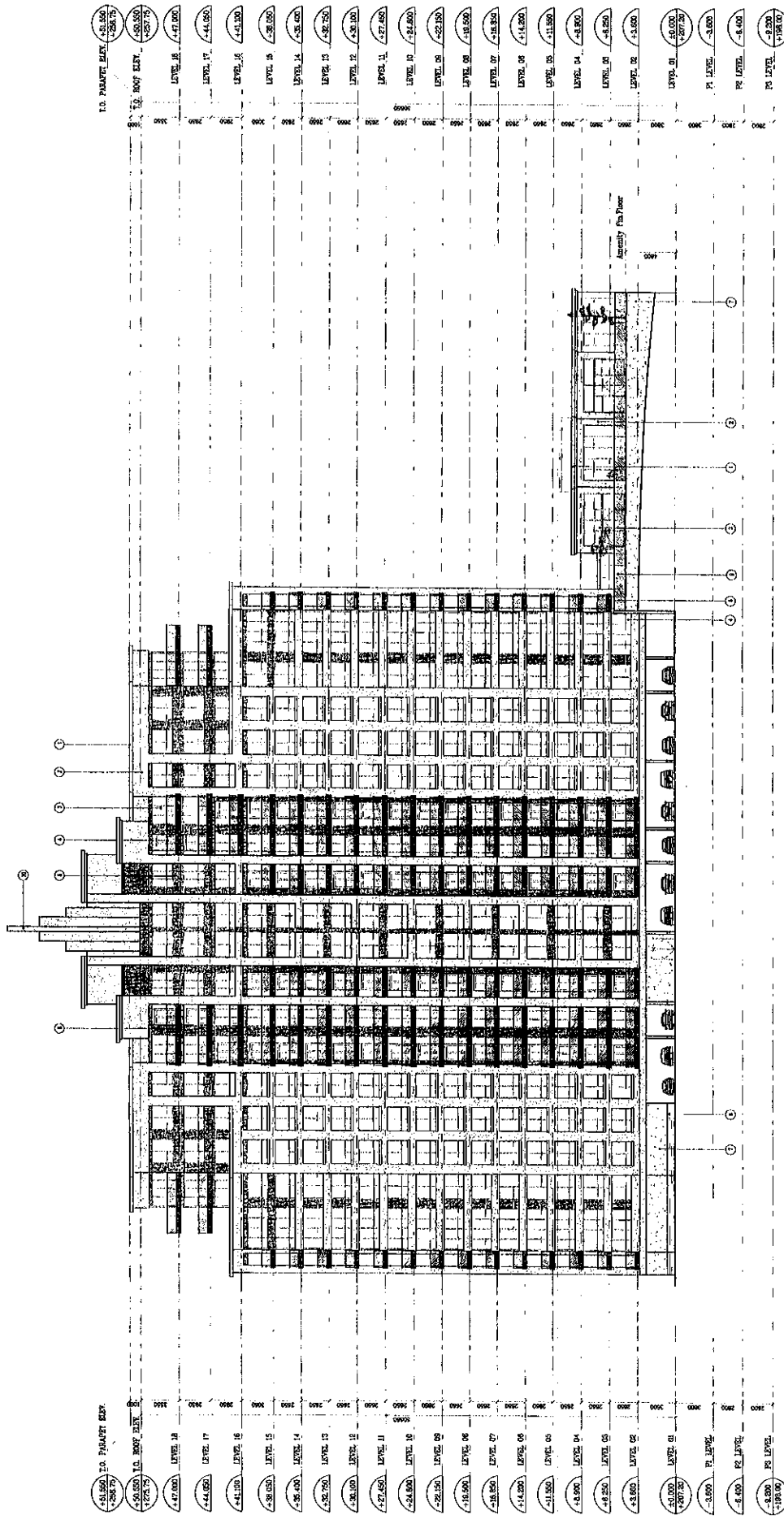
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Attachment 3

FILE No.:
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Elevations - South

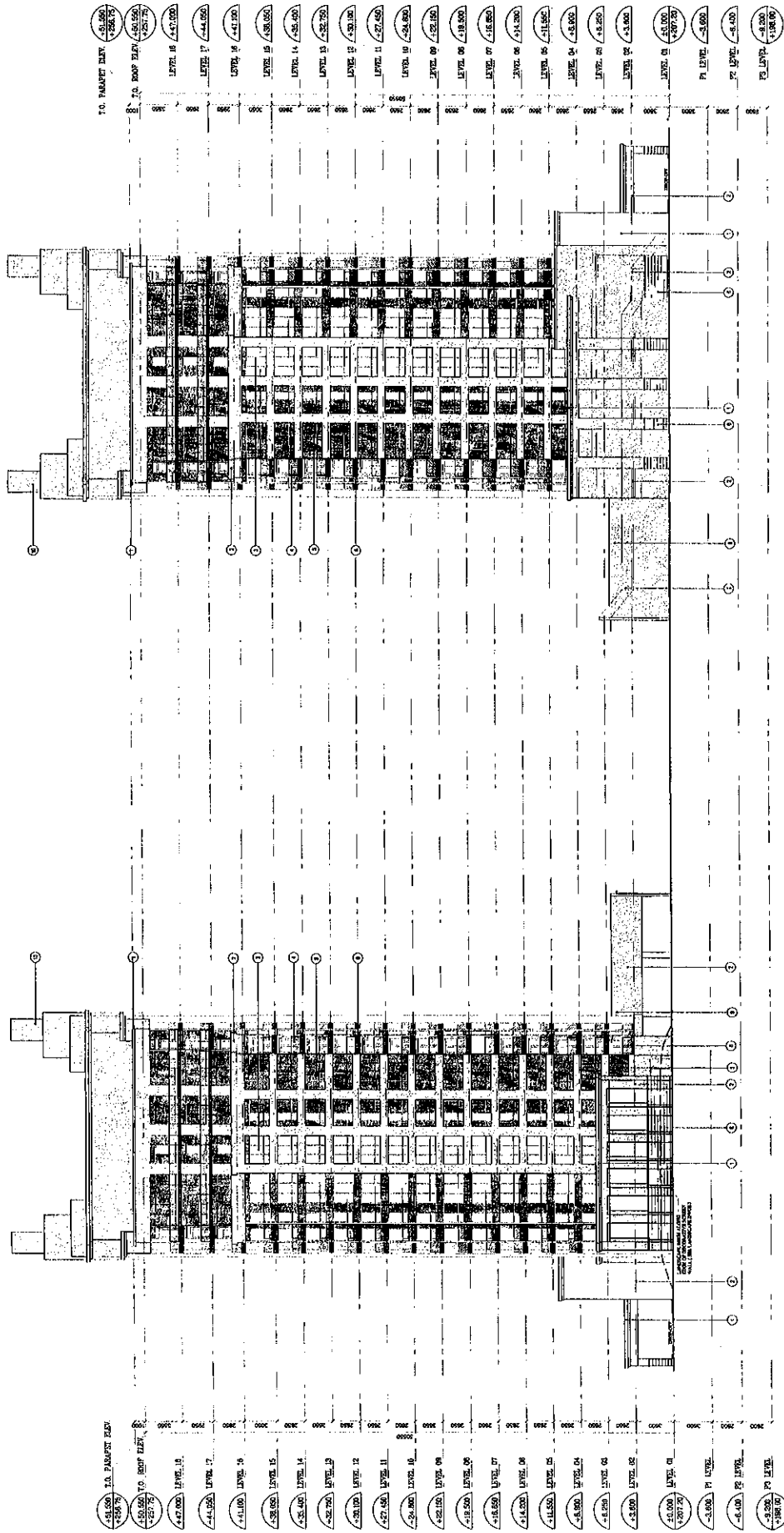
Part of Lot 6,
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Attachment 4

FILE NO.:
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Elevations - East & West

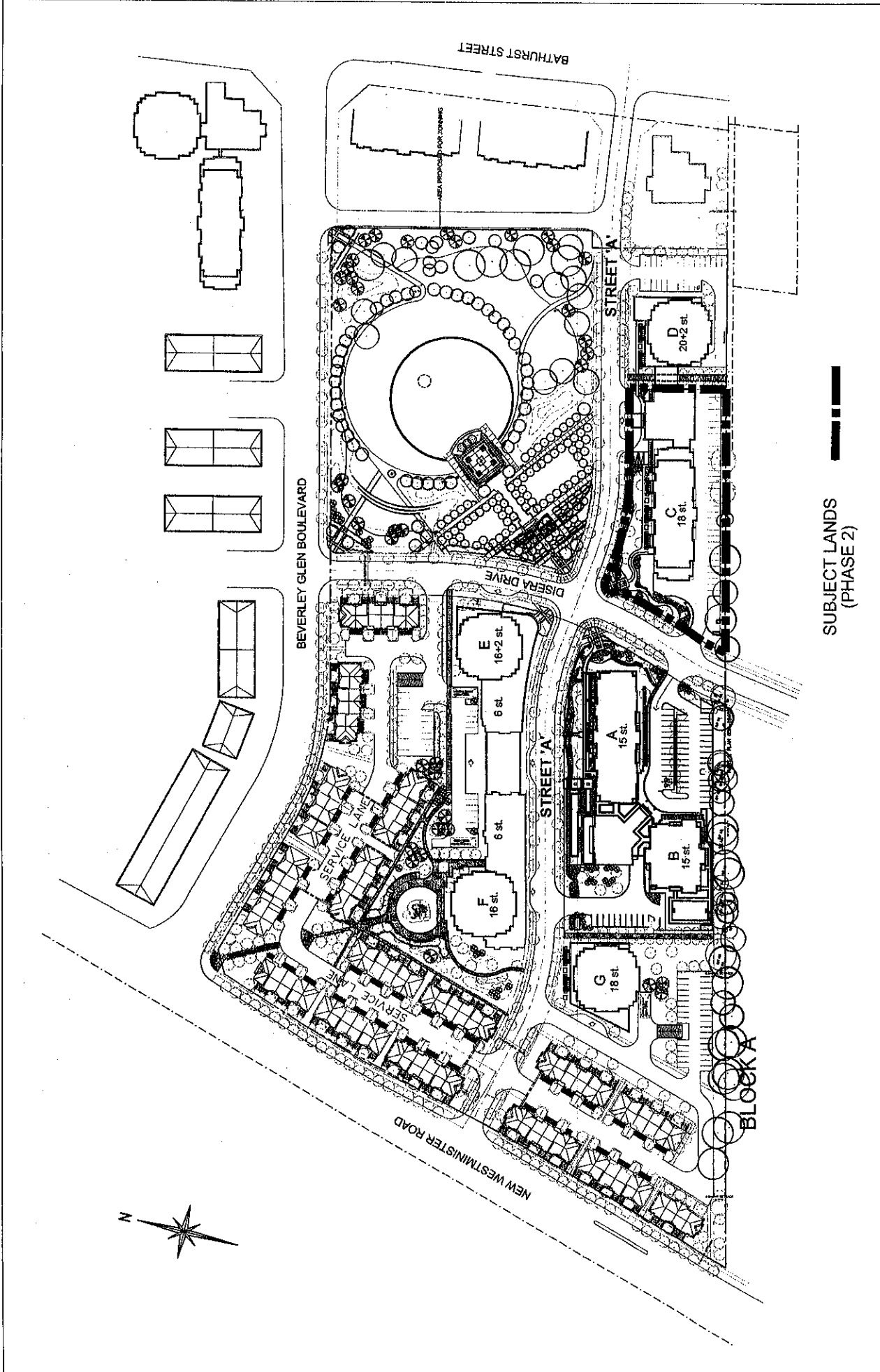
Part of Lot 6,
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Attachment 5

FILE No.:
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Attachment 7

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Conceptual Master Plan

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