

COMMITTEE OF THE WHOLE OCTOBER 4, 2004

OFFICIAL PLAN AMENDMENT FILE OP.04.010 ZONING BY-LAW AMENDMENT FILE Z.04.028 ASHLOCK LTD., C/O SCEPTRE DEVELOPMENTS REPORT #P.2004.78

Recommendation

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment File OP.04.010 (Ashlock Ltd., c/o Sceptre Developments), BE APPROVED, to redesignate the entire parcel to "Mixed Use Commercial" and to permit an increase in the maximum height of the building on the subject lands to 6 storeys, and that the Official Plan Amendment include the following development policies:
 - a) restricting the permitted commercial uses to the ground floor only, and to those uses which are compatible with the residential uses;
 - b) that the necessary studies (ie. noise, traffic, environmental, parking, etc.) be submitted in support of the site plan application; and
 - c) policies ensuring the proposal develops in a manner that represents a true gateway feature for the Woodbridge Core Area and is in conformity with the development policies within the Woodbridge Core Urban Design Guidelines.
2. THAT Zoning By-law Amendment File Z.04.028 (Ashlock Ltd., c/o Sceptre Developments) BE APPROVED, to rezone the subject lands to RA2 Apartment Residential Zone with provisions to permit limited commercial uses on the ground floor level, and the following exceptions:
 - a maximum of 146 apartment units shall be permitted
 - retail commercial uses shall be permitted on the ground floor and restricted to 420 sq.m
 - minimum front yard of 0m
 - a minimum of 230 parking spaces
 - a landscape strip around the periphery of an outdoor parking area shall be less than 3m
3. THAT prior to the enactment of the implementing zoning by-law, a site plan application shall be approved by Council.

Proposal

On May 28, 2004, the Owner submitted applications to amend the Official Plan and Zoning By-law to redesignate and rezone the 0.391 ha site to "Mixed Use Commercial" and RA2 Apartment Residential Zone, respectively. The amendments would facilitate a 6-storey condominium apartment building (6th storey recessed) comprised of 146 residential units and 420 sq.m of ground floor commercial, and 230 parking spaces.

Background-Analysis and Options

The subject lands constitute an assembly of 3 lots located at the southeast corner of Kipling Avenue and Woodbridge Avenue, being Part of Lots 1 and 2, Registered Plan 546 (7937 and 7945 Kipling Avenue, and 281 Woodbridge Avenue) in Lot 7, Concession 7, City of Vaughan. The lands are L-shaped with a considerable downward slope to the east, away from Kipling Avenue.

The site has a total land area of 3,910 sq.m with frontages on both Kipling Avenue and Woodbridge Avenue.

The subject lands are designated "Mixed Use Commercial" and "High Density Residential" by OPA #240 (Woodbridge Community Plan), as amended by OPA #440 (Woodbridge Core Plan) and OPA #538. The site is zoned R3 Residential Zone, RM2 Multiple Residential under Exception 9(1127), and C1 Restricted Commercial Zone under Exception 9(990), all by By-law 1-88. The surrounding land uses are as follows:

- North - Woodbridge Avenue; commercial building (C1 Restricted Commercial Zone)
- South - residential (R3 Residential Zone)
- East - seniors building (RM1 Zone)
- West - Kipling Avenue; commercial and residential (C3 and R3 Zones)

Public Hearing

On May 31, 2004, a Notice of Public Hearing was mailed to all property owners within 120m of the subject lands, and to the Woodbridge Core Ratepayer's Association, Kipling Ratepayer's Association, and the Friends of the Village Group.

At the Public Hearing on June 21, 2004, a number of area residents attended the meeting in support of the development, but raised concerns with respect to parking and access, traffic, density, and the height of the building.

The recommendation of the Committee of the Whole to receive the Public hearing and to forward a technical report to a future Committee of the Whole meeting was ratified by Council on June 28, 2004, and included the following resolution:

"That the applicant be requested to meet with the Ward 2 Sub-Committee, Area Ratepayers Associations and affected residents to resolve outstanding issues, prior to this matter being brought forward to a Committee of the Whole meeting."

On July 21, 2004, the applicant met with the Kipling Avenue Ratepayers Association to discuss the proposed development. The applicant tabled a plan proposing a 6-storey building with the sixth storey tiered away from Woodbridge Avenue. The residents for the most part supported development at this corner, but continued to express concern with the height of the building, potential traffic, and building setbacks. The residents requested that the necessary studies and reports (ie. traffic, sun/shade, and parking studies) be submitted to ensure that the development does not adversely impact the community.

Land Use Status

a) Provincial Policy Statement

The Provincial Policy Statement (PPS) sets out overall directions on matters of provincial interest related to land use planning and development, and includes policies that encourage the focus of new growth to urban areas. The PPS promotes efficient, cost effective development and land use patterns that are based on densities which:

- i) efficiently use land, resources, infrastructure and public service facilities;
- ii) avoid the need for unnecessary and/or uneconomical expansion of infrastructure;
- iii) support the use of public transit in areas where it exists or is to be developed; and

- iv) are appropriate to the type of sewage and water systems which are planned or available.

The PPS promotes a full range of housing types and densities to meet projected demographic and market requirements of current and future residents, by ensuring all forms of residential intensification in parts of built-up areas that have sufficient infrastructure to create a potential supply of new housing units. Development and land use patterns which may cause environmental or public health and safety concerns shall be avoided. The proposed amendment to the Official Plan meets the intent of the Provincial Policy Statement.

b) Regional Official Plan

The Region of York Official Plan identifies Vaughan and specifically the subject lands, as an "Urban Area" served by major transportation corridors and future transit systems. An objective of the Regional Plan is to target growth to existing built-up portions of urban areas and to encourage carefully planned intensification and provide for a broad range of housing types. The proposed amendment is consistent with the policies in the Regional Official Plan.

The Region has reviewed the proposed development and has indicated that it is in keeping with the principle of establishing higher density mixed uses within the urban centres as set out in Policy 5.3.5 and provides good pedestrian and transit access to both Woodbridge Avenue and Kipling Avenue. The Region supports this type of development in the Woodbridge Core, provided sewer capacity is available at the site development stage.

The Region has also indicated that the Official Plan Amendment application appears to be of a routine matter of local significance and therefore can exempt it from Regional Planning Committee and Council approval.

c) Vaughan Official Plan

The subject lands are made up of several land holdings with different land use designations. The southeast corner of Kipling Avenue and Woodbridge Avenue is designated "Mixed Use Commercial" by OPA #240, as amended by OPA #440 (Woodbridge Core Area), which permits residential uses, provided such uses can be appropriately integrated with the permitted commercial uses. This parcel is identified as a gateway location to the Woodbridge Core area and is subject to the site-specific residential policy Section 4.2.7(f):

"These lands are designated Mixed Use Commercial and are comprised of approximately 0.18 ha on the south side of Woodbridge Avenue. This area functions as the westerly gateway to the Woodbridge Historic Commercial Centre. New development within this area requires special massing and design features commensurate with the gateway function that this area fulfils. On the south side of Woodbridge Avenue, driveways, access and parking areas shall be co-ordinated among the properties to provide a comprehensive development."

The portion of the subject lands to the east is designated "High Density Residential" by site-specific OPA #538 which is based on an approved development application permitting a 3 storey, 19 unit residential building with no ground floor commercial (Attachment #5).

A goal of the Official Plan is to permit, where appropriate, a mix of residential and commercial uses at a scale compatible with existing development. Another goal is to provide a full range of housing types which are suitable for different income, age levels and lifestyles, while recognizing the existing low density residential areas as stable neighbourhoods.

A general policy of the Core Area Official Plan is to ensure that the Woodbridge Historic Commercial Centre continues to fulfill a vital role in the Woodbridge Community as a unique focus of commercial, institutional and recreational services. In addition, any building is encouraged to be designed in a manner that is complementary to the overall heritage character of the area. Building form, height, shape and details should complement the surrounding historical/architecturally significant buildings as much as possible.

New development within the "Mixed Use Commercial" designation is subject to design objectives and criteria in part, as follows:

- In order to maintain and provide for a continuous ground-related commercial façade, residential uses in new developments will not be permitted to front onto Woodbridge Avenue at street level.
- All development shall be of a low profile, street-oriented nature. Building heights should generally not exceed three storeys with an opportunity for a fourth storey to be incorporated into the roof area, depending on a compatible relationship to adjacent development.
- Mixed-use development shall be designed to minimize the impacts from the commercial component, including noise, vibration, security, odours and lighting, on the residential part of the development.
- Parking areas may be provided in a combination of surface, underground or deck structures, and will not be permitted in any front yard and screened from public streets by buildings or other means, such as landscaping.

The development proposes a 6-storey building (6th storey recessed) at its highest point with ground floor commercial, and therefore an Official Plan amendment to redesignate the entire subject lands to "Mixed Use Commercial" and to allow for a maximum height of 6-storeys, is required.

Zoning

The subject lands have different zone categories associated with it, as it is made up of different land parcels. The current zone categories of R3 Residential Zone, C1 Restricted Commercial Zone subject to Exception 9(990), and RM2 Multiple Residential Zone subject to Exception 9(1127), do not permit the proposed mixed-use development. As Zoning By-law 1-88 does not contain a zoning category recognizing mixed-use development, the site will be rezoned to RA2 Apartment Residential Zone with an exception to permit ground floor commercial to a maximum GFA of 420 sq.m, and the following exceptions:

- a maximum of 146 apartment units shall be permitted
- retail commercial uses shall be permitted on the ground floor and restricted to 420 sq.m
- minimum front yard of 0m, whereas 7.5m is required
- a minimum of 230 parking spaces, whereas 281 spaces is required
- a landscape strip around the periphery of an outdoor parking area shall be less than 3m, with the provision for a mix of tree and shrub planting, whereas a berm or evergreen hedgerow of a minimum of 1.2m is required

Staff is satisfied that the above-noted exceptions are appropriate to facilitate an urban-oriented apartment development. The exact exceptions to the RA2 zoning standards cannot be determined until such time as a site plan application has been submitted and finalized. Prior to the enactment of the implementing by-law, a site plan application must be approved by Council, and will confirm the exceptions required.

Planning Consideration

Surrounding Area

The subject lands front onto both Woodbridge Avenue and Kipling Avenue and represent an assembly of different land holdings within the Woodbridge Core Area. The Core Area has been undergoing intensification in the form of mixed use/high density development along Woodbridge Avenue, while Kipling Avenue itself has been attracting higher type densities and commercial uses. This corner has been identified as the westerly gateway to the Core Area and should be developed using special massing and design features to carry out the gateway function. The south side of Woodbridge Avenue between Kipling Avenue and the CP tracks is designated "Mixed Use Commercial", "High Density Residential" and "Medium Density Residential" and is currently developed with an older 2 storey building housing senior citizens and existing homes and townhouse developments. The north side of Woodbridge Avenue between Kipling Avenue and the CPR tracks is designated "Mixed Use Commercial" and "Mixed Use Office" and is currently characterized by older type buildings, some with heritage significance. The northeast corner is also identified as a Gateway feature location and should compliment the southeast corner in massing and design features.

Urban Design Guidelines

On October 14, 1994, Council adopted the Woodbridge Historic Commercial Centre Guidelines to establish urban design, architectural and landscape guidelines as a basis for reviewing development applications within the Core Area.

The Core Guidelines are divided into two parts; the first deals with the current conditions and identifies the proposed urban fabric, and the second deals more specifically with issues related to the development and redevelopment of individual properties within the area. Specifically, the guidelines address building siting, setback, access and parking, scale and massing, and building height.

a) Siting and Setbacks

The correct building siting is vital to the urban environment as it enhances the human scale and pedestrian circulation. The guidelines envision building setbacks along Woodbridge Avenue generally aligned with historical structures, with no side yard setbacks unless required for vehicle and pedestrian access. The proposed development contemplates a building built to the front lot lines of both Kipling Avenue and Woodbridge Avenue. Unlike the building already approved for the easterly portion of this site, this proposal provides an increased setback to adjacent residential development and a much larger amenity landscaped area (See Attachment #5 for approved 3 storey building).

b) Access and Parking

The guidelines encourage the consolidation of driveways along Woodbridge Avenue, concealment of surface parking and the provision of vehicle links. The proposed development identifies a connecting access point from Kipling Avenue to Woodbridge Avenue similar to that proposed on Appendix 2 to OPA #440. Both underground and surface parking are located behind the building and away from Woodbridge Avenue and Kipling Avenue. The Engineering Department will confirm the appropriateness of the driveways, access and parking as part of the site plan process.

c) Scale and Massing

The scale and massing of new development should be compatible with the scale and massing established adjacent to, or in close proximity to, existing buildings. The predominant determinants of building scale are door and window openings, roof shapes, balconies, porticoes and the particular architectural treatments of facades. The proposed 6-storey building is located on a site that is identified as a gateway feature and special attention should be given to massing and design in order to achieve this role. Similar type buildings have been approved by Council for the Woodbridge Core area which are in close proximity. The site although identified as a gateway feature, is irregular in shape and has a considerable and gradual grade eastward away from Kipling Avenue, which will have to be incorporated as part of the overall design. The building is designed in a manner having 5 storeys wrapping around Kipling Avenue and Woodbridge Avenue and then tiering back an additional storey in the rear away from the main streets.

d) Building Heights

The guidelines suggest that building heights for mixed use be comprised usually of ground floor commercial with two or three levels of residential above, to a maximum of 13.2 m. Buildings on the south side of Woodbridge Avenue range from approximately 15.5 m at the streetline to 21.5 m abutting open space. The subject building is 5-storeys (approximately 14.0 m) along Woodbridge Avenue, rising to 6-storeys (20.0 m) at the rear.

The building somewhat reflects the mixed-use buildings currently approved by Council within the area, specifically to the northeast with a tiering 6 storey building at Market Lane with a maximum height of approximately 17m.

The building to the north of the Market Lane development (100 Arbors Lane) is a 6-storey tiered apartment building with an additional rooftop storey. The height of the building at the southern elevation is approximately 18.2 m, and increases as the grade varies to the east and north.

The Core Guidelines identify a 4 storey mixed use building wrapping around the Kipling Avenue and Woodbridge Avenue frontages as the preferred type of development for this parcel, and having a height of approximately 13.2 m along Woodbridge Avenue and tiering back to an increased height. A portion of the site already permits a building with a maximum building height of 13.5 m extending from Woodbridge Avenue south to the rear yard of the properties on Abel Avenue with very little setback (Attachment #5). As this site is a gateway location and 6-storeys has been approved within the area, additional building height and massing at this location is considered to be appropriate.

In consideration of the above, the building mass and design appears to be acceptable, however, designing it in manner that appears to reduce building height and providing additional design features and more attention to material and colour schemes may be required so that the final built form and design is sympathetic to the surrounding area. The applicant is providing an increased setback to the residential lots on Abel Avenue, unlike the previous proposal shown on Attachment #5, which provides very little setback and landscaping area. The final elevations will be approved by the Urban Design Department, at the site plan stage.

Servicing

On September 7, 2004, the Committee of the Whole considered Item #20 being a report from the Commissioner of Engineering/Public Works and the Commissioner of Planning with respect to the "Interim Strategy for Allocation/Reservation of Servicing Capacity". The report recommended the reservation of water and sewage capacity to Ashlock Ltd. for 146 units.

Subsequently, on September 13, 2004, Council at its meeting resolved that the entire report, Item #20, be referred to the Committee of the Whole meeting on October 4, 2004. Further direction

would be provided to Staff at this Committee meeting with respect to water and sewage servicing capacity for the entire municipality, and reservation for the Ashlock Ltd. site. Final servicing allocation for this development would be granted by Council as part of site plan approval.

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

This Department also indicated that the section of Woodbridge Avenue adjacent to the site requires an ultimate right-of-way width of 30 m for Kipling Avenue and 26 m for Woodbridge Avenue, as specified in the Official Plan. Therefore, upon redevelopment, the owner shall convey the appropriate road widening along Kipling Avenue and Woodbridge Avenue, and an 8.0m x 8.0m daylight triangle with appropriate 3 m reserve, all at the expense of the Owner, and to the satisfaction of the Engineering Department.

All hydro conditions and requirements of Power Stream Inc. will be satisfied during the site plan stage.

Parking and Access

The preliminary site plan is proposing a driveway access leading from Kipling Avenue through the underground garage and out to Woodbridge Avenue, which is similar to the vehicular plan identified in OPA #440 and the Woodbridge Core Guidelines. Access and vehicle movement will be reviewed in more detail at the site development stage.

The preliminary plan provides 230 parking spaces, 5 of which are located above ground, with the remainder of the spaces located underground. Based on the proposed development and residential and commercial/office parking standards in By-law 1-88, required parking would be calculated as follows:

Condominium: 146 units x 1.75 spaces/unit (inc. 0.25 spaces for visitor parking) = 256 spaces
Retail Commercial: 420 sq.m GFA @ 6 spaces/100 sq.m GFA = 25 spaces

Parking Required = 281 spaces
Parking Provided = 230 spaces

In consideration of the above, the site is deficient 51 parking spaces, which represents an 18% parking shortfall, and therefore a parking study may be required to justify the shortfall. A standard of 6 parking spaces was used for the commercial calculation as the site-specific uses are not known at this time. As parking standards vary between uses, the parking requirement for this site may change. Transportation Staff in the Engineering Department must review and confirm the parking adequacy.

Heritage

The Cultural Services Department provides the following comments:

1. The structure (dated c1930) at 7945 Kipling Avenue (southeast corner of Kipling Avenue and Woodbridge Avenue) is listed on the City of Vaughan's Inventory of Heritage Properties.
2. The item will be taken before the Heritage Vaughan Committee (the Council-appointed advisory committee on heritage matters) at their next scheduled meeting.

Any decisions forthcoming from Heritage Vaughan will be considered in the review of the site plan application.

Relationship to Vaughan Vision 2007

This report is consistent with Vaughan Vision 2007, which encourages managed growth through the implementation of the Official Plan.

Conclusion

The Provincial Policy Statement (PPS) promotes a full range of housing types and densities to meet projected demographic and market requirements of current and future residents by ensuring all forms of residential intensification in parts of built-up areas have sufficient infrastructure to create a potential supply of new housing units. The PPS also encourages the conservation of significant heritage structures which are identified as being important to a community.

The subject lands are designated "Mixed Use Commercial" and "High Density Residential", which permits a mix of residential and commercial uses at a scale compatible with existing development. Building height form, shape and details should complement the surrounding historical/architecturally significant buildings as much as possible.

While the Official Plan limits the number of storeys along Woodbridge Avenue to 4-storeys, it also identifies this area as a gateway feature and encourages special massing and design features. The application proposes 6-storeys, and therefore, an amendment to the Official Plan is required. Although there are an additional 2-storeys, the actual height is consistent with other new buildings in the Core Area and would provide the appropriate built form to establish this corner as a true gateway.

Staff can support the proposed Official Plan Amendment to redesignate the entire parcel to "Mixed Use Commercial" and to permit a building tiered up to 6-storeys, from the maximum permitted 4-storeys along the street line. The Official Plan Amendment should contain policies to address parking and traffic, and conformity of the development to the Urban Design Guidelines.

On this basis, Staff can also support the proposed rezoning of the site to RA2 Apartment Residential Zone, and the site-specific exceptions to implement the apartment proposal. Should the Committee concur, the recommendation in this report can be adopted.

Attachments

1. Location Map
2. Site Plan
3. Building Elevation - Woodbridge Avenue
4. Building Elevation - Kipling Avenue
5. Approved Building Plan (OPA #538)

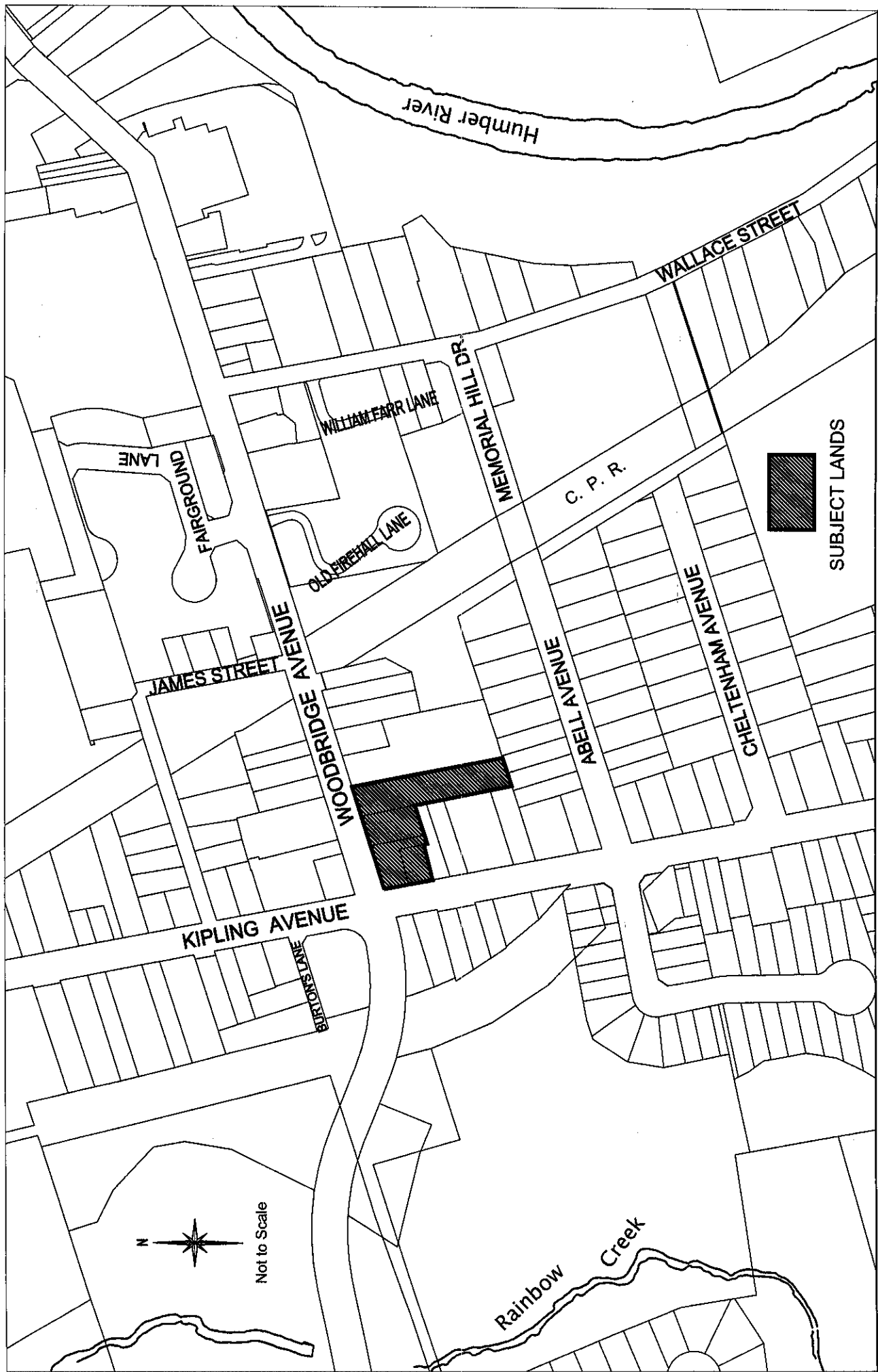
Report prepared by:

Eugene Fera, Planner, ext. 8064
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Grant Uyeyama, Manager of Development Planning, ext. 8635

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning
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MARCO RAMUNNO
Director of Development Planning



Location Map

Part of Lot 7,
Concession 7
 APPLICANT:
 ASHLOCK LTD. 1
 1601495 ONTARIO LTD.

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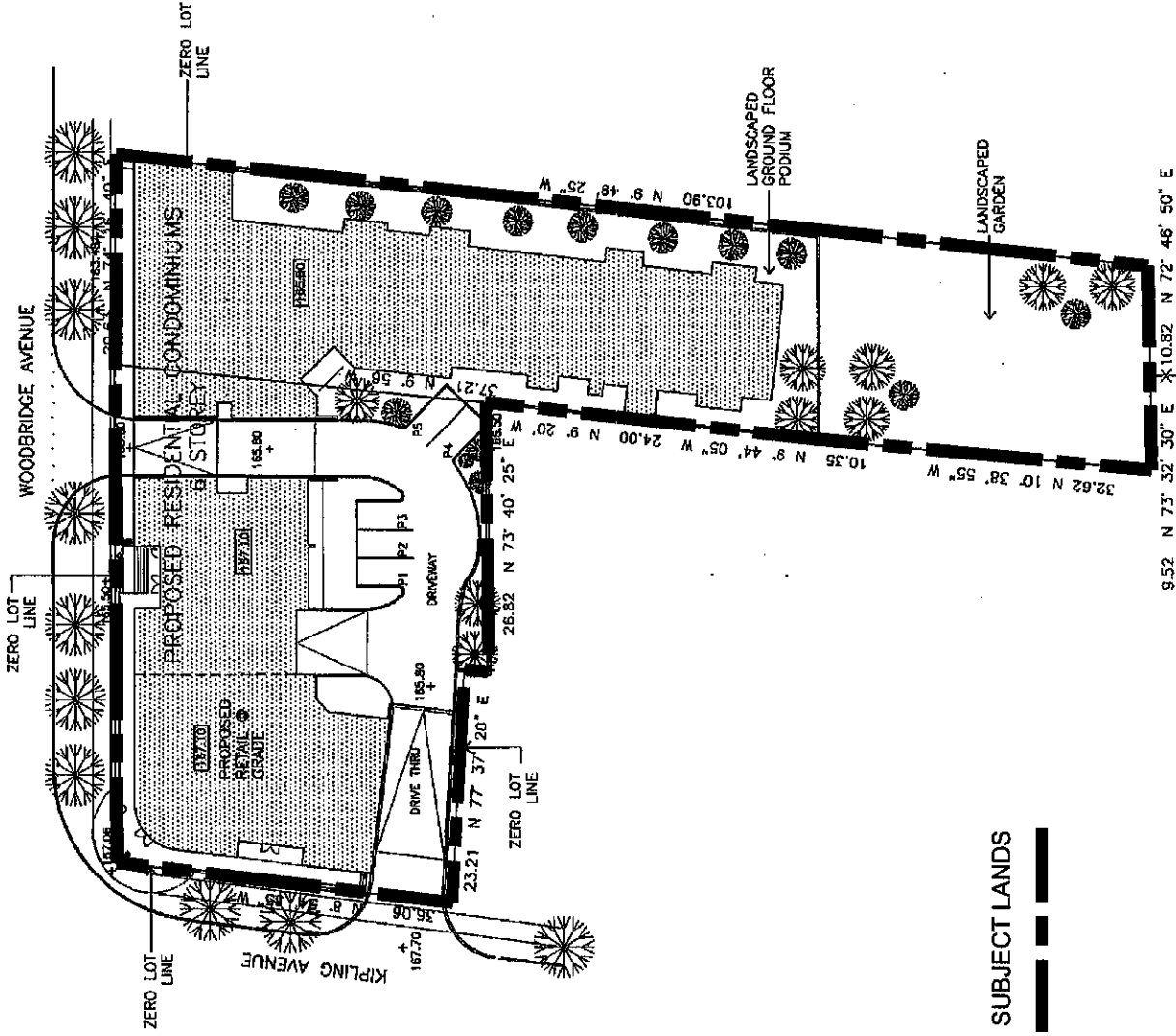
City of Vaughan

Community Planning Department

Attachment 1

FILE No.:
 OP.04.010 &
 Z.04.028

May 31, 2004



SUBJECT LANDS

Not to Scale

Site Plan

Part of Lot 7,
Concession 7
APPLICANT:
ASHLOCK LTD. \1
1601495 ONTARIO LTD.

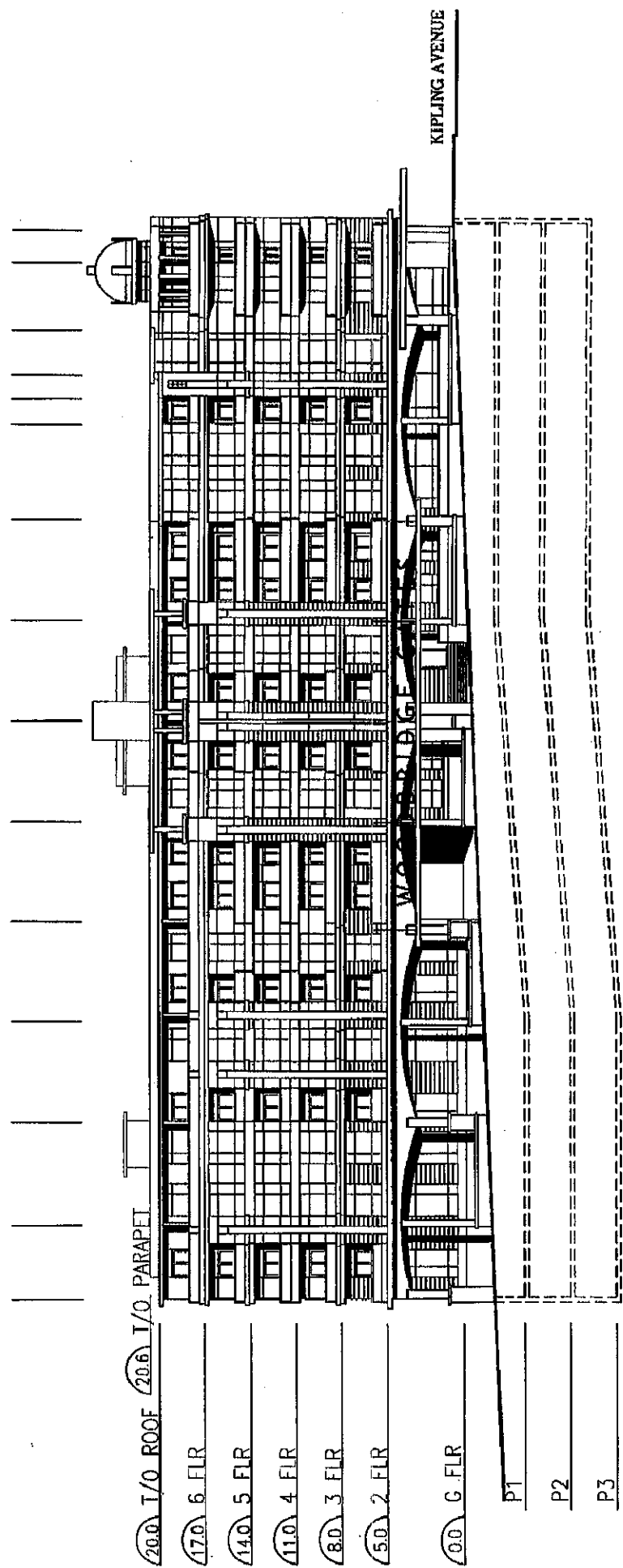


Community Planning Department

Attachment 2

FILE No.:
OP.04.010 &
Z.04.028
May 31, 2004

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WOODBRIDGE AVENUE ELEVATION

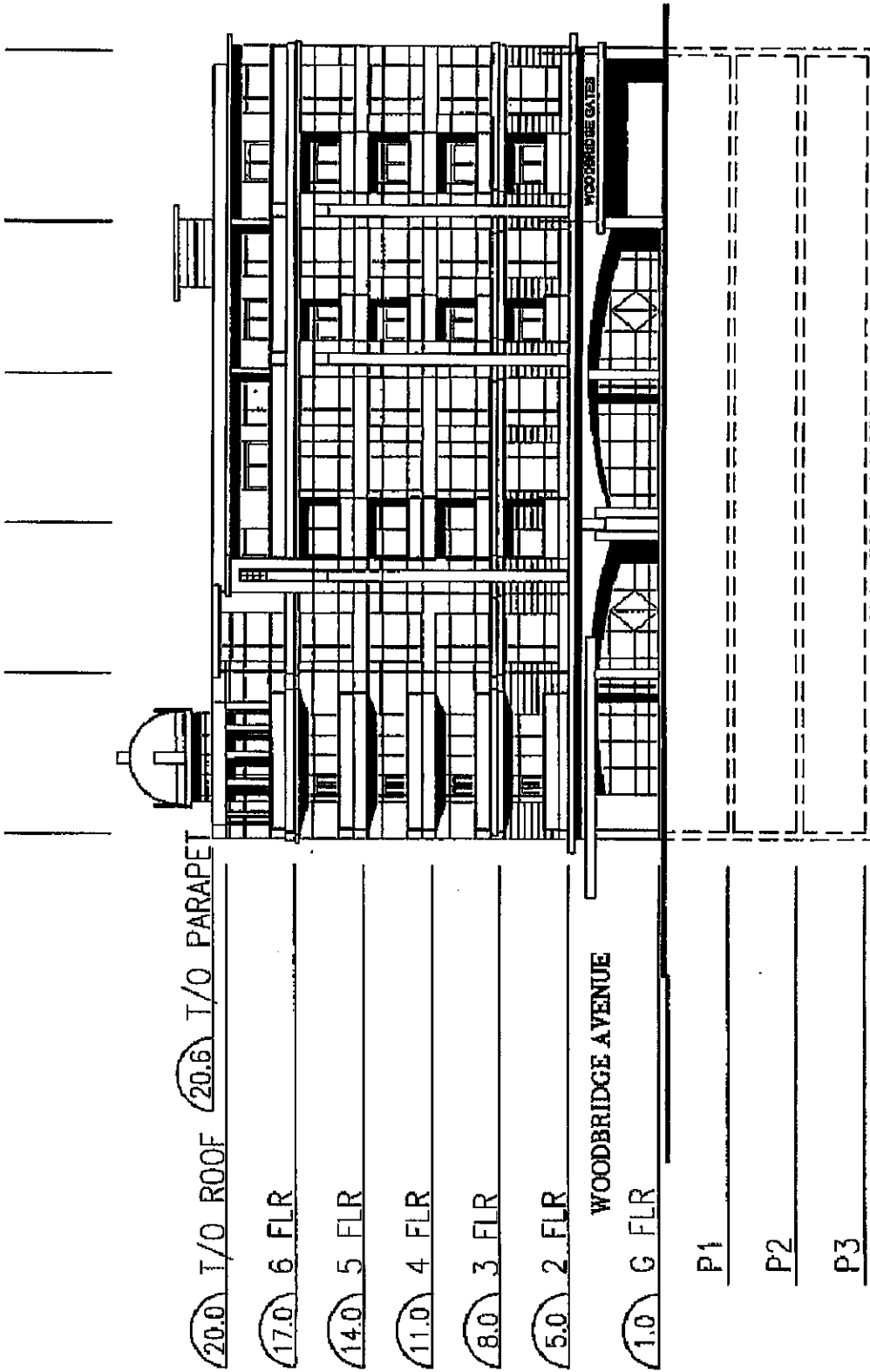
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Attachment 3
 FILE No.:
 OP.04.010 &
 Z.04.028
 May 31, 2004

City of Vaughan
 Community Planning Department

North Elevations
 Part of Lot 7,
 Concession 7
 APPLICANT:
 ASHLOCK LTD. \1
 1601495 ONTARIO LTD.

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Not to Scale

KIPLING AVENUE ELEVATION

West Elevations

Part of Lot 7,
Concession 7
APPLICANT:
ASHLOCK LTD. \\
1601495 ONTARIO LTD.

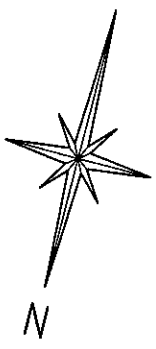


Community Planning Department

Attachment 4

FILE No.:
OP.04.010 &
Z.04.028
May 31, 2004

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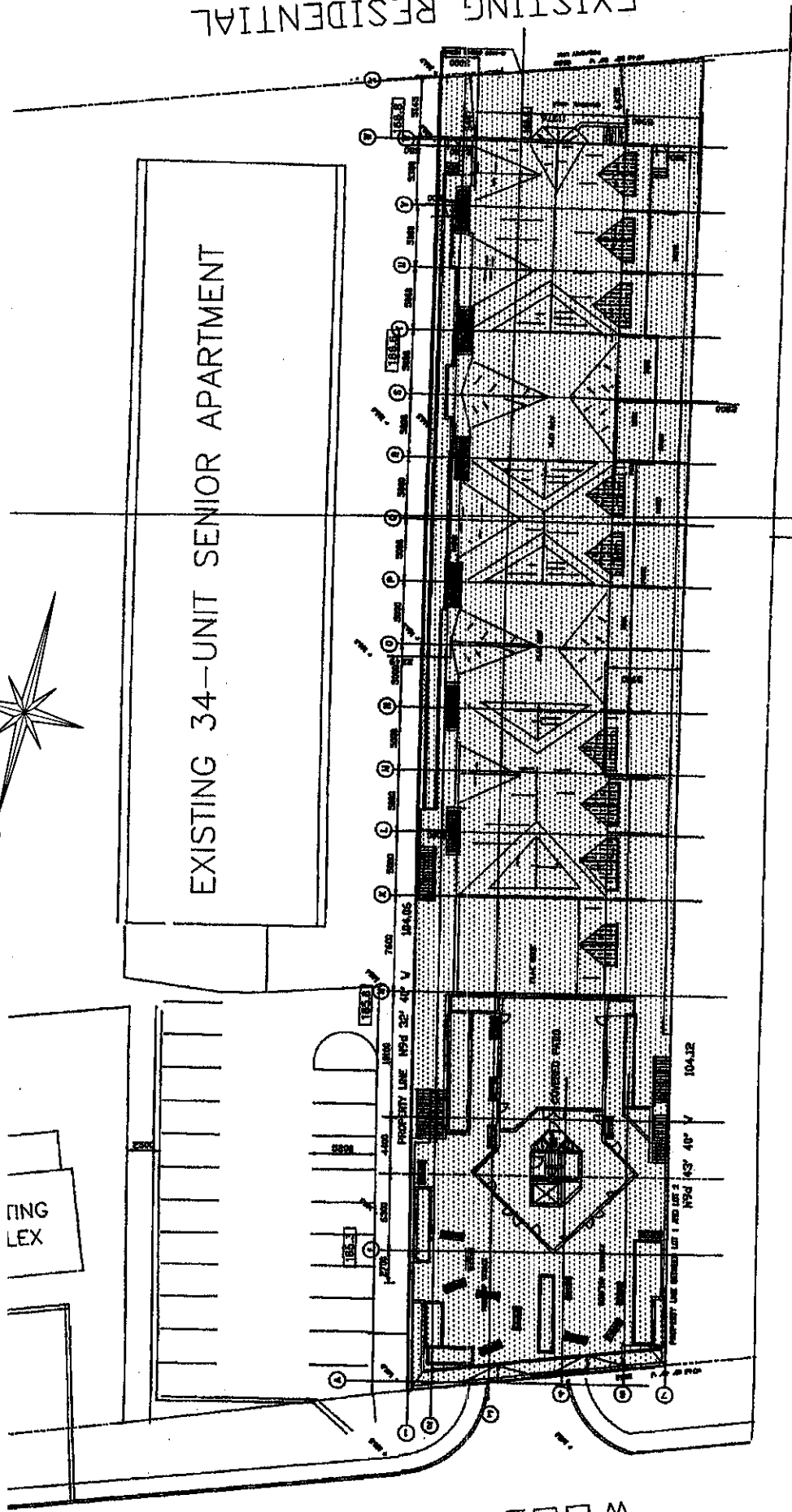


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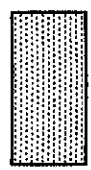
WOODBIDGE AVE.

EXISTING 34-UNIT SENIOR APARTMENT

EXISTING RESIDENTIAL



Area Subject to Amendment
Number 538



Not to Scale

Approved Building Plan

Part of Lot 7,
Concession 7
APPLICANT:
ASHLOCK LTD. \1
1601495 ONTARIO LTD.



Community Planning Department

Attachment 5

FILE No.:
OP.04.010 &
Z.04.028

May 31, 2004