

COMMITTEE OF THE WHOLE NOVEMBER 21, 2005

**ZONING BY-LAW AMENDMENT FILE Z.05.033
SITE DEVELOPMENT FILE DA.05.030
1541677 ONTARIO INC.**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.05.033 (1541677 Ontario Inc.) BE APPROVED, to lift the Holding "H" provision on Block 2 of approved of Draft Plan of Subdivision 19T-04V08, currently zoned RA3-H Apartment Residential Zone as shown on Attachment #1, to facilitate the development of a 22-storey, 231 unit residential condominium apartment building.
2. THAT Site Development File DA.05.030 (1541677 Ontario Inc.) BE APPROVED, to permit the development of a 22-storey, 231 unit residential condominium apartment building as shown on Attachment #2, subject to the following conditions:
 - a) That prior to the execution of the site plan agreement:
 - i) the final site plan, elevation drawings and landscape plan shall be approved by the Development Planning Department;
 - ii) the final site servicing and grading plans and stormwater management report, access and on site circulation, including the underground parking garage, and noise report shall be approved by the Engineering Department;
 - iii) all hydro requirements shall be fulfilled to the satisfaction of PowerStream Inc; and
 - iv) the required variances shall be obtained from the Committee of Adjustment and shall be final and binding; and
 - b) that the site plan agreement include the following conditions:
 - i) the Owner shall pay by way of a certified cheque, cash-in-lieu of the dedication of parkland equivalent to a fixed unit rate of \$4,100.00 per unit prior to the issuance of a Building permit, in accordance with the Planning Act and the City's Cash-in-lieu Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment;
 - ii) the Owner shall include all necessary noise warning clauses in the property and tenancy agreements for all dwelling units as identified in the Noise Report for Building "D", as approved by the Engineering Department; and
 - iii) that Development Charges are to be paid in accordance with the Development Charges By-law applicable at the time of Building Permit issuance.

Economic Impact

There are no requirements for new funding associated with this report. The proposed development will add new assessment to the local tax base.

Purpose

The Owner has submitted a Site Development Application to develop a 0.32 ha site with a 22 storey, 231 unit residential condominium apartment building, and a Zoning By-law Amendment Application to lift a Holding "H" provision on the subject lands.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located west of Bathurst Street and east of Disera Drive, on the south side of the proposed east/west road (North Park Road), being Block 2 in approved Draft Plan of Subdivision 19T-04V08, in Part of Lot 6, Concession 2, City of Vaughan. The 0.32 ha site has 68m of frontage on the proposed east/west road, and a depth of 47m.

The subject Block 2 is located within a approved draft plan of subdivision 19T-04V08, which the applicant is proceeding to clear the conditions of draft plan approval, towards final registration of the subdivision plan. Should Council approve the site plan application for Building "D", the implementing site plan agreement will be registered, following registration of the final subdivision plan.

The surrounding land uses are:

- North - vacant/proposed park (OS2 Open Space Park Zone) and Liberty Sales Office (C2 General Commercial Zone)
- South - vacant/proposed Wal Mart store (CMU2 (H) Mixed Use 2-Town Centre Zone with the Holding "H" provision)
- East - vacant (A Agricultural Zone)
- West - 18-storey apartment building under construction (RA3 Apartment Residential Zone)

Master Plan

The proposed development contemplates a 22 storey, 231-unit residential condominium apartment building east of Disera Drive and south of the new proposed east/west road (North Park Road), and is consistent with the approved Liberty Master Plan shown on Attachment #2. The Master Plan describes the conceptual development pattern the applicant's other landholdings.

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 1.94 ha park. The conceptual plan also shows 7 condominium apartment buildings (Buildings A, B, C, D, E, F and G) along Disera Drive and the future east/west road (North Park Road), ranging in height from 6 storeys to 22 storeys.

To date, Buildings "A" and "B" (354 units) have been constructed, and Building "C" (253 units) is under construction.

Official Plan

The subject lands are designated "High Density Residential by OPA #210 (Thornhill-Vaughan Community Plan) as amended by OPA #621 permits a maximum density of 1,598 units comprised of 93 townhouse units and 1505 apartment units, or a combination thereof not to exceed 1,598 units, and a maximum of 7 apartment buildings, on the applicant overall landholding shown on the approved Liberty Master Plan on Attachment #2. The proposed Building "D" site Development comprising 231 residential condominium apartment units within 1 building, together with the 607 residential condominium agreement apartment units that are built or under construction within 3 buildings ("A", "B" and "C"), and totaling 838 units within 4 condominium apartment buildings conforms to 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 2, of approved Draft Plan of Subdivision 19T-04V08:

- i) a minimum front yard (north) setback of 6m is required, whereas 4.3m is being provided;
- ii) a minimum front yard (north) landscape strip of 6m is required along the street line, whereas 4.3m is being provided;
- iii) the maximum building height is 65m. Which is being maintained to the top of the parapet, however a variance is required for the architectural design element above the mechanical penthouse, which constitutes part of the building height, and will exceed the maximum permitted height from 65m to 83.1m;
- iv) a total of 305 parking spaces are required, whereas 301 parking spaces are being provided; and
- v) access to the underground parking is being provided from an entrance in the adjacent Building "C", whereas the by-law requires access to parking areas to be from the subject lands.

The Development Planning Department is satisfied that the proposed exceptions to the by-law are appropriate in the context of the overall development of the site and Master Plan, and that variances can be obtained from the Committee of Adjustment to implement the final approved site plan.

The subject lands (Block 2, Draft Plan of Subdivision 19T-04V08) are zoned with a Holding "H" provision. The Holding "H" provision can be lifted as individual site plans within the Liberty subdivision are approved by Council in accordance with a phasing plan identified in a Traffic Impact/Phasing Report approved by the City. A Traffic Study entitled, "Staging of Proposed Thornhill City Centre, Revised Traffic Study Residential Development Master Plan", dated August 2005, and prepared by Cansult Limited was submitted to the City and reviewed by the Engineering Department. The Engineering Department accepted the conclusions of the updated traffic study. The revised traffic study concluded that occupancy for an additional 444 condominium apartment units (2 towers) and 65 townhouse units can be accommodated in the year 2006. The approval of 231 condominium apartment units for Building "D" in 2005, will allow for construction to proceed and for occupancy in 2006/2007.

Site Design

The Site Plan (Attachment #3) consists of a 22-storey, 231 unit residential condominium apartment building, which steps down to the 21st, 20th, and 19th floors along the east and west elevations. The proposed development is connected to Building "C" to the west by a two-storey common area, which serves both buildings. The common area/lobby will facilitate direct drop-off and pick-up access from the future North Park Road to the main lobby area. A second access to the site is from the future North Park Road at the eastern limit of the site and provides access to visitor parking, garbage pick up and loading areas, as well as, the ramp to the underground parking garage which is located on the southeast corner of the adjacent westerly Building "C", providing access to 262 underground spaces below Building "D". Access to the site can also be obtained from Disera Drive through the adjacent westerly Building "C" lands.

Parking

The required parking for the proposed development is based on the following parking standard:

- i) 231 units X 1.1 parking spaces/unit, plus 0.2 visitors parking space/unit (1.3 spaces/unit x 231 units), plus 4 handicapped parking space = 305 parking spaces.

The proposed development comprises 301 parking spaces, resulting in a deficiency of 4 parking spaces, (1.31% deficiency), which is minimal.

Building Elevations

The 22-storey condominium apartment building is to be constructed with a beige precast concrete paneled façade, with a significant amount of tinted glass. The footprint is rectangular in shape with the building being terraced from the 22nd, 21st, 20th, and 19th floors (Attachment #6 & #7). Walkout balconies are provided on all levels, including on the ground floor where landscaped terraces are provided. The building is connected by a two-storey link to a 2-storey lobby/recreation area Building "C" to the east.

All roof-top mechanical equipment is screened from Centre Street, New Westminster Drive, Disera Drive, future North Park Road and Bathurst Street and all service doors and garbage enclosure doors, including the door-frames, are to be painted to match the precast concrete paneled facades. The final elevations shall be approved to the satisfaction of the Development Planning 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 (Attachment # 4). An interlocking brick walkway is proposed along the south and west sides of the building, which will connect to a future sidewalk along North Park Road.

The by-law requires a minimum amenity area of 5.5m²/unit, which equates to a minimum amenity area of 1,270.5m² (5.5m² x 231 units), which includes balconies and landscaped areas.

Development Planning Department has reviewed the landscape plan will require the applicant to address the following matters on the final plan: snow storage locations, alternative tree species, patio screening between ground floor units, lighting plan, and additional grading details to verify if a retaining wall will be required along the south property limit, and if so, design treatment of the wall. The final landscape plan shall be approved to the satisfaction of the Development Planning Department.

Cash-in-lieu of Parkland Dedication

The Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to a fixed unit rate of \$4,100.00 per unit, prior to the issuance of a Building Permit in accordance with the Planning Act and the City's Cash-in-lieu Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in lieu payment.

Servicing

The Engineering Department has reviewed the application and provides the following comments:

- i) Site Plan Application, File DA.05.030, has been granted water and sanitary sewage allocation as part of the allocation that was given to Draft Plan of Subdivision 19T-04V08. The subject 22-storey building has been accounted for; and
- ii) the final site servicing and grading plan and stormwater management report, and on-site traffic management design issues shall be approved to the satisfaction of the Engineering Department.

All hydro requirements must be addressed to the satisfaction of Power Stream Inc.

Waste Management

The garbage pick-up area is located between Building "D" and the 2-storey common area. All garbage will be stored internal to the building.

The Public Works Department, Solid Waste Management Section, provides the following comments:

a) Access Route:

If a truck is passing onto or over any support structures (i.e. underground parking), the City must be provided with a letter certified by a Professional Engineer that the structure can safely support a fully loaded collection vehicle (28 tonnes).

b) Loading Area:

Loading area to have a base of 125mm compacted depth of 20mm crusher run limestone, and 350 mm compacted depth of 50mm diameter crusher run limestone."

Noise Report

An Environmental Noise Impact Report prepared by Howe, Gastmeire, Chapnik Limited, dated October 6, 2005, was submitted in support of the subject application. The Engineering Department has reviewed and red-lined the subject report for additional revisions. The report shall be revised to the satisfaction of the Engineering Department and shall include the appropriate noise warning clauses to purchasers and tenants, which shall be registered on title. Any additional mitigation measures will be addressed in the final site design and included in the final site plan agreement.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'A-5', "Plan and Manage Growth".

Conclusion

The Development Planning Department has reviewed the proposed Site Development Application in accordance with the Official Plan and Zoning By-law, and the approved Liberty Master Plan. The Development Planning Department can support the approval of the proposed site plan to facilitate the development of a 22-storey, 231-unit condominium apartment building on the subject lands. Exceptions to the zoning by-law are required and must be obtained from the Committee of Adjustment, and be in full force and effect, prior to entering into a site plan agreement.

The Development Planning Department also recommends approval of the Zoning By-law Amendment Application to lift the Holding "H" provision from Block 2 of the related Approved Draft Plan of Subdivision 19T-04V08, which will facilitate the development of the site in accordance with the RA3 Apartment Residential Zone Standards.

Attachments

1. Location Map
2. Approved Liberty Master Plan
3. Site Plan
4. Landscape Plan
5. North & East Elevations
6. South & West Elevations
7. Building "D" Cross-Sections
8. Underground Parking Plan

Report prepared by:

Arto Tikiryman, Senior Planner, ext. 8212

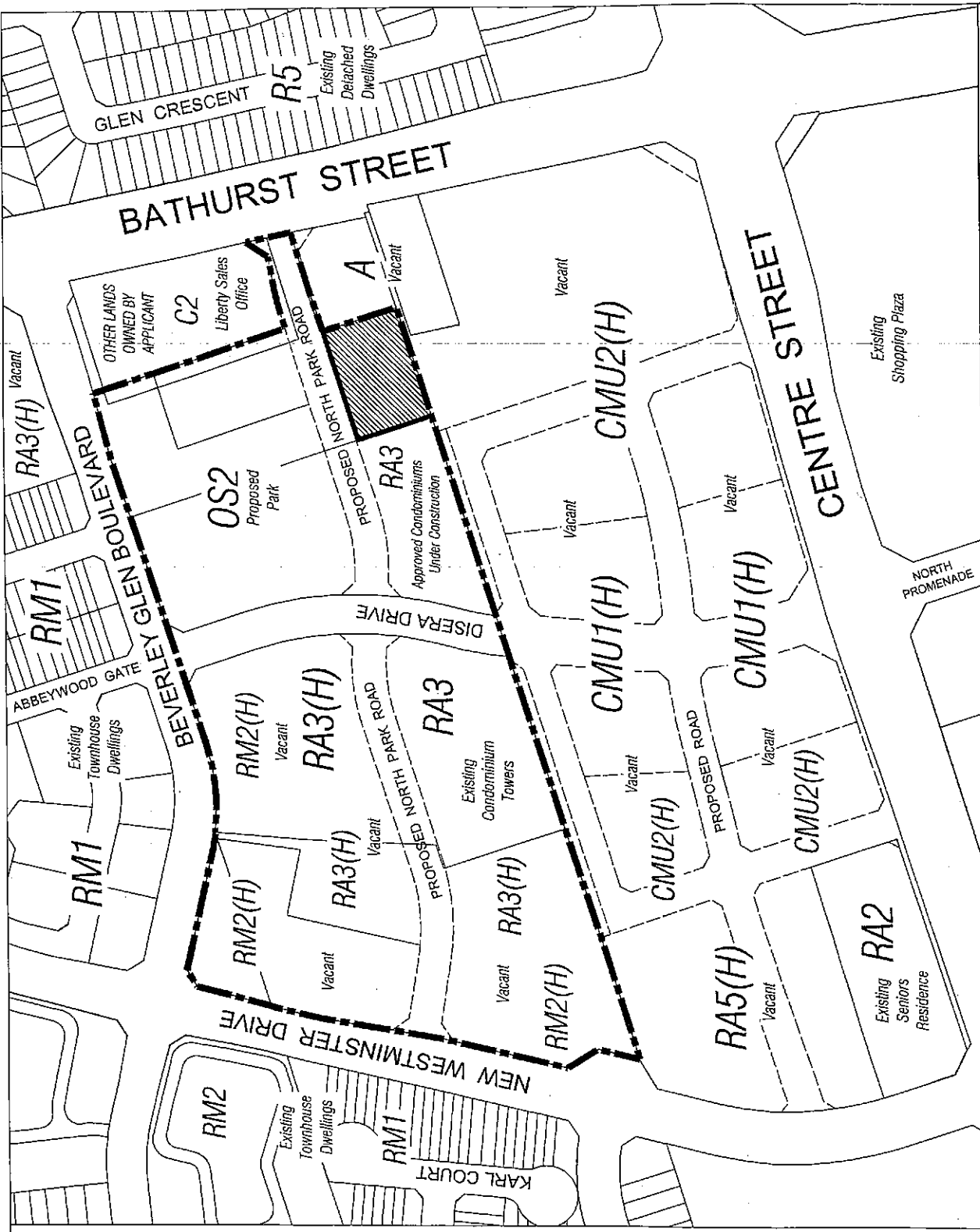
Grant Uyeyama, Manager of Development Planning, ext. 8635

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

/LG



Attachment

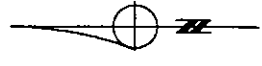
FILE No.: Z.05.033
 RELATED FILES: 19T-04V08
 October 24, 2005

City of Vaughan

Development Planning Department

Location Map

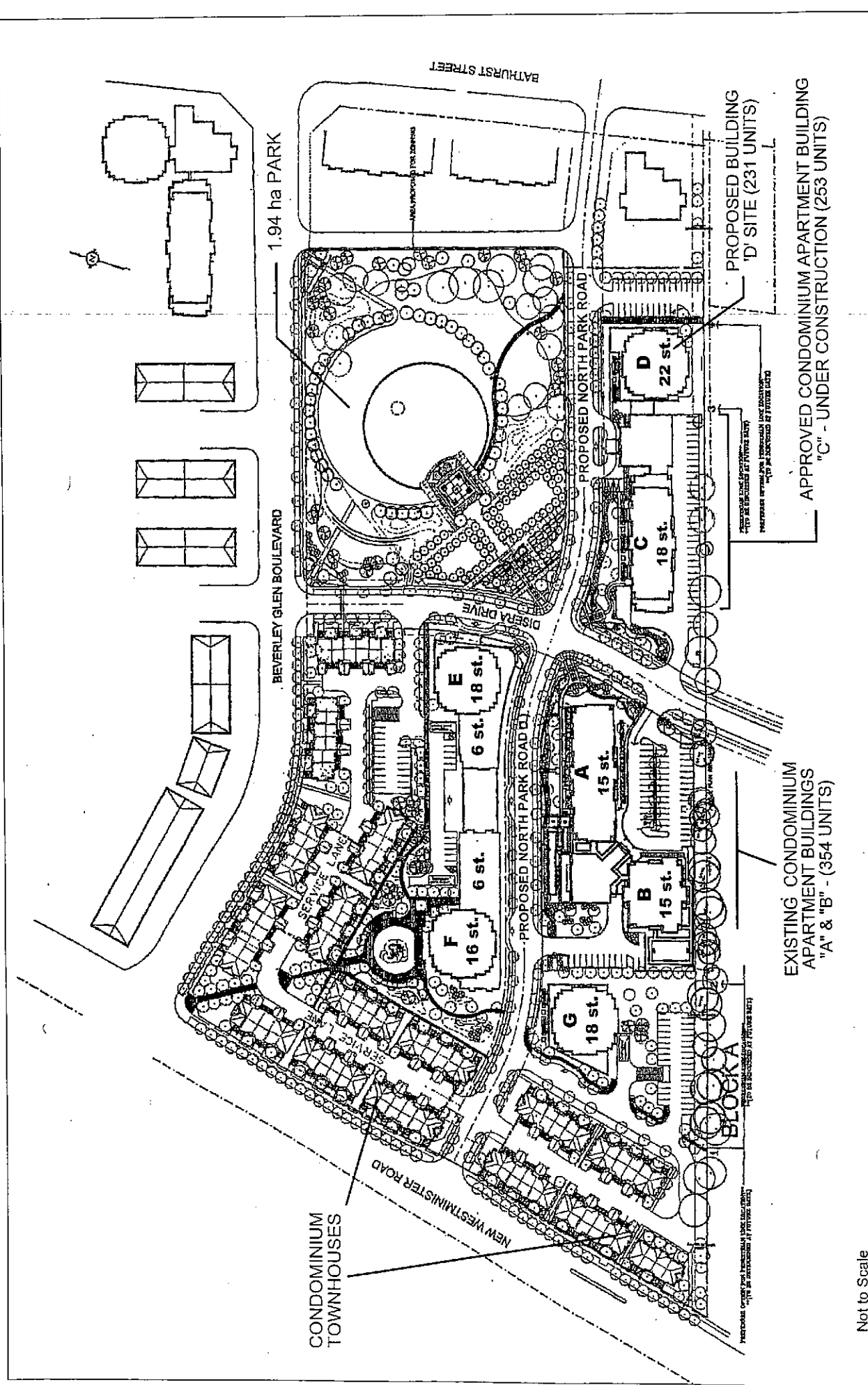
Part of Lot 6, Concession 2
 APPLICANT: 1541677 ONTARIO INC.
 #A.DFT\1 - ATTACHMENTS\Z.V.05.033



Legend

- A - Agricultural Zone
 - C2 - General Commercial Zone
 - R5 - Residential Zone
 - RM1 - Multiple Residential Zone
 - RM2 - Multiple Residential Zone
 - RA2 - Apartment Residential Zone
 - RA3 - Apartment Residential Zone
 - RA5 - High Density Residential-Town Centre
 - CMU1 - Mixed Use 1-Town Centre
 - CMU2 - Mixed Use 2-Town Centre
 - OS2 - Open Space Park Zone
 - (H) - Holding Provision
- SUBJECT LANDS (RA3-H)
 - OTHER LANDS OWNED BY APPLICANT (Draft Plan 19T-04V08)

Not to Scale



Not to Scale

Approved Liberty Master Plan

APPLICANT:
1541677 ONTARIO INC.

Part of Lot 6,
Concession 2

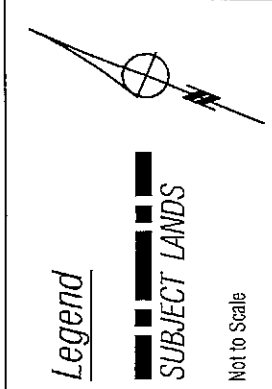
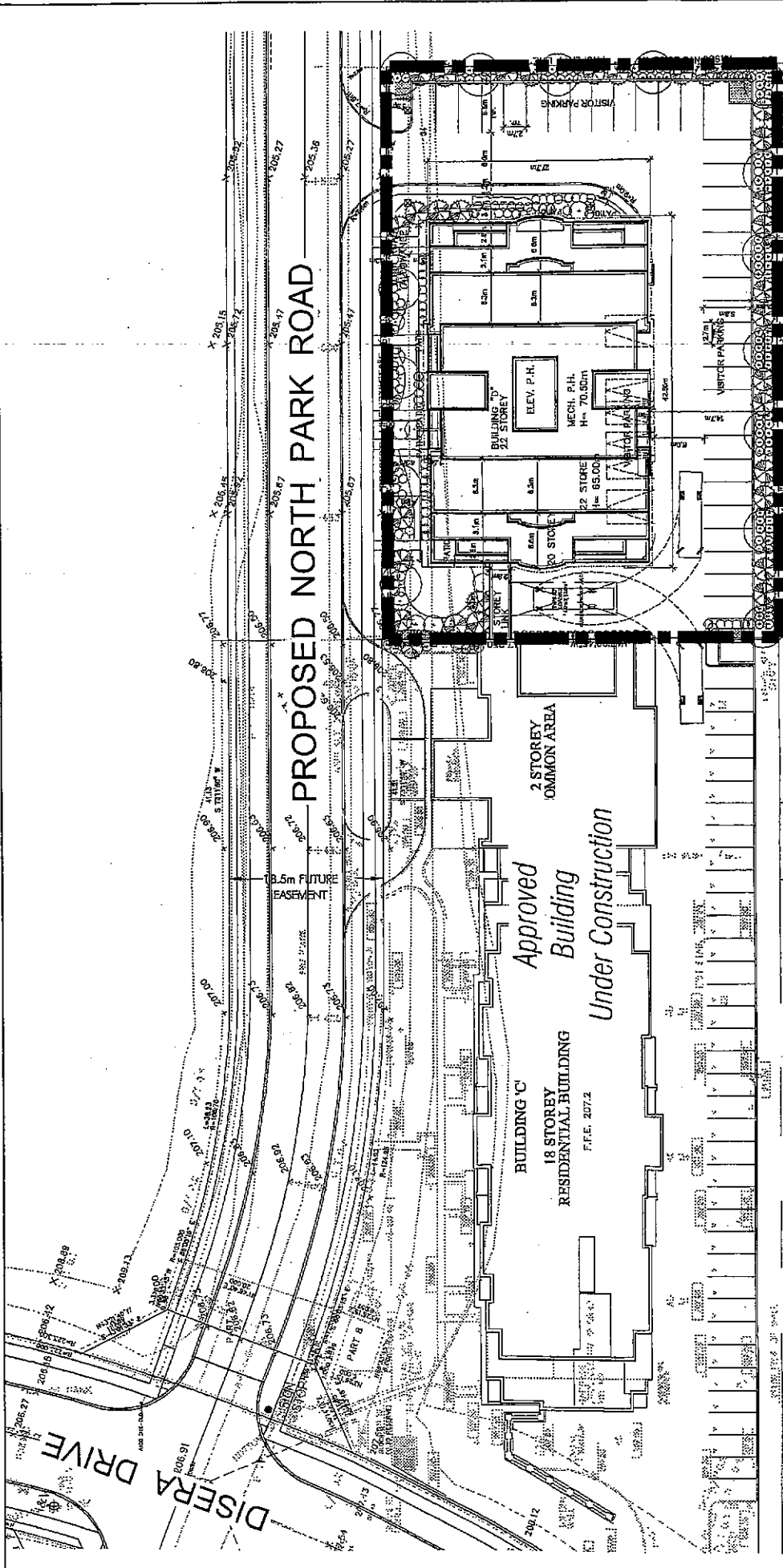
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Development Planning Department

Attachment 2

FILE No.:
Z.05.033
RELATED FILES:
19T-04V08
October 24, 2005



Site Plan

Part of Lot 6,
Concession 2

APPLICANT:
1541677 ONTARIO INC.

HA/DF1 ATTACHMENTS/21-05-033

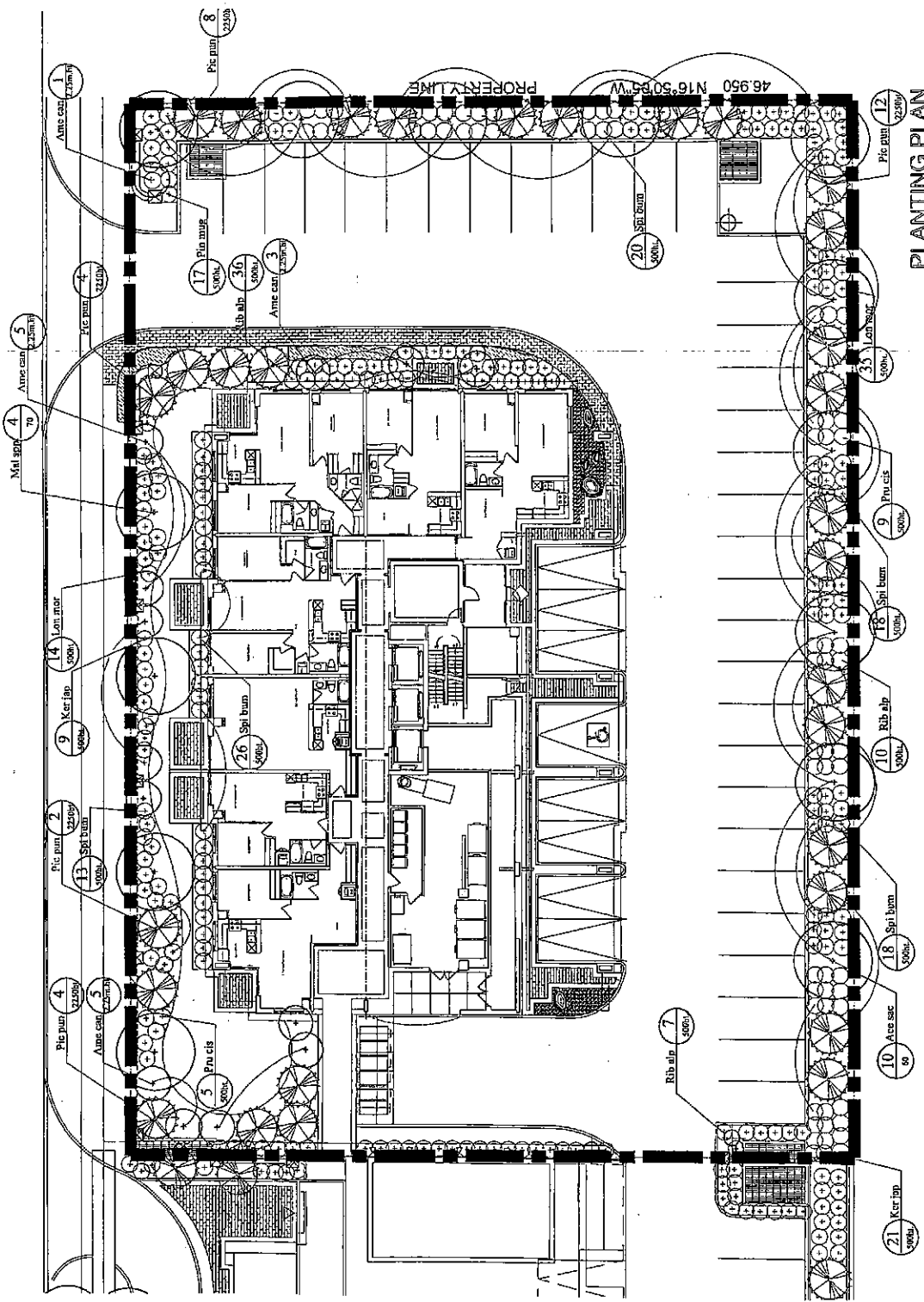
City of
Vaughan

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Attachment 3

FILE No.:
Z.05.033
RELATED FILES:
19T-04V08
October 24, 2005

PROPOSED NORTH PARK ROAD



PLANTING PLAN

Legend

SUBJECT LANDS

Not to Scale

Landscape Plan

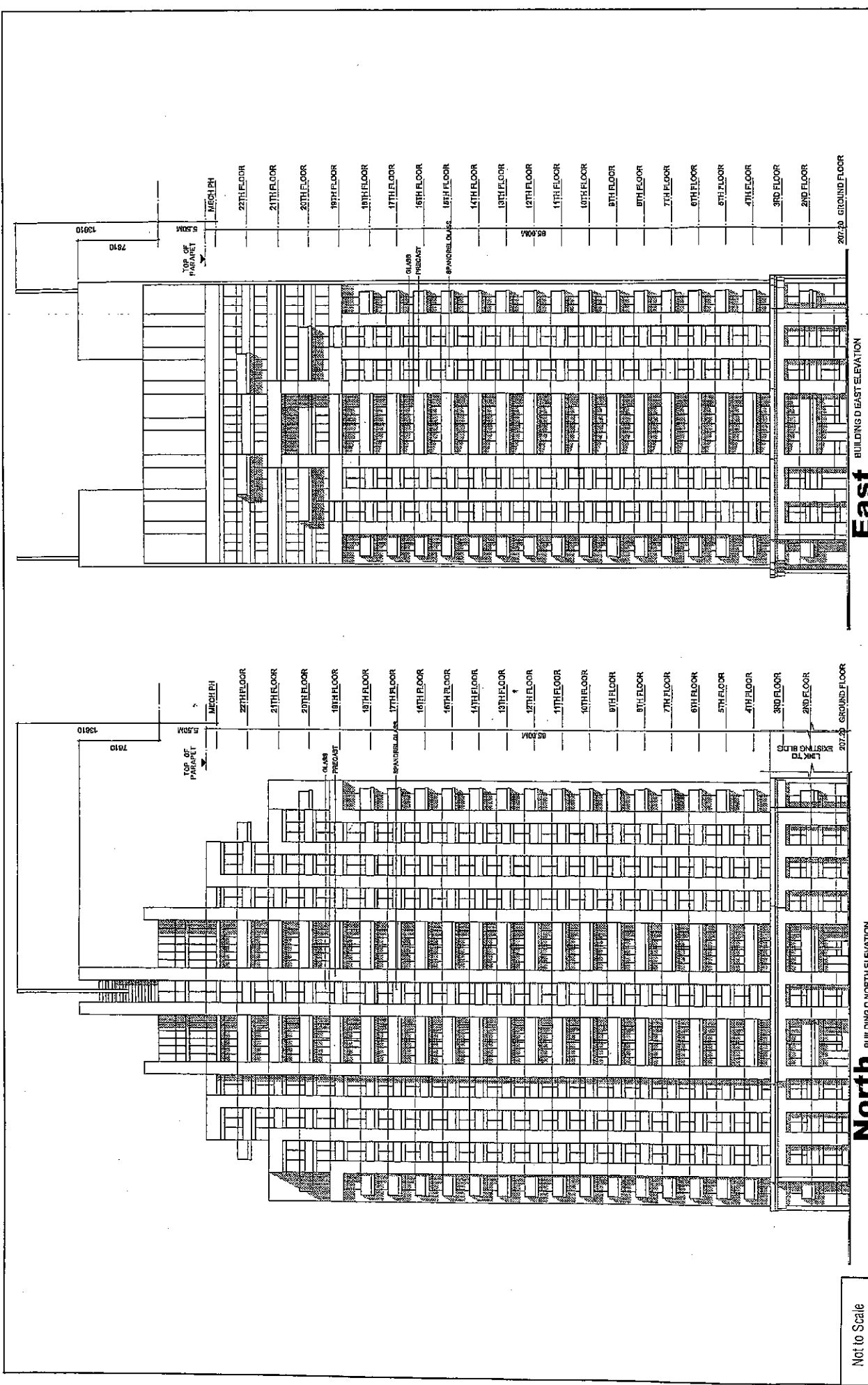
Part of Lot 6,
Concession 2
APPLICANT:
1541677 ONTARIO INC.
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Development Planning Department

Attachment 4

FILE No.:
Z.05.033
RELATED FILES:
19T-04V08
October 24, 2005



Not to Scale

North BUILDING NORTH ELEVATION

East BUILDING EAST ELEVATION

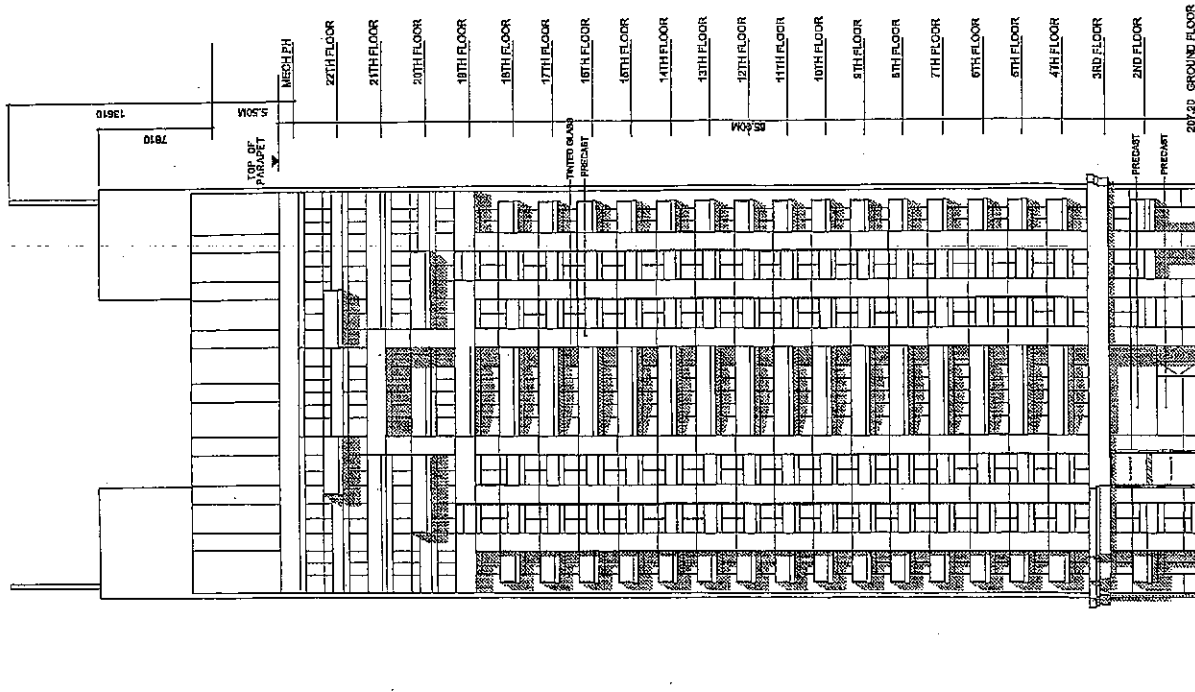
North & East Elevations



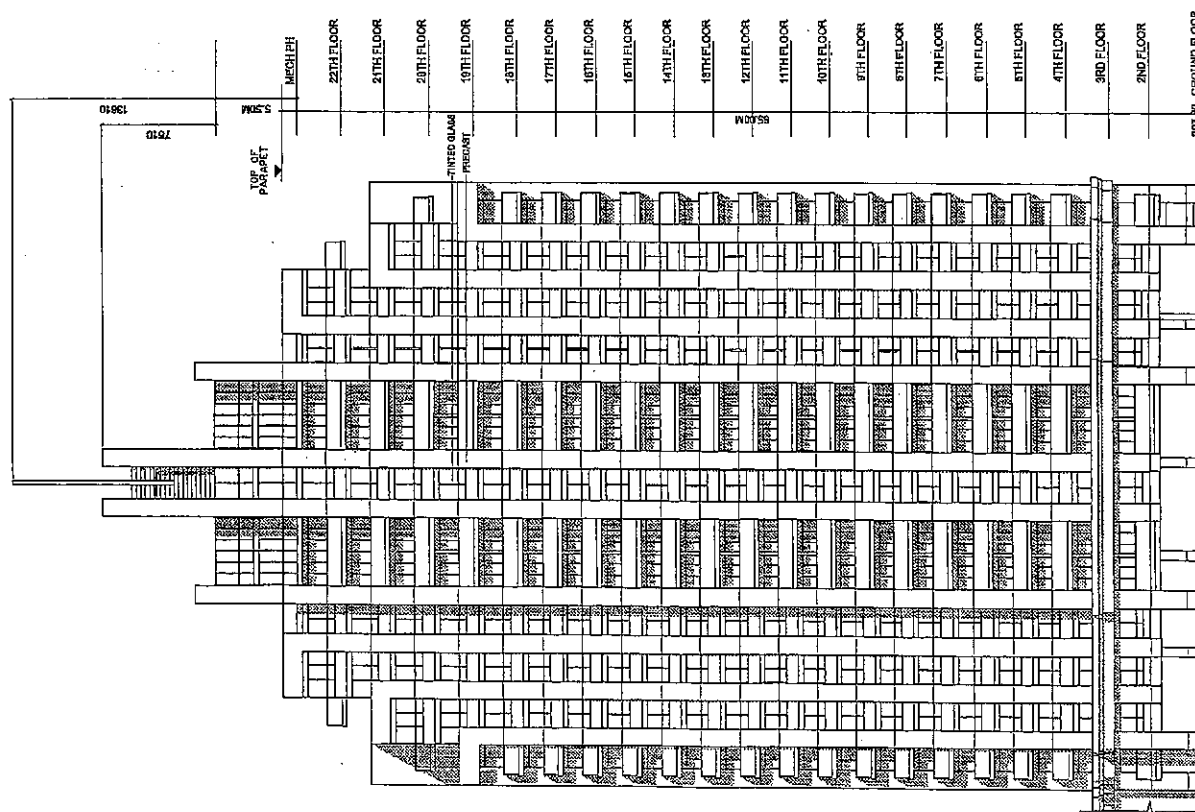
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Attachment 5
 FILE No.: Z.05.033
 RELATED FILES: 19T-04V08
 October 24, 2005

Part of Lot 6,
 Concession 2
 APPLICANT:
 1541677 ONTARIO INC.
 M/DFTV \ ATTACHMENTS \ Z.05.033



West
BUILDING D WEST ELEVATION



South
BUILDING D SOUTH ELEVATION

Not to Scale

Attachment
6

FILE No.:
Z.05.033
RELATED FILES:
19T-04V08
October 24, 2005

City of
Vaughan

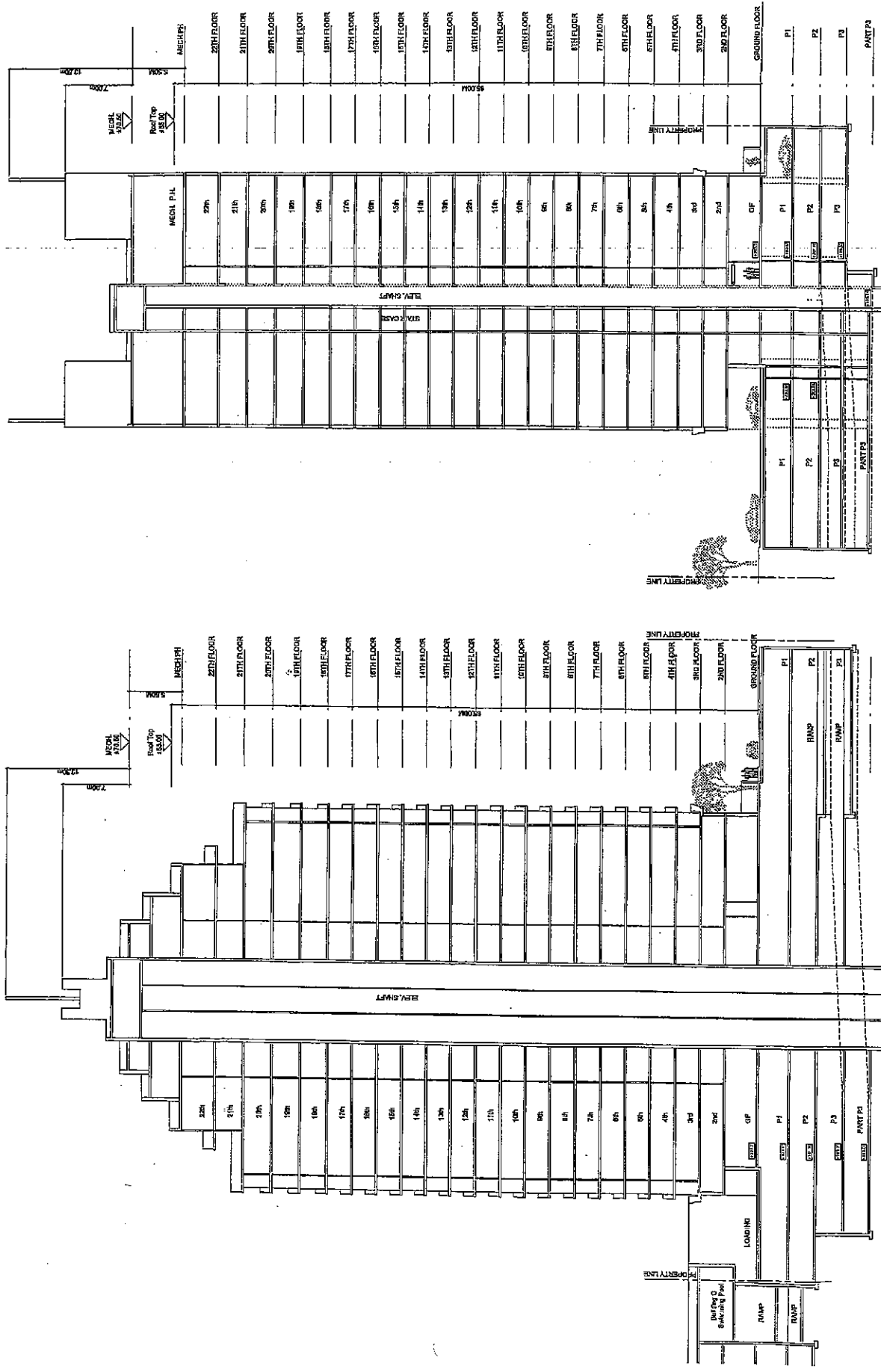
Development Planning Department

South & West Elevations

Part of Lot 6,
Concession 2

APPLICANT:
1541677 ONTARIO INC.

MAP/PLAN ATTACHMENT/VAN-05-033



Not to Scale

SECTION A-A (South)

SECTION B-B (West)

Building 'D' Cross Sections

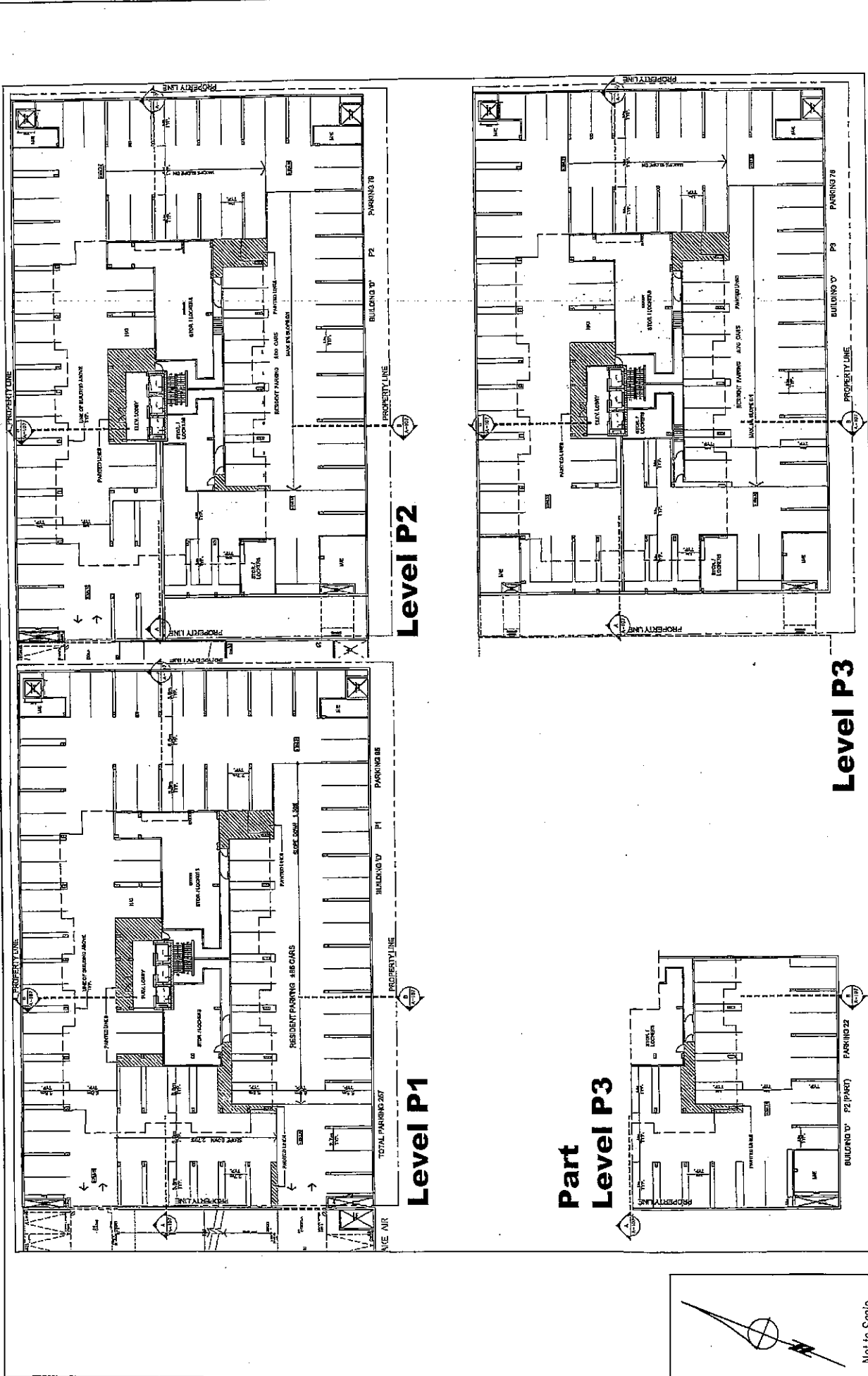


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Attachment 7

FILE No.: Z.05.033
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 October 24, 2005

Part of Lot 6,
 Concession 2
 APPLICANT: 1541677 ONTARIO INC.
 NADP\1 ATTACHEMENTS\Z\1-05-033

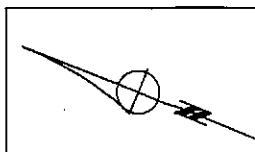


Level P2

Level P1

**Part
Level P3**

Level P3



Not to Scale

U/G Parking Plan

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