SITE DEVELOPMENT FILE DA.07.022
JANE-RUTH DEVELOPMENT INC.

Recommendation

The Commissioner of Planning recommends:

1. THAT Site Development File DA.07.022 (Jane-Ruth Development Inc.) BE APPROVED, to permit a 16-storey, 225 unit residential condominium building, as shown on Attachment #3, subject to the following conditions:

   a) that prior to the execution of the site plan agreement:

      i) the final site plan, building elevations, landscaping plan, and landscape cost estimate shall be approved by the Development Planning Department;

      ii) the final site grading and servicing plan and stormwater management report shall be approved by the Engineering Department;

      iii) that Committee of Adjustment Minor Variance Application File A109/07 be revised to provide for a minimum of 312 parking spaces and a maximum building height of 55 m and that the Application be approved and the Committee's decision be final and binding;

      iv) all requirements of CN Rail shall be satisfied;

      v) all requirements of the Toronto and Region Conservation Authority shall be satisfied;

      vi) all hydro requirements of PowerStream Inc. shall be satisfied; and

      vii) all requirements of the Region of York Transportation and works Department shall be satisfied; and

   b) that the site plan agreement contain the following provisions:

      i) the Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to a fixed rate 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 undertake the necessary noise study(ies) required to recommend the materials and construction methods to be employed to meet the stationary noise source criteria in all areas of the proposed building;

      iii) the Owner shall agree to implement all the recommendations of the final approved noise study(ies) and that prior to the issuance of a building permit, a qualified engineer shall certify that the building plans implement the recommendations of the approved noise study(ies).

2. THAT Council pass the following resolution with respect to the ALLOCATION of sewage capacity from the York-Durham Servicing Scheme and water supply capacity from the York-Durham System for the development application listed below:

> "IT IS HEREBY RESOLVED THAT site development application DA.07.022 (225 Residential Units) is allocated sewage capacity from the York-Durham Servicing Scheme and water supply capacity from the York Water Supply System.

Economic Impact

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

Communications Plan

N/A

Purpose

The Owner has submitted a Site Development Application (File DA.07.022) on the subject lands shown on Attachment #1 to permit a 16-storey residential condominium building with 225 units and a gross floor area of 22,269 m^2, and three levels of underground parking with 312 spaces. The proposal represents the third building (Building "C") out of four of the Bellaria Residences, as shown on Attachment #2.

Background - Analysis and Options

The overall 9.186 ha site, shown on Attachment #2, is located at the northeast corner of Jane Street and Rutherford Road, in Part of Lot 16, Concession 4, and City of Vaughan, which has approval in place for and consists of four, 16-storey residential condominium buildings once built out. Buildings "A" and "B" have been site plan approved and are currently under construction. The Owner now seeks site plan approval for Building "C". The overall site abuts a tributary of the west branch of the Don River and vegetation associated with the watercourse.

The subject lands, shown on Attachment #2, are part of the Vaughan Centre Secondary Plan Area as defined by OPA #600, as amended by OPA #626, which was approved by the Ontario Municipal Board on April 19, 2005 as part of Decision Order 0982. OPA #626 designates the subject tablelands "High Density Residential/Commercial" and "Valley Lands". OPA #626 is a site-specific official plan amendment, which facilitates the proposed residential apartment development. The subject lands are currently zoned RA3 Apartment Residential Zone by By-law 1-88, subject to Exception 9(1246). The surrounding land uses are as follows:

- North - vacant land (C1(H) Restricted Commercial Zone with the Holding Symbol "H"); CN Pullback Track (M3 Transportation Industrial Zone)
- South - open space (OS1 Open Space Conservation Zone); approved high density residential-Building "A" (RA3 Apartment Residential Zone)
- East - vacant land, future high density residential Building "D" (RA3 Apartment Residential Zone); open space (OS1 Open Space Conservation Zone)
- West - approved high density residential-Building "B" (RA3 Apartment Residential Zone); open space (OS1 Open Space Conservation Zone)

Buildings "A" and "B" (Site Development File DA.04.023) were site plan approved by Vaughan Council on June 27, 2005.

Site-Specific OPA # 626

The OMB approved OPA #626, which designates the site as "High Density Residential/Commercial", and implements the proposed residential apartment development.

Zoning

The subject lands are zoned RA3 Apartment Residential Zone by By-law 1-88, subject to Exception 9(1246). The Owner has submitted a Minor Variance Application (File A109/07) for a reduction in parking from the required 395 spaces to 304 spaces. The application has been adjourned sine die in order for Vaughan Council to consider the subject Site Development Application (File DA.07.022).

It has been determined that an additional variance is required to increase the maximum building height to 55 m, whereas, the By-law currently permits a maximum building height of 50 m. The Owner is required to amend the Minor Variance Application (File A109/07) and the application is required to be approved by Vaughan Committee of Adjustment and be final and binding, prior to the registration of the implementing site plan agreement.

Site Design

The Owner has submitted a context plan as shown on Attachment #2 for the overall Jane-Ruth Development Inc. land holdings. The detailed site plan for Building "C" is shown on Attachment #3. The context plan shows four, 16-storey residential buildings organized around an internal access road, which runs from Rutherford Road and across the valley to a new east/west driveway from Jane Street. An electronic gate and a gatehouse are located at the ends of the internal road to control access and egress from the site. Building "A" is located at the corner of Jane Street and Rutherford Road and is separated from Buildings "B", "C" and "D" by the valley lands, which diagonally traverses the site. Building "B" will be the only other building that fronts onto Jane Street. The site will be developed as a condominium project and therefore, snow removal and garbage pick-up will be privately contracted.

The main amenity area for the overall project is located south of Buildings "C" and "D" adjacent to the valley lands. A pedestrian walkway system is provided throughout the site, including a sidewalk on the east side of the internal road, and connections to the public sidewalks and into the valley lands.

The current site plan application will facilitate the development of Building "C" only. Building "C" is located within the interior of the overall site and between Buildings "B" and "D". The internal driveway separates Buildings "B" and "C". A roundabout, which is tied in with the roundabout for Building "D", is located in front of the main entry of the building to provide a convenient drop-off area for residents and visitors. A total of 15 grade level visitor parking spaces are provided opposite the main entrance of Building "C" of which, 8 spaces are allocated to Building "C" and 7 spaces are allocated to Building "D". Otherwise, all of the parking for Building "C" is located in an underground garage accessed via a driveway from the main internal road. The garbage pick-up area is located on the south west side of Building "C".

The Owner will be filing a subsequent site development application for Building "D".

Building Elevations

The elevations for Building "C" are similar to the approved Buildings "A" and "B" currently under construction in terms of their appearance and materials and are shown on Attachments #6 and #7. The building height is 16 storeys and 55.0 metres in height. The main entry to the building is composed of a double door surrounded by glass panels and framed with a precast concrete element. The primary building material is precast concrete panels utilizing two different colours and textures to provide visual interest to the building. The base of the building including the first three floors will be clad in a darker taupe coloured, exposed aggregate textured precast cladding. An architectural precast cornice molding is utilized as a transition feature to the upper storeys, which are finished in a smooth precast concrete panel with a lighter shade of the base colour. The architectural precast cornice molding is repeated at the upper levels and top of each building.

A bronze coloured glass will be used for all of the windows and three bronze metal domes are proposed at the roof level. Balconies are located on the north and south elevations of the building.

The final elevation plans must be approved to the satisfaction of the Development Planning Department.

Parking

The minimum parking requirement for the proposed residential development is calculated as follows:

Building "C"

Use	Number of Units	Parking Ratio	Required Parking
Residential Parking	225 units	1.5 spaces per unit	= 338 spaces
Visitor Parking	225 units	0.25 spaces per unit	= 57 spaces
Total Required Parking for Building "C"			**= 395 spaces**

The Owner has submitted a parking study prepared by iTrans, which proposes a reduced parking ratio and number of parking spaces as follows:

Building "C"

Use	Parking Ratio	Proposed Parking
Residential Parking	1.14 spaces/unit	= 256 spaces
Visitor Parking	0.248 spaces/unit	= 56 spaces
Total Proposed Parking for Building "C"		**= 312 spaces**

The City Engineering Department has reviewed the proposed parking supply and concurs with the proposed parking standards and number of spaces to be provided.

The Owner has submitted a minor variance application (File A109/07) for a reduction of parking from the required 395 spaces to 304 spaces. The application has been adjourned sine die in order for Vaughan Council to consider the site development application (File DA.07.022). A condition of approval is included requiring that a variance for 312 spaces be supported.

The Minor Variance Application (File A109/07) must be approved by the Committee of Adjustment, and their decision must be final and binding, prior to registration of the site plan agreement.

Access

Access to the site is proposed from a 7 m wide internal road that services Buildings "A", "B" and "C", with a new driveway access from Jane Street that is currently under construction. This road is required in order to facilitate vehicular and pedestrian movement within the development on this overall property.

The Jane Street access is proposed to be signalized, and has a minimum width of 18m and incorporates a 6m wide centre landscaped median, as shown on Attachment #2. It is noted that OPA #626 and By-law 277-2005 include policies and standards that this driveway be used for the sole use of the residential condominium development on the Jane-Ruth lands.

Landscaping

The Owner has submitted a Master Landscape and Landscape Plans for the proposed development as shown on Attachments #4 and #5. The landscape plans consist of a mix of coniferous and deciduous trees and ground plantings utilized along the street frontages, around each building and abutting the valley lands. The plans also illustrate proposed hard surfaced landscape areas including walkways and amenity areas. The plan includes a landscape feature on the north side of the surface visitor parking spaces for Building "C". The feature consists of a colonnade accessed by a 1.5 m wide concrete pedestrian walkway that is connected by a parkette feature and a unit paved walkway leading to the main entrance to Building "C". The colonnade will be flanked by trees and will beautify the pedestrian access to the underground parking garage.

The Development Planning Department has reviewed the landscape plans and is generally satisfied with the proposed landscaping provided that the planting species is further diversified with minimum 60 cm caliper for all trees and a minimum 60cm height and spread for shrubs. Furthermore, all metal proposed in the landscaping is to be aluminum for weather-resistance and electrostatically powder-coated for superior paint adhesion. The Owner has been advised that the landscape cost estimate shall also be revised to reflect current market replacement costs.

Engineering Department

i) Environmental Site Assessment (ESA)

A Phase 1 Environmental Site Assessment (ESA) Report has been approved to the satisfaction of the Engineering Department. The Record of Site Condition, under Registration Number 23909, has been file with the Ontario Ministry of the Environment.

ii) Servicing

The Owner has submitted the required engineering drawings including, a grading and servicing plan and a stormwater management report, which must be approved to the satisfaction of the City's Engineering Department. A condition of approval has been included in this respect.

On February 26, 2007, Vaughan Council endorsed the assignment of future servicing allocation capacity to various active development applications throughout the City of Vaughan. On October 9, 2007 the Region of York released the additional servicing capacity to the City of Vaughan based on the completion of the Regional Bathurst and Langstaff trunk sewers and that allocation could be made available by the City one year prior to the service target date for the Bathurst and Langstaff trunk sewers.

The development of high density residential buildings have different construction timeframes than ground related housing, typically taking approximately 18 months to construct and occupy. As a result, the proposed site development application may be recommended for allocation of servicing capacity for a total of 225 units.

Toronto and Region Conservation Authority TRCA

The Toronto and Region Conservation Authority has reviewed the site development application and has no objections to the approval of the proposed development. TRCA, however, notes that additional information is required from the Owner indicating the amount and duration, including monitoring of the dewatering that is expected. Additionally, an analysis should be completed detailing any expected impacts the dewatering will have on the surrounding natural features, including the watercourse. Furthermore, silt fencing and tree protection fencing should be clearly delineated on the plan. TRCA requests that no stock piling of materials is to occur adjacent to or near the natural features. TRCA requires that the landscape plan be modified to remove the

invasive planting material, in particular the *acer pantanoides* and replace it with a non-invasive tree and the *thuja occidentalis* (emerald) should be replaced with a native *thuja occidentalis*.

The Owner is required to obtain a TRCA permit under Ontario Regulation 166/06 (Development Interference with Wetlands and Alterations to Shorelines and Watercourses) for any works taking place within the regulated area. TRCA requires that the Owner provide information detailing the proposed method for controlling or minimizing erosion and siltation on-site during and after construction, to the satisfaction of the Toronto and Region Conservation Authority. The Owner is aware of the comments from TRCA and a condition of approval has been included in this report requiring the Owner to satisfy the TRCA'S conditions.

Development Charges

Prior to the issuance of a building permit, the Owner shall pay to the City a woodlot development charge in the amount of $1,000.00 per residential dwelling unit in accordance with the previous Special Area Woodlot Development Charge By-law and Front-end agreement.

CN Rail

CN requires that the following warning clause be inserted in offers of Purchase and Sale, and within the Condominium Documents, with the express intention that potential purchasers and future owners are made aware of the proximity of railway operations and the pull back track:

> "That Canadian National Railway Company ("CN') is the owner of certain lands known as its "MacMillan Rail Yard" (the "CN Lands"), portions of which are located within 300 meters of the Project Lands, and that the CN Lands are now and will continue to be used for the present and future railway facilities and operations of CN on a continuous basis (24 hours of each day in each year) including, without limitation, the operation and idling of diesel locomotives with the generation of diesel fumes and odours, artificial lighting of the CN Lands which may illuminate the sky, the switching of rail cars containing bulk and other commodities including hazardous substances and/or goods containing the same, and the operation of various processes for the maintenance of rail equipment."

Canada Post

Canada Post has advised that their delivery policy requires the Owner to install and maintain a centralized mail facility for each building.

PowerStream Inc. & Fire Department

The Owner will be required to satisfy all hydro and fire prevention requirements of PowerStream Inc. and the Vaughan Fire Department, respectively. A condition of approval has been included in this respect.

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".

Regional Implications

The proposed development represents the third of four buildings. The Region of York supported the first and second building proposals and has no objections to the third building as it is consistent with Regional Official Plan policies to provide a wider range of housing options for residents, and provide medium and higher density urban development adjacent to transit-intensive urban arterials.

Conclusion

The Development Planning Department has reviewed the on Site Development Application to permit a 16-storey, 225 unit residential condominium building, (Building "C") on the subject lands.

The proposed Site Development Application has been reviewed in consideration of the applicable Official Plan policies, the Ontario Municipal Board Decisions, the requirements of By-law 1-88, and the surrounding area context. The Development Planning Department is generally satisfied that the proposed site plan implements the Decision of the Ontario Municipal Board, subject to the comments and conditions set out in the "Recommendation" section of this report. In particular, the Owner is required to amend the related Minor Variance Application Variance (File A109/07) to reflect the proposed parking reduction for the development and to include an additional variance for the increase in building height. File A109/07 must be approved by the Committee of Adjustment and receive final and binding prior to the execution of the site plan agreement.

In light of the above, the Development Planning Department recommends approval of the Site Development application, subject to the conditions of approval set out in the recommendation of this report.

Attachments

1. Location Map
2. Context Plan
3. Building 'C' Site Plan
4. Master Landscape Plan
5. Landscape Plan
6. Building 'C' South and West Elevations
7. Building 'C' North and East Elevations

Report prepared by:

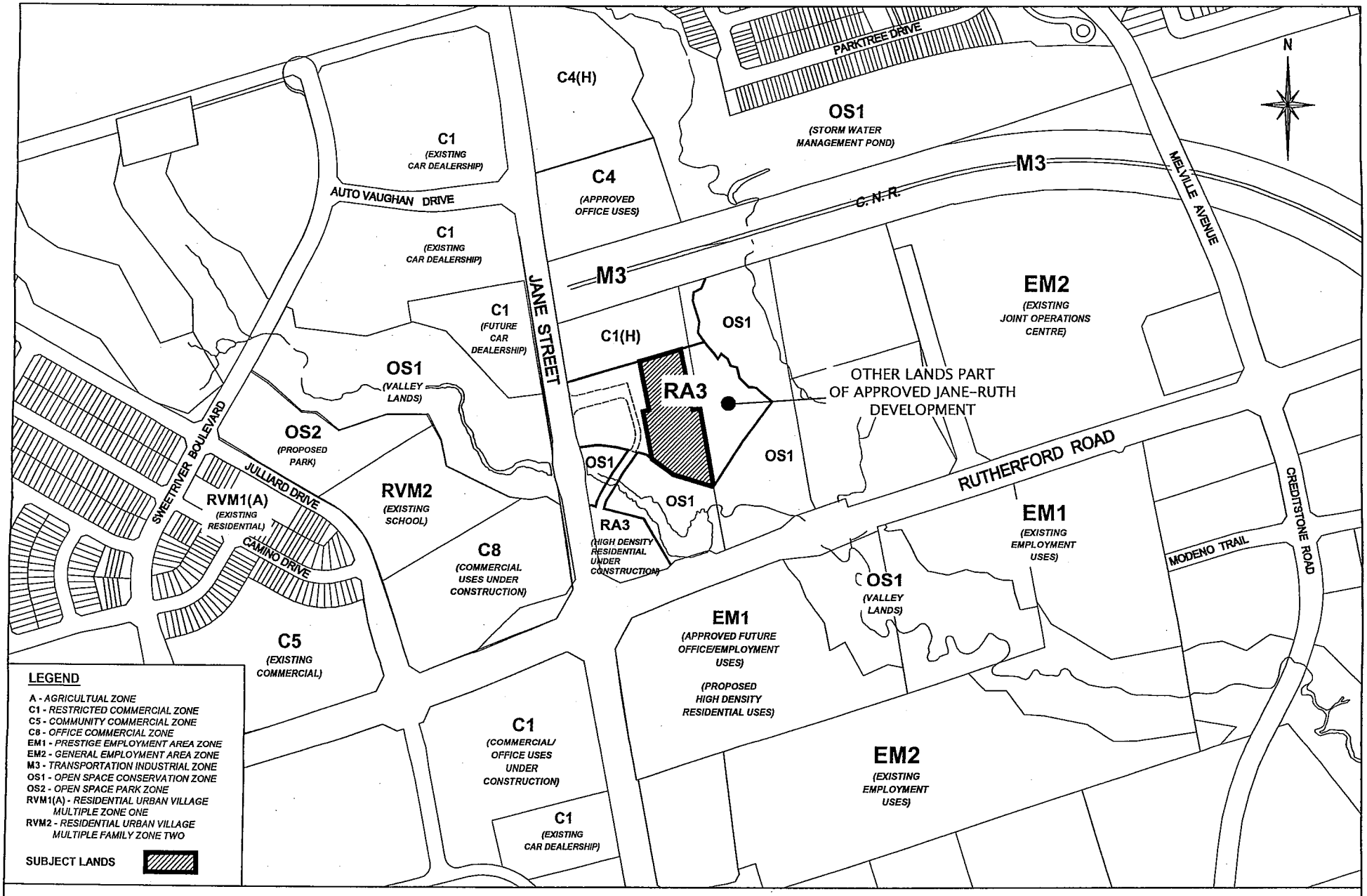
Stephen Lue, Planner, ext. 8210
Mauro Peverini, Senior Planner, ext. 8407
Grant Uyeyama, Manager of Development Planning, ext. 8635

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

/LG



Location Map

Part of Lot 16,
Concession 4

APPLICANT:
JANE - RUTH DEVELOPMENT INC.

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City of Vaughan
The City Above Toronto

Development Planning Department

Attachment 1

FILE No.:
DA.07.022

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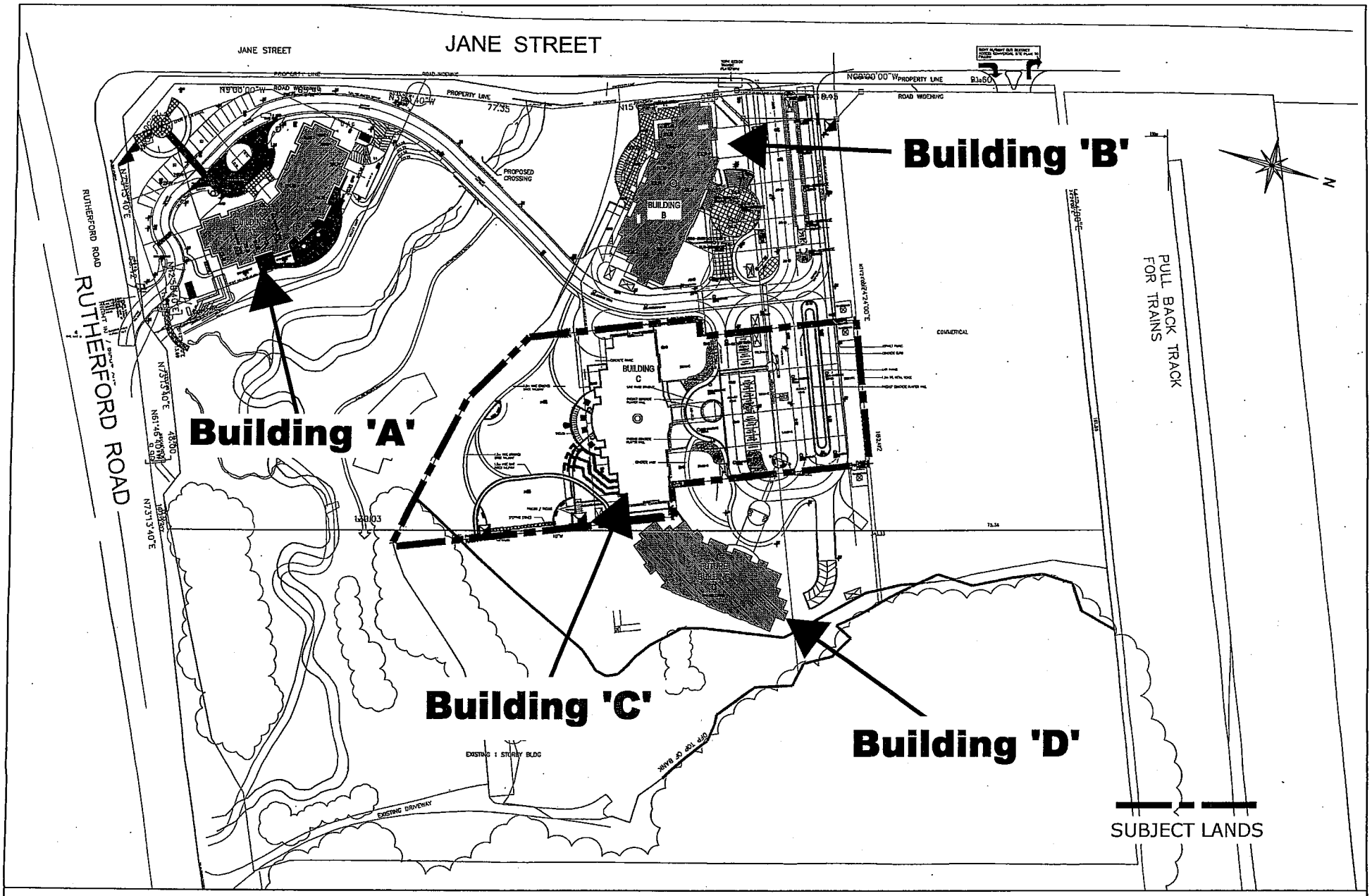
March 30, 2007



Context Plan

Part of Lot 16,
Concession 4

APPLICANT:
JANE - RUTH DEVELOPMENT INC.

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City of Vaughan
The City Above Toronto

Development Planning Department

Attachment

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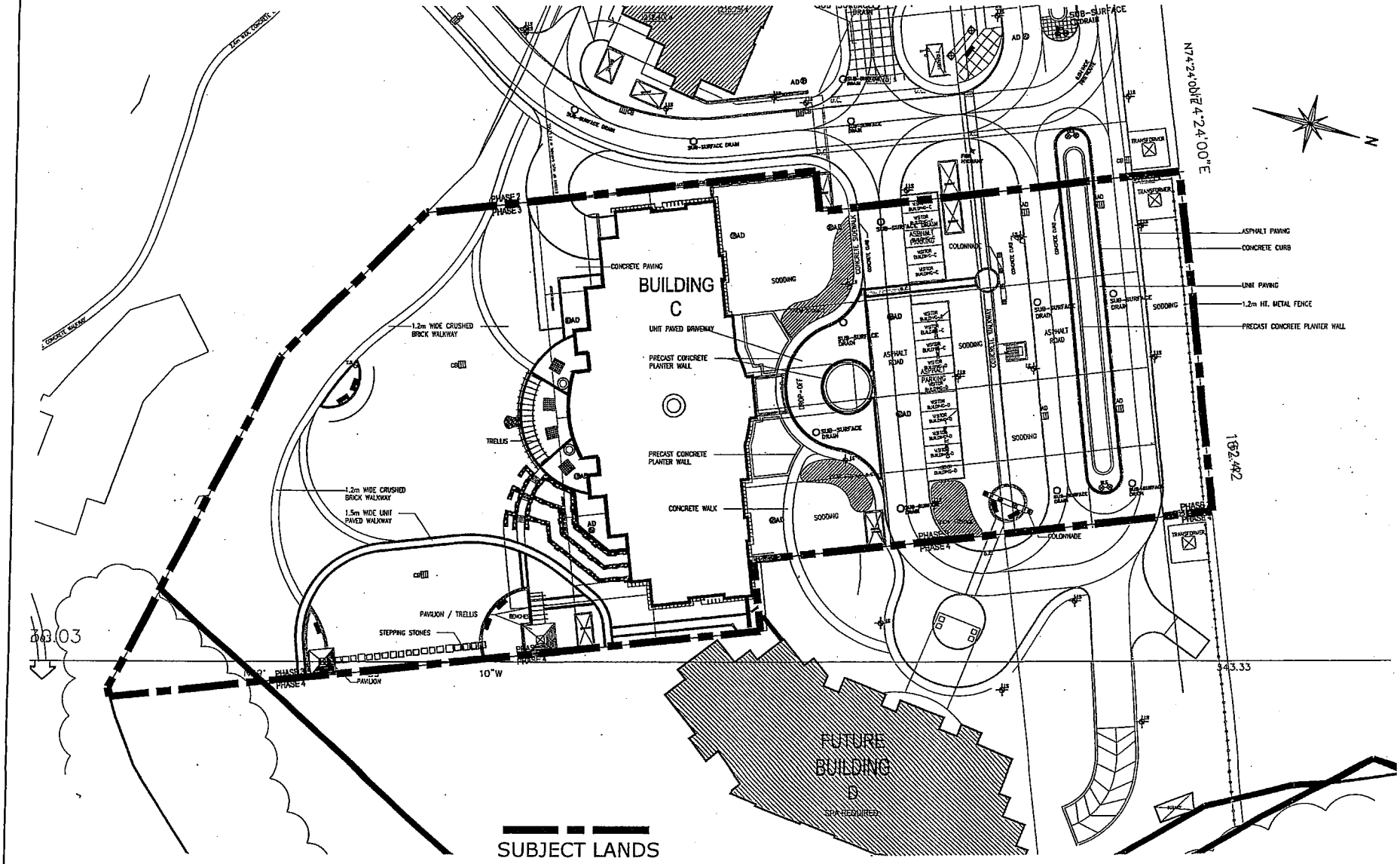

Building 'C' Site Plan

Part of Lot 16,
Concession 4

APPLICANT:
JANE - RUTH DEVELOPMENT INC.

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Attachment 3

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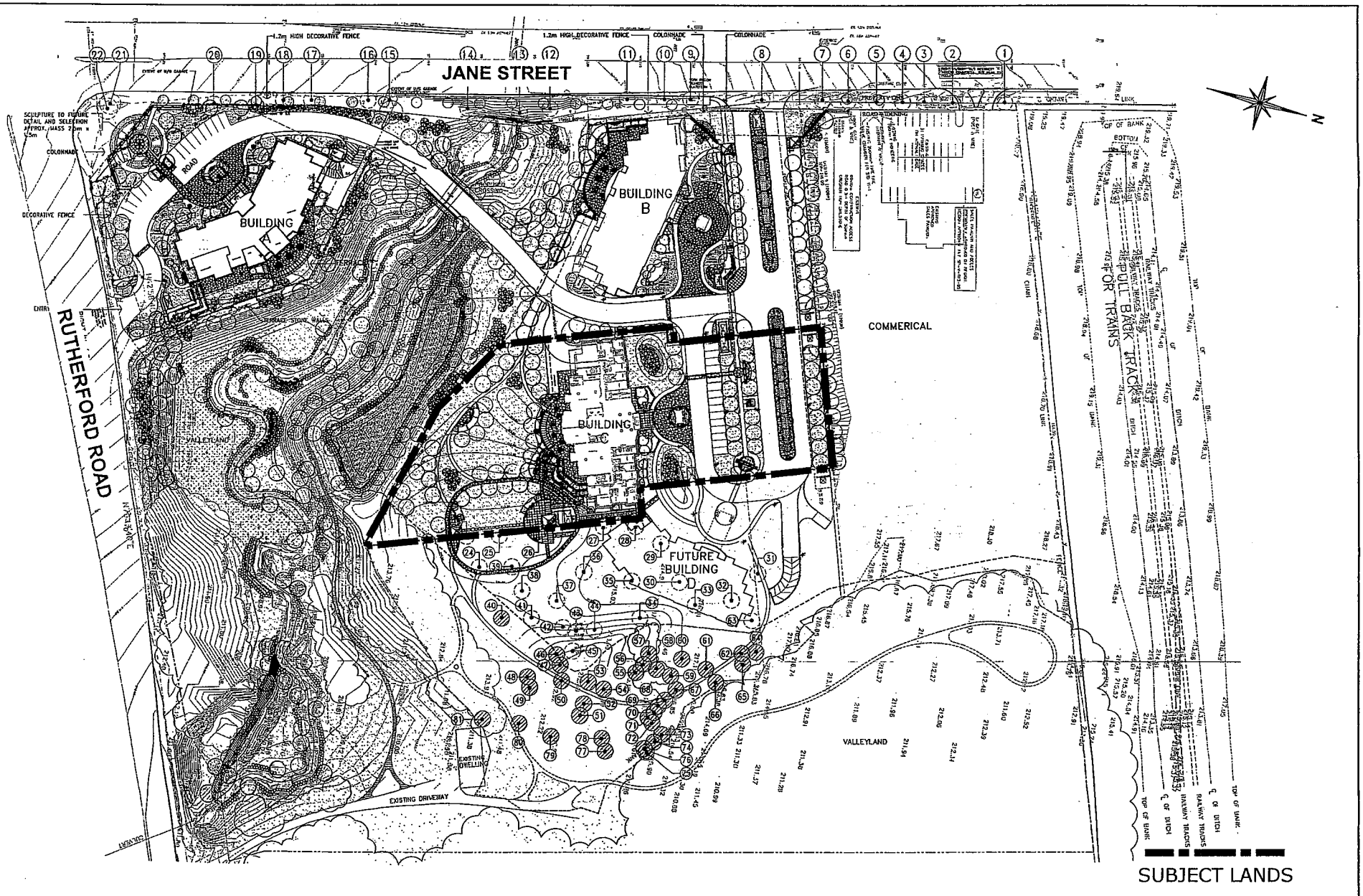

Master Landscape Plan

Part of Lot 16,
Concession 4

APPLICANT:
JANE - RUTH DEVELOPMENT INC.

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Attachment 4

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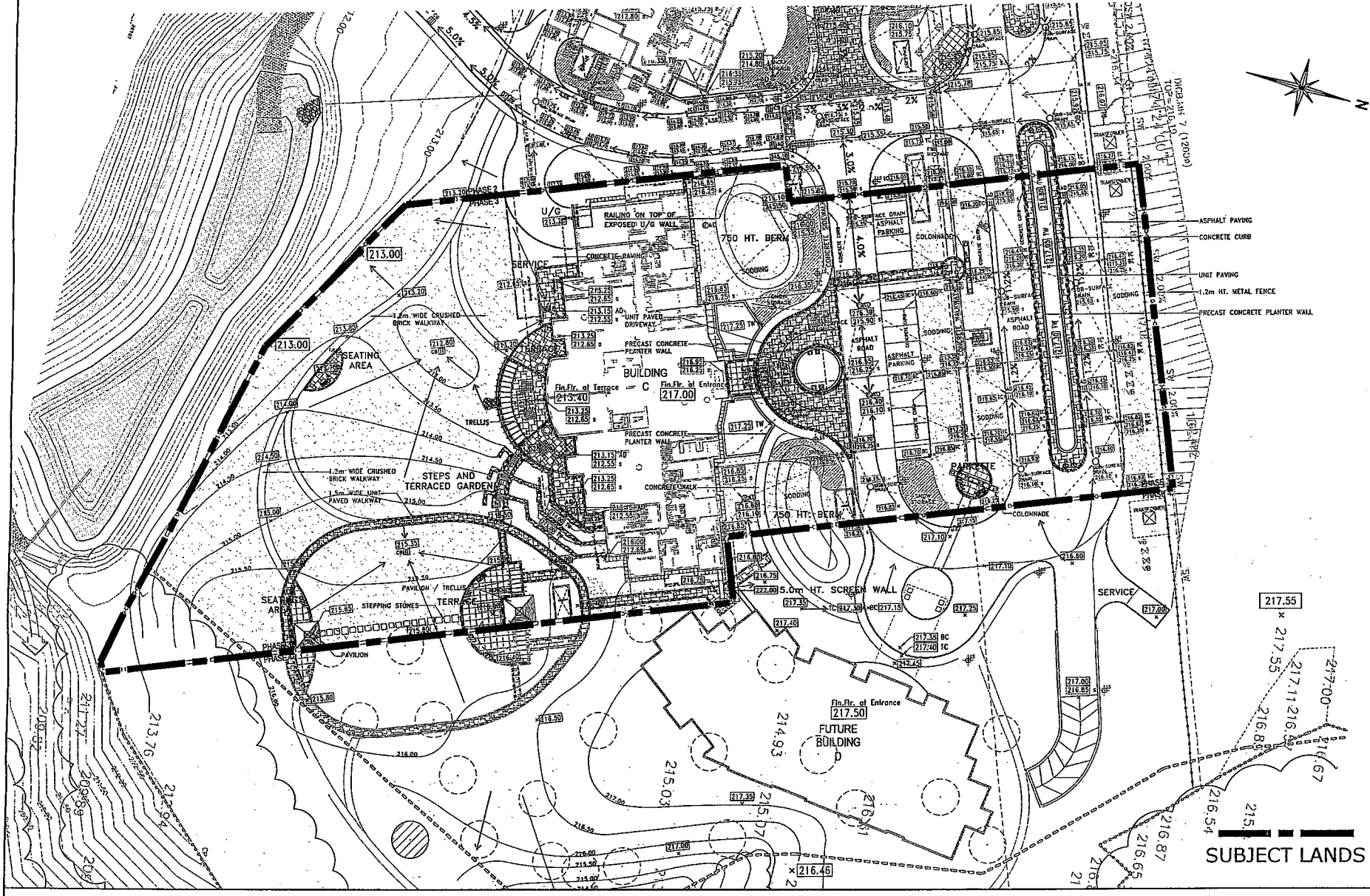

Landscape Plan

Part of Lot 16,
Concession 4

APPLICANT:
JANE - RUTH DEVELOPMENT INC.

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Attachment 5

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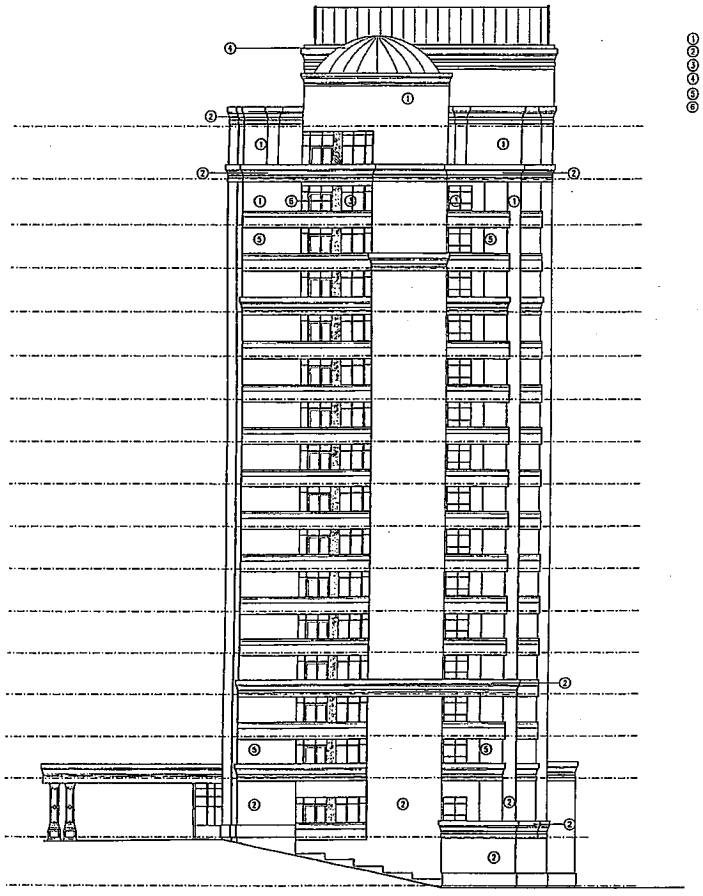
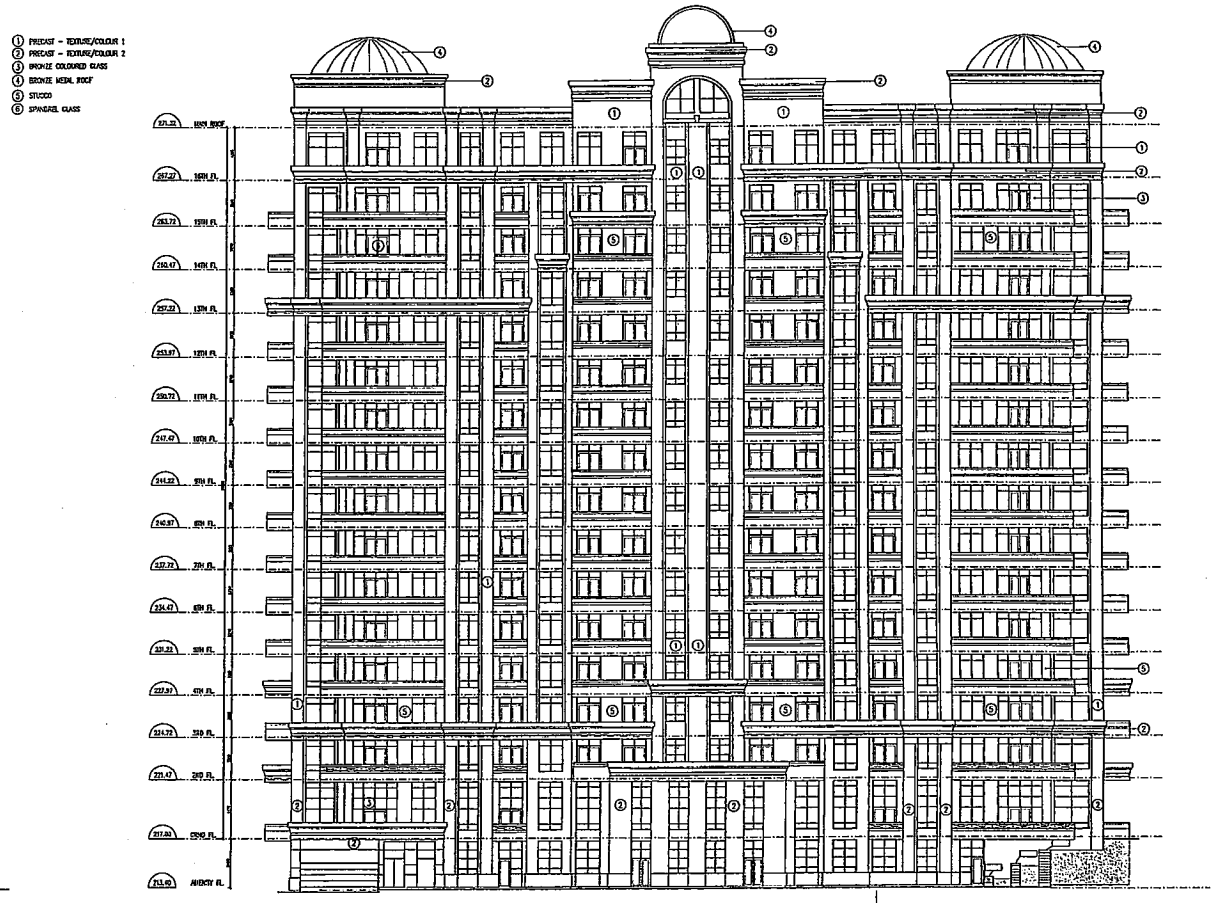


West Elevation



South Elevation

Building 'C' - South & West Elevations

APPLICANT:
JANE - RUTH DEVELOPMENT INC.

Part of Lot 16,
Concession 4

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Attachment 6

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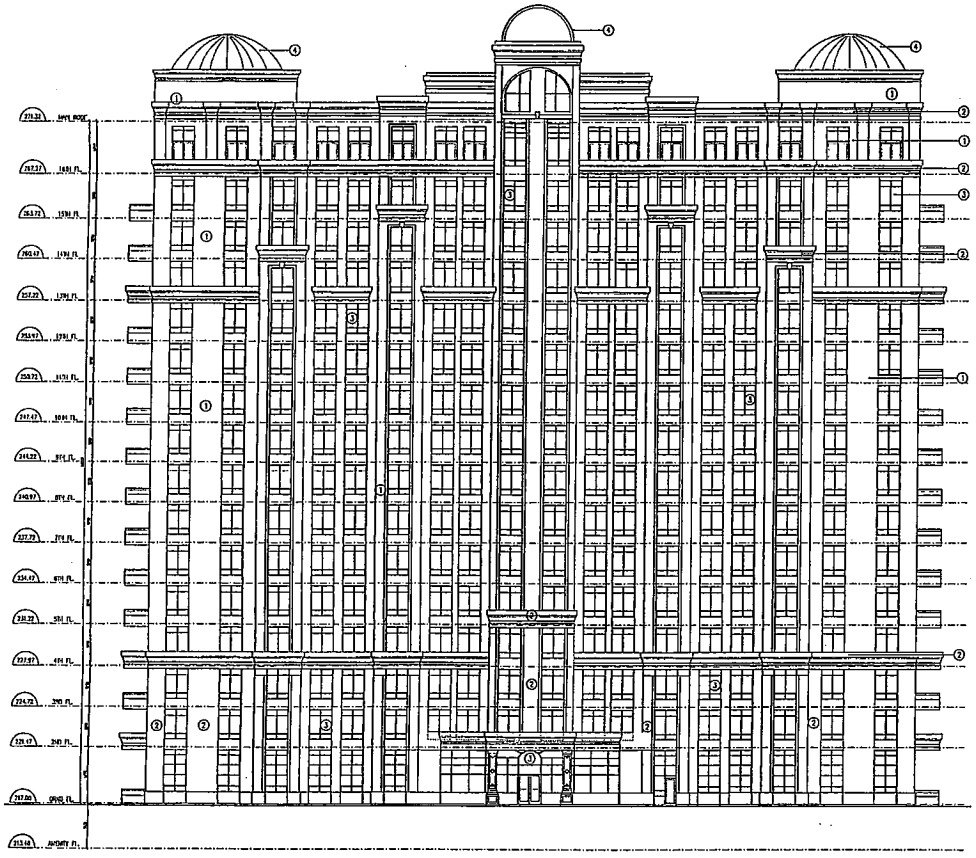
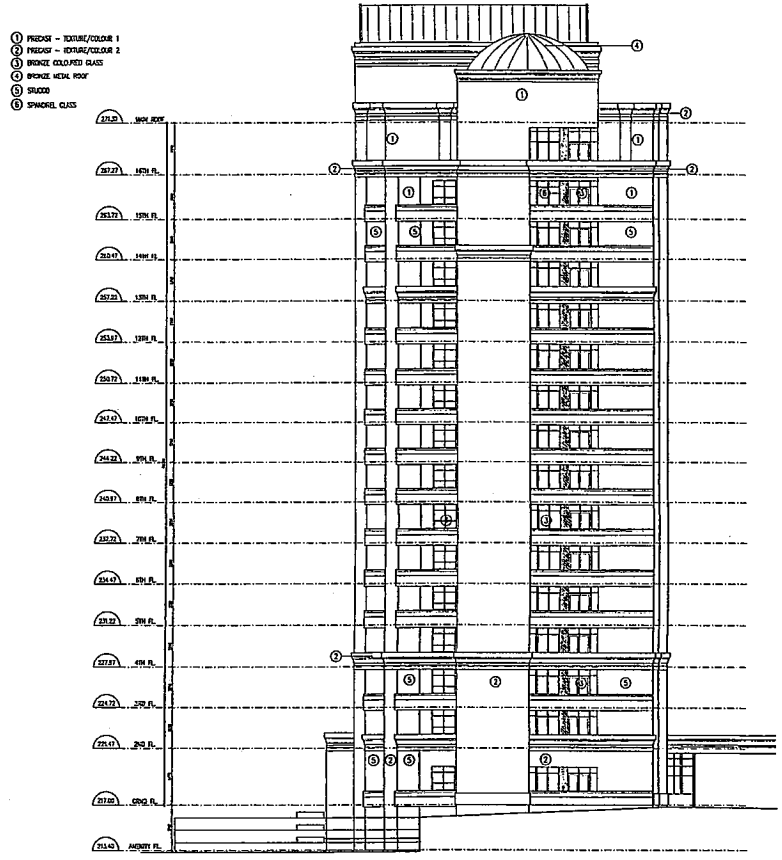


North Elevation



East Elevation

Building 'C' - North & East Elevations

APPLICANT:
JANE - RUTH DEVELOPMENT INC.

Part of Lot 16,
Concession 4

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