

COMMITTEE OF THE WHOLE JUNE 18, 2007

**ZONING BY-LAW AMENDMENT FILE Z.07.008
SITE DEVELOPMENT FILE DA.07.028
1275621 ONTARIO INC.
REPORT #P.2006.**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.07.008 (1275621 Ontario Inc.) BE APPROVED to remove the Holding Symbol "H" on the subject lands zoned RA3(H) Apartment Residential Zone as shown on Attachment #1, to facilitate the development of a 6 storey 140 unit seniors retirement residence.
2. THAT Site Development File DA.76.028 (1275621 Ontario Inc.) BE APPROVED, to permit the development of a 6 storey, 140 unit seniors retirement residence, 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 plan, and landscape plan shall be approved to the satisfaction of the Development Planning Department;
 - ii) the final site servicing, site grading plan and storm water management report, access, on site circulation (including the underground parking) and noise report shall be approved to the satisfaction of the Vaughan Engineering Department;
 - iii) all hydro requirements shall be fulfilled to the satisfaction of PowerStream Inc.;
 - iv) the Owner shall satisfy the requirements of the Region of York Transportation and Works Department;
 - v) the Owner shall satisfy the requirements of the Toronto and Region Conservation Authority;
 - vi) the Owner shall satisfy the requirements of the City of Vaughan Fire Services Department;
 - vii) the Owner shall satisfy the requirements of Canada Post regarding mail service to the building; and
 - viii) the required variances shall be obtained from the Committee of Adjustment and shall be in full force and effect;
 - b) that the site plan agreement include the following conditions:
 - i) the Owner shall pay by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, 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) a Structural Engineer shall provide certification to the Building Standards Department at the time of Building Permit Application that the underground roof slab has been designed to support all structures and plant materials;
- iii) garbage, and recycling collection and snow removal for the building shall be the responsibility of the Owner;
- iv) the Owner shall include all necessary noise warning clauses in the property and tenancy agreements, in accordance with the noise report to be approved by the Vaughan Engineering Department.

Economic Impact

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

Communications Plan

N/A

Purpose

The Owner has submitted the following:

1. A Zoning By-law Amendment Application (File Z.07.008) to remove the Holding Symbol "H" on the subject lands currently zoned RA3 (H) Apartment Residential Zone, with the "(H)" Holding Symbol, to facilitate the development of a 140 unit seniors retirement residence.
2. A Site Development Application (File DA.07.028) to facilitate the development of a 160 units seniors retirement residence on the subject lands shown on Attachment #2.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located on the north side of Valley Vista Drive, east of Dufferin Street, being Part of Lot 20, Concession 2, City of Vaughan. The 0.674 ha irregular shaped lot has approximately 158m frontage along Valley Vista Drive. The surrounding land uses are:

- North - OS5 (Opens Space Zone)
- South - proposed single detached residential (RD3 Residential Zone)
- East - proposed single detached residential (future RD3 Residential Zone under Z.05.060 Alice Smith)
- West - proposed high density residential apartments (RA3(H) Residential Apartment Zone (Holding Symbol) 1275621 Ontario Inc.)

Previous Approvals

On March 20, 2006 Council approved related Official Plan (OP.05.009) and Zoning Amendment (Z.03.070) applications to redesignate the subject lands from "Low Density Residential" and "Medium Density Resident/Commercial" to "High Density Residential/Commercial" to permit a maximum residential density of 200 units/ha with a maximum building height of 12-storeys and ancillary commercial uses and to rezone the subject lands from A Agricultural Zone to RA3

Apartment Residential Zone and OS5 Open Space Environmental Protection Zone. The lands were zoned with the addition of the Holding Symbol "(H)" pending servicing allocation and site plan approval. The implementing official plan and zoning amendments were enacted and adopted by Council on April 24, 2006.

Current Proposal

The subject land is proposed to be developed by Chartwell Seniors Housing and approval of a Site Development Application has been requested to facilitate the development of a 6-storey seniors retirement residence. The current application proposes 140 small seniors retirement suites within the building. The individual suites do not contain kitchen facilities, and food preparation and dining areas are provided as a centralized function/facility. Additional common lounge and recreational areas are provided within the building for use by the residents of the retirement home.

c) City of Vaughan – Official Plan

The subject lands are designated "High Density Residential/Commercial" by Official Plan Amendment No. 600, as amended by Official Plan Amendment No. 634 which permits residential apartments at a maximum density of 200 units/ha and a maximum building height of 12-storeys. The proposed 6 storey, 140 units seniors retirement residence conforms to the Official Plan.

Servicing/Allocation

The Region of York Planning and Development Services Department has advised the City that allocation required for retirement home type facilities no longer requires municipal Council allocation of servicing capacity where:

- i) individual units/rooms do not contain kitchen facilities;
- ii) food preparation and dining are a centralized function/facility; and,
- iii) assisted living care and/or healthcare are offered to the residents who are dependent on this service (although the facilities do not necessarily need to be registered under the Nursing Home Act).

The proposed development meets this criteria and will not require assigned serving capacity under the City's servicing protocol.

Zoning

The subject lands are zoned RA3(H) Apartment Residential Zone with the Holding Symbol "(H)" and OS5 Open Space Environmental Protection Zone by By-law 1-88, subject to site-specific Exception 9(1257). This zoning permits an apartment dwelling and specific commercial uses as listed in the By-law. The Holding Symbol "(H)" was placed on the lands to ensure that servicing allocation was available to the site, and subject to site plan approval for future development.

The condition regarding the servicing allocation have been addressed as discussed above and therefore the Holding Symbol "(H)" can be removed upon Council's approval of the subject Site Development Application.

The RA3 Apartment Residential Zone exceptions in site specific Exception 9(1257) address the overall development of the 5.64 ha high density residential lands within the overall approved Draft Plan of Subdivision File 19T-95065. The original site specific zoning by-law provided exceptions to overall site for lot area per unit, building height, setbacks to Valley Vista Drive and reduced parking standards.

Variances

The site was zoned RA3 Apartment Residential Zone and OS5 Open Space Environmental Protection Zone through the site specific zoning by-law exception with the zone line between the RA3 Apartment Residential Zone and the OS5 Environmental Protection Zone as illustrated on Attachment #2 being 10m from the property line. However, TRCA has indicated in comments dated May 18, 2007 that following review of the site design for the proposed seniors residence, that it would be satisfied with the provision of a minimum 5 m buffer block being provided along the length of the site, between the limit of development and the adjacent valley open space system, if only minimal grading takes place within this buffer block and if the area is restored and re-vegetated and that no patios decks or ancillary structures are located within this area and if the buffer is dedicated to the TRCA.

The 5 m buffer is being dedicated to the TRCA through the registration of the related subdivision plan 19T-95065 as Block 56. The registration of the subdivision plan shall occur prior to the final execution of the site plan agreement. To facilitate the proposed site plan for the subject senior's development on this portion of the site, the following variances must be obtained from the Committee of Adjustment as they relate to the RA3 Apartment Residential and OS5 Open Space Environmental Protection Zone standards to implement the proposed site plan, to permit the following:

- a minimum below grade setback of 0.50 m whereas Section 3.17 of By-law 1-88 requires a minimum of 1.8 m and sub-section biii) of the site specific By-law 128-2006 requires a minimum of 3.0 m;
- a minimum of 0.39 parking spaces per suite, inclusive of visitor parking, whereas sub-section ci) of site specific By-law 128-2006 required a minimum of 1.1 spaces per apartment residential unit and sub-section cii) required a minimum visitor parking requirement of 0.20 visitor spaces per apartment residential unit;
- permit an apartment dwelling with common facilities for the preparation and consumption of food to be located on the subject lands, whereas the provisions of Section 4.12 defines an apartment dwelling as a building consisting of four or more dwelling units which have facilities provided for cooking within each unit;
- to permit an apartment building within an OS5 Zone, whereas the provisions of Section 7.4 b) of By-law 1-88, regarding uses permitted within OS5 Open Space Environmental Protection Zone does not permit new residential dwellings unless that existed prior to November 15, 2001;
- an encroachment of 4.2 m into the OS5 Zone, whereas Schedule A of By-law 1-88 requires a minimum rear yard setback of 7.5m from an OS5 Zone.;
- an interior side yard setback to an underground parking garage of 3.0 m, whereas Schedule A of By-law 1-88 requires an interior side yard setback of 4.5 m;
- an interior side yard setback from the westerly property line of 6.3m, whereas Schedule A of By-law 1-88 requires an interior side yard setback of 11.5 m;
- an encroachment of a canopy into the front yard to a maximum of 7.5 m from the front lot line whereas, Section 3.14 of By-law 1-88 permits an encroachment of 0.5 m;
- landscaping provisions for parking areas not apply, notwithstanding the requirements of sub-section 4.1.4 of By-law 1-88, regarding Parking and Access Requirements for Parking Areas for Multiple Family Dwellings in paragraph b);
- a maximum access width of 9.5 m, whereas Section 3.8 paragraph G, of By-law 1-88 requires the maximum width of access to parking areas 7.5 m;
- a minimum landscape strip of 0.5 m in width to be provided adjacent to lands zoned open space, whereas Section 3.13 of By-law 1-88 requires a minimum landscape strip of 2.4 m in width;

- a minimum landscape strip of 0.0 m abutting an open space zone, whereas Section 3.13 of By-law 1-88 requires a minimum landscape strip of 2.4 m abutting an open space or residential zone;
- a minimum landscape strip of 0.5 m abutting a street, whereas Section 3.13 of By-law 1-88 requires a minimum landscape strip of 6 m abutting a street;
- a minimum 0.0 m setback of a retaining wall from the property line, whereas Section 4.1.1 (h) of By-law 1-88 requires a setback equal to the height of the retaining wall where the retaining wall is greater than 1 m in height;
- that the Calculation of Zone Requirements within Section 7.4b) and the Schedule "A" of By-law 1-88, concerning OS5 Zone requirements, not apply to the subject lands, notwithstanding the provisions of Section 7.4b) and Schedule "A", of By-law 1-88 concerning the calculation of lot frontage, lot area coverage, yards and building height as required by the by-law; and
- any other variances not identified, which may be required to implement the proposed site plan.

The Owner will be required to submit a minor variance application to the Committee of Adjustment for approval of these variances to implement the final approved site plan. The Committee's decision must be final and binding prior to the execution of the implementing site plan agreement.

Parking Requirements

A reduction in the parking standards for the proposed development has been requested. The Read Voorhees and Associates parking justification report indicated that although the existing zoning for the site requires 1.5 spaces per unit (182 spaces including 28 visitor spaces), factors including transit accessibility, low vehicle ownership characteristics for the proposed building, shuttle bus service for the residents and the parking supply/demand, would support a reduced residential parking standard of 0.35 spaces/unit. The Engineering Department did not support the proposed reduction in parking to 0.35/spaces/unit as recommended in the parking study and has requested minimum of 0.39 spaces per unit. The applicant is showing 55 parking spaces on the site plan (0.39 spaces/unit) to the satisfaction of the Engineering Department.

Site Plan

The building is a rectangular-shaped 6 storey, 140 suite seniors retirement residence fronting on Valley Vista Drive. Access to the site will be from two full turning movement, two-way traffic driveways in front of the building. The driveways align with the intersections of the two municipal roads opposite the proposed building, as shown on Attachment#2.

The easterly driveway provides access both the surface staff parking area and the underground parking area. The garbage room is located at the rear of the building. There are two outdoor patios located along the rear of the building. The rear of the building, overlooking the open space lands. A 5m buffer is to be dedicated to the TRCA through the final approval of the related subdivision application 19T-95065 and as a condition of site plan approval, where it abuts the lands subject of this application.

Elevations

The building elevations are as shown on Attachments #4 and #5. The proposed 6-storey building is to be constructed in brick masonry in "Williamsburg" light brown colour with the base of the building in "Arriscraft" stone which is "Nutmeg" colour. There are large windows on all sides of the building with white aluminum frames. The window on the north side of the building overlook the valleylands to the north. All roof-top mechanical equipment is to be screened from Valley Vista Drive. All service doors and garbage enclosure doors, including the door-frames will be painted to match the facades.

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

Landscape Plan

The site will be landscaped with a variety of trees and shrubs and decorative paving materials and planting beds and sooded areas around the perimeter of the property as shown the Landscape Plan shown on Attachment #3.

The final landscape plan must be approved to the satisfaction of the Development Planning Department.

Engineering Services

City of Vaughan Engineering Department

The City has reviewed the site plan application and provides the following comments:

- i) Site Plan Application, DA.07.028 does not require allocation under the City's servicing protocol.
- 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.
- ii) The Engineering Department has reviewed and approved a Noise Impact Report for this development. The appropriate noise warning clauses to tenants shall be registered on title and any mitigation measures will be addressed in the final site design and included in the final site plan agreement.

Garbage/Recycling and Snow Removal

All garbage and recycling will be stored internal to the building. Garbage, and recycling shall be by private collection. Chartwell staff will pick up garbage from the individual suites and it will be stored in the garbage room for pick up by a private contractor. Snow removal is also to be the owners responsibility.

Hydro

All hydro requirements must be addressed to the satisfaction of PowerStream Inc. prior to the final site plan approval.

Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority reviewed the site plan application and have no objection to the approval of the Site Plan Application subject to conditions outlined in a letter dated May 18, 2007 and summarized as follows:

- Prior to the execution of the site plan agreement that the applicant submit a detailed engineering report for the review and approval of the TRCA addressing the drainage system, stormwater management techniques, stormwater management practices, on site siltation control, location and description of outlets and facilities which might require TRCA approvals under Ontario Regulation 166/06 and overall grading plans.

- A 5 m buffer to be conveyed to the TRCA.
- The applicant submit a mitigation/restoration planting plan for the proposed buffer block.

Canada Post

The Owner shall satisfy the requirements of Canada Post regarding mail delivery.

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

N/A

Conclusion

The Development Planning Department has reviewed the proposed Site Development Application (File DA.07.028) in accordance with the policies of the Official Plan and the requirements of the Zoning By-law and is satisfied that the proposed 6 storey seniors retirement residence on the subject lands will facilitate an appropriate and compatible development on the site.

The Development Planning Department also recommends approval of the Zoning By-law Amendment Application File Z.07.028 – (1275621 Ontario Inc.) to remove the Holding Symbol "(H)", from the subject lands (identified as Block 56 on approved Plan of Subdivision 19T-95065), which will facilitate the development of the site for a seniors residence building. The Owner will be required to obtain the required variances to implement the proposed site plan.

Attachments

1. Location Map
2. Site Plans
3. Landscape Plan
4. Building Elevations

Report prepared by:

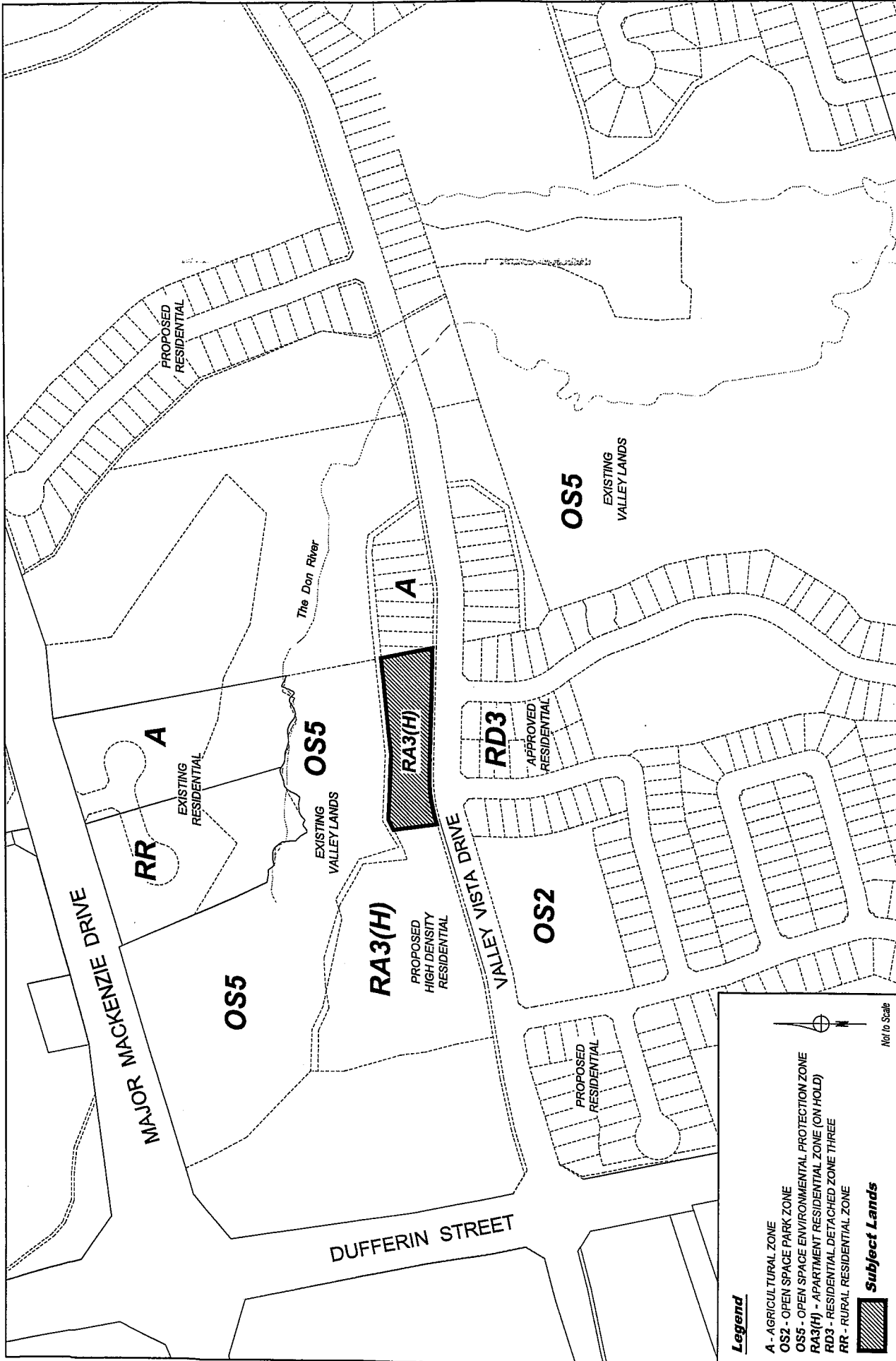
Grant Uyeyama, Manager of Development Planning, ext. 8635

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

/LG



Legend

- A - AGRICULTURAL ZONE
- OS2 - OPEN SPACE PARK ZONE
- OS5 - OPEN SPACE ENVIRONMENTAL PROTECTION ZONE
- RA3(H) - APARTMENT RESIDENTIAL ZONE (ON HOLD)
- RD3 - RESIDENTIAL DETACHED ZONE THREE
- RR - RURAL RESIDENTIAL ZONE

Subject Lands

Not to Scale

Location Map

Part of Lot 20,
Concession 2

APPLICANT:
1275621 ONTARIO INC.

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The City Above Toronto

Development Planning Department

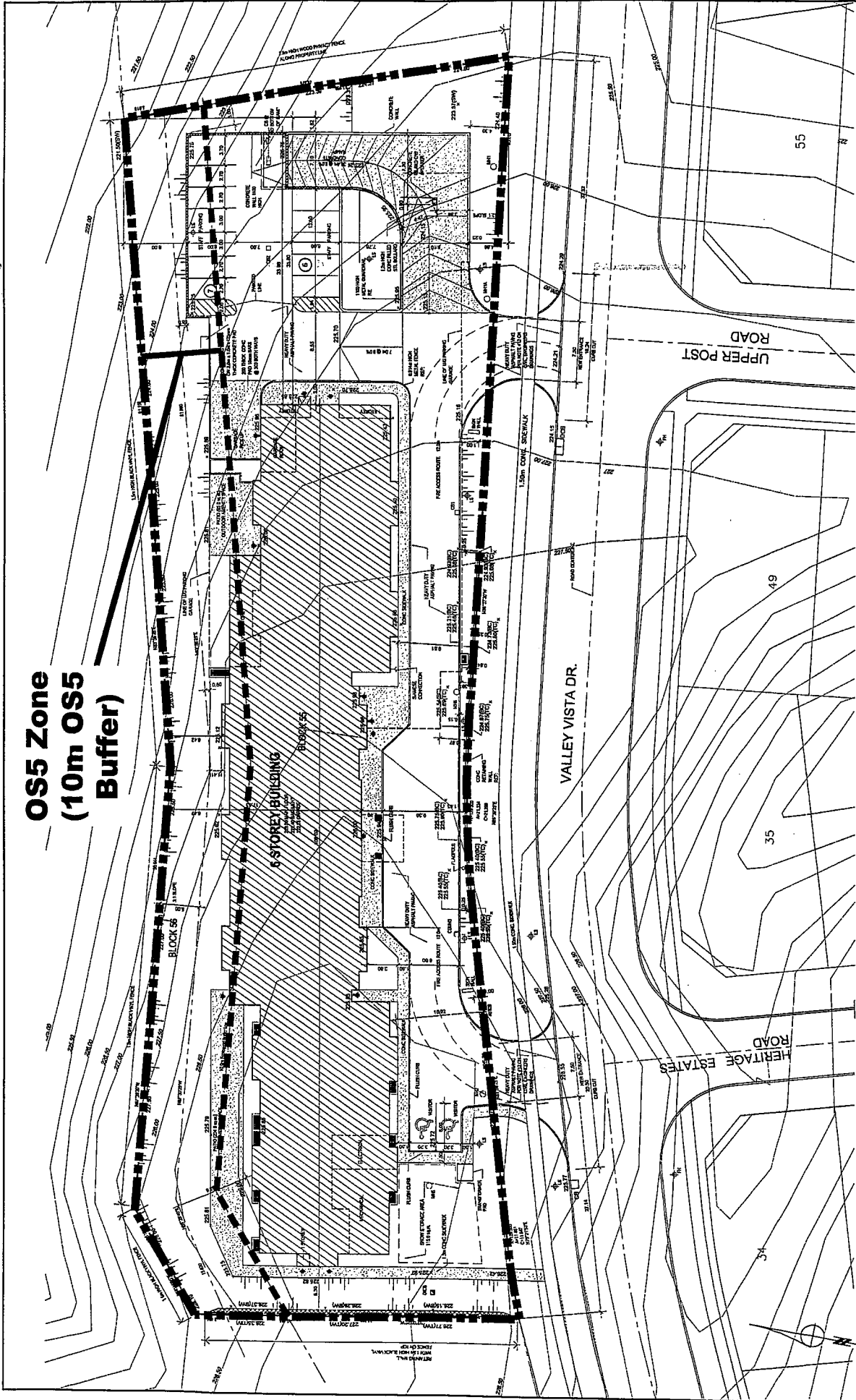
Attachment

FILE No.: DA.07.028
RELATED FILE:
Z.07.008

June 12, 2007



**OS5 Zone
(10m OS5
Buffer)**



Not to Scale

----- Subject Lands

Site Plan

Part of Lot 20,
Concession 2

APPLICANT:
1275621 ONTARIO INC.

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The City Above Toronto

Development Planning Department

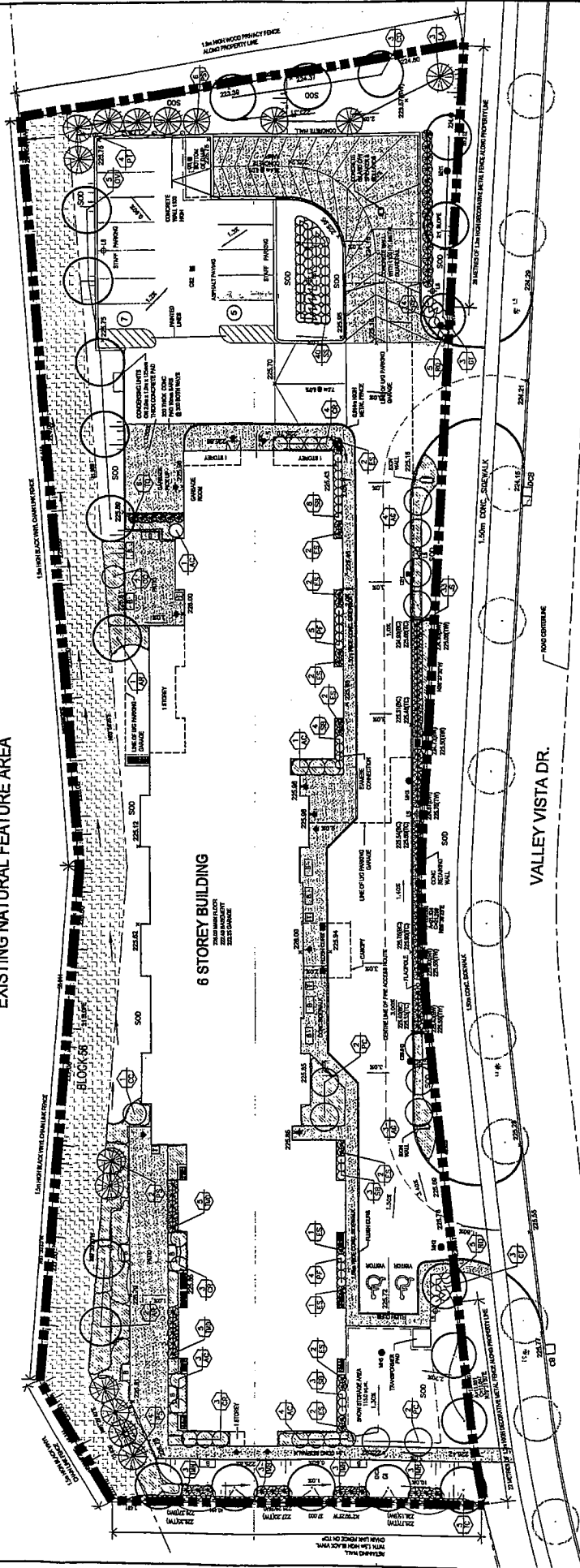
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FILE No.: DA.07.028
RELATED FILE:
Z.07.008

June 12, 2007

2

EXISTING NATURAL FEATURE AREA



Subject Lands

Not to Scale

Landscape Plan

Part of Lot 20,
Concession 2

APPLICANT:
1275621 ONTARIO INC.

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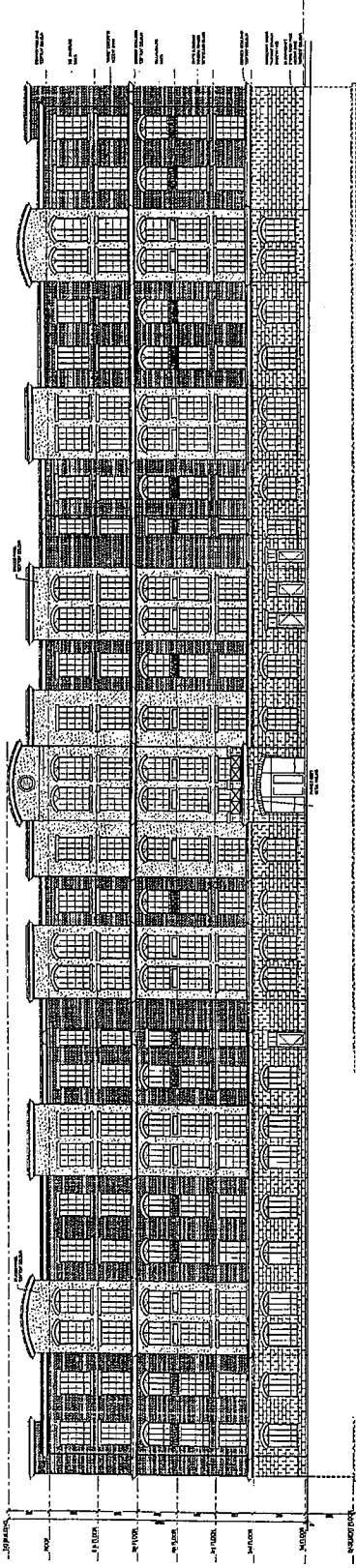
The City Above Toronto

Development Planning Department

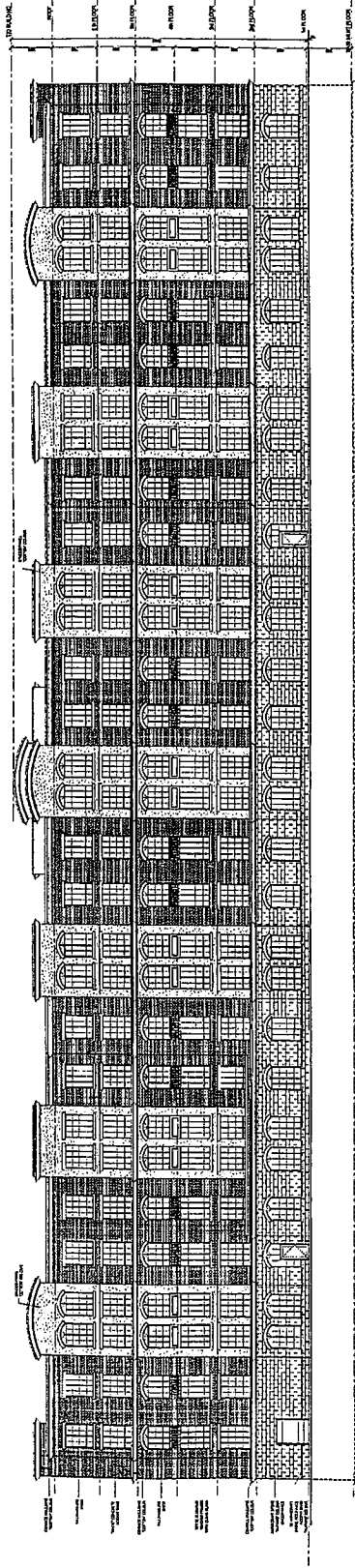
Attachment 3

FILE No.: DA.07.028
RELATED FILE:
Z.07.008

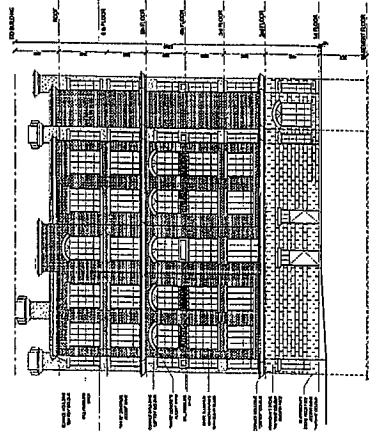
June 12, 2007



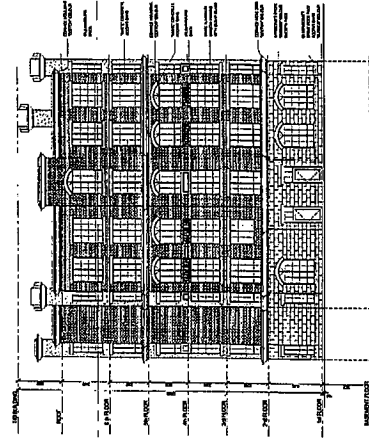
1 SOUTH ELEVATION
SCALE 1:125



2 NORTH ELEVATION
SCALE 1:125



3 WEST ELEVATION
SCALE 1:125



4 EAST ELEVATION
SCALE 1:125

Elevations

Part of Lot 20,
Concession 2

APPLICANT:
1275621 ONTARIO INC.

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Development Planning Department

Attachment 4

FILE No.: DA 07.028
RELATED FILE:
Z-07.008
June 12, 2007