

**1. OFFICIAL PLAN AMENDMENT FILE OP.07.009
 ZONING BY-LAW AMENDMENT FILE Z.07.049
 PINE GROVE ON SEVEN INC.**

P.2008.19

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for Files OP.07.007 and Z.07.049 (Pine Grove on Seven Inc.) BE RECEIVED; and that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Economic Impact

This will be addressed when the technical report is completed.

Communications Plan

On February 29, 2008, a Notice of a Public Meeting was circulated to all property owners within 120 m of the subject lands, the West Woodbridge Homeowners' Association, and two residents that requested notification of the Public Meeting that was originally scheduled for March 25, 2008. Subsequently, on March 6, 2008, a Notice was mailed advising that the Public Meeting scheduled for March 25, 2008 was cancelled at the request of the applicant.

On April 25, 2008, another Notice of a Public Meeting was circulated to all property owners within 120 m of the subject lands, the West Woodbridge Homeowners' Association, the Vaughanwood Ratepayers' Association, and to two residents that requested notice of the Public Meeting.

As of May 12th, 2008, the Development Planning Department has received several comments from the public, expressing concerns with the proposal, which are summarized as follows:

- i) the proposal will impact an existing and stable low density residential community;
- ii) the proposal will increase traffic along Kipling Avenue and Highway #7, and the ability of emergency services to access the area may be compromised with the increased traffic;
- iii) the proposal is not compatible with the adjacent low density residential development;
- iv) the residents expressed concern with the public notification (ie. newspaper ads) for the Avenue 7 Land Use Futures Study, which culminated with Council's adoption of OPA #661;
- v) the boundary of the land use designation ("Prestige Areas-Centres & Avenue Seven Corridor") within OPA #661 should be adjusted so that there is no change in the existing land use policies on lands located between Rainbow Creek and Bruce Street; however, they are most concerned about the land use policies at the intersection of Kipling Avenue and Regional Road #7;
- vi) the City should initiate a change to #OPA 661; and,
- vii) residents are not opposed to intensification provided it is located in appropriate locations; however, the Kipling Avenue and Regional Road #7 intersection is inappropriate for intensification due to the existing stable community, impact on property values, traffic, emergency services, etc.

The Development Planning Department has also received a number of telephone inquiries expressing the same concerns noted above.

Any additional responses received will be addressed in the technical review and included in a comprehensive report to a future Committee of the Whole meeting.

Purpose

The Owner has submitted the following applications:

1. An Official Plan Amendment Application (File OP.07.007) on the subject lands shown on Attachment #1, to amend OPA #240 (Woodbridge Community Plan), as amended by the City Council approved OPA #661 (The Avenue Seven Land Use Futures Study Plan), specifically the policies of the “Prestige Areas-Centres and Avenue Seven Corridor” designation, to increase:
 - i) the maximum permitted building height from 10-storeys or 32 m, whichever is less, to 17-storeys and 48.0 m; and,
 - ii) the maximum permitted floor space index (FSI) from 3.0 to 5.5.
2. A Zoning By-law Amendment Application (File Z.07.049) to amend By-law 1-88, specifically to rezone the subject lands shown on Attachment #1, from C1 Restricted Commercial Zone and R1 Residential Zone to RA3 Apartment Residential Zone, with the following zoning exceptions:
 - i) a 0 m front yard setback (north), whereas a minimum of 7.5 m is required;
 - ii) a 6.0 m rear yard setback (south), whereas a minimum of 7.5 m is required;
 - iii) a 0 m exterior side yard setback (east), whereas a minimum of 4.5 m is required;
 - iv) a 0 m interior side yard setback (west), whereas a minimum of 4.5 m is required;
 - v) a 0 m landscape strip abutting a road, whereas a minimum width of 6.0 m is required;
 - vi) a 0 m setback to the portion of the building located below grade, whereas a minimum of 1.8 m is required;
 - vii) 182 parking spaces, whereas a minimum of 240 spaces are required; and,
 - viii) a 0 m landscape strip surrounding the periphery of the outdoor parking area, whereas a minimum width of 3.0 m is required.

The Owner will be required to submit detailed plans in order to determine if additional zoning exceptions will be required.

The Applications would facilitate the development of the subject lands shown on Attachment #1 with a 17-storey, mixed-use (ground floor commercial uses with residential units above) condominium building with 20 surface parking spaces and 3 levels of underground parking (166 spaces), as shown on Attachments #2 and #3.

Background - Analysis and Options

The 0.276 ha subject lands shown on Attachment #1 are located at the southwest corner of Regional Road 7 and Kipling Avenue, being Lots 10, 11, 12 and 13 on Registered Plan 3762, and municipally known as 5263 Regional Road 7 and 7720 Kipling Avenue, in Lot 5, Concession 8, City of Vaughan.

The subject lands were formerly designated “General Commercial” (5263 Regional Road 7) and “Low Density Residential” (7720 Kipling Avenue) by OPA #240 (Woodbridge Community Plan). On June 25, 2007, Council adopted OPA #661 (The Avenue Seven Land Use Futures Study Plan), which redesignated the subject lands to “Prestige Areas - Centres & Avenue Seven Corridor” (Attachment #4). This designation permits a range of uses including office, business, retail, institutional, civic and residential including apartment dwellings. The property is also

located within 200 m of a designated “Transit Stop Centre”, at the intersection of Kipling Avenue and Regional Road 7, which would permit a maximum building height of 10-storeys or 32.0 m, whichever is less, and a maximum Floor Space Index (FSI) of 3.0 on the subject lands. The proposed development does not conform to OPA #661, as adopted by Vaughan Council. OPA #661 is not in full force and effect at this time, and is awaiting approval from the Region of York.

OPA #661 permits a maximum building height of 4 storeys or 12.8 m, whichever is less, for sites that are within 30 m of a low density residential designation (ie. transition buffer). The subject lands are 30 m or greater in distance from a low density residential designation as shown on Attachment #5, and are therefore not subject to this policy within OPA #661.

The subject lands are zoned C1 Restricted Commercial Zone (5263 Regional Road 7) and R2 Residential Zone (7720 Kipling Avenue) by By-law 1-88, as shown on Attachment #1. The surrounding land uses are also shown on Attachment #1.

Preliminary Review

Following a preliminary review of the applications, the Development Planning Department has identified the following matters to be reviewed in greater detail:

- i) the applications will be reviewed in consideration of the applicable Provincial policies, and Region of York and City Official Plan policies;
- ii) the proposal will be reviewed in the context of the approved and existing land uses in the surrounding area, with particular consideration given to site design and built form, including appropriate building height, FSI, setbacks, site access, parking, and separation from existing uses;
- iii) the applications, if approved, will require Site Development and Draft Plan of Condominium applications to be submitted to facilitate the proposed development; the site plan will be reviewed in the context of the surrounding land uses and potential pedestrian and vehicular connections, and the provision of amenity areas and open space;
- iv) review will be given to the appropriateness of the site-specific zoning exceptions that are required to implement the proposed site development, if approved;
- v) the availability of water and sanitary servicing capacity for the proposed residential units must be identified and allocated by Council, if approved; in the interim, the lands would be zoned with the addition of the Holding Symbol “(H)”, if approved;
- vi) the following reports are required in support of the applications, prior to the preparation of a technical report for Council’s consideration: a planning justification report; traffic report; parking study; noise study; environmental report; shadow study; urban design and architectural guidelines; and preliminary building elevations; and,
- vii) the Owner will be required to satisfy any conditions of the Region of York, if approved.

Relationship to Vaughan Vision 2020

The applicability of these applications to the Vaughan Vision will be determined when the technical report is considered.

Regional Implications

OPA #661 (Avenue Seven Land Use Futures Study Plan) has been forwarded to the Region of York for approval. The subject applications are not consistent with OPA #661, as adopted by City Council. In addition, road widenings may be required along Regional Road #7.

Conclusion

The above issues, but not limited to, will be considered in the technical review of the applications, together with comments from the public and Council expressed at the Public Hearing or in writing, and will be addressed in a comprehensive report to a future Committee of the Whole meeting. In particular, the applications will be reviewed in the context of the applicable Provincial, Regional and City policies, By-law 1-88 standards, and with respect to the appropriateness and compatibility of the proposed land use and development, with the existing and approved land uses in the surrounding area, the proposed built form, building height and FSI, site design, access, traffic, parking, landscaping and servicing.

Attachments

1. Location Map
2. Site Development Plan
3. Ground Floor Plan
4. OPA #661 - Land Use Schedule
5. Transition Buffer

Report prepared by:

Clement Messere, Planner, ext. 8409
Mauro Peverini, Senior Planner, ext. 8407

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

GRANT UYEVAMA
Manager of Development Planning

/LG



Legend

- C1 - RESTRICTED COMMERCIAL ZONE
- C2 - GENERAL COMMERCIAL ZONE
- C6 - HIGHWAY COMMERCIAL ZONE
- R1 - RESIDENTIAL ZONE
- R2 - RESIDENTIAL ZONE
- R3 - RESIDENTIAL ZONE

Subject Lands

Not to Scale

Attachment 1



Location Map

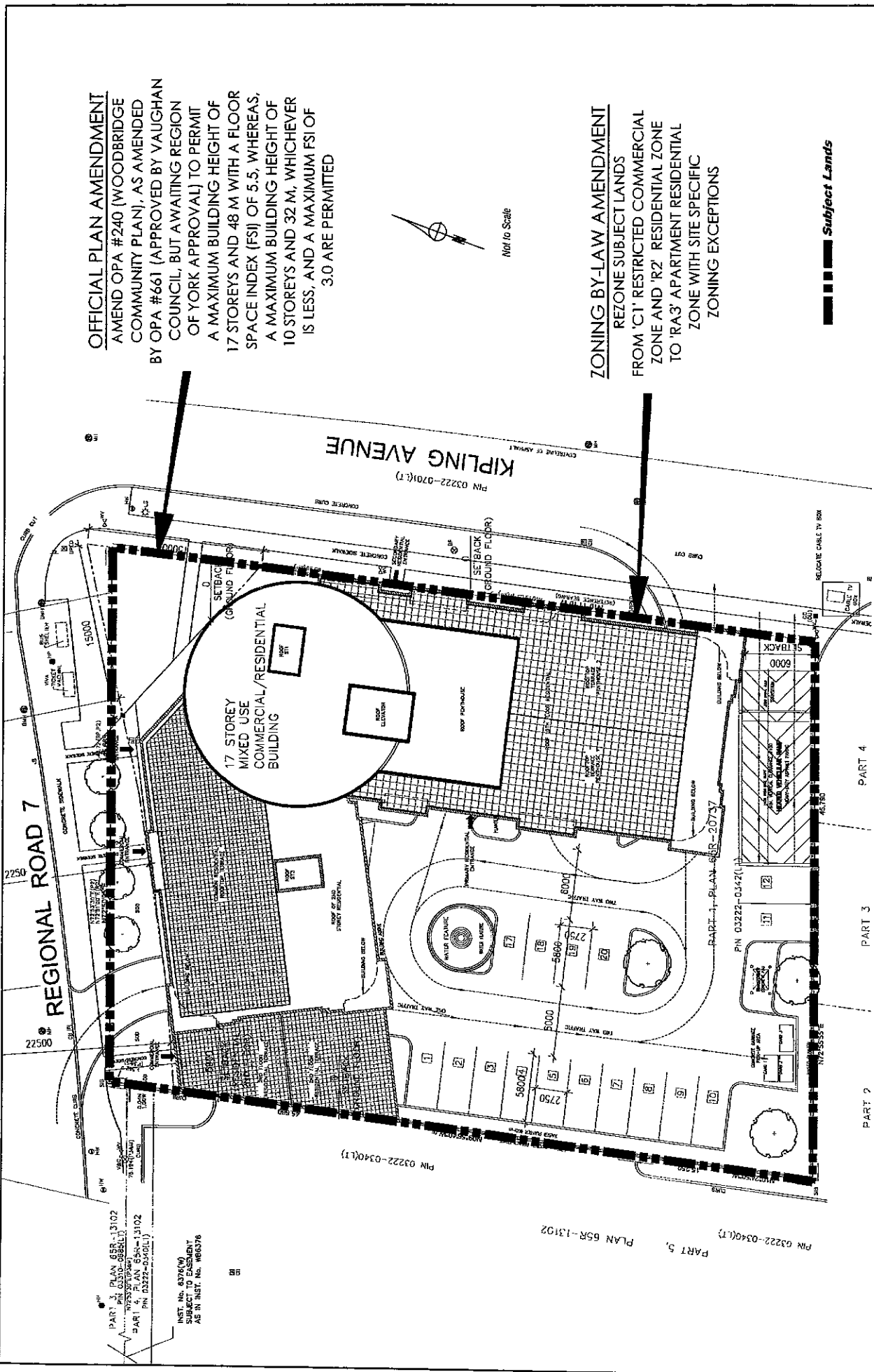
Part of Lot 5,
Concession 8

APPLICANT:
PINEGROVE ON SEVEN INC.

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FILE NO.: OP.07.009
& Z.07.049

January 15, 2008



OFFICIAL PLAN AMENDMENT
 AMEND OPA #240 (WOODBIDGE COMMUNITY PLAN), AS AMENDED BY OPA #661 (APPROVED BY VAUGHAN COUNCIL, BUT AWAITING REGION OF YORK APPROVAL) TO PERMIT A MAXIMUM BUILDING HEIGHT OF 17 STOREYS AND 48 M WITH A FLOOR SPACE INDEX (FSI) OF 5.5, WHEREAS, A MAXIMUM BUILDING HEIGHT OF 10 STOREYS AND 32 M, WHICHEVER IS LESS, AND A MAXIMUM FSI OF 3.0 ARE PERMITTED



ZONING BY-LAW AMENDMENT
 REZONE SUBJECT LANDS FROM 'C1' RESTRICTED COMMERCIAL ZONE AND 'R2' RESIDENTIAL ZONE TO 'RA3' APARTMENT RESIDENTIAL ZONE WITH SITE SPECIFIC ZONING EXCEPTIONS



Attachment 2

FILE No.: OP.07.009
 & Z.07.049

January 15, 2008



The City Above Toronto

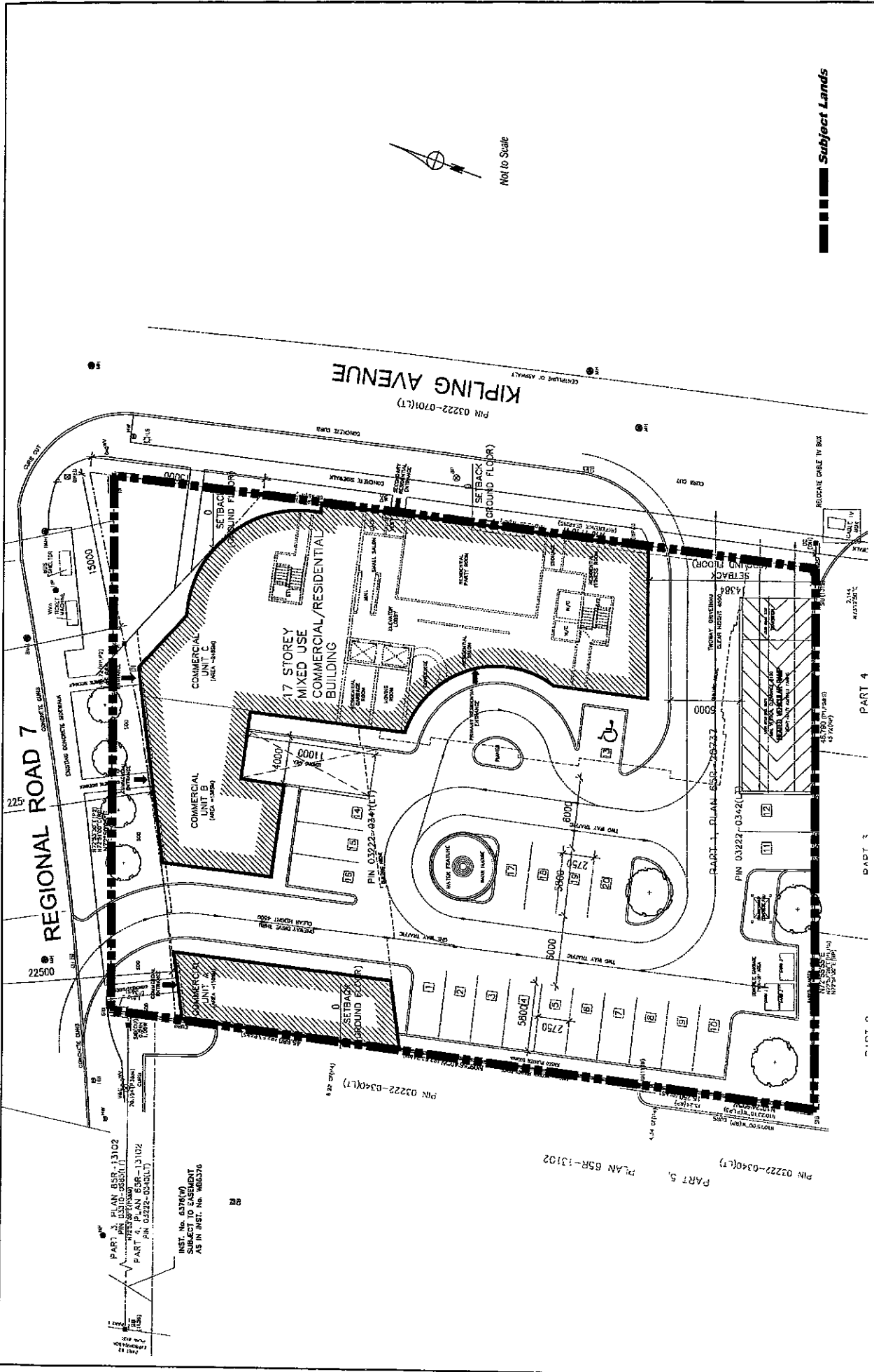
Development Planning Department

Site Development Plan

Part of Lot 5,
 Concession 8

APPLICANT:
 PINEGROVE ON SEVEN INC.

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Attachment **3**

FILE No.: OP-07.009
& Z.07.049

January 15, 2008

City of Vaughan
The City Above Toronto
Development Planning Department

Ground Floor Plan

Part of Lot 5,
Concession 8
APPLICANT:
PINEGROVE ON SEVEN INC.

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THIS IS SCHEDULE "A"
TO AMENDMENT NO. 240
ADOPTED THE 22 DAY OF JUNE, 1987

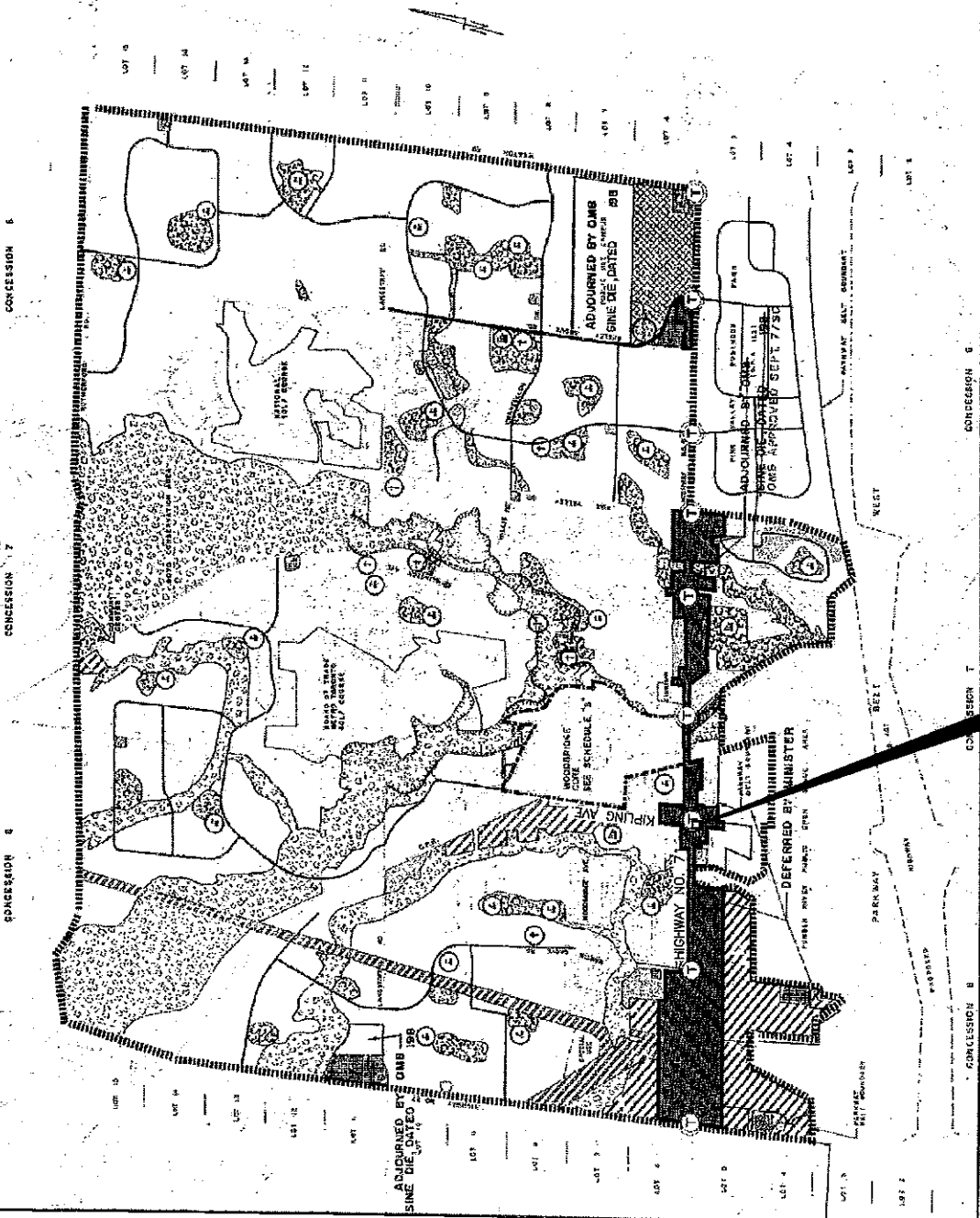
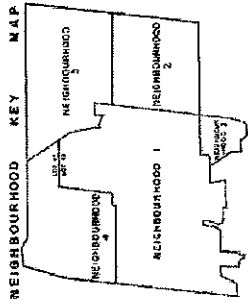
L.D. JACKSON
MAYOR
R.M. PRENTICE
DEPUTY CLERK

- LEGEND
- LOW DENSITY RESIDENTIAL
 - MEDIA DENSITY RESIDENTIAL
 - HIGH DENSITY RESIDENTIAL
 - COMMUNITY COMMERCIAL
 - LOCAL CONVENIENCE COMMERCIAL
 - GENERAL COMMERCIAL
 - SERVICE STATION
 - SERVICE COMMERCIAL
 - INDUSTRIAL
 - UTILITY
 - OPEN SPACE
 - DRAINAGE TRIBUTARY
 - CHURCH
 - SPECIAL USE
 - CONSERVATION AUTHORITY FLOORLINE
 - ELEMENTARY SCHOOL
 - SECONDARY SCHOOL
 - BOUNDARY OF WOODBRIDGE SCHE - SEE SCHEDULE 'B'
 - BOUNDARY OF WOODBRIDGE COMMUNITY PLAN
 - PARKWAY BELT BOUNDARY
 - TRANSIT STOP CENTRES

Lands to be redesignated to
Prestige Avenues - Centres +
Avenue Seven Corridor
(See Map)

This is Schedule "A" to
Amendment NO. 661

WOODBRIDGE COMMUNITY PLAN



SUBJECT LANDS

Attachment
FILE No.: OP.07.009
& Z.07.049
January 15, 2008



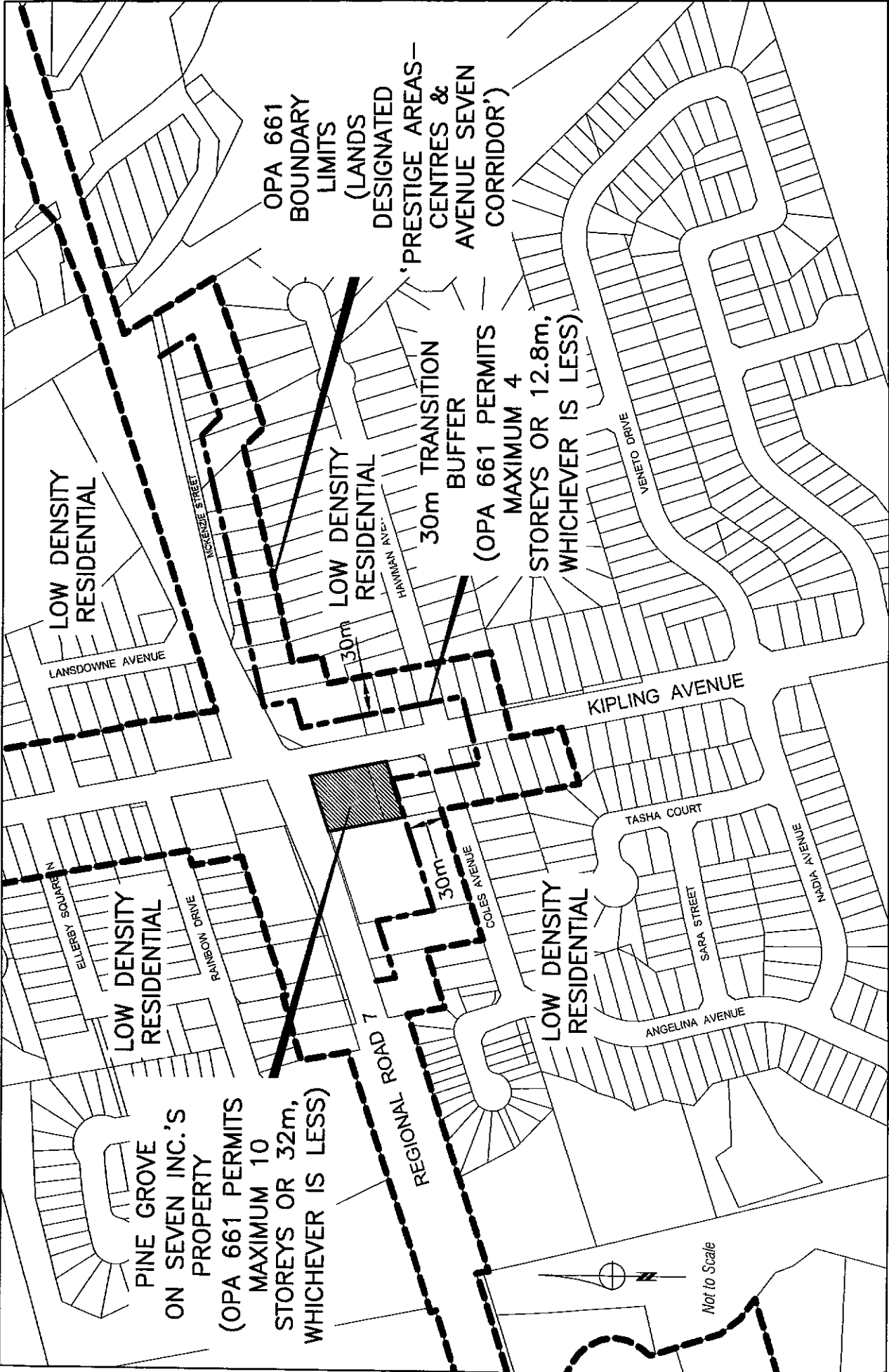
The City Above Toronto

Development Planning Department

OPA 661 Land Use
Schedule

APPLICANT:
PINEGROVE ON SEVEN INC.
Part of Lot 5,
Concession 8

MAP(T) - ATTACHMENTS(OPA)op.07.009.z.07.049.dwg



**PINE GROVE
ON SEVEN INC.'S
PROPERTY**
(OPA 661 PERMITS
MAXIMUM 10
STOREYS OR 32m,
WHICHEVER IS LESS)

OPA 661
BOUNDARY
LIMITS
(LANDS
DESIGNATED
'PRESTIGE AREAS—
CENTRES &
AVENUE SEVEN
CORRIDOR')

LOW DENSITY
RESIDENTIAL
30m TRANSITION
BUFFER
(OPA 661 PERMITS
MAXIMUM 4
STOREYS OR 12.8m,
WHICHEVER IS LESS)

LOW DENSITY
RESIDENTIAL

Transition Buffer

Part of Lot 5,
Concession 8
APPLICANT:
PINEGROVE ON SEVEN INC.
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Development Planning Department