

COMMITTEE OF THE WHOLE JUNE 3, 2008

**ZONING BY-LAW AMENDMENT FILE Z.07.053
WOODSTREAM PLAZA INC.
REPORT #P.2008.2**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.07.053 (Woodstream Plaza Inc.) BE APPROVED, to amend By-law 1-88, specifically to rezone the subject lands shown on Attachment #1 from C2 General Commercial Zone to RA3(H) Apartment Residential Zone with the Holding Symbol "(H)" and with the following zoning exceptions to facilitate the development of two 10-storey (32m) residential/commercial mixed-use condominium buildings with a total of 377 residential condominium units, 912 m² of ground floor commercial uses in Building "A" and 14 townhomes, as shown on Attachment #2:
 - i) a minimum lot area of 11,213.8 m² (ie. 28.6m²/unit), whereas the By-law requires 26,197m² (ie. 67 m²/unit);
 - ii) a minimum apartment residential parking requirement of 1.35 spaces/unit (including visitors) and 5 spaces/100 m² GFA for commercial uses;
 - iii) minimum front (Regional Road 7), interior side (west), and exterior side (east) yards of 3.0 m, 8.0 m and 2.0 m, respectively, whereas the By-law requires 7.5 m, 16 m and 7.5m, respectively;
 - iv) restrict the site to a maximum building height of 10 storeys or 32 m; and,
 - vii) restrict the site to a maximum Floor Space Index (FSI) of 3.0, which shall include residential condominium apartment and townhouse dwelling units and a maximum commercial GFA of 912 m² on the ground floor level of Building "A" fronting onto Regional Road 7 only, and restricted to the following uses:
 - Bank or Financial Institution
 - Business or Professional Office
 - Clinic
 - Club or Health Centre
 - Commercial School
 - Eating Establishment
 - Eating Establishment, Convenience
 - Eating Establishment, Take out
 - Personal Service Shop
 - Photography Studio
 - Retail Store
 - Service or Repair Shop (not including the servicing or repair of furnace or oil burners, water and air coolers and lawn care equipment)
 - Travel Agency
 - Video Store
 - Day Nursery
2. THAT the implementing Zoning By-law shall not be enacted until such time as:
 - i) OPA #661 (The Avenue 7 Land Use Futures Plan) is approved by the Region of York and is in full force and effect, and that the implementing by-law shall conform to any modification(s) to OPA 661; and,
 - ii) the Owner shall provide the Vaughan Engineering Department with confirmation of the Ministry of Environment's Registration of the Record of Site Condition.

3. THAT the Holding Symbol "(H)" shall not be removed from the subject lands until water and sanitary servicing capacity has been identified and allocated by Council, and a site plan application has been approved by Council.

Economic Impact

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

Communications Plan

On December 21, 2007, a Notice of Public Hearing was mailed to all property owners within 120m of the subject lands, and to the West Woodbridge Homeowners Association. No comments were received by the Development Planning Department through the circulation of the Notice, and there were no concerns expressed by the public at the Public Hearing on January 21, 2008. The recommendation of the Committee of the Whole to receive the Public Hearing report of January 21, 2008, was ratified by Council on January 28, 2008.

Purpose

The Owner has submitted a Zoning By-law Amendment Application on the subject lands shown on Attachment #1, specifically, to amend Zoning By-law 1-88 to rezone the subject lands from C2 General Commercial Zone to RA3 Apartment Residential Zone with the necessary zoning exceptions required to facilitate the development of the subject lands with two 10-storey mixed-use buildings with a total of 377 residential condominium apartment units, 912 m² of ground floor commercial uses in Building "A", and 14 townhouse units, as shown on Attachment #2.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located at the southwest corner of Regional Road #7 and Woodstream Boulevard, being Part of Block 1 on Registered Plan 65M-2464 and municipally known as 12 and 24 Woodstream Boulevard, City of Vaughan. The 1.21 ha property is currently developed with two buildings, comprised of a car dealership and a multi-unit commercial plaza. The site is currently integrated with the automobile sales campus located to the immediate west, utilizing shared driveways, pedestrian walkways and parking areas. The surrounding land uses are shown on Attachment #1.

Provincial Policy Statement (PPS)

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 have sufficient infrastructure to create a potential supply of new housing units. The proposed development meets the intent of the Provincial Policy Statement.

Provincial Growth Plan-Places to Grow

The application to amend the Zoning By-law to permit a higher density on the subject lands is consistent with the Provincial Places to Grow Plan by directing growth to built-up areas where the capacity exists to best accommodate the expected population, household and employment growth, and by promoting transit-supportive densities.

City Official Plan

The subject lands are designated "General Commercial" by OPA #240 (Woodbridge Community Plan), which does not permit the proposed mixed-use development. However, OPA #661 (The

Avenue Seven Land Use Futures Plan), which was adopted by Council on June 25, 2007 and is awaiting final approval by the Region of York, designates the subject lands "Prestige Areas-Centres and Avenue Seven Corridor". This land use designation permits the proposed mixed-use development with a maximum building height of 10 storeys or 32 m, and a maximum Floor Space Index (FSI) of 3.0, as the site is located within 200 m of a designated "Transit Stop Centre", which in this case would be measured from the intersection of Regional Road 7 and Martin Grove Road (200 m distance).

The proposed development has an FSI of 2.97 and is comprised of two 10-storey buildings with a building height of 31.2 m and with ground floor commercial uses, which would conform to OPA #661, and is consistent with the policies to intensify land uses along the Regional Road 7 corridor. It is premature to enact an implementing Zoning By-law for the subject lands in advance of the Region of York's final disposition of OPA #661, should Council approve the subject zoning amendment application. Furthermore, there could be modifications to OPA #661, and the implementing by-law would need to be consistent with the final policies contained in the Official Plan Amendment.

On May 5, 2008, the Committee of the Whole considered the following motion with respect to OPA #661:

"Councillor Tony Carella recommends that Council requests that York Region Council defer temporarily consideration on the City of Vaughan's Official Plan Amendment 661, pending review of the amendment as it applies to the residential areas in the vicinity of the intersection of Regional Road 7 and Kipling Avenue."

At that meeting, the Committee of the Whole recommended (in part):

1. That the recommendation contained in the following report of Councillor Carella dated May 5, 2008, be approved;
2. That staff provide a report to the Council meeting of May 12, 2008, with their opinion on expanding the review of OPA 661 and to identify which areas should possibly be considered."

On May 12, 2008, Council considered the resolution of the Committee of the Whole and adopted the following (in part):

"That this matter be referred to the Committee of the Whole meeting of June 3, 2008, to provide the opportunity for the Ward 2 Sub-Committee to meet with the community and the landowners of the Kipling and Highway 7 quadrant to review opportunities for development. This provides an opportunity for Vaughan Council to receive more input for comments to York Region on OPA 661."

The subject lands are located further west of Kipling Avenue at the southwest corner of Woodstream Boulevard and Regional Road 7, and closer to Martin Grove Road, and is not impacted by this resolution.

Zoning

The subject lands are zoned C2 General Commercial Zone by By-law 1-88, subject to Exception 9(463), which permits site-specific commercial uses on the subject lands. The applicant is proposing to rezone the subject lands from C2 General Commercial Zone to RA3 Apartment Residential Zone, to permit two 10-storey mixed-use condominium buildings comprised of 377 residential apartment units with 912 m² of ground floor commercial area, and 14 townhouse units fronting onto Woodstream Boulevard, as shown on Attachment #2. The following list compares

the commercial uses requested by the Applicant for Building "A" and the uses currently permitted on the subject lands by By-law 1-88:

<u>Uses Proposed By The Applicant</u>	<u>Uses Permitted by By-law 1-88 Exception 9(463)</u>
- Bank or Financial Institution	- Motor Vehicle Sales Establishment
- Business or Professional Office	- Car Brokerage (car rental and leasing agency)
- Clinic	- Personal Service Shop
- Club or Health Centre	- One Convenience Retail Store
- Commercial School	- Business and Professional Offices
- Eating Establishment	- One Service and Repair Shop (dry cleaner)
- Eating Establishment, Convenience	- Eating Establishments
- Eating Establishment, Take out	
- Eating Establishment, Convenience with drive through	
- Laboratory	
- Personal Service Shop	
- Photography Studio	
- Place of Entertainment	
- Retail Store	
- Radio Transmission Establishment	
- Service or Repair Shop	
- Travel Agency	
- Veterinary Clinic	
- Video Store	
- Day Nursery	
- Tavern	

The uses proposed by the applicant are typically associated with the C1 Restricted Commercial and C2 General Commercial Zones, which are usually developed in a shopping centre format. Some of the commercial uses permitted by Exception 9(463) reflect the uses currently operating on the subject lands and are not considered appropriate for the proposed development, including a motor vehicle sales establishment and car brokerage.

By-law 1-88 does not have a specific zone category to implement a mixed-use development, and therefore, site-specific uses, permissions and development standards will be provided within the RA3 Apartment Residential Zone category to implement the proposed development, if approved.

The list of uses proposed by the Applicant are for the most part considered to be appropriate. However, certain uses including a Place of Entertainment, Convenience Eating Establishment with drive-through, Tavern, Veterinary Clinic, Radio Transmission Establishment, and a Laboratory, are not considered to be appropriate for the subject lands. With respect to the Convenience Eating Establishment with drive-through, the concept site plan would not lend itself to a drive-through being provided on the subject lands given the site plan that is proposed. A veterinary clinic is typically best suited in a commercial environment and not in a mixed-use residential project where nuisance associated with this use, (i.e. dog barking) can affect the enjoyment of the property by future residents. A tavern, radio transmission establishment and laboratory are not considered compatible with the proposed residential uses, and therefore, should not be permitted. A service and repair shop is considered appropriate, provided the definition of this use is amended to delete the reference to the repair of large appliances, furnace and oil burners, water and air coolers and lawn equipment. The repair of these latter items within a mixed-use development context is considered inappropriate.

Accordingly, the Development Planning Department recommends that the following commercial uses be permitted on the subject lands, restricted to a maximum commercial GFA of 912 m² on the ground floor of Building "A" fronting onto Regional Road 7:

- Bank or Financial Institution
- Business or Professional Office
- Clinic
- Club or Health Centre
- Commercial School
- Eating Establishment
- Eating Establishment, Convenience
- Eating Establishment, Take out
- Personal Service Shop
- Photography Studio
- Retail Store
- Service or Repair Shop (not including the servicing or repair of furnace or oil burners, water and air coolers and lawn care equipment)
- Travel Agency
- Video Store
- Day Nursery

The following zoning exceptions have been identified to facilitate the proposed development, based on the conceptual site plan shown on Attachment #2:

- i) a minimum lot area of 11,213.8 m² (ie. 28.6 m²/unit), whereas the By-law requires 26,197m² (ie. 67 m²/unit based on 391 residential units);
- ii) a minimum apartment residential parking requirement of 1.35 spaces/unit (including visitors) and 5 spaces/100m² GFA for commercial uses;
- iii) minimum front (Regional Road 7), interior side (west), and exterior side (east) yard setbacks of 3.0 m, 8.0 m and 2.0 m, respectively, whereas the By-law requires 7.5m, 16m and 7.5 m, respectively; and
- iv) restrict the site to a maximum building height of 10 storeys or 32 m; and,
- v) restrict the site to a maximum Floor Space Index (FSI) of 3.0, which shall include residential condominium apartment and townhouse dwelling units, and a maximum commercial GFA of 912 m² that is restricted to the commercial uses identified earlier in this report.

The proposed zoning exceptions are considered to be appropriate since they would implement a residential/commercial mixed-use development that would conform with the policies of OPA #661 and are consistent with development standards typically associated with higher density mixed-use projects. The reduced parking standard has been justified with a Parking Study, which is discussed later in this report. Accordingly, the Development Planning Department can support the proposed development standards required to implement the proposal.

However, in light of the current status of OPA #661, it is recommended that the implementing zoning by-law not be enacted until OPA #661 is approved and is in full force and effect, and that the implementing zoning by-law shall conform with OPA #661 as approved by the Region of York, including any potential modifications. A Phase 1 Environmental Report must also be submitted to the City for review and approval, prior to the implementing zoning by-law being enacted.

Preliminary Site Plan and Elevations

The proposed site plan is shown on Attachment #2, and includes two 10-storey buildings connected by a 3 storey amenity podium with 377 residential condominium apartment units, 912m² of ground floor commercial area in Building "A", and 14 townhouse units. The proposed townhouse units would face Woodstream Boulevard and are comprised of 2 and 3 storey built forms. One main driveway entrance from Woodstream Boulevard is proposed to serve the development. A secondary driveway is proposed leading to a service lane that provides access from Woodstream Boulevard to Regional Road 7. Access to Regional Road 7 will require

approval from the Region of York. The proposed elevations are shown on Attachment #3 and are comprised of precast concrete panels and glazing.

The proposed site plan and elevations will be reviewed in detail upon submission of a formal site plan application at the site plan approval stage.

Parking

The preliminary site plan shown on Attachment #2 proposes 590 parking spaces on the subject lands, of which 39 spaces are located at grade level and the balance distributed over two levels of underground parking. By-law 1-88 requires that the minimum parking requirement for the proposed development be calculated as follows:

Residential units: 377 units x 1.5 spaces/unit	= 566 spaces
Visitors parking: 377 units x 0.25 spaces/unit	= 95 spaces
Townhouse units: 14 units x 2 spaces/unit (incl. Visitor)	= 28 spaces
<u>Commercial/Retail GFA: 912 m² x 6 spaces/100 m²</u>	<u>= 55 spaces</u>
Total Parking Required	= 744 spaces
Total Parking Provided	= 590 spaces

The proposed parking supply is deficient by 154 spaces. The Owner has submitted a Parking and Traffic Impact Study prepared by Cole Engineering, dated March 27, 2008, in support of the proposed parking supply for the development. The study utilizes a parking ratio of 1.35 spaces for each residential apartment unit including visitor parking, and 5 spaces for every 100 m² of commercial gross floor area. There is no change to the 2 spaces/unit (including visitors) requirement for townhouse dwellings. The study concludes that 590 parking spaces is sufficient for the proposed development. The Vaughan Engineering Department has reviewed the Parking and Traffic Impact Study and concurs with the conclusions respecting the proposed parking supply. On this basis, the Development Planning Department can support the proposed reduced parking standard for the residential apartment and commercial uses.

Vaughan Engineering Department

a) Servicing

In accordance with the City's Servicing Capacity Allocation Protocol, which was adopted by Council on March 31, 2008, servicing allocation capacity for the above noted development application has not been reserved nor assigned potential future capacity at this time. Therefore, servicing allocation capacity is currently not available to support the proposed development concept. The City intends to undertake an annual review of the status of the available and unused servicing capacity affecting the Distribution Protocol. The availability of servicing allocation capacity for this application may be revisited at that time based on the status of the subject development application. A revised Functional Service Report must also be submitted.

b) Environmental

Prior to any approval, and/or enactment of a zoning by-law, documented proof of the registration of the Record of Site Condition by the Ministry of Environment (M.O.E.), must be submitted to the Development Engineering Department.

c) Traffic and Noise

The Traffic Impact Study prepared by Cole Engineering dated November 2007, has been reviewed by the Engineering Department and the methodology and conclusions presented in the report were found to be acceptable. However, the background traffic growth rate appears to be somewhat low and should be calculated using the historical growth rates verified by the Region of York.

The Engineering Department has requested that prior to site plan approval, a revised Traffic Study be submitted and include the following information:

- i) synchro analysis for the intersection at Martin Grove Road/Woodstream Boulevard should be included in the report;
- ii) all figures as mentioned in the report (Figures 2-1, 3-1 and 4-1);
- iii) existing and future signal timing/phasing used in the Synchro analysis should be verified by the Region of York; and,
- iv) the report requires approval from the Region of York.

d) Lot Grading and Storm Water Management

Grading Plans and a Storm Water Management Report must be submitted at the site plan stage to the satisfaction of the Engineering Department and the Toronto and Region Conservation Authority (TRCA).

Relationship to Vaughan Vision 2020

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Vitality".

Regional Implications

The Region of York has reviewed the Zoning By-law Amendment Application and considers the proposed development to be consistent with and supportive of the Regional Official Plan. However, approval of the application is premature as the Official Plan governing the subject lands, that being OPA #661 is awaiting Regional approval.

The Region of York has provided the following comments (in part):

- i) the Region will not permit the right-in/right-out Regional Road 7 access to the Honda dealership to be reconfigured as a full moves access to accept re-directed traffic;
- ii) the proposed building setback shall be calculated from the private side of the 0.3m reserve. Additionally, details must be provided on the relationship of the parking garage to the Regional Road 7 street line and the use of any tiebacks;
- iii) the proposed Regional Road 7 service access will be permitted subject to the extension of the existing median to a point 37.0 m west of the west property line. Drainage from the service access shall be maintained on site; and,
- iv) landscape plans shall be provided to the existing Regional Road sidewalk. Pedestrian connections are not to be provided to the existing concrete splash pads to Regional Road 7.

These comments can be addressed through the site plan process.

Conclusion

The Development Planning Department has reviewed Zoning By-law Amendment File Z.07.053 (Woodstream Plaza Inc.) in the context of the applicable Provincial, Regional and City policies, the requirements of By-law 1-88, and the surrounding land use context. The proposed development is considered to be consistent with Provincial policies with respect to directing intensification to built-up areas of the City and is transit supportive. The development is further considered to be consistent with the City's Official Plan as set out by OPA #661 (The Avenue Seven Land Use Futures Plan), which is at the Region of York for approval. The zoning exceptions required to implement the proposed plan are consistent with the high density residential building form contemplated by OPA #661. The proposed land uses are also considered to be compatible with the surrounding land uses.

On this basis, the Development Planning Department can support the approval of the Zoning By-law Amendment Application, to implement the proposed mixed-use residential/commercial development, subject to the recommendations in this report.

Attachments

1. Location Map
2. Site Plan (Proposed)
3. Elevations (Proposed)

Report prepared by:

Eugene Fera, Planner, ext. 8064
Mauro Peverini, Senior Planner, ext. 8407

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

GRANT UYEVAMA
Manager of Development Planning

/LG



- LEGEND**
- A - AGRICULTURAL ZONE
 - C2 - GENERAL COMMERCIAL ZONE
 - C4 - NEIGHBOURHOOD COMMERCIAL ZONE
 - C6 - HIGHWAY COMMERCIAL ZONE
 - C7 - SERVICE EMPLOYMENT ZONE
 - EM1 - PRESTIGE EMPLOYMENT AREA ZONE
 - EM2 - GENERAL EMPLOYMENT AREA ZONE
 - OS1 - OPEN SPACE CONSERVATION ZONE
 - PB1 - PARKWAY BELT OPEN SPACE ZONE
 - R4 - RESIDENTIAL ZONE
 - R5 - RESIDENTIAL ZONE

SUBJECT LANDS

Location Map

Part of Lot 5,
Concession 8

APPLICANT:
WOODSTREAM PLAZA INC.

N:\DPT\1 ATTACHMENTS\2.07.053



The City Above Toronto

Development Planning Department

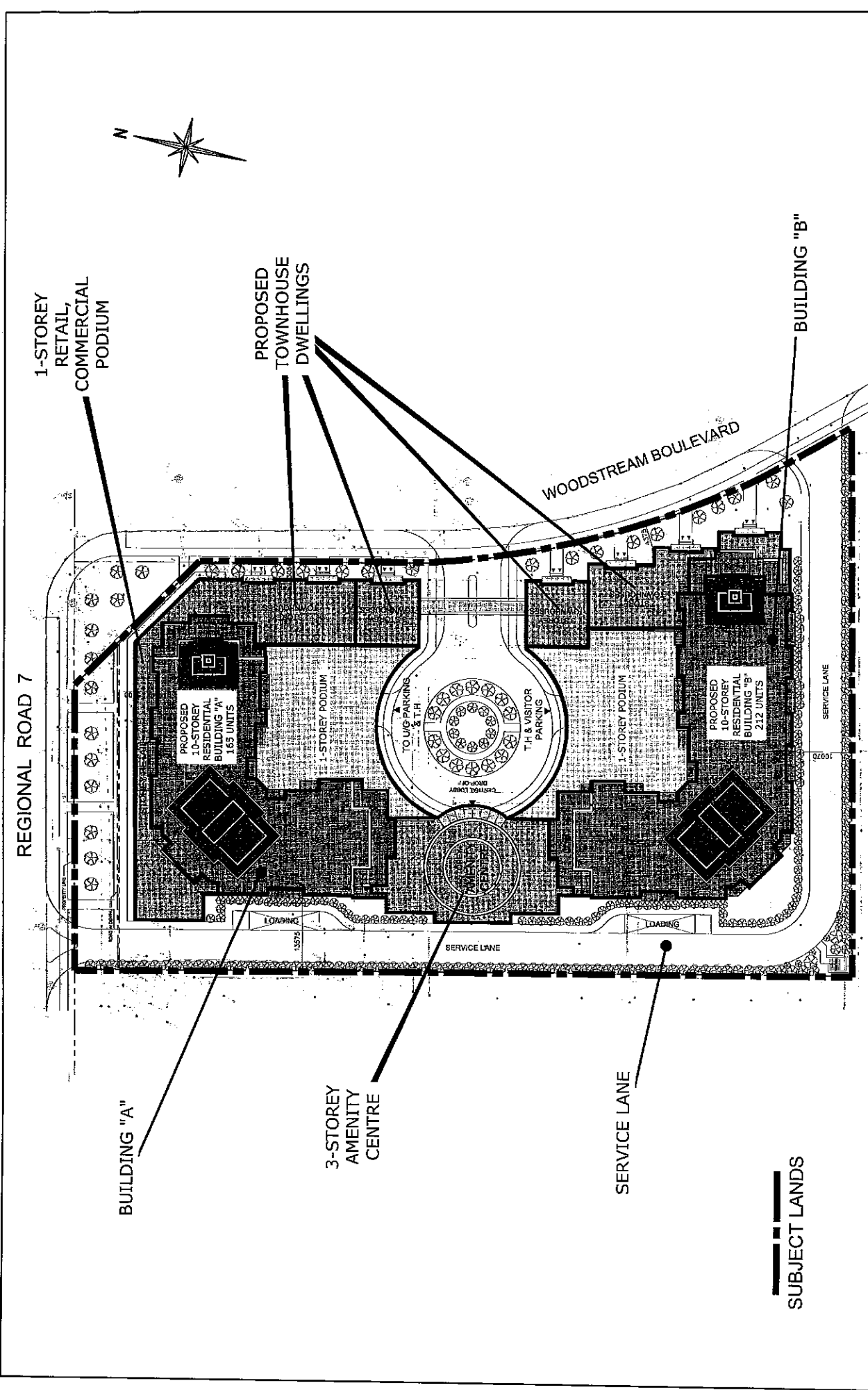
Attachment 1

FILE No.:
Z.07.053

Not to Scale

May 15, 2008

PB1
(VAUGHAN GROVE
SPORTS PARK)



Attachment 2

FILE No.: Z.07.053
 Not to Scale
 May 15, 2008

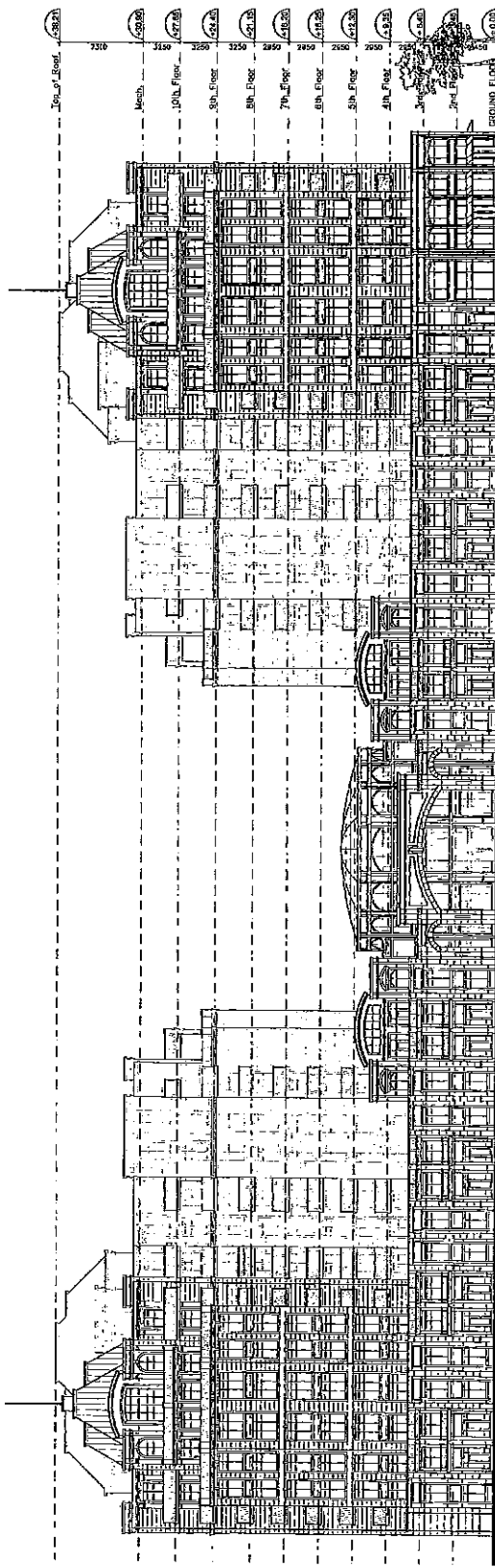


The City Above Toronto

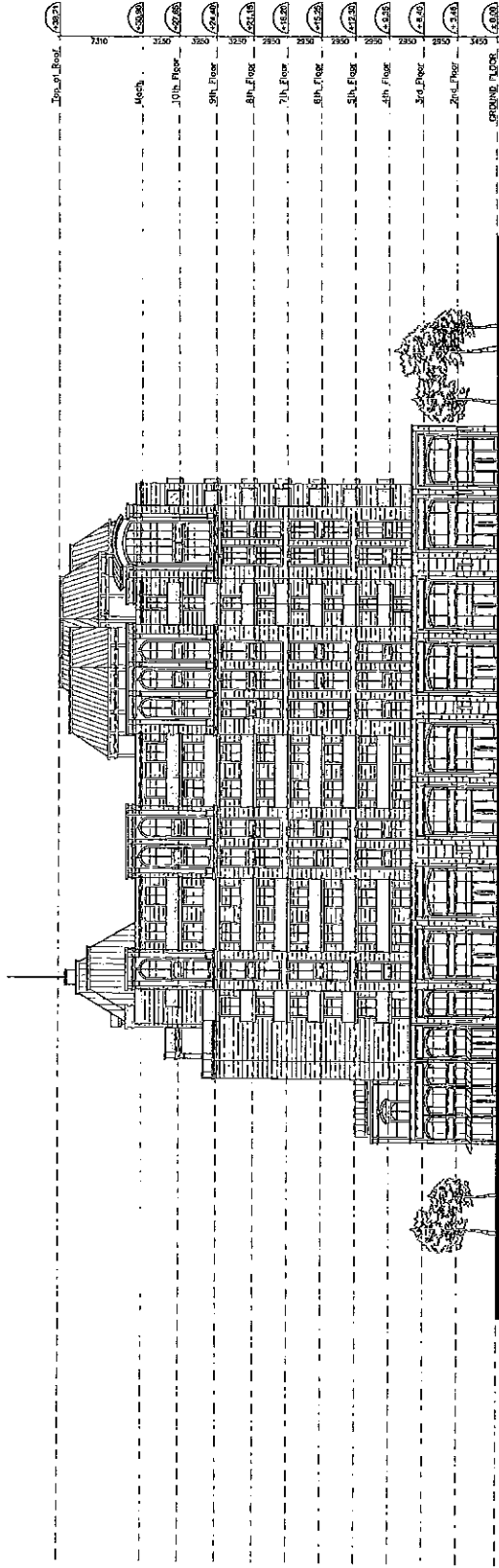
Development Planning Department

Site Plan (Proposed)

Part of Lot 5,
 Concession 8
 APPLICANT:
 WOODSTREAM PLAZA INC.
 N:\DPT\1 ATTACHMENTS\Z\z-07.053



EAST ELEVATION (WOODSTREAM BOULEVARD)



NORTH ELEVATION (REGIONAL ROAD 7)

Elevations (Proposed)

Part of Lot 5,
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APPLICANT:
WOODSTREAM PLAZA INC.
N:\DFT\1 ATTACHMENTS\Z\Z.07.053



Development Planning Department

Attachment 3

FILE No.:
Z.07.053
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May 15, 2008