

COMMITTEE OF THE WHOLE JUNE 16, 2008

**OFFICIAL PLAN AMENDMENT FILE OP.06.009
ZONING BY-LAW AMENDMENT FILE Z.06.023
1504546 ONTARIO INC.
REPORT #P.2006.29**

Recommendation

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment File OP.06.009 (1504546 Ontario Inc.) BE APPROVED to amend OPA #240 (Woodbridge Community Plan), as amended by OPA #440, on the subject lands shown on Attachment #1, specifically to:
 - i) permit an increase in the maximum net residential density in the "High Density Residential" designation from 99 units/ha to 288 units/ha, thereby increasing the number of units on the subject lands from 30 to 88 (increase of 58 units);
 - ii) increase the maximum permitted building height in the "High Density Residential" designation from 3-storeys to 4-storeys along Woodbridge Avenue and to increase the overall building height from 6 storeys to 7-storeys;
 - iii) permit fully enclosed parking to be located above grade;
 - iv) include the following policies into the implementing Official Plan Amendment:
 - a) the Toronto and Region Conservation Authority (TRCA) shall be satisfied that the proposed development and design of the building conforms to the Woodbridge Special Policy Area flood proofing requirements and that all technical studies be approved to their satisfaction as part of the site plan application process;
 - b) require that a Risk Assessment Study be submitted in support of a Site Development Application to the satisfaction of the City and TRCA;
 - c) require a Record of Site Condition to be registered and acknowledged by an Officer of the Provincial Ministry of the Environment, prior to the execution of a Site Plan Letter of Undertaking;
 - d) require an Emergency Management Plan to be submitted dealing with such matters as, but not limited to, building evacuation, timing of flood and overall SPA evacuation, prior to approval by the Ministers of Municipal Affairs and Housing and Natural Resources to demonstrate that development and site alteration will be carried out in accordance with floodproofing standards, protection works standards, so vehicular and people have a way of safety entering and existing the area during time of flooding and that the development will not create new hazards to the satisfaction of the TRCA;
 - e) require tiering of the building elevations from all yards;
 - f) require a minimum 6.8 m setback from the rear property line in order to provide a proper landscape interface between the proposed development and Nort Johnson Park;

- g) require that sustainable building and site design features be incorporated into the development, to be reviewed through the Site Development Application process;
 - h) include a provision requiring a 3 m road widening along Woodbridge Avenue, if determined to be necessary by the City of Vaughan Engineering Department;
 - i) require that a traffic impact, access and parking study be submitted and approved, prior to the implementing by-law being enacted, in support of the Site Development Application; and,
 - j) require that the parking garage be fully enclosed the design of which will be reviewed through the site plan approval process, to the satisfaction of the City.
2. THAT Zoning By-law Amendment File Z.06.023 (1504546 Ontario Inc.) BE APPROVED, specifically to amend By-law 1-88, to rezone the subject lands shown on Attachment #1 from C1 Restricted Commercial Zone to RA2(H) Apartment Residential Zone with the Holding Symbol "(H)" to facilitate the development of the subject lands with a 7-storey, 88 unit residential condominium apartment development with the following zoning exceptions:
- i) a minimum front yard setback of 0 m, whereas the By-law requires a minimum front yard setback of 7.5 m;
 - ii) a minimum rear yard setback of 6.8 m, whereas the By-law requires a minimum rear yard setback of 7.5 m;
 - iii) a minimum interior side yard setback of 0.3 m, whereas the By-law requires a minimum interior side yard setback of 13.3 m;
 - iv) a minimum lot area per unit of 34.8 m² per unit (based on a maximum of 88 units), whereas the By-law requires a minimum lot area of 80 m² per unit ;
 - v) permit a minimum of 121 parking spaces, whereas the By-law requires a minimum of 154 parking spaces;
 - vi) a reduced amenity area of 1,180 m², whereas the By-law requires a minimum amenity area of 3510 m²;
 - vii) an increased lot coverage of 81%, whereas the By-law permits a maximum lot coverage of 50%;
 - viii) access to the development shall be shared and off-site, whereas the by-law requires that an access be maintained on the same lot;
 - ix) a reduced setback to portions of the building below grade of 0 m, whereas the By-law requires a minimum setback of 1.8 m to portions of buildings below grade;
 - x) permit any other zoning exceptions that may be required to implement the final site plan, as may be approved by Council;
 - xi) require that the Holding Symbol "(H)" not be removed until the sewer and water capacity have been identified and allocated by Council for the development of the subject lands.

Economic Impact

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

Communications Plan

Public Hearing

On March 24, 2006, a Notice of Public Hearing for an 8 storey building with a density of 418 units per hectare (uph) for a total of 128 residential units on the subject lands shown on Attachment #1 was mailed to all property owners within 120 m of the subject lands, and to the Woodbridge Core Ratepayers Association and the Friends of the Village Group. At the Public Hearing on April 16, 2006, Council considered the applications to amend the Official Plan and Zoning By-law for the subject lands. At the meeting, several residents spoke in opposition to the proposed development and expressed concerns with respect to the proposed intensification, particularly the proposed 8-storey building height, the building design, and driveway and parking access. The recommendation of the Committee of the Whole, to receive the Public Hearing report and to forward a technical report to a future Committee of the Whole meeting, was ratified by Council on April 25, 2006. Since the Public Hearing, the Development Planning Department has been working with the applicant to achieve a development which is more sensitive to the policies of the Official Plan and compatible with development in the Woodbridge Core Area. The Owner has amended the Official Plan and Zoning Amendment Applications to reduce the proposed building height from 8-storeys to 7-storeys and the number of residential units from 128 to 88 units, as shown on Attachment #2.

A notice of this Committee of the Whole meeting was either hand delivered or faxed to all persons having requested notice on June 11, 2008.

Purpose

The Owner has submitted the following applications on the subject lands shown on Attachment #1:

1. An Official Plan Amendment Application (File OP.06.009) to amend OPA #240 (Woodbridge Community Plan), as amended by OPA #440 (Woodbridge Core Plan) to amend the "High Density Residential" policies as follows:
 - i) permit an increase in the maximum density from 99 units/ha to 288 units/ha, thereby increasing the number of units permitted on the subject lands from 34 to 88 units (increase of 58 units) within the "High Density Residential" designation of OPA #440; and,
 - ii) permit an increase in the maximum permitted building height identified in OPA #440 from 3 storeys to 4 storeys along Woodbridge Avenue and from 6 storeys to 7 storeys on the subject lands.
2. A Zoning By-law Amendment Application (File Z.06.023) to amend By-law 1-88 to rezone the subject lands from C1 Restricted Commercial Zone to RA2 Apartment Residential Zone, with the following exceptions:
 - i) a minimum front and rear yard setbacks of 0 m and 6.8 m, whereas the By-law requires a minimum front and rear yard setback of 7.5 m;
 - ii) a minimum interior side yard setback of 0.3 m, whereas the By-law requires a minimum interior side yard setback of 13.3 m;
 - iii) a reduced minimum lot area per unit of 34.8 m² per unit (based on a maximum of 88 units), whereas the By-law requires a minimum lot area of 80 m² per unit;
 - iv) permit a minimum of 121 parking spaces, whereas the By-law requires a minimum of 154 parking spaces;
 - v) a reduced amenity area of 1180 m², whereas the By-law requires a minimum amenity area of 3510 m²;

- vi) an increased lot coverage of 81%, whereas the By-law permits a maximum lot coverage of 50%;
- vii) access to the development shall be shared and off-site, whereas the by-law requires that an access be maintained on the same lot;
- viii) a reduced setback to portions of the building below grade of 0 m, whereas the By-law requires a minimum setback of 1.8 m to portions of buildings below grade; and,
- ix) permit any other zoning exceptions that may be required to implement the final site plan, as may be approved by Council.

Background - Analysis and Options

The subject lands shown on Attachment #1, are located on the south side of Woodbridge Avenue, west of Islington Avenue, being Part of Parcel A on Registered Plan 449, in Part of Lot 7, Concession 7, municipally known as 75 and 83 Woodbridge Avenue, City of Vaughan. The 0.3063 ha parcel of land represents the assembly of two commercial lots with a combined lot frontage of 34 m and with driveway access from Woodbridge Avenue. The property is currently developed with two buildings, both of which are vacant, boarded up and planned for demolition. The subject lands slope downward from Woodbridge Avenue towards the rear of the property and Nort Johnson Park.

The subject lands are designated "High Density Residential" by OPA #240 (Woodbridge Community Plan), as amended by OPA #440 (Woodbridge Core Plan) and are zoned C1 Restricted Commercial Zone by By-law 1-88. The surrounding land uses are shown on Attachment #1.

Land Use Status

Provincial Policy Statement (PPS 2005)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development, and sets the policy foundation for regulating the development and use of land. The PPS includes policies that direct new growth to urban areas which contributes to the creation of strong and safe communities, healthy environments and long term economic growth.

Policy 1.1.1 states, (in part) that healthy, livable and safe communities are sustained by:

- i) promoting efficient development and land use patterns which sustain the financial well-being of the province and municipalities over the long term;
- ii) accommodating an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses), recreational and open space uses to meet long-term needs;
- iii) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- iv) avoiding development and land use patterns which would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas; and,
- v) promoting cost effective development standards to minimize land consumption and servicing costs.

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 Owner proposes to amend the "High Density Residential" policies of OPA #240, as amended by OPA #440, to increase the maximum density and building height on the subject lands. The intensification of the subject lands would allow more efficient use of the subject lands, which would contribute to a more vibrant Woodbridge Core Area (WCA) by replacing two unattractive and outdated vacant buildings on an underutilized site. The policy foundation for the WCA is established by OPA #440, which establishes the WCA as a growth area, since it includes intensification policies to support the establishment of the WCA and support public transit. Accordingly, intensification is currently permitted within the SPA.

The Development Planning Department is supportive of intensification to revitalize the WCA as set out in OPA #440, and new development that is compatible with the surrounding land use context from a built form and density perspective. In this respect, OPA #440 currently provides development rights to the subject lands in the form of a maximum 6 storey building at a density of 99 units per hectare with bonusing provisions that would permit an additional 20 units per hectare on the lands.

The WCA is an historical settlement which has undergone significant intensification. It is a special area in that it retains elements of its historical past and is the recipient of higher density development in the form of medium rise condominiums. It also faces special challenges in that the WCA is situated in the Humber River flood plain and is therefore, subject to the new PPS and the Special Policy Area policies directly related to the flood plain.

Policy 3.1.1 of the PPS states that development shall generally be directed to areas outside of hazardous lands adjacent to river and streams which are impacted by flooding hazards and/or erosion hazards. Section 3.1.2 of the PPS states that development shall not be permitted within areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, and erosion hazards, unless it has demonstrated that the site has a safe access appropriate for the nature of the development and the natural hazard. Section 3.1.2 further states that development may be permitted in certain areas in those exceptional situations where a Special Policy Area (SPA) has been approved. The subject lands are located within an SPA which was approved by the Ministry of Municipal Affairs. The PPS defines an SPA as follows:

"An area within a community that has historically existed in the flood plain and where site-specific policies, approved by both the Ministers of Natural Resources and Municipal Affairs and Housing are intended to provide for continued viability of existing uses (which are generally on a small scale) and address the significant social and economic hardships to the community that would result from strict adherence to provincial policies concerning development. The criteria and procedures for approval are established by the Province.

A Special Policy Area is not intended to allow for new or intensified development and site alteration, if a community has feasible opportunities for development outside the flood plan."

The Owner has undertaken various studies (i.e. population analysis, hydrological analysis, a fire and medical risk analysis and a planning justification report) to address the proposed intensification within the WCA. The reports conclude that intensification can be accommodated within the SPA through the use of building construction techniques and building design, a lower than planned population within the WCA, and by providing safe ingress and egress to the site that intensification can occur on the subject lands without additional risk to future residents. In this respect, the studies, in combination with the recommendations made in this report, the

Development Planning Department is satisfied that the application is consistent with the intent of the PPS.

Provincial Growth Plan - Places to Grow

The Province approved the Places to Grow Plan in 2006, which sets out a framework to provide overall leadership and guidance to municipalities as they plan for growth in their communities. The Plan sets out policy on a wide range of issues including, managing growth, general intensification, infrastructure planning among other policies. The Places to Grow Plan promotes the intensification of land in the existing built-up areas, and provides a target that 40% of all new residential development is to occur within a community's existing built-up area. The Plan states that intensification makes more efficient use of land by accommodating growth within existing urban areas and that intensification is key to revitalizing city centres and making them more people-focused and livable. Concentrating intensification in these areas provides for a focus for transit and infrastructure investment to support growth and for building compact, transit-supportive communities.

The subject lands are located within the Woodbridge Community Plan (OPA #240), as amended by OPA #440 which designates the subject lands as "High Density Residential", and permits intensification on the subject lands to a maximum of 99 uph, and a maximum building height of 6-stores. The proposed development is consistent and supportive of the Growth Plan with respect to directing growth and intensification to a designated built-up area. The WCA is an existing historical built-up area intended to provide the opportunity for intensification that would compliment and support the commercial / residential mixed-uses of the WCA and allow residents to live, shop and work within the community. The WCA is also where the capacity exists to best accommodate the expected population, household and employment growth, and promoting transit-supportive densities.

Regional Official Plan

The Region of York Official Plan (YROP) identifies the subject lands, as an "Urban Area". The objectives of the Regional Plan include targeting growth to existing built-up portions of urban areas, encouraging carefully planned intensification, and providing for a broad range of housing types. The proposed development is consistent with the Regional Official Plan with respect to directing growth to an urban area. The proposed intensification is also consistent with the Regional Official Plan since it would facilitate the more efficient use of the existing infrastructure and promote a wider range of housing choices. However, the Region of York has reviewed the Official Plan Amendment Application and has indicated that the 2005 Provincial Policy Statement declares that development within a "Special Policy Area" requires the approval of the Ministers of Municipal Affairs and Housing and Natural Resources prior to the approval authority approving such changes. The MMAH has advised as follows:

"In matters of floodplain management, where a Conservation Authority is in place, it is the lead public agency regarding interpretation and implementation of provincial policy. As such, in dealing with planning applications within these flood-prone areas, the TRCA should be consulted directly for interpretation and application of the Provincial Policy Statement (PPS). However, where a change or modification to the site-specific policies or boundaries of an existing SPA is being contemplated, this change or modification must be approved by both the Minister of Natural Resources (MNR) and the Minister of Municipal Affairs and Housing (MMAH), prior to the approval authority approving such changes or modifications.

In regard to the above-noted file, TRCA's comments are consistent with the Natural Hazards policies of the PPS. The province would also support and participate in, as appropriate, a comprehensive review of the SPA designation and policies within the City of Vaughan.

During the review/update of the SPA designation, the City should consult with TRCA staff and follow the procedures as outlined within The Technical Guide for Rivers and Stream Systems: Flooding Hazard Limit, (Technical Guide) provided by the MNR. Ideally, MMAH and MNR should be involved early in consultations and prior to the adoption of any changes to the SPA designations and policies using the "One-Window" review protocol."

Vaughan Official Plan

OPA #240 (Woodbridge Community Plan), as amended by OPA #440, designates the subject lands "High Density Residential", which permits an apartment use, which does not exceed the permitted density of 99 units / ha and commercial uses.

a) High Density Residential Specific Policies

OPA #440 identifies the following specific policies which apply to the subject lands:

- i) in addition to the permitted residential uses, retail and office commercial uses shall be permitted along the ground floor of the Woodbridge Avenue frontage. Limited commercial uses may also be permitted adjacent to the park. These commercial uses may include cafes, artists studios, galleries, or craft shops which would be intended to complement the park and would be restricted to the ground floor;
- ii) development within the "High Density Residential" designation shall be based on the following objectives and criteria:
 - residential units that are intended to create an attractive and lively continuous building frontage along Woodbridge Avenue with a minimal setback to be established in the zoning by-law;
 - surface parking for all residential units shall be prohibited from locating adjacent to Woodbridge Avenue and shall utilize alternate means such as below grade parking or surface parking screened from view through building layout design;
 - building heights adjacent to Woodbridge Avenue shall be restricted to a maximum of 3-storeys with an opportunity for a fourth storey to be incorporated within a sloped roof area. The heights of buildings will have regard for the underlying principle that there will be a gradual tiering of heights to reduce the impact of building mass. Buildings may be tiered to a maximum height of 6-storeys. Buildings located adjacent to Nort Johnson Park shall incorporate tiering on the facade facing the park edge with heights decreasing towards the park;
 - development will not be permitted to back onto the park system, but instead will generally be required to face the park edge. Parking for the residential uses will not be located between the park and the buildings. The use of a private or public lane separating the residential development from the park area will be encouraged. Specific urban design standards shall be considered to ensure proper interface of the development with the park;
 - a public pedestrian promenade shall be provided separating the residential development from Nort Johnson Park, located on either public or privately owned lands. The dedication of lands to the Municipality may be required to ensure the development of this publically accessible pedestrian promenade;

- development shall be undertaken on a comprehensive basis and shall provide for an overall co-ordinated design; and,
- Council may require the approval of a tertiary plan for the area, co-ordinating access, driveways, pedestrian linkages, and overall design among the various landowners, prior to development proceeding.

A general goal of OPA #240, as amended, is to create a distinct residential community of scale and character that relates well to the existing village quality of Woodbridge, and possess a strong sense of community identity. The Official Plan also states the following, with respect to densities:

“All medium and high density residential development shall be subject to site plan control which will ensure, among other things that adequate on-site parking, amenity area, setback, landscaping, parking and internal road widths are provided.”

If the Official Plan and Zoning By-law Amendment applications are approved, the proposed residential development will be subject to site plan approval.

The Owner proposes to amend the current “High Density Residential” policies of OPA #240, as amended by OPA #440, as follows:

- i) increase the maximum permitted residential density from 99 units per hectare to 288 units per hectare;
 - ii) increase the maximum permitted height from 3-storeys to 4-storeys along Woodbridge Avenue and the overall building height from 6-storeys to 7-storeys; and,
 - iii) locate parking in an above grade structure that is not below grade and screened from view.
- b) Special Policy Area (SPA)

The subject lands are located within a Special Policy Area (SPA) and are therefore, subject to the SPA criteria outlined in Section 6.0 of OPA #440, (in part) as follows:

Within the limits of an SPA, new development, redevelopment, rehabilitation or addition to existing buildings and structures shall only be permitted subject to the following policies:

- i) the proposed development is flood protected to the Regulatory Flood, as defined by regulations made under Section 28 of the Conservation Authorities Act, and to the satisfaction of the City in co-operation with the Toronto and Region Conservation Authority;
- ii) the specific level of flood protection to be imposed, and any flood protection measures to be implemented relative to individual development applications, shall be determined by the Toronto and Region Conservation Authority (TRCA) in consultation with the City. The level of protection to be required shall be the highest level determined to be technically feasible or practical;
- iii) all applications for development approval on lands designated Special Policy Area shall be accompanied by engineering studies, prepared by a qualified professional, detailing such matters as flood frequency, the velocity and depth of storm flows, proposed flood damage reduction details, stormwater management techniques and other information and studies as may be required by the TRCA and the City;

- iv) prior to development proceeding, the TRCA and the City of Vaughan shall approve any proposed flood damage reduction measures including such matters as setbacks from the floodway, the use of fill, columns or design modifications to elevate, the use of water tight doors, waterproof seals at structural joints, berms/floodwalls, strengthened foundation walls, the installation of backwater valves and sump pumps; and,
- v) ingress and egress for all buildings should be safe, pursuant to the Provincial flood proofing standards, and/or achieve the maximum level of flood protection determined by the Toronto and Region Conservation Authority in consultation with the City to be feasible.

Notwithstanding the above, no new development, including additions, shall be permitted on any parcel of land which is designated as an SPA if:

- i) the building or structure will be subject to a risk of flooding in excess of 25% over an assumed life of 100 years (approximately 1:350 flood - a probability of occurrence once every 350 years);
- ii) the development will be subject to flows which due to their velocity and/or depth would be a hazard to life or susceptible to major structural damage as a result of flood less than or equal to the Regulatory Storm; and,
- iii) the necessary flood damage reduction measures would increase the risks associated with flooding and erosion on adjacent, up stream or downstream properties.

The Owner has submitted the following supporting material to address these policies of the SPA:

Hydrological Analysis: A Hydrological Analysis prepared by Water's Edge Environmental Solutions was submitted which examines the hydrological characteristics of the floodway on the subject lands using benchmarks set out by the province to measure the "threat to life" posed by water depth and velocity, which was a concern expressed by the TRCA. The report concludes that water depth, velocity and velocity and depth as related to the subject proposal meet the provincial requirements.

A letter from Halrow Yolles, an engineering firm, confirms that the proposed structure will be designed for both the 350 year storm and regional flood levels specified. The scope of their structural design services includes design for pressure on exterior walls during a flood and potential ice build-up. Further, the letter states that the foundation system and slab-on-grade will be designed for the effects of a regional flood.

A Fire and Medical Risk Analysis: A fire and medical risk analysis was prepared by Trow Engineering to analyze the fire and medical risk associated with the proposal. The report includes information obtained from a number of emergency and utility agencies regarding their ability to serve the proposed development during a regional storm event. The report concludes that a regional flood of 48 hours duration will not represent a significant risk to the health and safety of the occupants of the building and recommends that the building be constructed on caissons with all occupied areas raised above the floodplain and the underground parking should have no openings that would allow flood entry.

This report has been reviewed by the City's Emergency Planning Manager and was found to be acceptable as the report addresses actions the building owner and occupants will take should a flood emergency occur within the WCA.

The City would operate or respond to an emergency situation in general and that indicates that the City could manage and respond in the event of a regional flood in the WCA. However, like all

emergencies, a flood could lead to other related emergency situations such as water contamination. The City is undertaking a City Wide Official Plan Amendment Review, which could provide opportunity for a more comprehensive approach to emergency planning for all variables of emergencies including lands that are located within an SPA. However, the City wide review is not expected to be completed in the near future and therefore, an All Hazards Emergency Plan, should be submitted by the Owner in support of this development for approval by the City of Vaughan and the TRCA.

A Woodbridge Core Population Analysis: A population analysis as requested by the Development Planning Department has been submitted with respect to the WCA and lands within the WCA that are designated as an SPA, which was prepared by Weston Consulting Group Inc (WCGI). The purpose of the analysis was to demonstrate that the population within the WCA is within the planned population for the WCA and for lands designated as an SPA as set out in approved OPA #240, as amended by OPA #440. The premise for this analysis is that the actual number of people per unit has decreased in recent years, compared to when OPA #240, as amended by OPA #440 were approved, and therefore the actual number of people within the WCA and the SPA is less than the planned and approved population, and consequently that the proposed development would not increase the planned and approved population in the WCA and within the SPA.

The analysis utilizes persons per unit (PPU) numbers based on census information for each housing type and then combines these numbers with the number of units planned for the geographic area to determine a population estimate. A survey of existing and future planned development was undertaken by the consultant to determine the planned population for the WCA, including the SPA. The Development Planning Department is satisfied with the population study. It utilized a person per unit rate of 2.42 for all high density residential, medium density residential and mixed office uses, which is higher than the Regional ppu figure of 1.88. The analysis concludes that the planned and actual population figures within the WCA and the SPA are as follows:

	<u>OPA #440 Planned Population</u>	<u>2006 Census</u>	<u>% of OPA #440</u>
Woodbridge Core Area	4,700 people	3,133 people	66.7%
Woodbridge Special Policy Area	2,646 people	2,273 people	85.9%

Based in the finding of the population study, it appears that the actual and planned population of the WCA and more specifically, within the SPA are below the levels planned and approved by OPA #240, as amended by OPA #440.

Zoning

The subject lands are zoned C1 Restricted Commercial Zone by By-law 1-88, which does not permit the proposed development. The Owner has submitted a Zoning By-law Amendment Application (File Z.06.023) to rezone the subject lands from C1 Restricted Commercial Zone to RA2 Apartment Residential Zone to facilitate the proposed development. Based on the latest site plan submitted in support of the application, the following zoning exceptions to the RA2 Apartment Residential Zone standards are required:

- i) a minimum front and rear yard setback of 0 m and 6.8 m respectively, whereas the By-law requires a minimum front and rear yard setback of 7.5 m;
- ii) a minimum interior side yard setback of 0.3 m, whereas the By-law requires a minimum interior side yard setback of 13.3 m;

- iii) a reduced minimum lot area per unit of 34.8 m² per unit (based on a maximum 88 units), whereas the By-law requires a minimum lot area of 80 m² per unit;
- iv) permit a minimum of 121 parking spaces, whereas the By-law requires a minimum of 154 parking spaces;
- v) a reduced amenity area of 1180 m², whereas the By-law requires a minimum amenity area of 3510 m²;
- vi) an increased lot coverage of 81%, whereas the By-law permits a maximum lot coverage of 50%;
- vii) access to the development shall be shared and off-site, whereas the by-law requires that it be maintained on the same lot;
- viii) a minimum setback to portions of the building below grade of 0 m, whereas the By-law requires a minimum setback of 1.8 m to portions of buildings below grade; and,
- ix) permit any other zoning exceptions that may be required to implement the final site plan, as may be approved by Council.

A Site Development Application has not been submitted by the Owner and servicing capacity is currently not available for the proposed development. The required zoning exceptions are considered appropriate for the development of the subject lands. By-law 1-88 does not include a specific zone category to implement infill development in a WCA context. Accordingly, many of the zoning exceptions required to implement the proposed development are “technical” in nature since the zoning by-law does not anticipate the form of development proposed. The zoning exceptions required would facilitate a development that has a building form that is consistent and compatible with the surrounding land use context and therefore, the Development Planning Department can support the required exceptions.

Planning Considerations

Land Use Compatibility

The subject lands are located within the WCA with direct frontage on Woodbridge Avenue, being the primary road in the WCA. The WCA has been undergoing intensification in the form of mixed-use commercial/high density residential development, particularly along Woodbridge Avenue. The south side of Woodbridge Avenue, between Islington Avenue and Wallace Street is characterized by newer high-density, mixed-use developments ranging in constructed building heights of 4 to 7 storeys, as well as older commercial buildings with apartment units above. The north side of Woodbridge Avenue includes 2-storey residential homes, older commercial buildings with residential units above, and the Market Lane shopping complex, comprised of a 6-storey mixed use development and commercial uses. From a land use perspective, the Development Planning Department is satisfied that the proposed use of the land for a residential building is compatible with the surrounding land use context. However, the Development Planning Department encourages the Owner to provide commercial uses on the ground floor of the building, which are permitted by OPA #440, that would continue the store front commercial presence on Woodbridge Avenue.

OPA #440 establishes development rights on the subject lands which permits a 6-storey tiered building at a density of 99 units per hectare and the opportunity to achieve an additional 20 units per/ha through density bonusing policies, which would yield approximately 37 units on the subject lands. This intensity of development can be undertaken on the lands without an amendment to the Official Plan and requires a Zoning By-law Amendment and Site Plan approval. An application has been filed to increase the maximum permitted density and building height to 288 units/ha and 7-storeys respectively, which triggers the requirement for an official plan amendment.

As noted above, the City and the Development Planning Department supports intensification to revitalize the WCA. From a land use perspective, the proposed use and form of the

development are considered appropriate for the subject lands in the context of the surrounding development, subject to the comments and recommendation in this report

With respect to the other amendments required to the Official Plan in order to implement the proposed development, the Development Planning Department can support the proposed increase in building height along Woodbridge Avenue from 3 to 4 storeys and overall on the subject lands from 6 to 7 storeys. In addition, the proposed parking above grade level is considered acceptable, provided that the parking area is fully enclosed, which will be reviewed through the site plan approval process. A condition of approval is included in this respect.

The SPA policies of the PPS are intended to reduce the potential for public cost or risk to Ontario's residents from natural or human-made hazards. A balanced and reasonable approach to development should be taken in an existing SPA where development has already commenced and policies are approved and in place to encourage intensification. The Development Planning Department is satisfied that the studies undertaken by the applicant demonstrates that intensification can be accommodated on the subject lands having regard for the intent of the PPS.

Preliminary Site Plan and Building Elevations

The Owner has submitted a preliminary site plan and building elevations as shown on Attachments #2, #3 and #4. The plan proposes one apartment building with 4-storeys along Woodbridge Avenue, tiering back on all sides. The building footprint occupies most of the lot with the exception of the rear 6.8 m, where a landscaped amenity area/feature is proposed. The site is relatively flat along Woodbridge Avenue, but slopes sharply downward toward the rear lot line and Nort Johnson Park. As a result, the south elevation and rear portions of the building would have an exposed basement garage area, typical of existing developments backing onto the park.

A driveway access from Woodbridge Avenue is proposed to serve the proposed development, to be shared with the adjacent condominium to the east (Piazza), as required by the Site Development Agreement for the Piazza development and OPA #440. The driveway is owned by the City of Vaughan with easements in favour of the Piazza development for access purposes. The same provisions would apply for this development. The necessary maintenance and construction costs shall be shared between the properties benefiting from the driveway, which will be secured at the site plan approval stage. There is also an existing walkway maintained and owned by the City, leading from Woodbridge Avenue to Nort Johnson Park.

A 3.0 m road widening is required to be dedicated to the City of Vaughan for future widening of Woodbridge Avenue as a 26 m arterial road. To date, it appears that the proposed site plan does not provide for the road widening and therefore, the above and below ground building footprint must be reduced to facilitate the future road widening. The extent to which a widening may be necessary needs to be assessed by the Engineering Department, which will be determined at the site plan process.

The main landscaped amenity area for the subject lands is provided along the Woodbridge Avenue frontage, the rear of the property and within the terraced roof lines of the building. The parking level is screened from view from Woodbridge Avenue by the proposed building, but is visible from the east, west and south. It is recommended that the parking levels be fully enclosed. This issue will be reviewed at the site plan approval stage.

The Development Planning Department has expressed the following additional design related concerns to the Owner:

- a safe pedestrian access should be maintained from Woodbridge Avenue to the rear lot line;
- a LEED certified building is recommended; and,

- the Woodbridge Heritage Conservation District Study is underway and the building design, site plan and materials should have regard for the heritage character of the area and requirements of the study.

A vegetation assessment and tree preservation plan, context plan, streetscape elevations and a copy of the first floor plan will be required in support of the Site Development Application.

Sustainability

The City is encouraging that all new development incorporate sustainable building and site design features, which will be considered as part of the site development approval process. A minimum setback requirement and sustainability policy will be included in the implementing Official Plan Amendment to require sustainable development features and proper interface with the park lands to the south, are provided as recommended in this report. The Owner has advised that the development will be designed to achieve LEED objectives which will be reviewed at the Site Development stage.

Parking

The preliminary site plan shown on Attachment #2 proposes 121 parking spaces with 57 spaces in an underground level, 30 spaces at a ground level parking floor and 34 spaces at a mezzanine level located between the ground level and the first floor of the residential units. By-law 1-88 requires that the minimum parking requirement for the site be calculated as follows:

Condominium:	88 units x 1.5 spaces/unit	= 132 spaces
Visitors:	<u>88 units x 0.25 spaces/unit</u>	= <u>22 spaces</u>
	Total Parking Required	= 154 spaces
	Total Parking Provided	= 121 spaces

The proposed development is deficient by 32 parking spaces. The Owner has submitted an Access/Parking and Traffic Impact Study prepared by Paradigm Transportation Solutions Ltd. dated June 2008, in support of the proposed parking supply for the development. The Study utilizes a parking ratio of 1.37 spaces for each residential unit, including visitor parking, and concludes that 121 parking spaces are sufficient to support the proposed development. The Engineering Department has reviewed the Study, and concurs with the proposed parking supply. Accordingly, the Development Planning Department can support the parking supply proposed for the development.

Engineering Department

The Vaughan Engineering Department has reviewed the applications and provides the following comments:

i) Servicing

In accordance with the Servicing Capacity Allocation Strategy Report adopted by Council on March 31, 2008, servicing allocation capacity for the subject development applications 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.

ii) Engineering Department

The Engineering Department has advised that:

- as required by OPA #600, a 26 m right-of-way is required for Woodbridge Avenue, therefore a 3.0 m road widening shall be provided to the satisfaction of the Engineering Department.

Environmental

The City Engineering Department has reviewed the Phase 1 Environmental Site Assessment for 75 and 83 Woodbridge Avenue, prepared by Trow Associates Inc. dated July 14, 2006 and has found it to be acceptable to the City.

As a condition of Site Plan Approval, the Owner is required to remediate the petroleum impacted soil and the associated samplings and chemical analysis for the site and provide a Record of Site Condition to the satisfaction of the Engineering Department.

Toronto and Region Conservation Authority (TRCA)

The Toronto and Region Conservation Authority (TRCA) which is the lead agency regarding flood plain management has reviewed the proposed development, the specific technical reports and the Planning Justification report. The TRCA has provided the following comments:

"On a preliminary level we have reviewed various material and met with proponent on a number of occasions. Based on this preliminary review it appears the development may be viable.

Regarding the matter of the difference in flood depths between the consultant's report and TRCA staff, this has not been finalized. Notwithstanding the apparent difference, this may have an impact in terms of what will be required from a floodproofing perspective, as well as access.

As noted in the May 27, 2008 letter, regarding the technical requirements, on a preliminary level we believe they most likely can be satisfactorily addressed given adjacent properties have been developed with similar uses. Again as noted in previous correspondence, we will require the submission of detailed information from the proponent in order to determine the mechanisms of how the development can be floodproofed.

With respect to the access issue, as noted in previous correspondence, it appears only a diesel fire truck would be able to access this site in a Regional storm event.

Regarding the Emergency Management Plan, we still have a concern that no work has been prepared addressing matters such as "building evacuation", "timing of flood" and an overall SPA evacuation. It is our understanding that the City will be preparing such an Emergency Management Plan report in the future."

Parkland Dedication

The Owner shall pay to Vaughan by way of certified cheque cash-in-lieu of parkland dedication equivalent to a fixed unit rate prior to the issuance of a building permit in accordance with the Planning Act and City's Cash-in-lieu Policy.

Relationship to Vaughan Vision 2020

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

Regional Implications

The Region of York has reviewed the proposed Official Plan and Zoning By-law Amendment Applications and has indicated that the 2005 Provincial Policy Statement states that development within a “Special Policy Area” requires the approval of the Ministers of Municipal Affairs and Housing and Natural Resources prior to the approval authority approving such changes. The application has been circulated to the Ministry of Municipal Affairs and Housing for their review, and therefore, the Region of York cannot grant exemption from Regional approval.

Conclusion

The Development Planning Department has reviewed Official Plan and Zoning By-law Amendment Files OP.06.009 and Z.06.023 (1504546 Ontario Inc.) in the context of the applicable Provincial, Regional and City policies, the requirements of By-law 1-88, and the surrounding land uses.

The Provincial Policy Statement (PPS) and Places to Grow Plan encourages intensification in existing built up areas. In this respect, the proposed development conforms to the PPS since the applications propose intensification in the form of increased density and building height on the subject lands in the Woodbridge Core Area (WCA), which is identified as an area for intensification through the policies of OPA #240, as amended by OPA #440.

The PPS also establishes policies for intensification within a Special Policy Area (SPA) which are intended to reduce the potential for public cost or risk to Ontario’s residents from natural or human-made hazards. However, a balanced approach to development should be taken in an existing SPA where development already exists and policies are in place and approved to encourage intensification. The Owner has demonstrated through the studies submitted in support of the application, that the subject lands can be intensified without risk to the public. In this respect it is also important to note that the subject lands have as-of-right approved Official Plan policies that permits intensification on the site for residential purposes, however at a lower density. The Development Planning Department is satisfied that the application meets the intent of the PPS, subject to the comments and recommendations in this report.

The Region of York Official Plan (YROP) identifies the subject lands, as an “Urban Area”. The objectives of the Regional Plan include targeting growth to existing built-up portions of urban areas, encouraging carefully planned intensification, and providing for a broad range of housing types. The proposed development is consistent with the Regional Official Plan with respect to directing growth to an urban area. The proposed intensification is also consistent with the Regional Official Plan since it would facilitate the more efficient use of the existing infrastructure and promote a wider range of housing choices.

OPA #240 (Woodbridge Community Plan), as amended by #440 establishes development rights on the subject lands, which permits a 6- storey tiered building at a density of 99 units per hectare. This intensity of development can be undertaken on the lands without an amendment to the Official Plan and requires a Zoning By-law Amendment and Site Plan Approval. An application has been filed to increase the maximum permitted density and building height to 288 units / ha and 7-storeys respectively, which triggers the requirement for an official plan amendment. The proposed amendments to the official plan for density and building height are considered appropriate given the surrounding land use context and would facilitate a development that is compatible with the adjacent properties and the WCA. However, the Development Planning Department encourages the Owner to provide commercial uses on the ground floor of the building, which are permitted by OPA #440, that would continue the store front commercial presence on Woodbridge Avenue.

Recognition of the historical role that the Woodbridge Core occupies as a local centre of commerce, with higher residential densities must be acknowledged in order to achieve sensible development that is of a scale and height which is compatible with the existing built fabric to avoid degradation of the core as evidenced by the existing buildings on the subject lands in order to keep the Woodbridge Core as a healthy vibrant mixed use district.

Accordingly, the Development Planning Department can support the approval of Official Plan and Zoning By-law Amendment Files OP.06.009 and Z.06.023, subject to the comments and recommendations in this report.

Attachments

1. Location Map
2. Proposed Site Plan
3. Proposed North and West Elevations
4. Proposed North and East Elevations

Report prepared by:

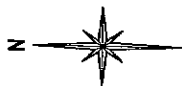
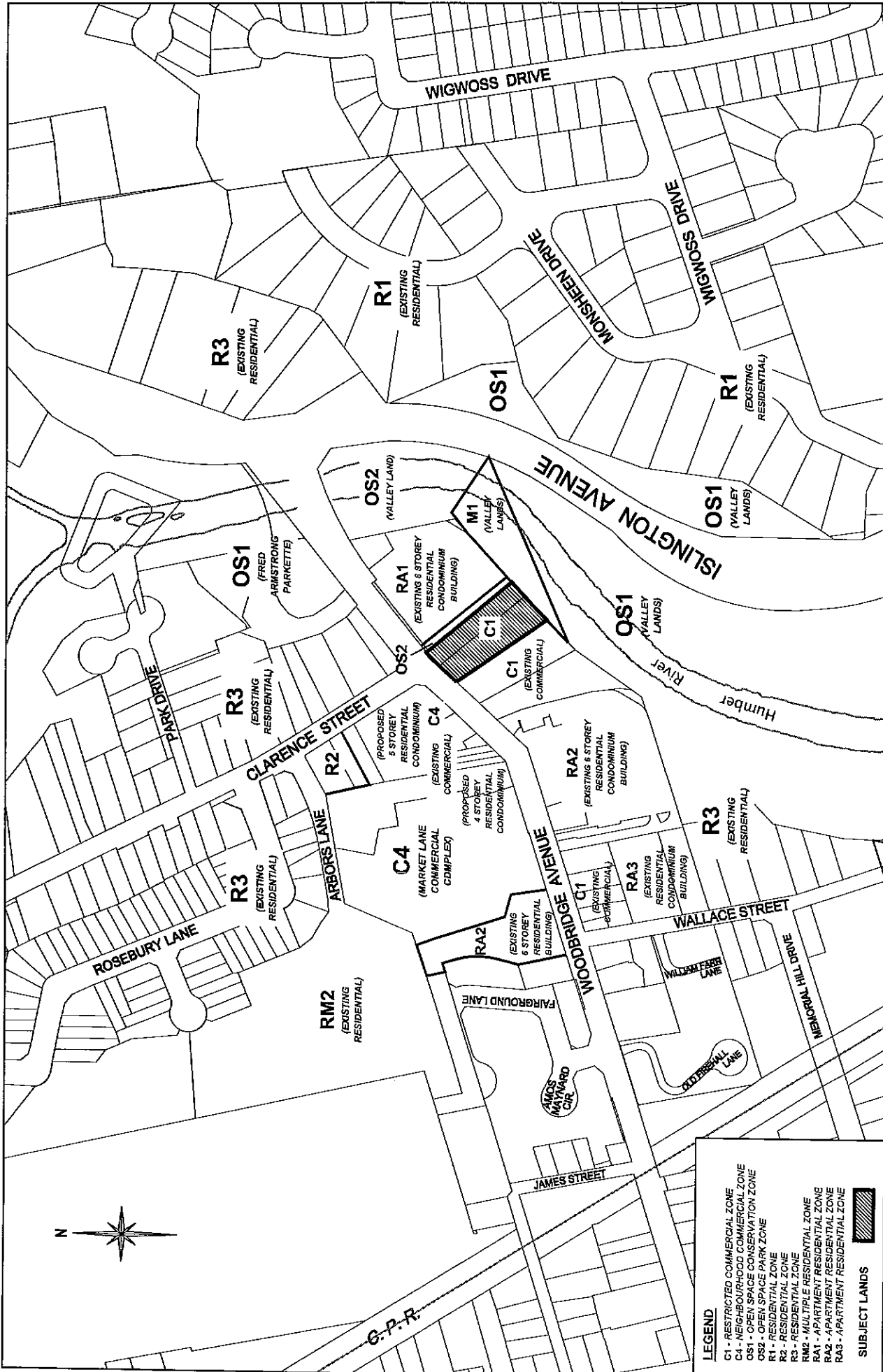
Mauro Peverini, Senior Planner, ext. 8407
Eugene Fera, Planner, ext. 8064

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

GRANT UYEYAMA
Manager of Development Planning

/CM



LEGEND

- C1 - RESTRICTED COMMERCIAL ZONE
- C4 - NEIGHBOURHOOD COMMERCIAL ZONE
- OS1 - OPEN SPACE CONSERVATION ZONE
- OS2 - OPEN SPACE PARK ZONE
- R1 - RESIDENTIAL ZONE
- R2 - RESIDENTIAL ZONE
- R3 - RESIDENTIAL ZONE
- RM2 - MULTIPLE RESIDENTIAL ZONE
- RA1 - APARTMENT RESIDENTIAL ZONE
- RA2 - APARTMENT RESIDENTIAL ZONE
- RA3 - APARTMENT RESIDENTIAL ZONE

SUBJECT LANDS

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Location Map

Part of Lot 7,
Concession 7

APPLICANT:
1504546 ONTARIO INC.

MAP 1 ATTACHMENTS OP, sp. 06.009p. 06.023



The City Above Toronto

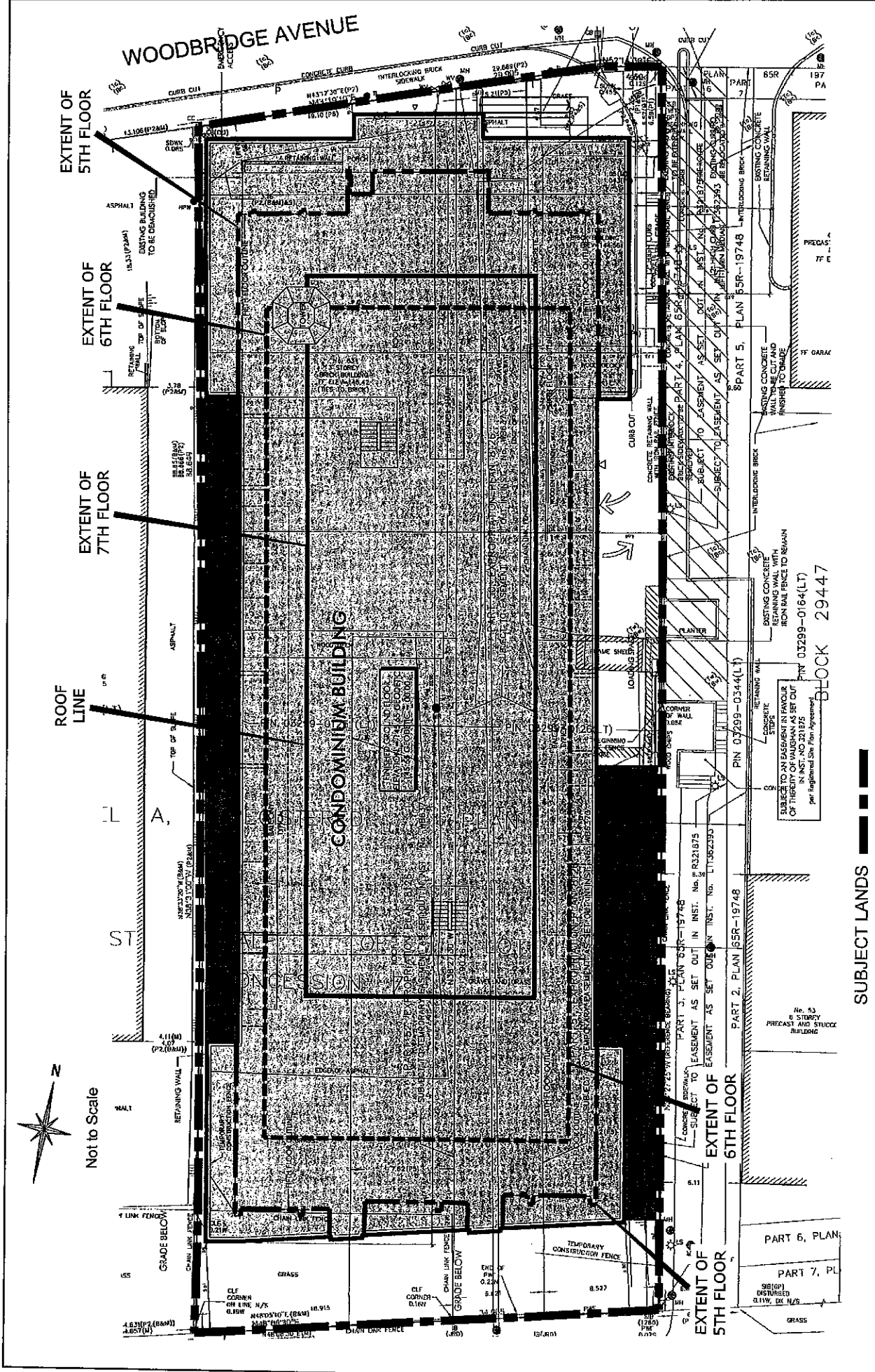
Development Planning Department

Attachment 1

FILE No.'s:
OP.06.009 & Z.06.023

Not to Scale

June 13, 2008



Conceptual Site Plan

Part of Lot 7,
Concession 7
APPLICANT:
1504546 ONTARIO INC.



The City Above Toronto

Development Planning Department

Attachment 2

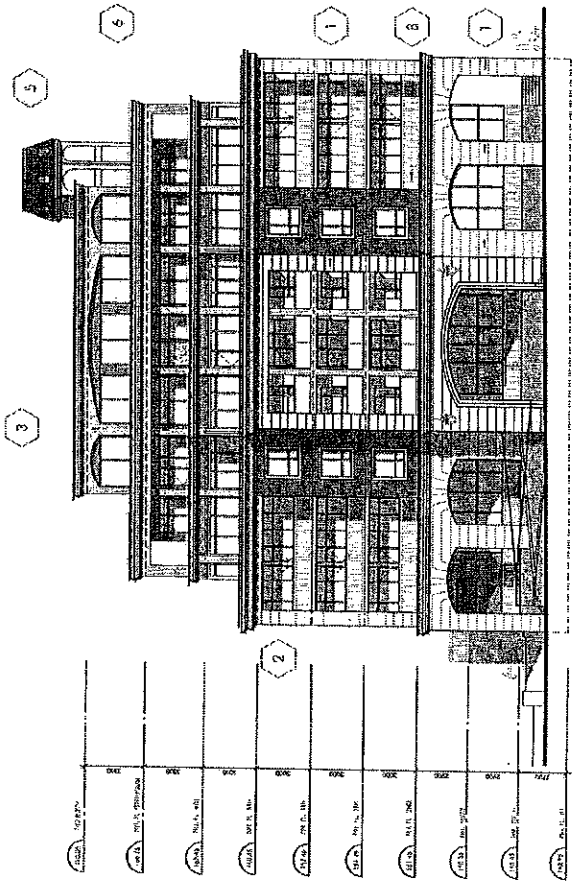
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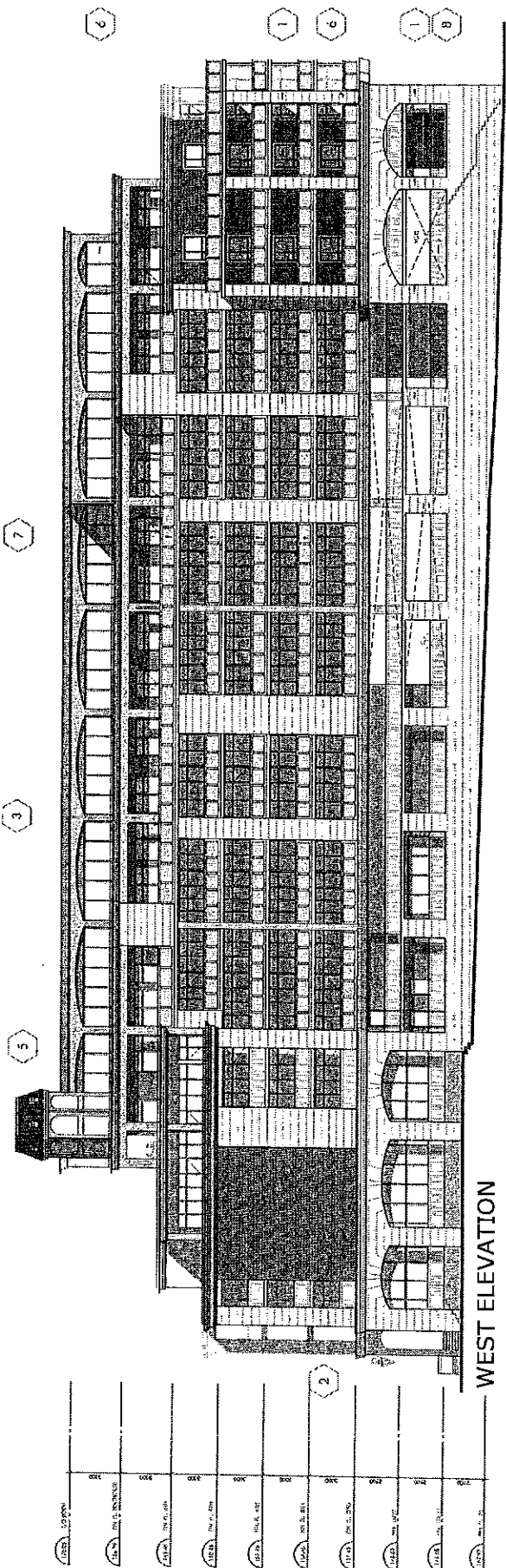
June 13, 2008

SUBJECT LANDS

NA.DFT\1 ATTACHMENTS\CP.06.009&Z.06.023



NORTH ELEVATION (FACING WOODBRIDGE AVENUE)



WEST ELEVATION

Conceptual North & West Elevations

APPLICANT:
1504546 ONTARIO INC.

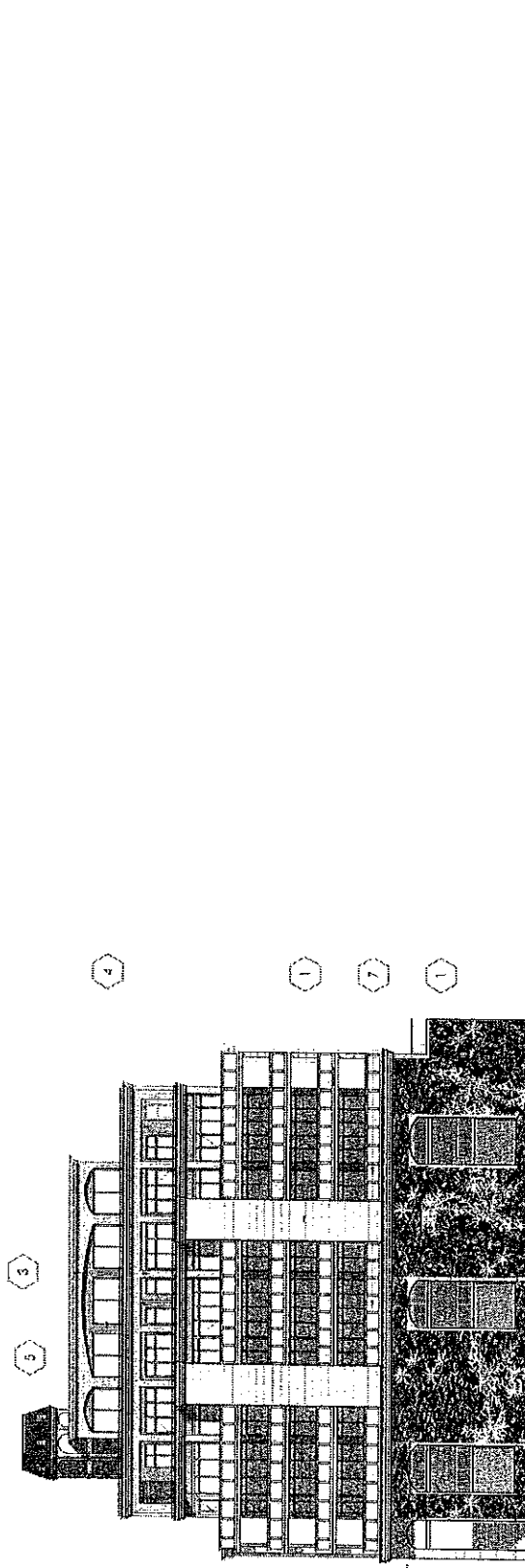
Part of Lot 7,
Concession 7

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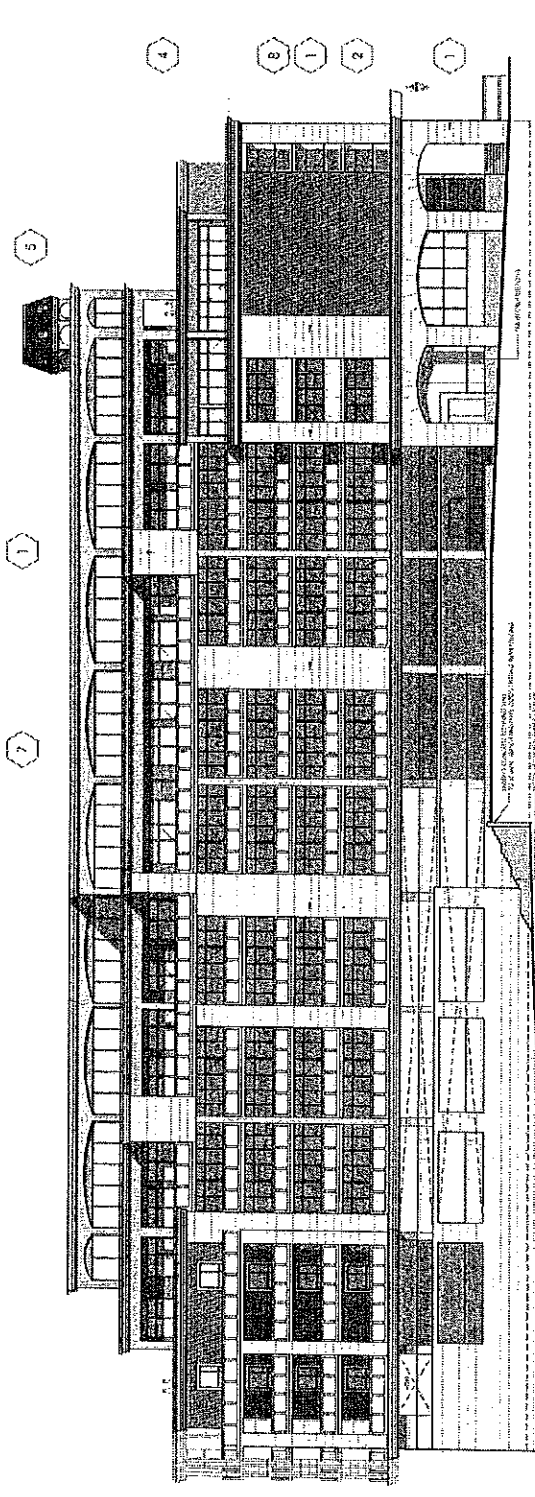


Development Planning Department

Attachment 3
FILE No.'s:
OP.06.009 & Z.06.023
Not to Scale
June 13, 2008



SOUTH ELEVATION



EAST ELEVATION

Conceptual South & East Elevations

APPLICANT:
1504546 ONTARIO INC.

Part of Lot 7,
Concession 7

NA\DP\1 ATTACHMENTS\OP\op_06.006z_06.023



Development Planning Department

Attachment 4
FILE No.'s:
OP.06.009 & Z.06.023
Not to Scale
June 13, 2008