

COMMITTEE OF THE WHOLE FEBRUARY 10, 2009

**SITE DEVELOPMENT FILE DA.08.024
THORNHILL VILLAGE PLAZA INC. AND M4 DEVELOPMENTS INC.
WARD #5**

Recommendation

The Commissioner of Planning recommends:

1. THAT Site Development File DA.08.024 (Thornhill Village Plaza Inc. and M4 Developments Inc.) BE REFUSED.
2. THAT the appropriate City Staff and external consultants be directed to attend the Ontario Municipal Board in opposition to File DA.08.024 (Thornhill Village Plaza Inc. and M4 Developments Inc.).

Economic Impact

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

Communications Plan

N/A

Purpose

On April 18, 2008, the Owner submitted a Site Development Application on the subject lands shown on Attachment #1, which was subsequently amended by revised site plan submissions dated August 8, 2008 and December 22, 2008. The latter submitted Site Plan proposal is to permit a mixed-use development consisting of: one 12-storey, 169 unit seniors residential apartment building having 525m² of GFA devoted to ground floor retail commercial uses; one 2-storey detached residential dwelling unit; six 3-storey live/work units; and the relocated (closer to Yonge Street) Robert Cox House being an existing heritage structure.

The current site plan submission proposes one 2-storey single detached residential dwelling to be located at 14 Arnold Avenue (as shown on Attachment #2), in place of the five, 2-storey townhouse units and the four 2-storey semi-detached units that were previously proposed at 14 Arnold Avenue (Attachment #7). An Ontario Municipal Board Hearing dealing with the three development applications for the property (Official Plan, Zoning By-law, and Site Plan) is scheduled to begin on March 4, 2009. The Hearing also includes the applicants' appeal of OPA #669 and Heritage Permit application.

Background - Analysis and Options

Location

The subject lands are located south of Thornridge Drive, on the north side of Arnold Avenue, and on the west side on Yonge Street, municipally known as 7584, 7586, 7588, 7592, 7596, 7598, 7600; 7602, 7604, 7610 and 7616 Yonge Street and 14 Arnold Avenue, in Ward 5, City of Vaughan as shown on Attachment #1. The Hearing also includes the applicants' appeal of OPA #669 and Heritage Permit Application.

Council Action

On December 10, 2007, Vaughan Council adopted a motion to refuse Official Plan and Zoning Amendment Files OP.05.004 and Z.05.011 (Thornhill Village Plaza and M4 Developments Inc.). On October 27, 2008, Vaughan Council adopted a motion to refuse the related Site Development Application (File DA.08.024), as shown on Attachment #7.

On December 22, 2008, a revised Site Plan proposal was submitted as noted earlier, which is the subject of this staff report.

Changes to the Site Development Application

Below is a chronology outlining the processing to-date of the Site Development Application for Thornhill Village Plaza and M4 Developments Inc. (File DA.08.024):

- April 18, 2008, the Applicant submitted a Site Development Application on the subject lands shown on Attachment #1;
- On June 23, 2008, the Applicant referred their Site Plan Application to the Ontario Municipal Board (OMB) in light of Council's failure to consider the application within 30 days of the submission to the City of Vaughan;
- August 22, 2008, a revised plan dated August 8, 2008 was submitted reflecting minor changes to the Site Statistics referenced on the Site Plan, Drawing A1;
- October 27, 2008, Council adopted without amendment, the Committee of the Whole decision to approve the recommendation of refusal contained in the Staff report dated October 6, 2008;
- December 22, 2008, the Applicant submitted a full set of revised plans reflecting the site plan shown on Attachment #2 to this staff report;
- January 21, 2009, Heritage Vaughan at their Meeting approved the recommendation to refuse the revised Heritage Permit HP.208.015.01; and,
- The Development Planning Department prepares a staff report in consideration of the revised site plan for the February 10, 2009 Committee of the Whole agenda.

The Thornhill Yonge Street Study – 2005

The Thornhill Yonge Street Study- 2005 was jointly undertaken by the Town of Markham and the City of Vaughan. The study was initiated in 2002 and led by the consulting firm of Urban Strategies Inc. The consultation process included a number of workshops with key stakeholders, including the City of Vaughan, Town of Markham, Region of York, Region of York Rapid Transit Consortium, property owners and local residents. The land use recommendations arising from the study, which was approved by Vaughan Council on March 20, 2006, provided the policy framework for Official Plan Amendment #669, which amended the existing OPA #210 (Thornhill Vaughan Community Plan). The recommendations were based on the vision, key planning principles, goals, analysis and conclusions outlined in the report prepared by Urban Strategies Inc.

OPA #669 incorporates land use and urban design policy components of the Thornhill Yonge Street Study (2005). The land use designations established in OPA #669 reflect the Land Use Plan from the Study. The principle changes introduced by OPA #669 are the creation of two new land use designations being "Mid-Rise/Mixed Use" and "Heritage Main Street".

Official Plan

The proposed development encompasses 3 parcels of land which are designated by three Official Plan Amendments, being OPA #210 (Thornhill-Vaughan Community Plan), OPA #669 (Thornhill/Yonge Street Corridor Plan – approved by Vaughan Council and Region of York, but appealed by applicant, and not in effect), and OPA #589 (R1V Large Lot Protection Policy), as follows:

a) OPA #210 - "Low Density Residential Area"

The lands located at 14 Arnold Avenue are designated "Low Density Residential Area" by OPA #210 (Thornhill-Vaughan Community Plan), as shown on Attachment #1, which permits single detached dwellings at a maximum net density of 22 units per hectare. The proposed single detached residential dwelling conforms to the permitted uses outlined in OPA #210 (Thornhill-Vaughan Community Plan). However, the introduction of the outdoor amenity space and a driveway access required for use by the 12-storey seniors' residential/commercial development on the same lot as the single detached residential dwelling is not in keeping with the intent of the policies of OPA #210 respecting the "Low Density Residential Area" designation.

The "Low Density Residential Area" designation permits single detached units not exceeding 22 units per ha in net density. The applicant is proposing to provide driveway access to the 12-storey seniors' residential/commercial building as well as the outdoor amenity area required for the seniors development on lands designated Low Density Residential, in effect introducing elements required for a high density development on the low density residential lands.

b) OPA #589 - "R1V Large Lot Protection Policy"

The proposed development of 14 Arnold Avenue is in contravention of OPA #589, being the City's Policy for the protection of large lots (minimum 30m) zoned R1V Old Village Residential Zone by By-law 1-88. OPA #589 aims to protect areas that have successfully maintained a historical pattern of large lots for single-detached dwellings that are recognized as an important historical component and as unique enclaves within their broader communities, including Arnold Avenue. Specifically, OPA #589 states:

"All development in older established residential areas characterized by large lots or by historical, architectural or landscape value, shall be consistent with the overall character of the area."

If the intention of the Owner is to apply to the Committee of Adjustment for a consent to sever the southerly portion of the lot (14 Arnold Avenue), from the outdoor amenity area and driveway access from the northerly portion of the residential lot, this would contravene the policies of OPA #589, as it would alter the large lot historic character of the neighbourhood.

c) OPA #669 - "Mid-Rise/Mixed Use" & "Heritage Mainstreet"

The remainder of the development lands being 7584, 7586, 7588, 7592, 7596, 7598, 7600, 7602 and 7604 Yonge Street are designated "Mid-Rise/Mixed Use", and 7610 and 7616 Yonge Street are designated "Heritage Main Street" by OPA #669, as shown on Attachment #1. OPA #669 has been approved by the Region of York, but has been appealed by the Owner to the Ontario Municipal Board.

The "Mid-Rise/Mixed Use" designation permits buildings at a maximum height of 5-storeys, with a maximum net density of 2.0 FSI (Floor Space Index). Within the "Mid-Rise/Mixed Use"

designation, mixed use retail/residential or retail/office development is encouraged. New development on lands with frontage on Yonge Street and/or along any plaza/public open space frontage is required to include ground floor, grade-related commercial uses. Residential uses at grade are not permitted along these street frontages. The designation also permits a maximum 5-storeys or 17m in height abutting Yonge Street only. The development proposes a 12-storey seniors building (including ground floor commercial) with a building height of 42.3m, which exceeds the permitted 5-storey and 17m maximum building height in OPA #669. The proposed development as shown on Attachment #2 has an FSI of approximately 4.89 (25,760m² building GFA/5,265.383m² lot area). The proposed 12-storey building with an FSI of 4.89, exceeds the maximum permitted height of 5-storeys and FSI of 2.0, and does not conform to the Official Plan.

Furthermore, the proposed seniors residential building has a building frontage along Yonge Street (see Attachment #4) in excess of 60m, which does not conform to the maximum 30m of continuous commercial building frontage permitted in OPA #669.

The "Heritage Main Street" designation applies to lands where designated or significant heritage buildings are located. This designation also applies to sites in close proximity to heritage buildings. The primary intent of the "Heritage Main Street" designation is the protection and adaptive re-use of existing heritage buildings. The maximum height of any building within the "Heritage Main Street" designation shall be 3-storeys or 9.0m, subject to compatibility with existing heritage structures. The maximum permitted FSI is 0.75. The proposed development includes the relocated Robert Cox House and six 3-storey live/work units, which have an FSI of 0.63 (1,210m² building GFA/1,935.36m² lot area).

d) OMB Status – Official Plan

On December 10, 2007, Council refused Official Plan Amendment Application OP.05.004 (Thornhill Village Plaza and M4 Developments Inc.) to redesignate the entire subject lands to a "Mixed Residential/Commercial" designation in order to permit the proposed development, which has an FSI of 2.78 (27,918m² building GFA/10,022m² lot area). The Owner has appealed Council's refusal of the official plan amendment application to the Ontario Municipal Board. An OMB Hearing date has been set for March 4, 2009.

Zoning

The portion of the lands subject to this application at 14 Arnold Avenue are presently zoned R1V Old Village Residential Zone by By-law 1-88, subject to site-specific Exception 9(662). The R1V Zone permits single detached residential dwellings. Currently, the City of Vaughan has implemented an interim control by-law on all lands zoned R1V Old Village Residential Zone in order to conduct a Land Use Study. No building permits are to be issued for properties zoned R1V if the proposed building exceeds 500m². This interim control by-law will expire in June, 2009.

The remainder of the subject lands as shown on Attachment #1 are zoned C1 Restricted Commercial Zone, and except for 7610 and 7616 Yonge Street, are subject to site-specific Exception 9(1150). The proposed development would not be permitted by the existing zoning on the subject lands. The Applicant has proposed a rezoning of the subject lands to RA2 Apartment Residential Zone for the Yonge Street portion of the subject lands (to facilitate the seniors apartment with ground floor commercial, live/work and Robert Cox heritage building) and RM2 for the 14 Arnold Avenue portion of the subject lands. In light of the revised submission to permit a detached dwelling on this portion of the site, the RM2 zoning category is no longer appropriate to apply to 14 Arnold Avenue as the plan no longer contemplates multiple residential dwellings. Additional information is required from the applicant to determine what zoning exceptions will be required to facilitate the development on the lot.

a) OMB Status - Zoning

On December 10, 2007, Council refused Zoning By-law Amendment Application Z.05.011(Thornhill Village Plaza and M4 Developments Inc.) to rezone the subject lands to RM2 and RA2 Zones in order to permit the proposed development. The Owner has appealed Council's refusal of the zoning by-law amendment application to the Ontario Municipal Board. An OMB Hearing date has been set for March 4, 2009.

Site Plan Review

The Development Planning Department has reviewed the revised plans (December 22, 2008) and cannot support the proposed site plan application as the FSI and building height do not conform to the Official Plan.

The revision to the proposed development has reduced the number of residential ground units interfacing with the existing neighbourhood to the west and introduced an outdoor amenity area located on the northerly portion of 14 Arnold Avenue. Furthermore, the revised plans also provide enhanced landscaping and streetscaping treatments in front of the Robert Cox House and made additional efforts to promote sustainability, in the form of porous pavers and underground stormwater cisterns. The current site plan proposes a 12-storey, 169 unit seniors residential building, a single detached residential dwelling, six 3-storey live/work units, and the retention and relocation of the Robert Cox House (an existing historical structure) that is proposed to be relocated slightly eastwards towards Yonge Street. The entire development proposes a total of 176 residential units reduced from 184 units in the original site plan proposal (Attachment #7). A single detached residential dwelling is proposed to be located at 14 Arnold Avenue with the high-rise condominium building and live/work units being situated along Yonge Street. Driveways and pedestrian walkways, together with surface and underground parking, will link the properties together as shown on Attachment #2.

While intensification along the Yonge Street corridor is desirable and encouraged through the Regional Official Plan and Provincial Policy Statement and Places to Grow the Growth Plan for the Greater Golden Horseshoe, the location of the subject lands as shown on Attachment #1 is within the Thornhill Heritage Conservation District which is not considered to be suitable for a development of this scale. The Places to Grow Act and the PPS both support the preservation of Cultural Heritage resources. The Development Planning Department cannot support a proposal of this magnitude as it would set a negative and undesirable precedent that would render the implementing municipal legislation ineffective in protecting this and other similar Heritage Conservation Districts.

Development within the Thornhill Heritage Conservation District should be consistent and complimentary to the existing land uses on both sides of Yonge Street and sensitive to the future vision for the District. The subject lands should create an acceptable spatial built form transition to the adjacent existing low rise areas within the Historic Thornhill Community to the west of the subject lands as shown on Attachment #1. To achieve this goal, proposed developments within the Mid-Rise/Mixed-Use" designation should not exceed 5-storeys as stipulated in OPA #669 and should transition down in scale to interface with the low rise residential area.

The single detached residential dwelling conforms to the permitted uses outlined in OPA #210 (Thornhill-Vaughan Community Plan). However, the introduction of the outdoor amenity space and a driveway access road for use by a high density residential and mixed-use commercial development on a low density residential single detached lot is not in keeping with the policies of OPA #210. If however, it is the Owner's intention to apply for a consent to sever the southerly portion of 14 Arnold Avenue (containing the proposed residential dwelling) from the northerly portion (containing the outdoor amenity area) from the residential lot, it would no longer be in conformity with OPA #589 as noted earlier.

The proposed 12-storey seniors apartment development would overwhelm the existing 2-storey low density residential development to the west, as it exceeds the maximum 5-storey development contemplated along Yonge Street within the "Mid-Rise Mixed Use" designation, and the maximum 3-storey development contemplated in the "Heritage Main Street" designation including the Robert Cox House. The elevations for the 12-storey building and the 3-storey live/work units to the north are both overly modern which in the design expression and articulation are not sympathetic to the Robert Cox House and the heritage-like development contemplated by the Thornhill Village Conservation District policies and Design Guidelines for the Yonge Street Corridor.

The applicant's overall development concept appears to be ill-conceived by seeking to maximize development density on the Yonge Street portion of the subject lands with a variety of residential dwelling types and commercial uses, including live/work units that are squeezed in the north end of the site in between the proposed 12-storey seniors building, the Robert Cox House, and the existing 2½-storey office building on the lands to the north. The attempt to bring the redevelopment of 14 Arnold Avenue into conformity with OPA #210 and OPA #589 by replacing the five townhouse units and four semi-detached units with a single detached unit is inappropriate as the property is still tied to the amenity area for the high-rise and the private road. The overall site is proposed to be developed with inappropriate residential dwelling types, with building heights and architecture that are not in keeping with the vision contemplated by OPA #210 and OPA #589 for 14 Arnold Avenue, and OPA #669 for the Yonge Street lands. The proposed development will overwhelm the historic character and scale of the community.

a) OMB Status – Site Plan

On June 23, 2008, the Applicant referred their Site Plan Application approval to the OMB to be heard together with the other matters before it. The Ontario Municipal Board ordered that the site plan application (File DA.08.024) be heard together with their appeals of the site-specific Official Plan and Zoning By-law Amendment Applications, OPA #669, and the Thornhill Heritage Conservation District Study and Plan (2007). Council's refusal of the Heritage Permit Application HP.2008.015.01 has also been consolidated.

Vaughan Cultural Services Division

The subject lands are located within the Thornhill Heritage Conservation District and therefore governed by Design Guidelines outlined in Section 3.0 of the Thornhill Heritage Conservation District Study. All properties within the boundary of the Thornhill Heritage Conservation District are designated under Part V of the Ontario Heritage Act. Part V not only provides policies for the heritage buildings, but also contemporary buildings found within the district boundaries.

Any change to buildings or properties within the Thornhill Heritage Conservation District must be reviewed by the Cultural Services Division and forwarded to Heritage Vaughan for consideration and a recommendation to Council.

The lands located at 7616 Yonge Street (see Attachment #1) known as the Robert Cox House is within the subject lands and the Thornhill Heritage Conservation District. The Cox House has been included in the City of Vaughan's Register of properties of cultural heritage value or interest (approved by Council in 2005) according to Section 27 of the Ontario Heritage Act. The 1.5-storey, brick building was built c.1884 in the Victorian Gothic style and achieved a preliminary score of 67 in the Built Heritage Evaluation process rendering a rating of "significant" as a heritage property.

Below is a chronology of the process the Applicant has undertaken with the Cultural Services Division:

- On April 18, 2008, the Cultural Services Department received Heritage Permit Application File HP 2008.015 requesting permission to demolish the existing retail plaza, the integration of the Cox House into the proposed development as was previously recommended by Heritage Vaughan on August 24, 2005; and to permit the construction of 175 seniors' residential dwelling units and 1,099m² of commercial space at grade in a 12-storey mixed-use commercial residential building and the construction of 5 townhouse units, 4-semi-detached units and 18 apartment dwelling units.
- On May 21, 2008, Heritage Vaughan deferred consideration of the Heritage Permit application until the Planning Applications are considered by the Ontario Municipal Board.
- On July 14, 2008, Vaughan Council refused Heritage Vaughan Permit Application File HP 2008.015 due to the number of deficiencies and lack of completeness identified by the Cultural Services Division.
- On December 22, 2008, the Cultural Services Division received the revised submission through the Site Development Application process (File DA.08.024). The revised submission has been considered by the Cultural Services Division as Revised Heritage Permit Application File HP.208.015.01.
- On January 21, 2009, Heritage Vaughan approved the recommendation of the Cultural Services Division to refuse the revised Heritage Permit Application File HP.208.015.01.

The Cultural Services Division has reviewed the December 22, 2008 revised site plan submission respecting the subject lands which included site plan and building elevations for the proposed development and has provided the following comments:

The revised submission continues to propose a 12-storey seniors retirement condominium and six 3-storey live/work units to the west of the Robert Cox House, which is to be retained and restored at 7616 Yonge Street (see Attachment #2). The most significant change from the previous submission is that a 2-storey single family dwelling is proposed to be built on the portion of the subject lands at 14 Arnold Avenue.

The revised scheme of the development proposal still does not comply with the Thornhill Heritage Conservation District Plan and Design Guidelines as it relates to:

- i. the preservation of the Thornhill Village character;
- ii. the significance of the property and new buildings as an important part of the general gateway to the Thornhill Village area;
- iii. a massing and scale that is in keeping with the historical streetscape;
- iv. the preservation of views to and from the Robert Cox House and the Thornhill Heritage Conservation District; and,
- v. appropriate building design that is acceptable in this part of the historical streetscape of Yonge Street in the Thornhill Heritage Conservation District.

The proposed development, and in particular the 12-storey seniors apartment building, is still not in keeping with the heritage character of the former Village of Thornhill. The revised proposal is neither sympathetic to the heritage streetscape of the Thornhill Heritage Conservation District nor specifically to the scale of the Robert Cox House, the Thornhill Public School or the west side of the historical Yonge Street streetscape.

In general terms, the proposal does seek to preserve heritage attributes of the Robert Cox House but does not serve to protect the general integrity of the historical streetscape of Yonge Street. The Robert Cox House is only one individual element of the subject lands within the southern portion of the Thornhill Heritage Conservation District streetscape. The proposal does not conform to the goals and objectives of the Thornhill Heritage Conservation District Plan in that most of the proposed development, specifically the 12-storey building is far too large to be considered an appropriate neighbouring building to the Robert Cox House or to be considered "compatible with the human scale of the village" as described in the Thornhill Heritage Conservation District Plan.

The 12-storey mixed use residential/commercial seniors building has been designed with current contemporary styling with flat roofs and contemporary materials. The exterior walls finished predominantly in glass and brick. No attempt has been made to emulate appropriate building height according to the Thornhill Heritage Conservation District Plan nor has there been any attempt to emulate any elements of established heritage style precedents seen in the Thornhill Heritage Conservation District.

The same current contemporary styling and materials of the main building is also used in the 3-storey live/work units to be built to the west of the Robert Cox House at 7616 Yonge Street. Even though this building is of a size and scale that could reflect area heritage styles and materials, no attempt has been made to emulate any established heritage style precedent seen in the Thornhill Heritage Conservation District.

The 3-storey building has not been designed in a way that is consistent with the Design Guidelines of the Thornhill Heritage Conservation District Plan which states:

"iii) Building Character

The intent of new buildings, additions to older buildings, or renovations is that they are compatible with the scale and character of the village. It is not the intent of these guidelines to dictate architectural style. Architectural integrity and original architecture specifically designed for the site shall be encouraged. Traditional styles and materials are considered to be appropriate."

The site plan shows the Robert Cox House with a similar front yard setback as that of the heritage buildings to the north creating a consistent street frontage rhythm which is broken by the front of the 12-storey building. The relocation to align the Robert Cox House with the adjacent property to the north is unnecessary as the Cox House is already well situated in relation to the setbacks of the historical streetscape being preserved in the district.

A front setback for the new construction that is consistent with the existing historical streetscape and the current (original) location of the Robert Cox House should be provided.

Thornhill Heritage District Conservation Design Guidelines identify a maximum 5-storey height with the front podium three storeys and top 2-storeys stepped back with a 45 degree angular plane and therefore, the proposed development does not conform to this requirement.

The front elevation shows a continuous architectural language over most of the front ground floor. This should be changed to have a cumulative effect with more variation to suggest multiple building fronts as seen in many early 20th Century streetscapes. Emphasis should be placed on creating actual store entrances (or at least the appearance of which) within the Yonge Street streetscape.

A major change from the previous submission is that only a 2-storey single family dwelling would be built on the portion of the subject lands at 14 Arnold Street. This portion of the subject lands lies outside but adjacent to the Thornhill Heritage Conservation District. The proposed dwelling does have an appropriate size, height and scale for new construction that is adjacent to the Thornhill Heritage Conservation District but the building does need to have a more consistent approach in massing and style in such a way that emulates more accurately the established heritage style precedents seen in the Thornhill Heritage Conservation District.

Furthermore, Cultural Services Division has provided the following comments in response to the Heritage Impact Assessment (received 14 January 2009):

“In response to the conclusion made in the Heritage Impact Assessment prepared for the applicant by E.R.A. Architects Inc., dated December 23, 2008 and received by the Cultural Services Division in January 2009, the following comments are provided.

While the proposed redevelopment is an opportunity to retain and rehabilitate the Robert Cox House, this should not be done in such a way that the balance of the proposal compromises either the heritage attributes of the Robert Cox House or the Thornhill Heritage Conservation District in general. The original stone foundation is not listed as a heritage attribute and the Cultural Services Department feels that this feature should be included as such and the plan should seek to preserve it. There is not sufficient justification given in the report stating the reasons for relocating the house. The relatively small change in location does not justify the loss of a heritage attribute.

The existing front yard setback of the Robert Cox House is the original setback and does not need to be re-aligned with the historical buildings to the north. In fact, that difference in setback is appropriate to keep and protect as an intrinsic historic characteristic of the Thornhill Village character.

The development proposes to promote “positive, quality commercial, retail, and residential development” and in doing so, contributing to the commerce and vitality of the area, but at the expense of the physical integrity of the Heritage Conservation District. The jarring introduction of a 12-storey structure in plain view from Yonge Street and Arnold Avenue would throw up a wall which can only serve to divide the established skyline and profile of the historical streetscape.

Although the only front façade wall height that would be appreciated from street level would be the 5-storey podium, the balance of the design from any other vantage point presents a towering mass that dominates not only the immediate area but the entire south portion of the district. There is no precedent for buildings of this height in a Heritage District within the City of Vaughan.

The fact that the podium steps down from 5 to 3-storeys next to the Cox House does not successfully mitigate or erase the imposing impact of the 12-storey structure to the existing and historical streetscape massing and scale of this portion of Yonge Street and the entire length of Yonge Street within the Thornhill Heritage Conservation District. For this reason it is not clear how the Heritage Impact Assessment can claim that “the highest building elements remain compatible and appropriate” in the Thornhill Heritage Conservation District. (HIA, page 50)

The Cultural Services Division does not support the concept of increasing building height in lock-step with the widening of the Yonge Street right-of-way in that it would become increasingly less compatible with the human scale of the Village concept. “

Vaughan Engineering Department

The Owner has submitted revised site servicing and grading plans, storm water management and functional servicing reports, Phase 1 and 2 Environmental Site Assessments and an Environmental Noise Assessment report. The Engineering Department has reviewed the most recent submissions and have forwarded red-lined comments accordingly.

The Vaughan Engineering Department does not consider the findings contained in the Environmental Site Assessment information submitted to-date to be adequate. Additional information is required including but not limited to an ESA Phase 2 Report and a record of Site Condition.

The engineering information provided to date has not accurately accounted for existing elevations and drainage patterns beyond the subject property limits. The Engineering Department's concern with respect to the development of the subject lands and surrounding area is the recurring flooding in the area and the related overland drainage issues. The Owner has yet to demonstrate to the satisfaction of the City that overland flow can be successfully conveyed via the subject lands thereby ensuring that flooding or additional drainage from the development of the subject lands will not adversely impact adjacent properties.

The City's consultant is currently underway with the completion of a City-Wide Drainage and Storm Water Management Criteria Study. Based on the draft Study, the sewer and surface drainage system in the area of the subject lands seems to be below current standards as the lands are located in a relatively old area of Vaughan. As a result, roadside ditches, culverts and sewer inlets are under designed. Preliminary recommendations of the Study include conducting a comprehensive evaluation of the drainage system in the area.

In accordance with the City's "Servicing Capacity Allocation Distribution Protocol" as adopted by Council on March 31, 2008, servicing capacity allocation for the proposed development application has not been reserved nor assigned potential future capacity at this time. Therefore allocation of servicing capacity is currently not available for the residential component of the subject development.

Traffic and Transportation

The Transportation Section of the Vaughan Engineering Department has had an opportunity to review the revised site plan submission and the associated Traffic Impact Study and are of the opinion that traffic issues can be resolved based on transportation requirements through the site plan process should this application be approved by the Board. As a condition of Site Plan approval, the Owner shall provide the following:

- The Owner shall have prepared, by a qualified professional transportation consultant, a functional plan outlining the required road improvements for this site plan. The plan shall explain all transportation issues and shall recommend mitigative measures for these issues;
- The Owner shall submit detailed engineering drawing to York Region and City of Vaughan for review and approval that incorporates the recommendations of the functional plan as approved by York Region and City of Vaughan;
- The Owner shall agree to implement the recommendations of the approved plans to the satisfaction of York Region and City of Vaughan; and,
- The Owner shall demonstrate to the satisfaction of the City of Vaughan that proposed parking supply is adequate for the proposed development.

Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority (TRCA) advises that a Flood/Drainage study initiated by the Vaughan Engineering Department is currently underway for the Thornridge area which encompasses the subject lands. The TRCA requested that the scope of the study be expanded to ultimately produce flood plain mapping data for the area. As the study is not yet completed, the TRCA is of the opinion that it is premature to advance the Official Plan and Zoning By-law Amendment applications without considering the impact this study may have on the development potential of the subject lands.

The TRCA has requested and has been granted party status at the upcoming Ontario Municipal Board Hearing.

York Region District School Board

The York Region District School Board has no further comments or objections with respect to this application.

Town Of Markham

The Thornhill-Yonge Street Study - 2005, was a joint study conducted by the City of Vaughan and the Town of Markham. As a result of the proposed development and the pending Ontario Municipal Board Hearing, the Town of Markham has raised concerns with the compatibility and appropriateness of the proposed development to the established heritage character of the area. Furthermore, the Town of Markham has raised the issue of whether the proposal adequately takes into consideration and incorporates the conclusions and recommendations contained in the joint study. Other issues raised include the potential of the proposed development giving rise to unacceptable traffic congestion, the potential impact on stormwater management, drainage and related concerns, and whether the proposal is compatible and comparable to the Town of Markham's OPA's #154 and #167, as well as Markham's Thornhill Heritage Conservation District Plan.

The Town of Markham has requested and has been granted party status at the upcoming Ontario Municipal Board Hearing.

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

The subject lands are identified as being within the "Urban Area" of the Region of York Official Plan. The joint Thornhill Yonge Street Study between the Town of Markham and the City of Vaughan and the implementing OPA's (OPA #669 in Vaughan) are consistent with the policies set forth in the Regional Official Plan Amendment (ROPA) in respect to growth management, transit supportive development and heritage preservation. Although both the City of Vaughan OPA #669 and Town of Markham OPA #154 are consistent with Regional policies, the Region of York Planning and Development Services Department in their August 25, 2006 report titled "Thornhill Yonge Street Study Implementation – City of Vaughan OPA #669 and Town of Markham OPA #154" recommended deferral of the subject lands in light of the existing application. The subject lands were deferred and the balance of OPA #669 and OPA #154 were approved and are now in effect. The deferral was intended to provide an opportunity for the City and the Region to work with the Applicant with respect to proposed Official Plan and Zoning By-law Amendment Files OP.05.004 and Z.05.011.

On September 27, 2007, Regional Council removed the deferral allowing the further approval of OPA #669 to occur for the subject lands as was intended by City of Vaughan Council. The Region has advised that on October 22, 2007, the Applicant for the subject lands appealed the approval of OPA #669.

The Region of York is aware of the pending Ontario Municipal Board hearing and is not a party to the matters before the OMB.

Conclusion

The Development Planning Department has reviewed the revised Site Development Application to permit the development of a 12-storey, 169 unit seniors condominium development, a single detached residential unit, six 3-storey live/work units, and the retention and relocation of the existing heritage structure. The review was conducted in accordance with OPA #210 (Thornhill-Vaughan Community Plan), OPA #669 (Thornhill/Yonge Street Corridor Plan), and OPA #589 (R1V Large Lot Protection Policy), the Thornhill Conservation District Plan, and the surrounding area context. The proposal involves intensification of the existing subject lands with buildings at a scale not in keeping with the intent of the applicable Official Plans for the area. Accordingly, the Development Planning Department cannot support the revised proposal and recommends that Site Development Application DA.08.024, BE REFUSED.

Attachments

1. Location Map
2. Site Plan & Ground Floor Plan
3. Landscape Plan
4. East & North Elevations - Seniors Condominium
5. West & South Elevations - Seniors Condominium
6. Elevations –Single Detached Dwelling and Live/Work Units, and Robert Cox House
7. Original Site Plan Refused by Council - October 27, 2008

Report prepared by:

Armine Hassakourians, Planner, ext. 8368

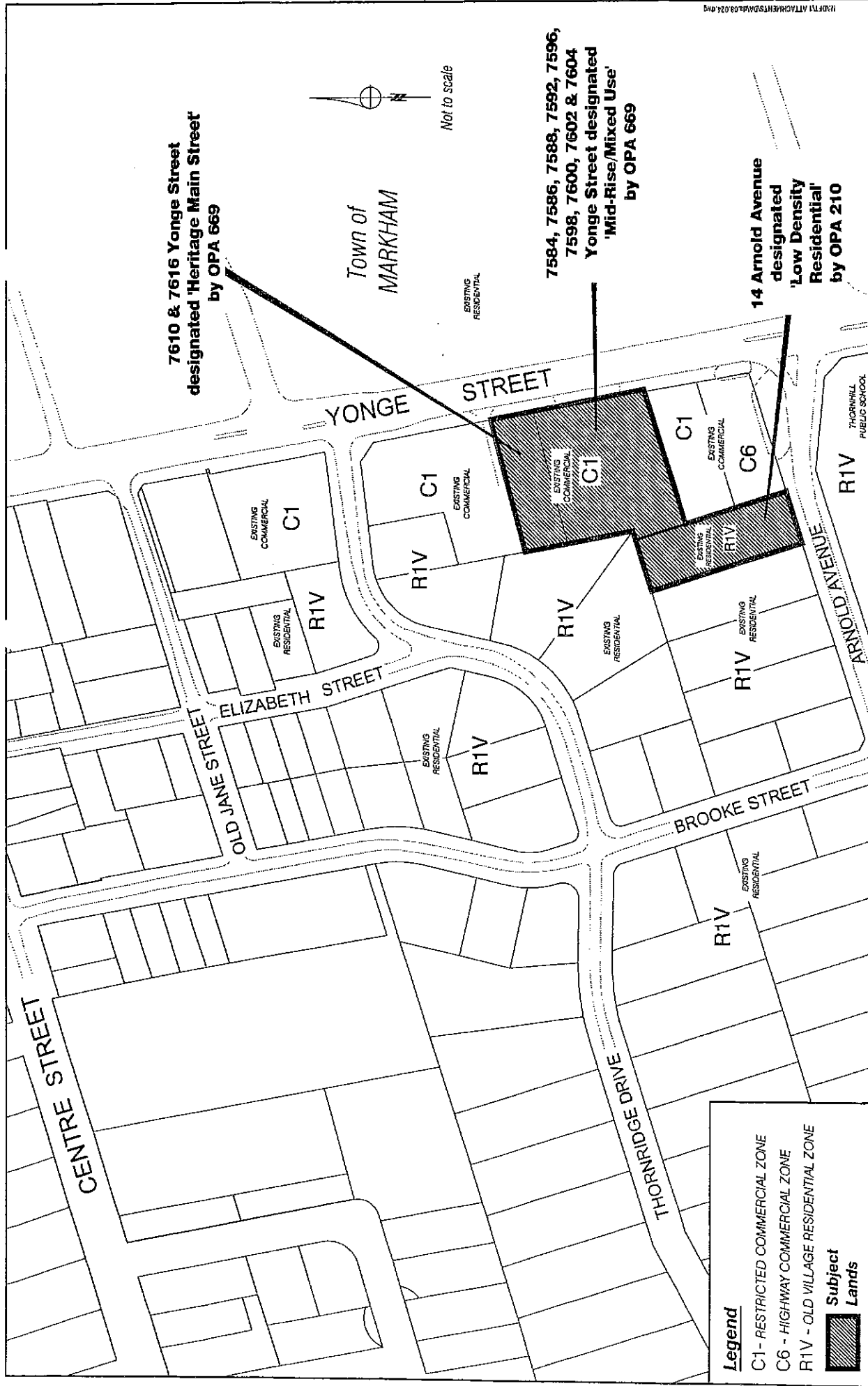
Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

GRANT UYHEYAMA
Director of Development Planning

/LG



120771 ATTACHEMENTSDA08.024.010

Location Map

Location:
Part Lot 29, Concession 1
Applicant: THORNHILL VILLAGE PLAZA
INC. & M4 DEVELOPMENTS INC.



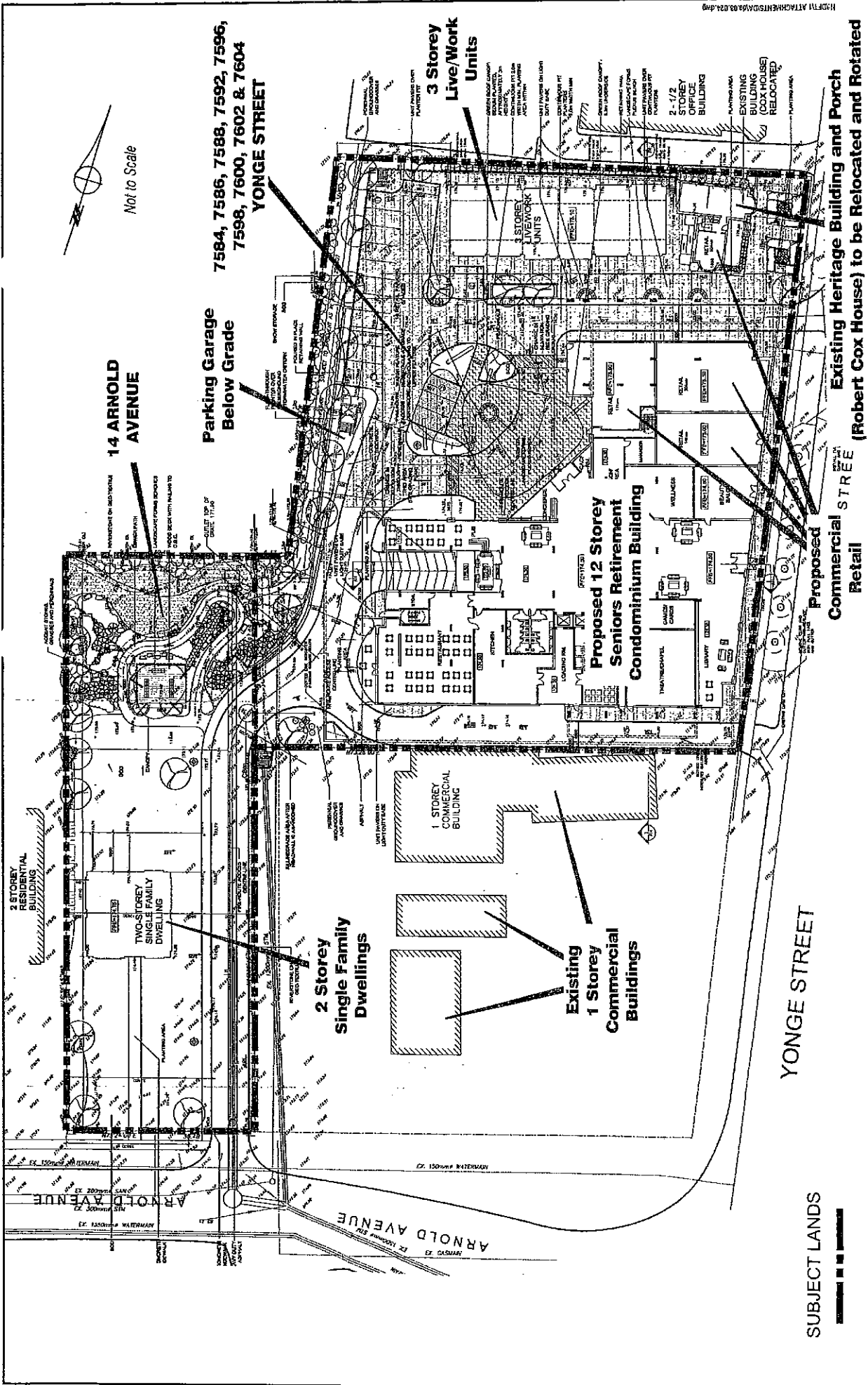
The City Above Toronto

Development Planning Department

Attachment

File: DA.08.024
Related File(s):
Z.05.011 &
OP.05.004
Date: January 23, 2009

1



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Attachment 2



Site & Ground Floor Plan

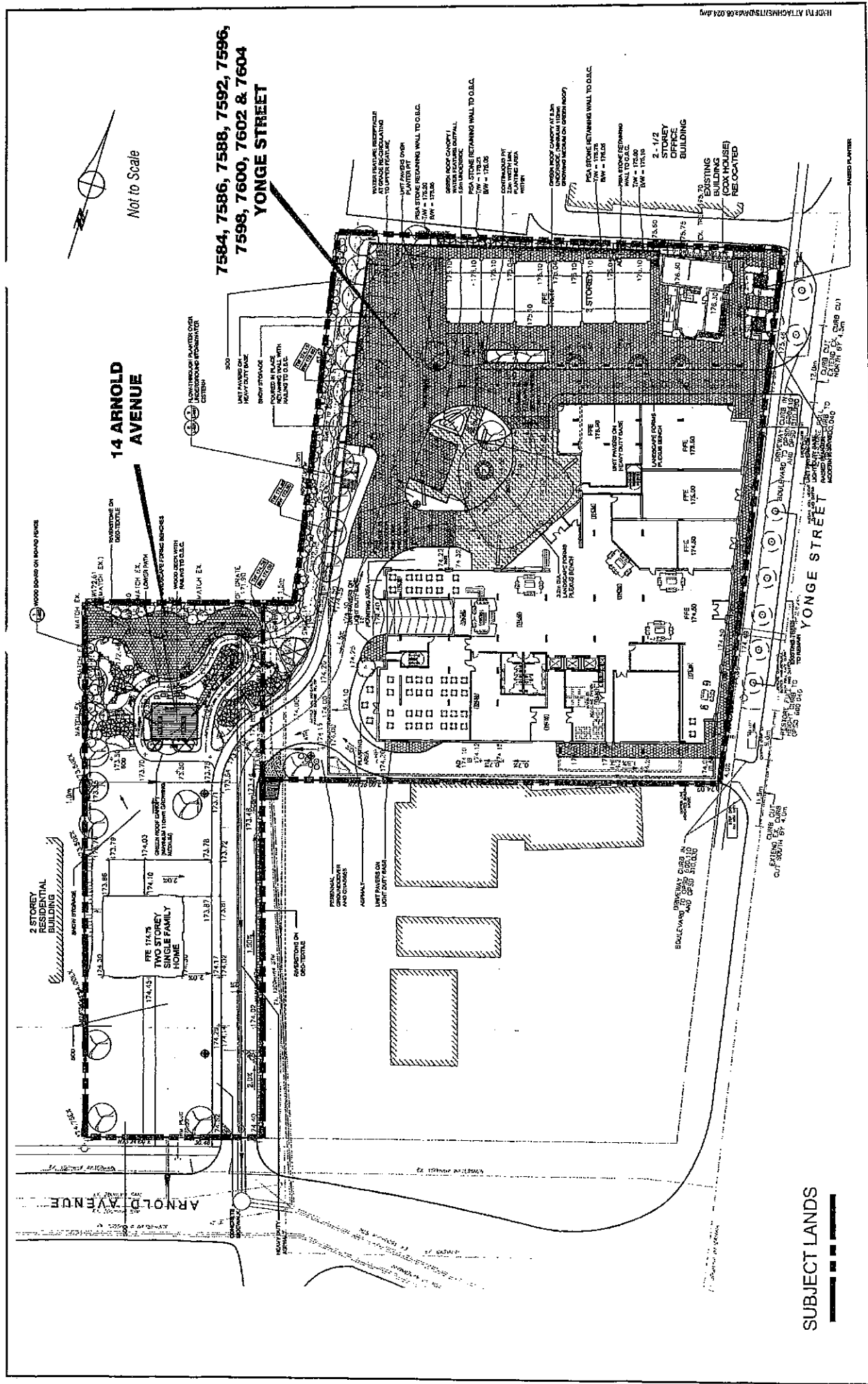
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 DA.08.024, OP.05.004, Z.05.011

Location:
 Part Lot 29, Concession 1
 Applicant: THORNHILL VILLAGE PLAZA
 INC. & M4 DEVELOPMENTS INC.

Development Planning Department
 The City Above Toronto

Date: January 23, 2009

SUBJECT LANDS
 ■■■■■



SUBJECT LANDS
 - - - - -

Landscape Plan

Location:
 Part Lot 29, Concession 1
 Applicant: THORNHILL VILLAGE PLAZA
 INC. & M4 DEVELOPMENTS INC.



The City Above Toronto

Development Planning Department

Attachment

3

File: Z.08.059
 Related Files:
 DA.08.024, OP.05.004, Z.05.011

Date: January 23, 2009

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14 ARNOLD AVENUE

7584, 7586, 7588, 7589, 7592, 7596,
 7598, 7600, 7602 & 7604
 YONGE STREET

Not to Scale

2 STOREY RESIDENTIAL BUILDING

TWO STOREY SINGLE FAMILY HOME

BOULEVARD DRIVEWAY CURB CUT AND SIDEWALK

YONGE STREET

14 ARNOLD AVENUE

7584, 7586, 7588, 7589, 7592, 7596,
 7598, 7600, 7602 & 7604
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TWO STOREY SINGLE FAMILY HOME

BOULEVARD DRIVEWAY CURB CUT AND SIDEWALK

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SUBJECT LANDS
 - - - - -

Landscape Plan

Location:
 Part Lot 29, Concession 1
 Applicant: THORNHILL VILLAGE PLAZA
 INC. & M4 DEVELOPMENTS INC.



The City Above Toronto

Development Planning Department

Attachment

3

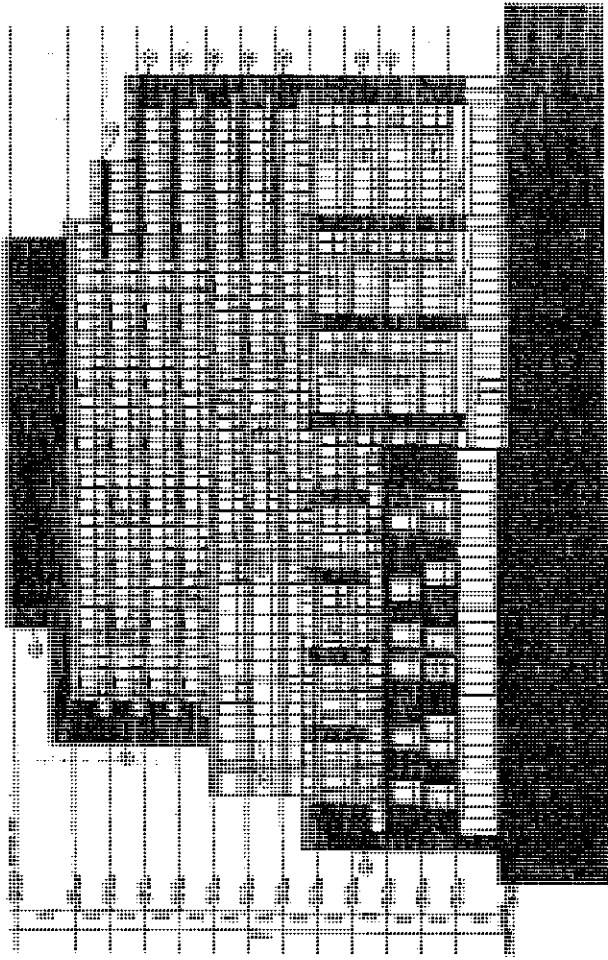
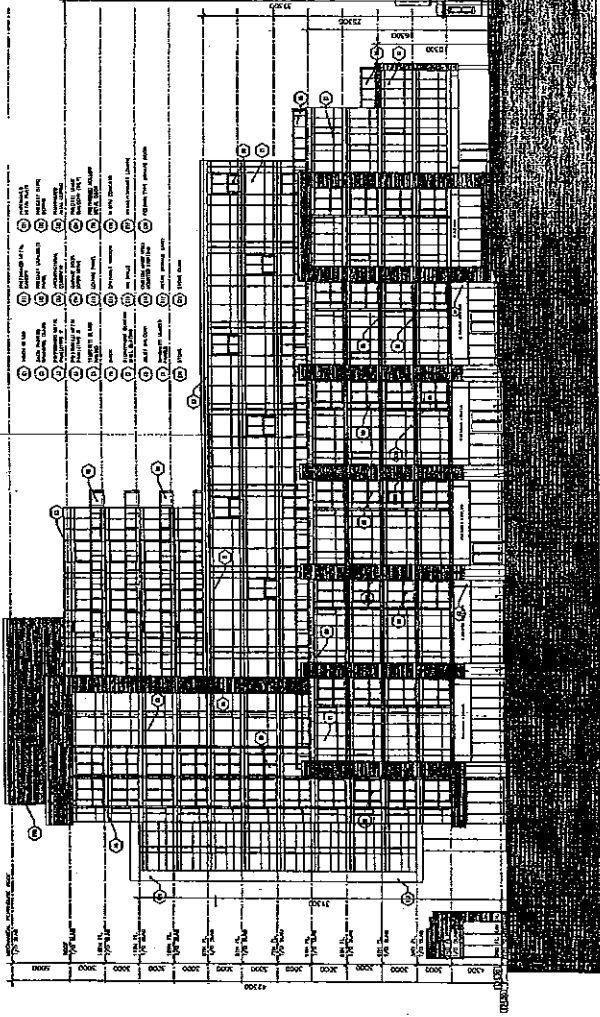
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 DA.08.024, OP.05.004, Z.05.011

Date: January 23, 2009

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EAST ELEVATION (YONGE STREET)

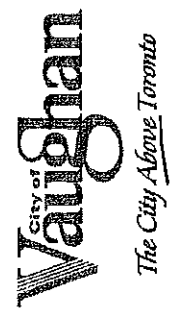
NORTH ELEVATION



Not to scale

**East & North Elevations -
Seniors Condominium**

Applicant: THORNHILL VILLAGE PLAZA
INC. & M4 DEVELOPMENTS INC. Location:
Part Lot 29, Concession 1

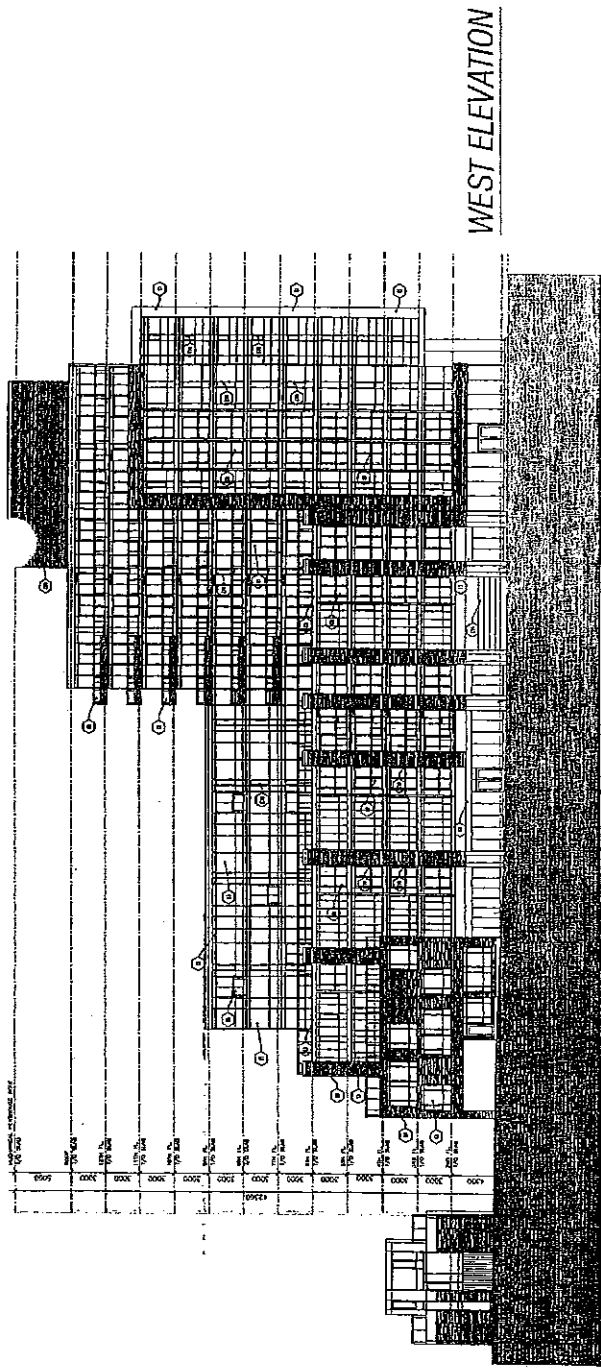


Development Planning Department

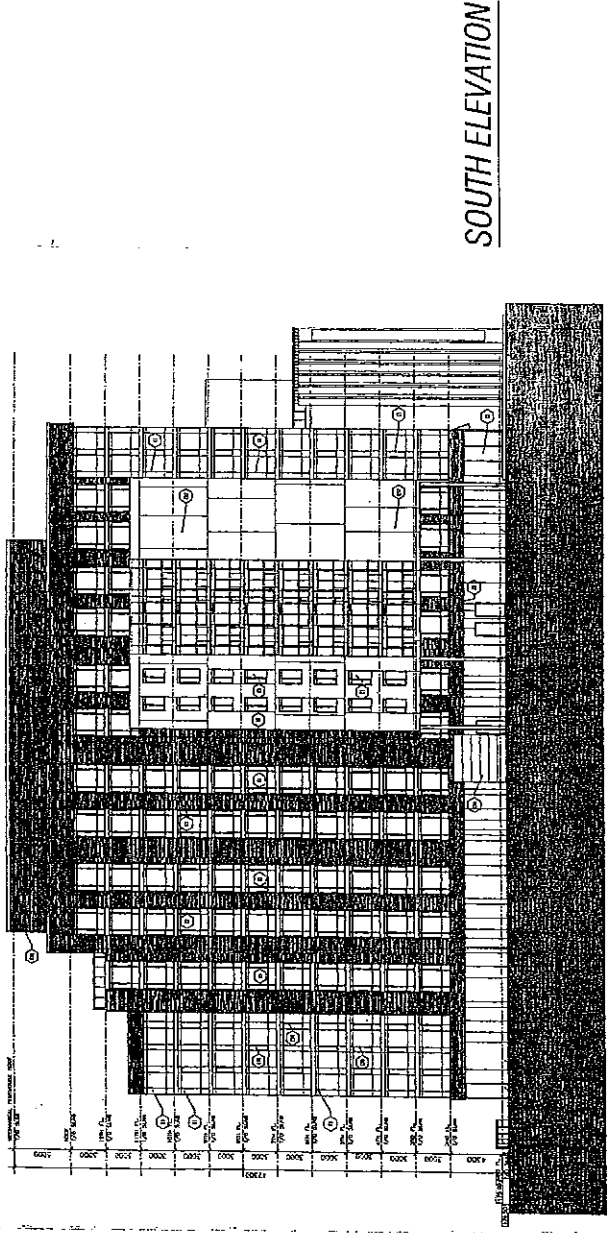
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Related File(s):
Z.05.011 &
OP.05.004
Date: January 23, 2009



WEST ELEVATION



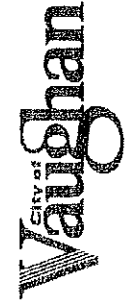
SOUTH ELEVATION

Not to scale

INDENTY ATTACHMENT\PLAZA\03.024.dwg

**West & South Elevations -
Seniors Condominium**

Applicant: THORNHILL VILLAGE PLAZA
INC. & M4 DEVELOPMENTS INC. Location:
Part Lot 29, Concession 1

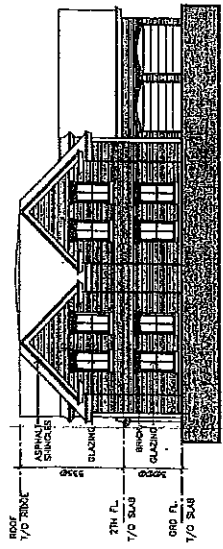


Development Planning Department

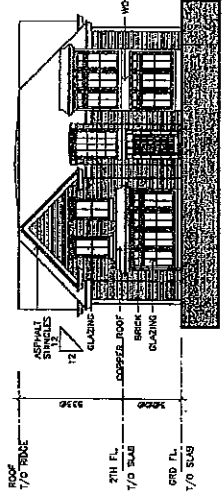
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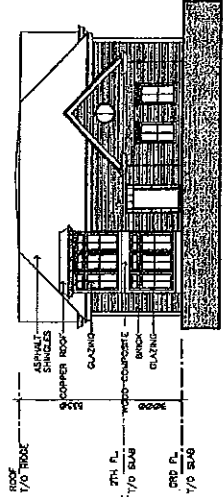
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OP.05.004
Date: January 23, 2009



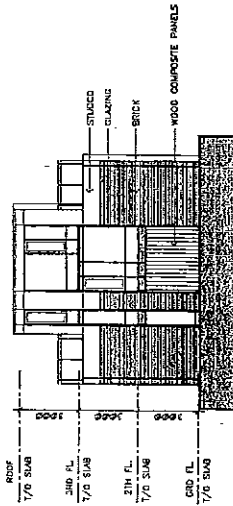
SINGLE DWELLING EAST ELEVATION



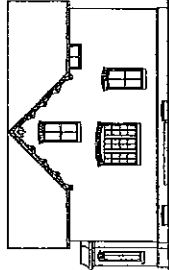
SINGLE DWELLING SOUTH ELEVATION



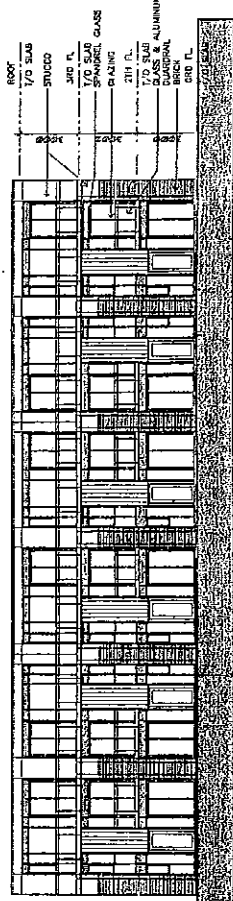
SINGLE DWELLING NORTH ELEVATION



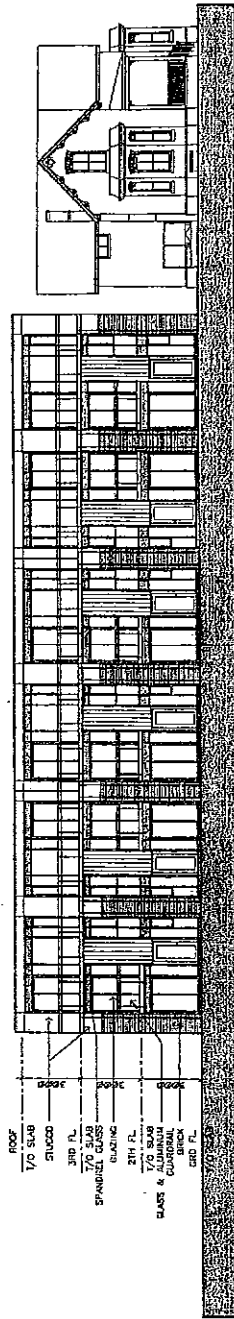
LIVE-WORK WEST ELEVATION



LIVE-WORK NORTH ELEVATION



LIVE-WORK SOUTH ELEVATION



Not to scale

Live/Work Units, Robert Fox House & Single Detached Dwelling



Applicant: THORNHILL VILLAGE PLAZA INC. & M4 DEVELOPMENTS INC.

Location: Part Lot 29, Concession 1

Development Planning Department

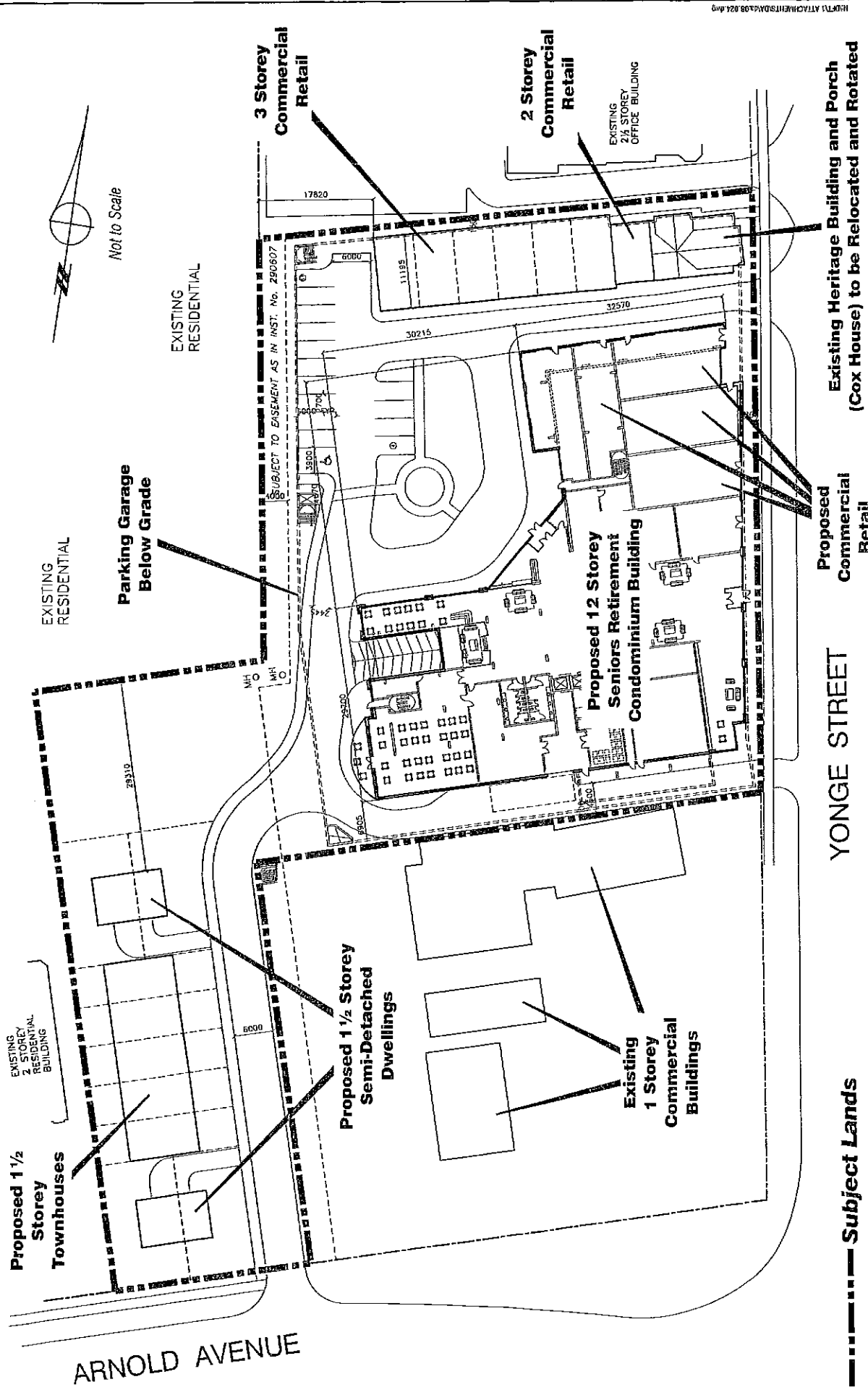
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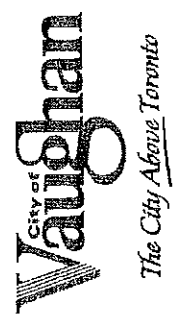
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 OP.05.004

Date: January 23, 2009

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Attachment
 File: DA.08.024
 Related File(s):
 Z.05.011 &
 OP.05.004
 Date: January 23, 2009



**Original Site Plan Refused
 by Council October 27, 2008**

Development Planning Department

Applicant: THORNHILL VILLAGE PLAZA INC. & M4 DEVELOPMENTS INC.
 Location: Part Lot 29, Concession 1

----- **Subject Lands**

YONGE STREET

ARNOLD AVENUE

RDPT1 ATTACHMENTS\2408.024.dwg