

**COMMITTEE OF THE WHOLE JUNE 23, 2009**

**SITE DEVELOPMENT FILE DA.09.038  
1504546 ONTARIO LIMITED  
WARD 2**

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Site Development File DA.09.038 (1504546 Ontario Limited) BE APPROVED, to permit a 7-storey apartment building comprised of 88 residential units, as shown on Attachment #3, subject to the following conditions:
  - a) that prior to the execution of the Site Plan Letter of Undertaking:
    - i) the modified site-specific Official Plan Amendment #691 must be approved by the Ministry of Municipal Affairs and Housing, the Ministry of Natural Resources, and the Region of York, and shall be in full force and effect;
    - ii) the final site plan, building elevations, and landscaping plan and cost estimate shall be approved by the Vaughan Development Planning Department;
    - iii) the final site grading, servicing and stormwater management plans, functional servicing report, and noise report shall be approved by the Vaughan Engineering Department;
    - iv) all requirements of the Toronto and Region Conservation Authority (TRCA) shall be satisfied; and,
    - v) if required, a 3 m road widening along Woodbridge Avenue is to be provided to the satisfaction of the Vaughan Engineering Department; however, this road widening shall not be required upon adoption of OPA #695 (Kipling Avenue Corridor Plan), which does not require the road widening;
  - b) that the Site Plan Letter of Undertaking include the following provisions:
    - i) 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, to the satisfaction of the Vaughan Legal Department, Real Estate Division;
    - ii) snow removal, and garbage and recycling pick-up shall be privately administered, and shall be the responsibility of the Condominium Corporation;
    - iii) the Owner shall include the appropriate warning clauses in all offers of purchase or lease and in the Condominium Declaration respecting noise, potential flooding, and construction costs associated with the shared access, and maintenance and repair costs to be borne by the Owner/Condominium Corporation associated with the existing sanitary pipe located underneath the building (ie. maintenance and construction);

- iv) the Owner/Condominium Corporation shall ensure that the building include provisions for an internal garbage storage area, tri-sorters, proper access route and loading areas in accordance with the requirements of the City's Waste Collection Design Standards Policy, to the satisfaction of the Vaughan Public Works Department;
  - v) an easement in favour of the City shall be conveyed to allow the City access to the underground garage for the purpose of maintaining and repairing of an existing sanitary pipe located underneath the residential building which the maintenance and repair costs shall not be borne by the City;
  - vi) prior to the issuance of a Building Permit, the Owner shall submit Remedial Action Plan (RAP) to address the contaminated soil mass to the satisfaction of the Vaughan Engineering Department; and,
  - vii) prior to the issuance of a Building Permit, the Owner shall ensure that a Record of Site Condition (RSC) shall be registered and acknowledged by an Officer of the Provincial Ministry of Environment, to the satisfaction of the Vaughan Engineering Department.
2. THAT Council adopt the following resolution with respect to the allocation of sewage and water servicing capacity:
- "IT IS HERBY RESOLVED THAT development application DA.09.038 is allocated sewage capacity from the York Sewage Servicing System and water supply capacity from the York Water Supply System for a total of 86 residential units from Council's discretionary servicing capacity reserve, subject to the execution of a Site Plan Letter of Undertaking, to the satisfaction of the City".
3. THAT the Owner shall be responsible to enter into a cost sharing agreement for the necessary maintenance costs associated with the new proposed driveway access, which shall be entered into by the owner(s) benefitting from the new proposed driveway access.

#### **Contribution to Sustainability**

The applicant has indicated that the building will include sustainable site and building development features, such as permeable paving, and materials and methods of construction to reduce heat gain/loss.

#### **Economic Impact**

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

#### **Communications Plan**

N/A

#### **Purpose**

To permit the development of the 0.306 ha property shown on Attachments #1 and #2, for a 7-storey apartment building, comprised of 88 residential units and 121 parking spaces as shown on Attachment #3.

## **Background - Analysis and Options**

### Location

The subject lands shown on Attachments #1 and #2, 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, and municipally known as 75 and 83 Woodbridge Avenue, City of Vaughan. The surrounding land uses are shown on Attachment #2.

### Official Plan and Zoning

The property is designated "High Density Residential" by OPA #440 (Woodbridge Core Plan) and subject to site-specific OPA #691, which was adopted by Council on June 23, 2008. The lands are zoned RA2(H) Apartment Residential Zone with the Holding Symbol "(H)" by By-law 38-2009, which was enacted by Council on February 24, 2009. The lands are also designated "Special Policy Area" (SPA) by OPA #440. OPA #691 provides site-specific policies to facilitate the proposed development within a SPA, and requires the approval of both the Minister of Municipal Affairs (MMAH) and the Minister of Natural Resources (MNR). On July 7, 2008, OPA #691 was forwarded to the Region of York through the "One Window" review process, and it was subsequently circulated to the Ministry of Municipal Affairs on July 9, 2008. The Ministries have reviewed OPA #691, By-law 38-2009 and the supporting material and on March 26, 2009 requested modifications to both documents. The modifications were reviewed by the Development Planning Department and were approved by Vaughan Council on May 5, 2009. The modified OPA #691 was forwarded to the Ministries for approval and the modified implementing Zoning By-law was forwarded to the Ministries for their review on May 14, 2009. To date, both the modified OPA #691 and the Zoning By-law are awaiting approval from the MNR, MMAH, and the Region of York.

The proposed use and development of the site conforms to OPA #691 as modified, and will comply with the modified Zoning By-law, to be enacted on June 30, 2009, which includes the additional exceptions required to be in conformity with the recent modifications to the Official Plan to facilitate the proposed development.

### Site Plan Review

The site plan and building elevations shown on Attachments #3, #5, and #6 proposes one apartment building with 4-storeys along Woodbridge Avenue, tiering back on all sides to a maximum building height of 7-storeys. 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. Vehicular access to the proposed development will be achieved through an existing driveway to the east of the subject lands that is partly owned by the City of Vaughan and zoned OS2 Open Space Park Zone, as shown on Attachment #3. The existing driveway currently serves the residential condominium development to the east (Piazza) by way of an easement. Modifications to this driveway are required in order to facilitate the proposed development, as the new driveway design includes a portion of the subject lands. Any construction costs that will be incurred by the Owner, and the annual maintenance costs associated with the driveway would be incurred by both the existing residential development and the proposed development, as both developments would utilize the driveway. A condition to this effect is included in the recommendation section of this report. The adjacent OS2 lands to the east also contain an existing sidewalk that provides for pedestrian access to Nort Johnson Park from Woodbridge Avenue.

The development proposes a total of 121 parking spaces consisting of 57 spaces in the underground level, 31 spaces at ground level (located within the building), and 33 spaces at a mezzanine level. By-law 1-88 requires a minimum of 154 parking spaces to be provided. A Parking Traffic Impact Report prepared by Paradigm Transportation Solutions Ltd. (dated June, 2008) was submitted in support of the proposed parking, and was approved by the City

Engineering Department. The implementing modified Zoning By-law will include the parking exception.

The proposed building elevations are shown on Attachments #5 and #6. The building itself is rectangular in shape, with a footprint that occupies the majority of the lot. A combination of wall cladding material is proposed which includes stone veneer, precast concrete and stucco as the main elements. The use of brick veneer and glazing also provide visual breaks in the facades of each elevation. The east and west elevations are similar in appearance, as both are long and continuous with minimal architectural detail. Additional work to these elevations is necessary, and to ensure that the ground and mezzanine parking levels are properly screened from view of the adjacent properties, to the satisfaction of the Vaughan Development Planning Department in consultation with the Vaughan Cultural Services Division.

The south elevation faces the Humber River open space area, and is impacted by the sharp southerly downward slope toward the rear of the site giving the appearance of a taller building, and resulting in a south elevation that is hard and imposing, with an exposed basement garage wall area. The final landscape plan must incorporate a treatment that would soften the expansive appearance of this elevation as noted in the landscaping section of this report. The north elevation functions as the main entrance to the building.

The Development Planning Department provides the following additional comments:

“The site is in a close proximity to the Humber River valleys sensitive natural environment. To preserve the natural heritage of the area, it is necessary to include green development strategies such as: surface water, soil and air pollution control methods during the construction, as well as, storm water control design features such as green or landscaped roofs, permeable paving systems, natural and indigenous landscaping, etc.

1. Provide accurate north-south cross-sections from the east and west ends of the building, showing the relation between the proposed building, Woodbridge Avenue and the Humber River valley lands. Note: the cross-section should show accurate survey data and building elevation reference numbers and points.
2. All provided floor plans should include floor elevations referenced to nearest benchmark on Woodbridge Avenue.
3. Ensure the proposed front patio at floor level does not exceed 900 millimetres (0.9 metres) above the adjacent Woodbridge Avenue sidewalks along the building frontage.
4. Provide planters with minimum internal width of one metre along all proposed open pedestrian passageways and parking openings to the outside.
5. Develop a roof-garden (landscaped roof) design for all proposed balconies, terraces and roofs.
6. Due to our experiences and evidence of past projects in the City of Vaughan, EIFS panels are showing a high degree of vulnerability to our climate and to any physical impact. Therefore, the applicant should revise EIFS panels to a more reliable and durable substitute.
7. Provide decorative screening along all proposed open pedestrian passageways and parking openings facing neighbouring properties.

8. The south elevation should be updated to reflect the proposed elevation detail on the landscape drawings.
9. All utility and hydro boxes should be shown on the Site Plan and Landscape Plan.
10. Provide bicycle indoor racks and outdoor rings.
11. Propose 2-stream waste and recycling receptacles close to the buildings major entrances.”

The Development Planning Department is generally satisfied with the proposed site plan, however, will continue to work with the applicant to finalize the building elevations and landscape plans. The final site plan and elevation plans including the proposed building materials and colours, must be approved to the satisfaction of the Development Planning Department.

#### Landscape Plan

The proposed building footprint occupies most of the lot and therefore, the majority of landscaping is provided for in a 231 m<sup>2</sup> area at the rear of the site abutting the Humber River open space as shown on Attachment #4. An array of deciduous and coniferous trees and shrubs, as well as landscape furniture and features are proposed for this space, as it represents the main outdoor amenity area for the development. The use of Greenscreen Panels on the building face is proposed in an attempt to soften-up the expanse of the exposed garage wall along the south elevation. Additional plantings are also proposed adjacent to Woodbridge Avenue in the form of street planters, together with unit pavers and garbage receptacles unique to the Woodbridge Core. The final landscape plan, including detail drawings and a landscape cost estimate must be approved to the satisfaction of the Vaughan Development Planning Department.

#### Vaughan Cultural Services Division

The Vaughan Cultural Services Division advises that the subject lands are located within the Woodbridge Heritage Conservation District (HCD), which was recently given final approval by Council through the enactment of By-laws 101-2009 and 102-2009, but is not in full force and effect. The design, height, shape and massing of the proposed building should have regard for the HCD plan.

The applicant will need to work with the Cultural Services Division and the Development Planning Department to address details of the building within a HCD setting of the Woodbridge Core.

#### Vaughan Engineering Department

The Vaughan Engineering Department has provided the following comments:

##### i) Servicing

In accordance with the City's Servicing Capacity Allocation Strategy, servicing allocation is not available for the proposed development. Currently, Council has 300 residential units in reserve for distribution to development applications at Council's discretion for the period between April 2009 and April 2010 without restrictions or triggers. Council may at its discretion choose to allocate capacity to this development in conjunction with Site Plan approval as set out in the recommendation section of this report.

Council has adopted the site-specific Official Plan Amendment #691, and enacted the implementing Zoning By-law for the subject lands, permitting a maximum of 88 residential units. Allocation and capacity for only 86 units is required as the two existing units (75 and 83

Woodbridge Avenue) have existing servicing capacity and have been deducted from the required 88 residential units.

The Vaughan Engineering Department also requires the submission of a final Functional Servicing Report that addresses all of the outstanding concerns in their memorandum dated January 18, 2008 and have included additional conditions of approval in the recommendation section of this report.

ii) Transportation

The Vaughan Engineering Department notes that the Official Plan designates Woodbridge Avenue as a 26 m right-of-way and therefore, requires a 3.0m road widening to the satisfaction of the Engineering Department. However, the draft Kipling Avenue Corridor Study (OPA #695) recommends that Woodbridge Avenue between Kipling Avenue and Islington Avenue should maintain a 20 m right-of-way because of the location of the existing heritage buildings. Once OPA #695 is adopted by Council, which is expected to be on June 30, 2009, the 3.0 m road widening will not be required.

An existing easement for the maintenance of a sanitary trunk sewer in favour of the City, currently runs approximately in the centre of the site in a north/south direction. If the sanitary trunk cannot be relocated, the applicant proposes to encase the sanitary sewer and construct the building over it to the satisfaction of the Vaughan Engineering Department. The proper easement over the underground parking garage, in favour of the City must be granted for maintenance and repair purposes, and all associated costs and liability shall be the responsibility of the Owner/Condominium Corporation, which will be reflected in the Site Plan Letter of Undertaking and future Condominium Agreement and Condominium Declaration.

iii) Environmental

The Vaughan Engineering Department has reviewed the Phase 1 Environmental Site Assessment for these lands and has found it to be acceptable. However, prior to the issuance of a Building Permit, a Remedial Action Plan (RAP) must be submitted by the applicant delineating and barricading the area with the contaminated soil to the satisfaction of the Vaughan Engineering Department.

Prior to issuance of a Building Permit, the Owner is required to remediate the petroleum impacted soil and associated samplings and chemical analysis for the site and provide documented proof that a Record of Site Condition (RSC) has been registered with the Environmental Site Registry of the Ministry of Environment. A condition to this effect is included in the recommendation section of this report.

All final engineering plans and required reports must be approved to the satisfaction of the Vaughan Engineering Department.

Parkland Dedication

The Owner shall pay to Vaughan by way of certified cheque cash-in-lieu of parkland dedication equivalent to 5% of the value of the subject lands or a fixed unit rate, whichever is higher, prior to the issuance of a Building Permit in accordance with the Planning Act and City's Cash-in-lieu Policy.

### Waste Collection

The City approved a Waste Collection Design Standards Policy for recycling in new residential apartment and condominium buildings. The applicant is to ensure that the design of the building includes provisions for internal garbage storage area, tri-sorters, proposed access route and loading areas in accordance with the approved City policy.

### Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority (TRCA) which is the lead agency regarding flood plain management, has reviewed the construction plans and technical reports provided to date, and are generally satisfied that the development can proceed without producing adverse flooding effects on neighbouring properties. On June 12, 2009, the TRCA's Executive Committee advised that the wording in the modified Official Plan Amendment and Zoning By-law Amendment dealing with technical flood proofing elements meet the established TRCA and Provincial technical requirement. In addition the TRCA advises that it has no objection to the City of Vaughan enacting the amended draft Zoning By-law for the proposed development, subject to the condition identified by the TRCA and the Provincial Ministries. The final site development plans must be approved by the TRCA.

### 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 and Provincial Implications

The Region of York, the Ministry of Municipal Affairs and Housing (MMAH) and the Ministry of Natural Resources (MNR), are currently reviewing a modified OPA #691 and modified Zoning By-law. Prior to the execution of the Site Plan Letter of Undertaking, both the Provincial Ministries and the Region of York must approve OPA #691.

### Conclusion

The Vaughan Development Planning Department has reviewed Site Development File DA.09.38 in accordance with a modified site-specific OPA #691, and modified Zoning By-law 38-2009, the comments from City Departments and external public agencies, and the area context. The Development Planning Department is generally satisfied with the proposed development, and will continue to work with the applicant to address the development details to ensure that the development is appropriate and compatible with existing and permitted uses in the surrounding area with respect to built form and design. Accordingly, the Development Planning Department can support the approval of the Site Development application, subject to the conditions in the recommendation of this report.

**Attachments**

1. Context Location Map
2. Location Map
3. Site Plan
4. Landscape Plan
5. North and South Elevations
6. West and East Elevations

**Report prepared by:**

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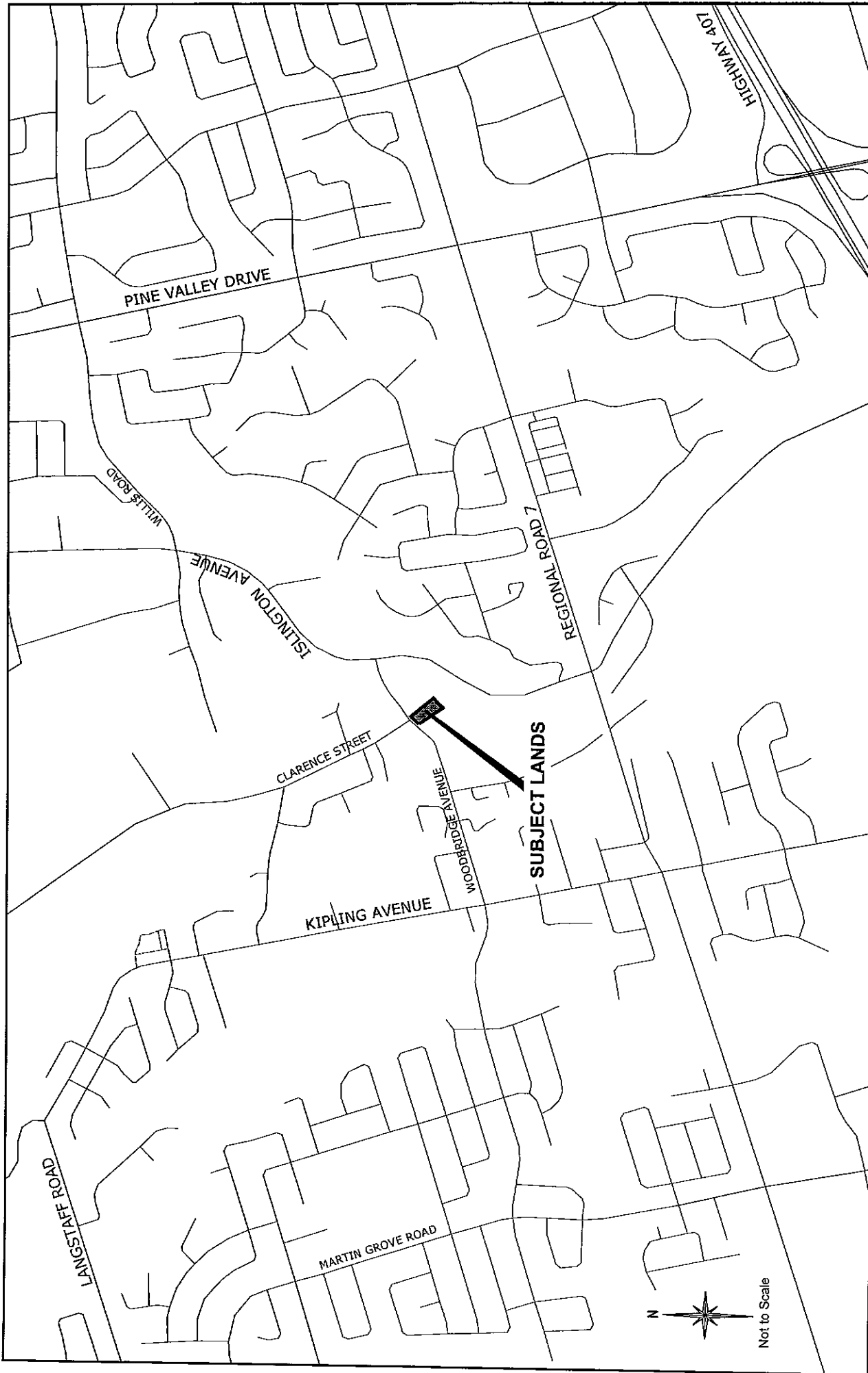
Respectfully submitted,

JOHN ZIPAY  
Commissioner of Planning

GRANT UYEHAMA  
Director of Development Planning

/CM





# Context Location Map

Part of Lot 7,  
Concession 7

Applicant:  
1504546 ONTARIO LIMITED

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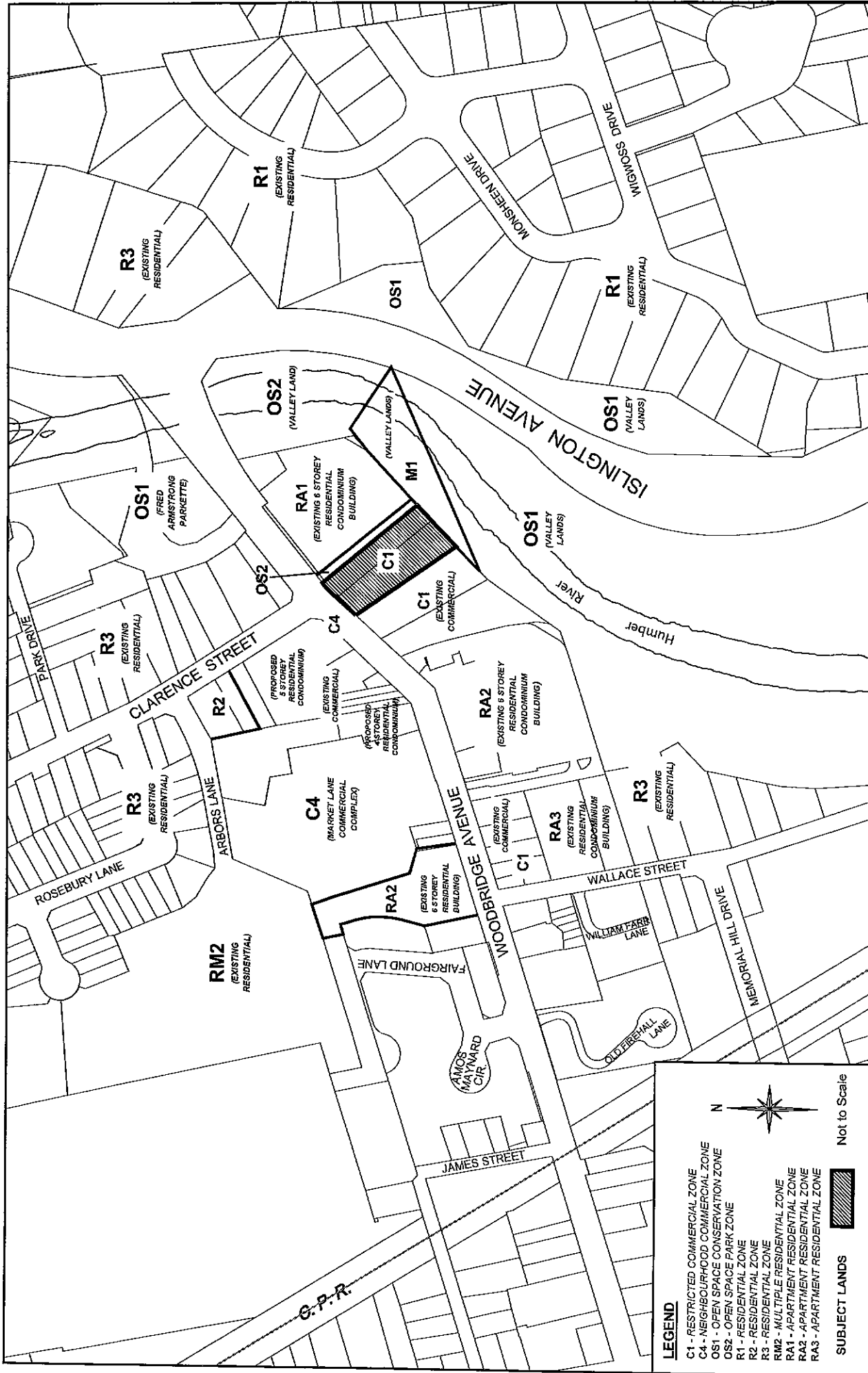
*The City Above Toronto*

Development Planning Department

# Attachment

File: DA.09.038  
RELATED FILES:  
OP.06.009 & Z.06.023

Date:  
June 3, 2009



# Location Map

Part of Lot 7,  
Concession 7

Applicant:  
**1504546 ONTARIO LIMITED**  
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The City Above Toronto

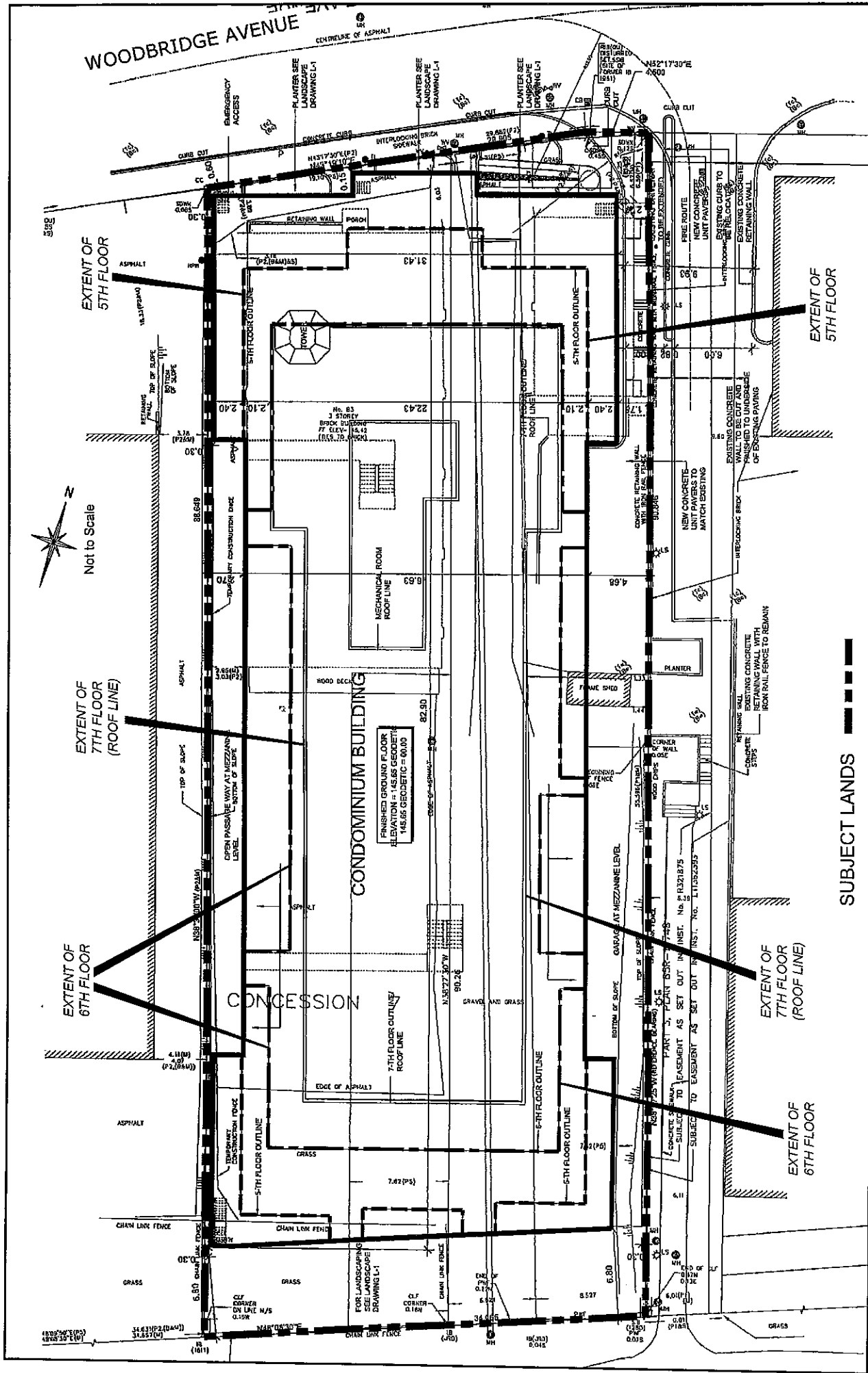
Development Planning Department

# Attachment

File: DA-09.038  
RELATED FILES:  
OP.06.009 & Z.06.023

Date:  
June 3, 2009

# 2



# Site Plan

Part of Lot 7,  
Concession 7

Applicant:  
1504546 ONTARIO LIMITED  
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The City Above Toronto

Development Planning Department

# Attachment

File: DA.09.038  
RELATED FILES:  
OP.06.009 & Z.06.023

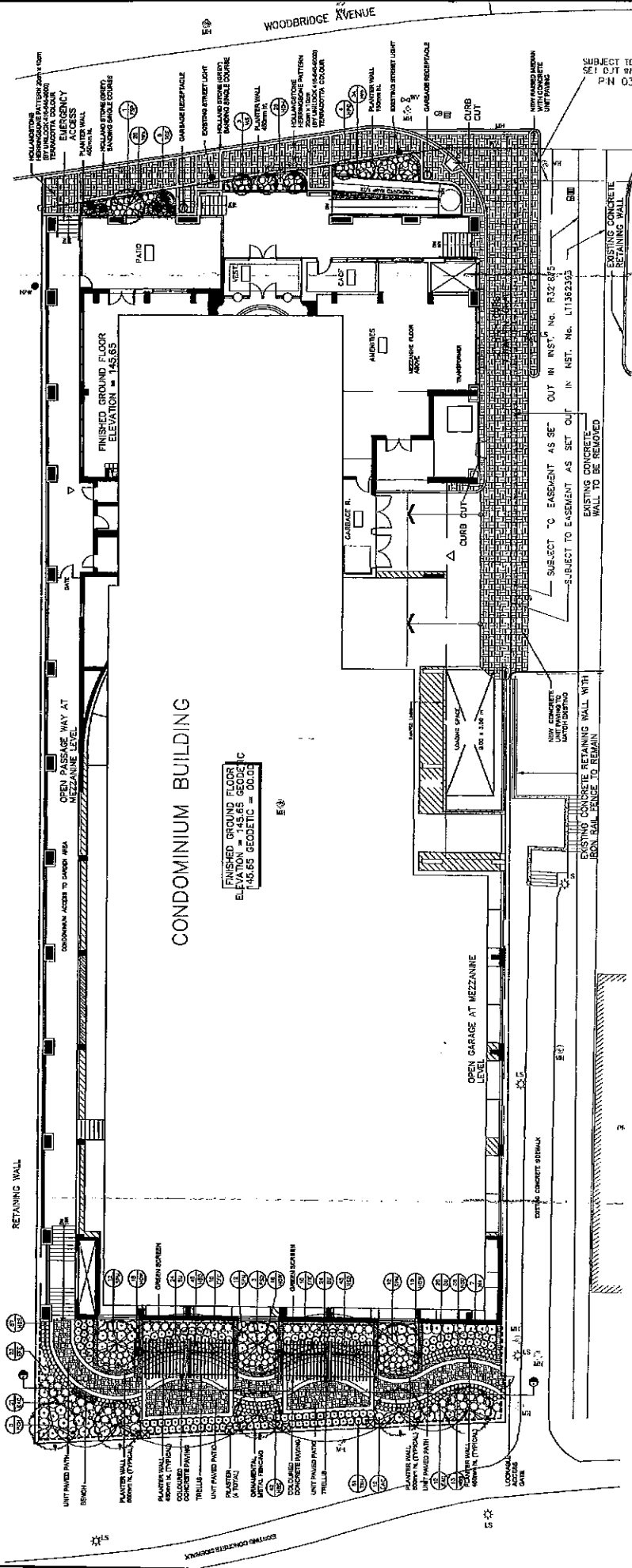
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Date:  
June 3, 2009

SUBJECT LANDS



Not to Scale



# Landscape Plan

Part of Lot 7,  
Concession 7

Applicant:  
**1504546 ONTARIO LIMITED**  
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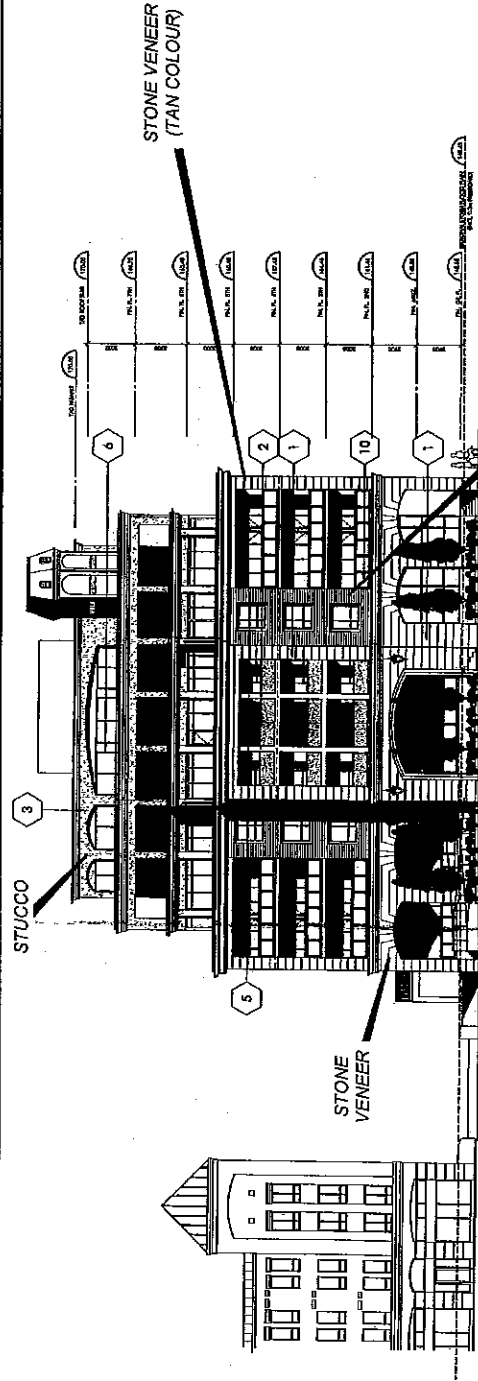
Development Planning Department

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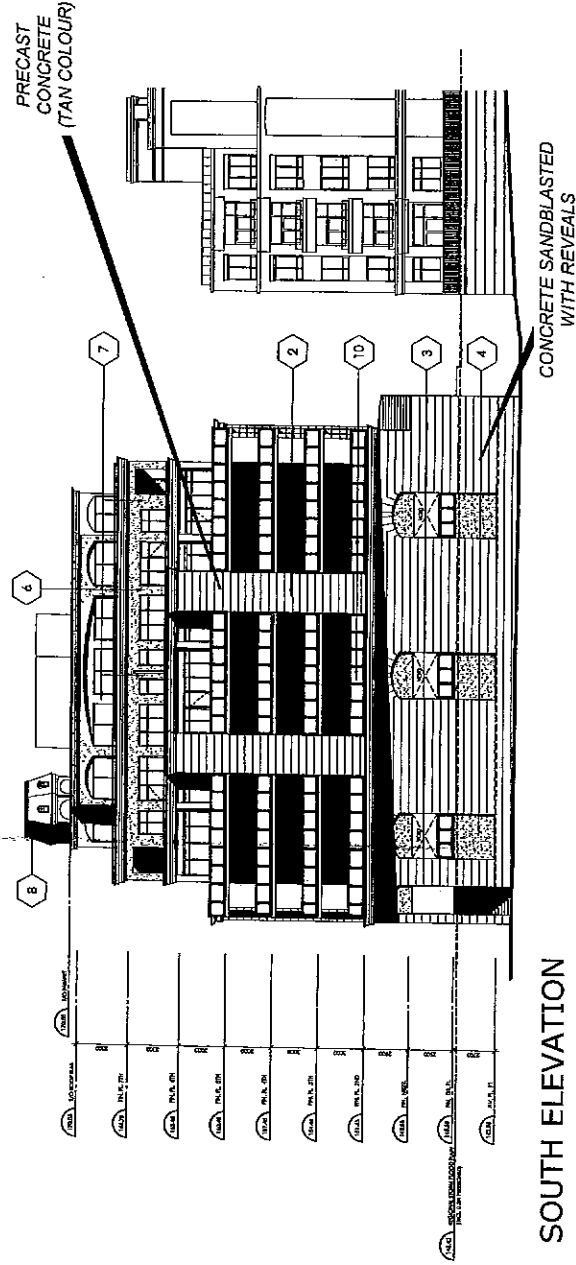
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RELATED FILES:  
OP.06.009 & Z.06.023

# 4

Date:  
June 3, 2009



NORTH ELEVATION (Facing Woodbridge Avenue)



SOUTH ELEVATION

Not to Scale

# North & South Elevations

Part of Lot 7,  
Concession 7

Applicant:  
1504546 ONTARIO LIMITED

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Development Planning Department

# Attachment 5

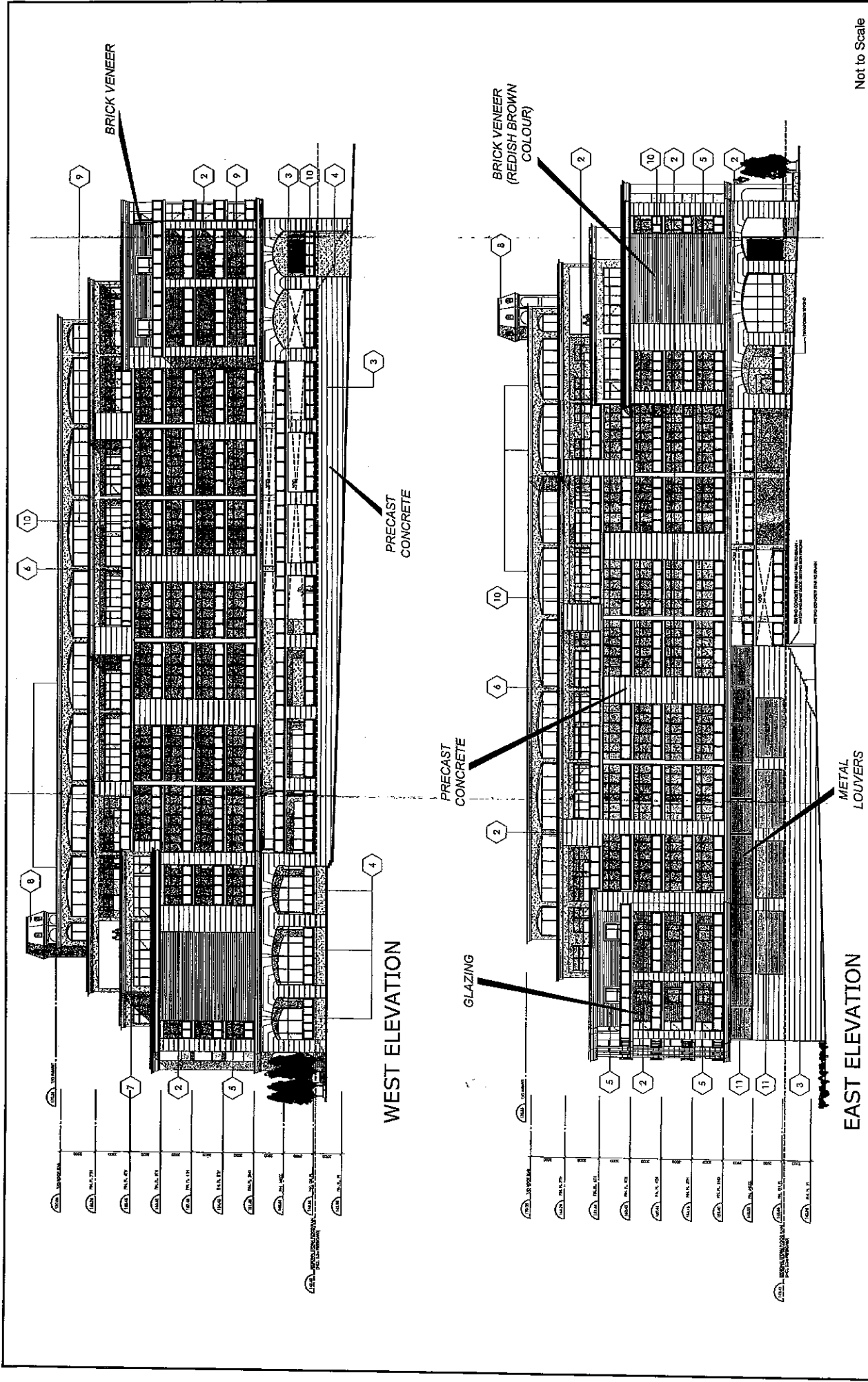
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RELATED FILES:

OP.06.009 & Z.06.023

Date:

June 3, 2009



Not to Scale

# West & East Elevations

Part of Lot 7,  
Concession 7

Applicant:  
**1504546 ONTARIO LIMITED**  
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Development Planning Department

# Attachment

File: DA.09.038  
RELATED FILES:  
OP.06.009 & Z.06.023

# 6

Date:  
June 3, 2009