

**3. OFFICIAL PLAN AMENDMENT FILE OP.07.001
 ZONING BY-LAW AMENDMENT FILE Z.09.038
 CASERTANO DEVELOPMENT CORP.
 WARD 4**

P.2010.3

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for Official Plan Amendment File OP.07.001 and Zoning By-law Amendment File Z.09.038 (Casertano Development Corp.) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole following the completion of and in consideration of the final results of the City's comprehensive Official Plan Review Process.

Contribution to Sustainability

The contribution to sustainability will be determined when the technical report is considered.

Economic Impact

This will be addressed when the technical report is completed.

Communications Plan

- a) Date the Notice of a Public Meeting was circulated: December 18, 2009
- b) Circulation Area: 150 m
- c) Comments Received as of January 4, 2010: None

Purpose

The Owner has submitted the following applications on the subject lands shown on Attachments #1 and #2, to permit six (6) residential condominium towers and two (2) freestanding, 2-storey commercial buildings with ground floor retail commercial uses and second floor office uses, as shown on Attachment #3:

- 1. An Official Plan Amendment Application (File OP.07.001) to amend OPA #600, as amended by OPA #505 and OPA #512, to redesignate the subject lands from "General Commercial" to "High-Density Residential/Commercial", as follows:

	Official Plan Policy (OPA #600, as amended)	Proposed Amendment to OPA #600, as amended
a.	The maximum permitted density in a High Density Residential-Commercial designation shall be between 60 and 150 units per hectare with building heights to not exceed 12-storeys.	The maximum permitted density in a High Density Residential-Commercial designation shall be 526 units per hectare (4.95 FSI) with a maximum building height of 40-storeys (total 2,050 units).

- 2. A Zoning By-law Amendment Application (File Z.09.038) to rezone the subject lands from C1(H) Restricted Commercial Zone with the Holding Symbol "(H)", subject to Exception

9(1030) of By-law 1-88, to RA3(H) Apartment Residential Zone with the Holding Symbol "(H)", with the following zoning exceptions:

	By-law Standard	By-law 1-88 RA3 Zone Requirements	Proposed Exceptions to RA3 Zone
a.	Minimum Lot Area	67 m ² /unit	25 m ² /unit
b.	Minimum Front Yard Setback to Jane Street	7.5 m	6.7 m
c.	Minimum Rear Yard Setback to Vaughan Mills Mall Internal Ring Road	7.5 m	6.4 m
d.	Minimum Interior Side Yard Setback (to south property line)	51.5 m	5.1 m
e.	Minimum Exterior Side Yard Setback (North Property Line)	7.5m	5.0m
f.	Maximum Building Height	44 m	134 m
g.	Minimum Required Parking for Residential and Commercial Uses	3,845 Residential Parking: 1.5 spaces per unit, and 0.25 spaces for visitor parking Commercial Parking: 6.0 spaces/100m ² GFA	2,572 Residential Parking: 1.2 spaces per unit, including visitor parking Commercial Parking: 1.04 spaces/100m ² GFA
h.	Commercial Uses	Not Permitted	Permit 4,234 m ² ground floor retail commercial uses and second floor office uses (Blocks "B" and "C" only), and the currently permitted C1 Zone uses in Exception 9(1030) listed in Note 1 below
i.	Minimum Landscape Strip Abutting a Street Line (North Property Line)	6.0 m	5.0 m

Note 1: (Currently Permitted C1 Restricted Commercial Zone Uses)

- Church or Synagogue
- Community Centre
- Day Nursery
- Post Office
- Public, Technical or Private School
- Public Library
- Recreational Uses
- Veterinary Clinic
- Automobile Gas Bar
- Automotive Retail Store
- Banking or Financial Institution
- Brewers Retail, LCBO, Wine Shop
- Boating Showroom
- Business or Professional Office
- Car Wash
- Catalogue Sales
- Club or Health Centre
- Convention Centre accessory to a Hotel
- Eating Establishment
- Eating Establishment, Convenience
- Eating Establishment, Take-Out
- Eating Establishment, Convenience, Drive-Through
- Funeral Home
- Go-Cart Track
- Hotel
- Ice or Roller Skating Rink
- Laboratory
- Micro Brewery/winery
- Motor Vehicle Sales Establishment
- Golf Course, Miniature Golf, Golf Driving Range
- Office Building
- Personal Service Shop
- Photography Studio
- Pet Grooming Establishment
- Place of Amusement
- Print Shops
- Radio Transmission Establishment
- Retail Nursery
- Retail Store
- Retail Warehouse
- Service or Repair Shops
- Tavern
- Video Store
- Place of Entertainment, including a multi-screen cinema complex and space provided for the showcasing of various products, services, wares and merchandise

The applications would facilitate the development of the subject lands with the development concept shown on Attachment #3, with the following site statistics:

- a) a site area of 3.9 ha;
- b) 6 residential condominium towers ranging in building height from 26 to 40 storeys (Blocks "A", "D", and "E") connected by 3 to 5 storey podiums containing residential units and amenity spaces;
- c) a total of 2,050 residential units;
- d) 2 freestanding, 2-storey commercial buildings with ground floor retail commercial uses and second floor office uses totaling 4,234 m² gross floor area (Blocks "B" and "C" only);
- e) a floor space index (FSI) of 4.95 and density of 526 units/hectare;
- f) a total gross floor area (GFA) 193,120 m²;
- g) a total of 2,572 parking spaces; and,
- h) three (3) vehicle points of ingress and egress (one from Jane Street and 2 from the internal Vaughan Mills ring road).

Background - Analysis and Options

Location	<ul style="list-style-type: none"> ▪ Block 1, Plan 65M-3696, as shown on Attachments #1 and #2. ▪ On the west side of Jane Street and the east side of the internal ring road of Vaughan Mills Mall, south of Rutherford Road, City of Vaughan.
Official Plan Designation	<ul style="list-style-type: none"> ▪ "General Commercial" by OPA #600, as amended by OPA #505 and OPA #512.

	<ul style="list-style-type: none"> Application to facilitate the development of six (6) residential towers with building heights ranging from 26 to 40 storeys, (2050 units) and 2 retail/office buildings does not conform to the Official Plan.
Zoning	<ul style="list-style-type: none"> C1(H) Restricted Commercial Zone with the Holding Symbol "(H)", subject to Exception 9(1030), by By-law 1-88. Application to facilitate the proposed development does not comply with By-law 1-88.
Surrounding Land Uses	<ul style="list-style-type: none"> Shown on Attachment #2.

Overall Development Proposal (Casertano Development Corp. and Sandra Mammone)

The subject lands form part of a larger development concept which includes the adjacent property (Sandra Mammone) located to the immediate southwest, as shown on Attachment #5. The overall conceptual comprehensive development includes twelve (12) high-rise condominium apartment buildings, ground-related retail/office and commercial uses, and four 2-storey buildings with commercial uses on the ground floor and office uses above. Both properties include three pairs of towers atop of shared podiums. A 0.7 ha park located at the corner of Jane Street and the proposed extension of Bass Pro Mills Drive would separate the towers into two distinct neighbourhoods. The Applications to amend the Official Plan and Zoning By-law to facilitate the development of the Sandra Mammone lands (Files OP.09.006 and Z.09.037) are also being considered at this Public Hearing.

The combined development details for the properties are as follows:

- Total Site Area: 6.98 ha
- Total # of Residential Units: 3,650 units
- Total Office/Commercial GFA 9,611 m²
- Total Building GFA: 346,658 m²
- Total Parking: 4,643 spaces
- Total Density: 4.96 FSI

In consideration of the large amount of development being proposed in a critical location of Vaughan, and comprising a total of 3,650 new residential units and 9,611 m² of office/commercial GFA or a density of almost 5 FSI, and in consideration of the City's comprehensive Official Plan Review Process that is currently being undertaken, it would be prudent to await the final results of the Official Plan Review Process before the subject Casertano and Mammone applications are further considered at a future Committee of the Whole meeting. A recommendation to this effect is included in both Public Hearing reports.

Preliminary Review

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

	MATTERS TO BE REVIEWED	COMMENTS
a.	Conformity with Provincial policies, Regional and City Official Plans	<ul style="list-style-type: none"> The application will be reviewed in the context of the applicable Provincial policies, and Regional and City Official Plan policies, including emerging policy direction respecting intensification from the City's Official Plan Review.
b.	Appropriateness of Proposed Uses and Zoning Exceptions	<ul style="list-style-type: none"> The appropriateness of permitting the proposed high density residential development with retail and office uses on the subject lands will be reviewed in the context of, but not limited to, the compatibility with the surrounding land uses, built form, urban design, environmental sustainability, parking and traffic. The appropriateness of the proposed "High Density Residential/Commercial" designation and policies and the proposed rezoning of the subject lands with site-specific zoning exceptions to the RA3 Apartment Residential Zone that are required to implement the development proposal will be reviewed in consideration of the conceptual site plan for the subject lands (Attachment #3) and the conceptual comprehensive site plan (including the Sandra Mammone lands) as shown on Attachment #5. Exception 9(1030) currently permits a number of commercial uses on the subject lands including but not limited to an Automotive Retail Store, Club or Health Centre, Car Wash, Gas Bar, Boating Showroom, Hotel, Motor Vehicle Sales Establishment, and Retail Warehouse. These uses were originally established on the site as part of the Vaughan Mills Mall approvals. The Owner proposes to maintain all of the currently permitted C1 Zone commercial uses on the subject lands. Review will be given to the merits of maintaining these and other inappropriate commercial uses on the subject lands in the context of the proposed residential, retail and office uses on the subject lands.
c.	Jane Street Corridor Residential Potential Land Use Review	<ul style="list-style-type: none"> The applications will be reviewed in consideration of the Jane Street Corridor Residential Land Use Review (2007).
d.	Urban Design Brief	<ul style="list-style-type: none"> The Urban Design Brief submitted in support of the applications must be reviewed and approved to the satisfaction of the Development Planning Department.
e.	Traffic Impact Study and Parking Assessment	<ul style="list-style-type: none"> The Traffic Impact Study and Parking Assessment submitted in support of the applications must be reviewed and approved by the Region of York and the Vaughan Engineering Department.

	MATTERS TO BE REVIEWED	COMMENTS
f.	Functional Servicing Report and Allocation	<ul style="list-style-type: none"> • The Functional Servicing Report submitted in support of the applications must be reviewed and approved to the satisfaction of the Vaughan Engineering Department. • Servicing allocation for the proposed development must be identified by Council, if approved. The lands may need to be zoned with the Holding Symbol "(H)", pending the availability of servicing capacity for the proposed development.
g.	Environmental Noise and Vibration Feasibility Study	<ul style="list-style-type: none"> • The Environmental Noise and Vibration Feasibility Study submitted in support of the applications must be reviewed and approved to the satisfaction of the Vaughan Engineering Department.
h.	Sustainable Development	<ul style="list-style-type: none"> • Opportunities for sustainable design, including CEPTD (Crime Prevention Through Environmental Design), LEED (Leadership in Energy and Environmental Design), permeable pavers, bio-swales, drought tolerant landscaping, bicycle racks to promote alternative modes of transportation, energy efficient lighting, reduction in pavement and roof-top treatment to address the "heat island" effect, green roofs, etc, will be reviewed and implemented through the site plan approval process, if approved.
i.	Future Site Plan Application	<ul style="list-style-type: none"> • Any Site Development Application submitted to facilitate the proposed development (or phase thereof) will be reviewed to ensure appropriate building and site design, access, internal traffic circulation, parking, landscaping, servicing and grading.
j.	Environmental Site Assessment	<ul style="list-style-type: none"> • The Environmental Site Assessment submitted in support of the applications must be reviewed to the satisfaction of the Vaughan Engineering Department. The Owner must provide a Record of Site Condition, based on the studies of the qualified environmental consultant and the completion of any necessary remediation work. The Record of Site Condition must be acknowledged by the Ministry of the Environment prior to consideration of these applications by the Committee of the Whole.
k.	Toronto and Region Conservation Authority (TRCA)	<ul style="list-style-type: none"> • The applications must be reviewed by the Toronto and Region Conservation Authority.

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

The applications have been circulated to the Region of York for review and comment. Any issues will be addressed when the technical report is considered.

Conclusion

The preliminary issues identified in this report and any other issues identified through the processing of the applications will be considered in the technical review of the applications, together with comments from the public and Council expressed at the Public Hearing or in writing, and will be addressed in a comprehensive report to a future Committee of the Whole meeting. However, prior to the technical report being prepared by the Vaughan Development Planning Department, it will be necessary, given the large amount of development being proposed in a critical location of Vaughan, to await the final results of the City's comprehensive Official Plan Review Process before both the Casertano and adjacent Mammone applications are considered at a future Committee of the Whole meeting.

Attachments

1. Context Location Map
2. Location Map
3. Conceptual Site Plan
4. Conceptual Elevations
5. Conceptual Comprehensive Plan

Report prepared by:

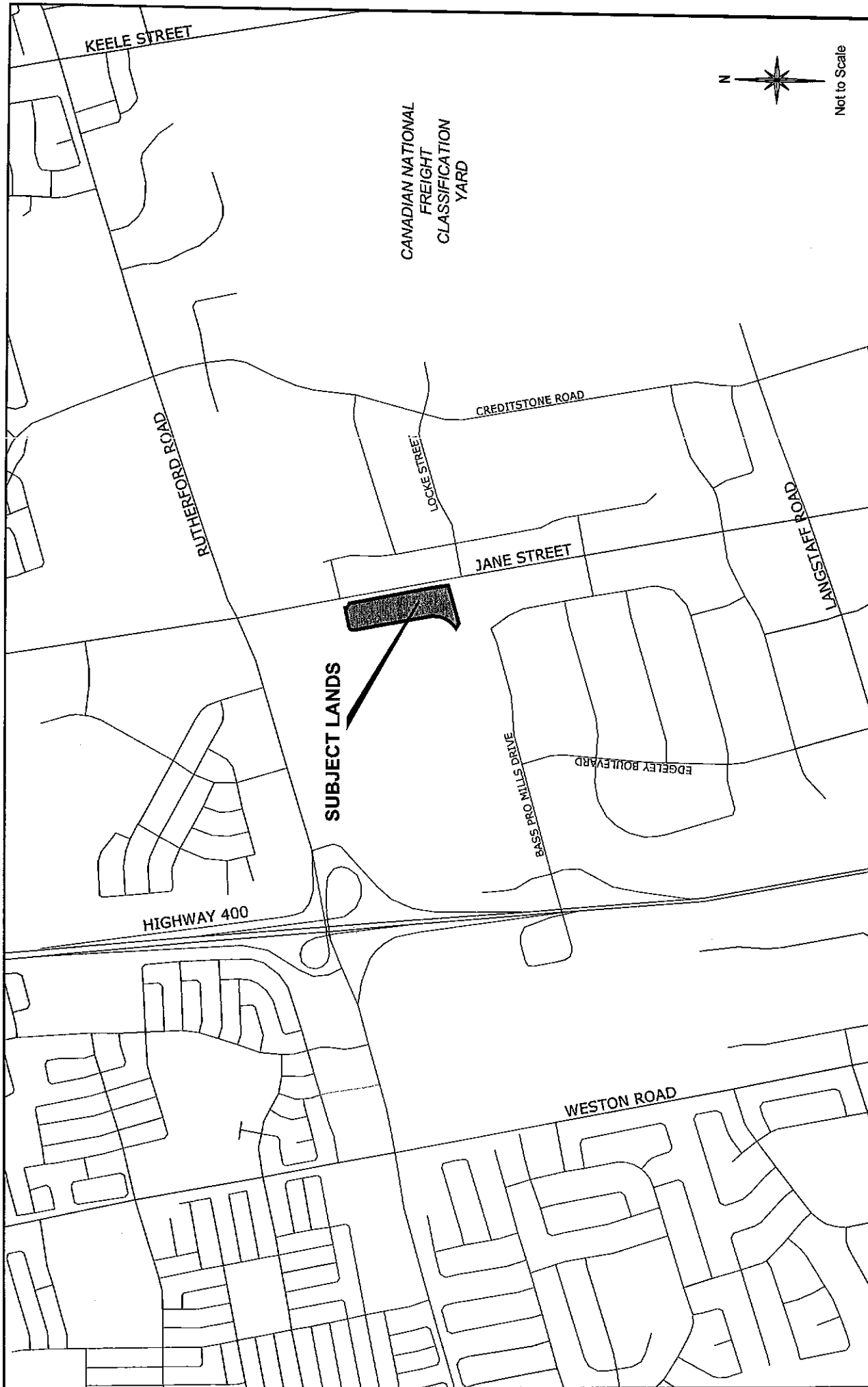
Stephen Lue, Planner, ext. 8210
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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

GRANT UYEYAMA
Director of Development Planning

/CM



Context Location Map

Location: Part of Lots 14 & 15,
Concession 5

Applicant:
Casertano Development Corp.

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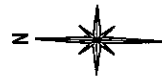
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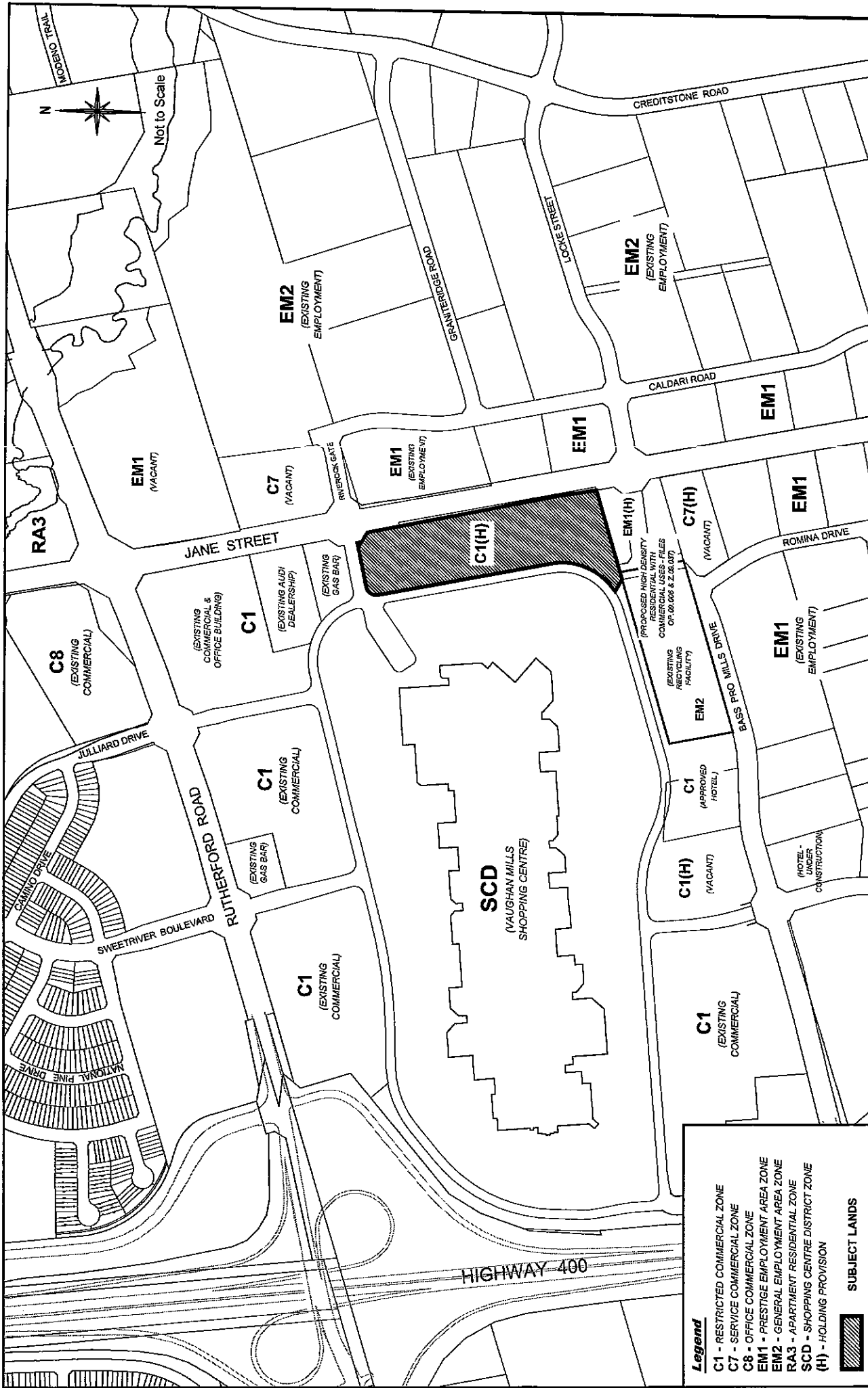
Attachment

Files:
OP.07.001 & Z.09.038

Date:
December 14, 2009




Not to Scale



Legend

- C1 - RESTRICTED COMMERCIAL ZONE
- C7 - SERVICE COMMERCIAL ZONE
- C8 - OFFICE COMMERCIAL ZONE
- EM1 - PRESTIGE EMPLOYMENT AREA ZONE
- EM2 - GENERAL EMPLOYMENT AREA ZONE
- RA3 - APARTMENT RESIDENTIAL ZONE
- SCD - SHOPPING CENTRE DISTRICT ZONE
- (H) - HOLDING PROVISION

 SUBJECT LANDS

Location Map

Location: Part of Lots 14 & 15,
Concession 5

Applicant:
Casertano Development Corp.

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The City Above Toronto

Development Planning Department

Attachment

Files:
OP.07.001 & Z.09.038

Date:
December 14, 2009

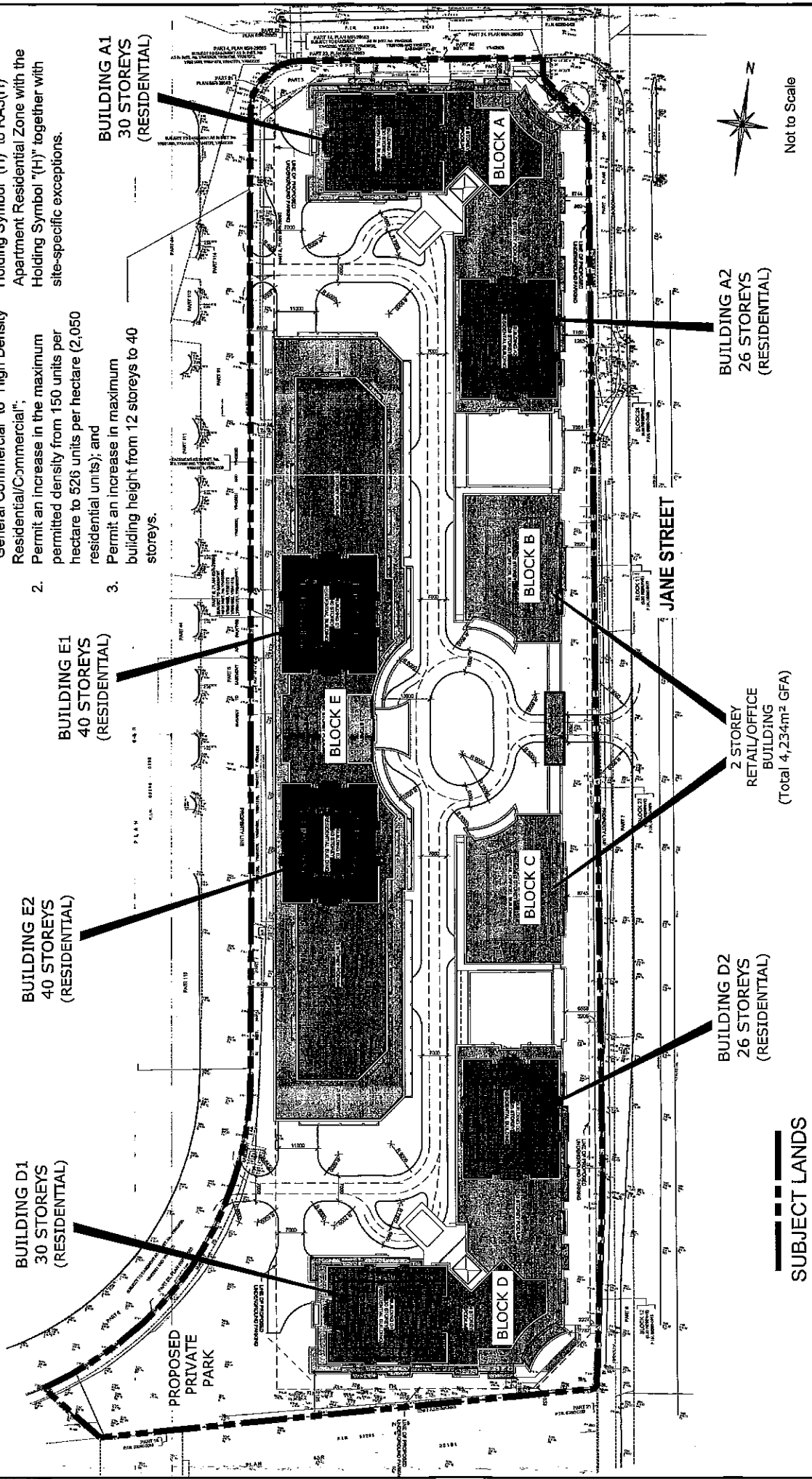
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OFFICIAL PLAN AMENDMENT

- AMEND OPA #600 AS AMENDED TO:
1. Redesignate the subject lands from "General Commercial" to "High Density Residential/Commercial";
 2. Permit an increase in the maximum permitted density from 150 units per hectare to 526 units per hectare (2,050 residential units); and
 3. Permit an increase in maximum building height from 12 storeys to 40 storeys.

ZONING BY-LAW AMENDMENT

Rezone the subject lands from C1(H) Restricted Commercial Zone with the Holding Symbol "(H)" to RA3(H) Apartment Residential Zone with the Holding Symbol "(H)" together with site-specific exceptions.



BUILDING D1
30 STOREYS
(RESIDENTIAL)

BUILDING E2
40 STOREYS
(RESIDENTIAL)

BUILDING E1
40 STOREYS
(RESIDENTIAL)

BUILDING A1
30 STOREYS
(RESIDENTIAL)

BLOCK E

BLOCK C

BLOCK B

BLOCK A

BUILDING D2
26 STOREYS
(RESIDENTIAL)

2 STOREY
RETAIL/OFFICE
BUILDING
(Total 4,234m² GFA)

BUILDING A2
26 STOREYS
(RESIDENTIAL)

SUBJECT LANDS

Not to Scale

Conceptual Site Plan

Location: Part of Lots 14 & 15,
Concession 5

Applicant:
Casertano Development Corp.

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The City Above Toronto
Development Planning Department

Attachment

Files: **3**
OP-07.001 & Z.09.038
Date: December 14, 2009

40 STOREY BUILDING

40 STOREY BUILDING

30 STOREY BUILDING

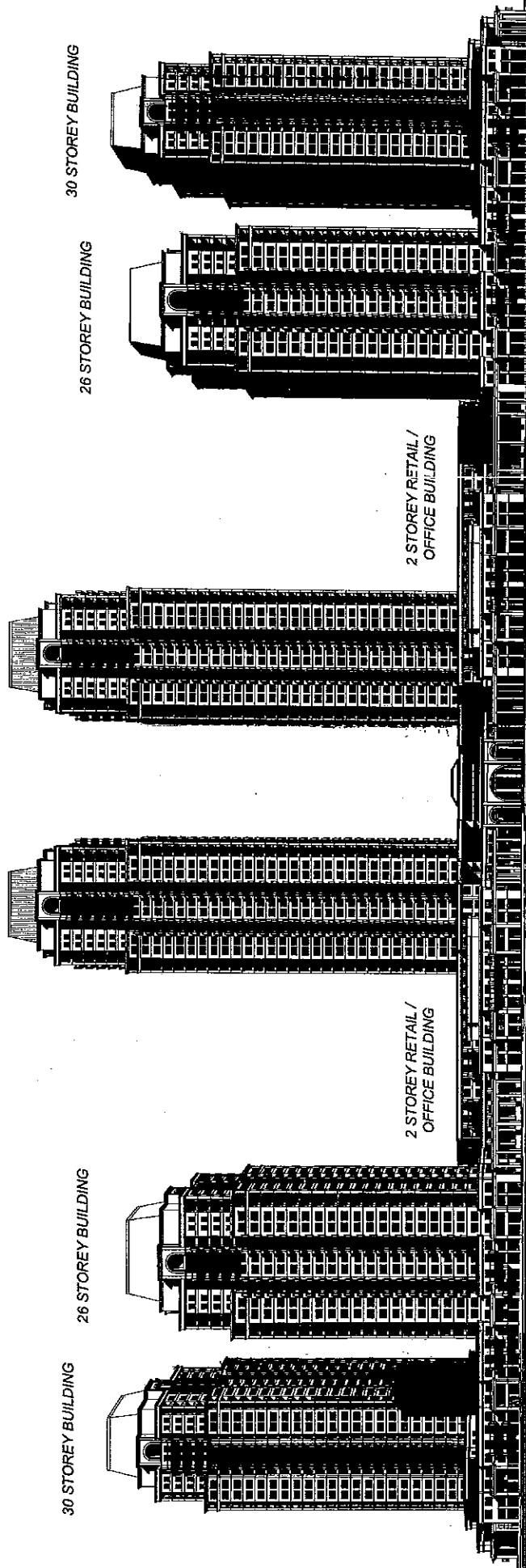
26 STOREY BUILDING

2 STOREY RETAIL / OFFICE BUILDING

2 STOREY RETAIL / OFFICE BUILDING

26 STOREY BUILDING

30 STOREY BUILDING



FRONT (EAST) ELEVATION - FROM JANE STREET

Not to Scale

Conceptual Elevations

Location: Part of Lots 14 & 15,
Concession 5

Applicant:
Casertano Development Corp.

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Attachment

Files:
OP-07.001 & Z.09.038

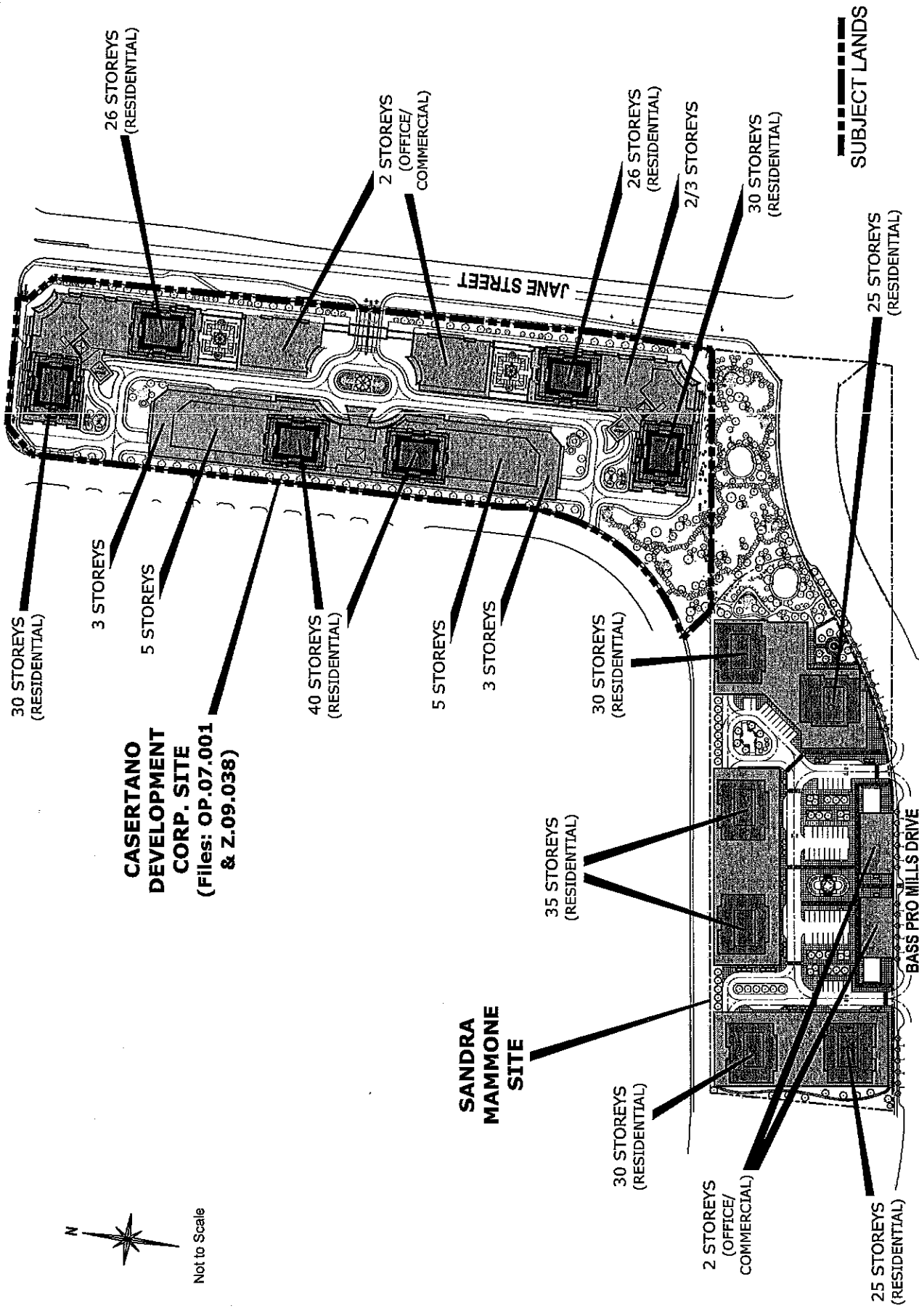
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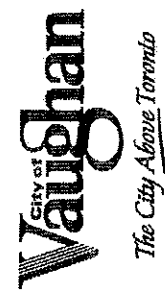


The City Above Toronto

Development Planning Department



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Development Planning Department

Conceptual Comprehensive Plan

Location: Part of Lots 14 & 15,
 Concession 5

Applicant:
 Casertano Development Corp.

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