

**COMMITTEE OF THE WHOLE FEBRUARY 23, 2010**

**OFFICIAL PLAN AMENDMENT FILE OP.08.012  
ZONING BY-LAW AMENDMENT FILE Z.08.047  
1541677 ONTARIO LIMITED  
WARD 5**

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment File OP.08.012 (1541677 Ontario Limited) BE APPROVED, specifically to amend OPA #210 (Thornhill-Vaughan Community Plan), as amended by OPA #621, to:
  - a) increase the maximum permitted density on the approved Liberty Development Master Plan (2004) as shown on Attachment #9, from 1598 residential units to 1872 residential units (an additional 274 apartment units); and,
  - b) increase the maximum number of permitted apartment buildings on the approved Liberty Development Master Plan (2004) as shown on Attachment #9, from 7 apartment buildings to 9 apartment buildings.
2. THAT Zoning By-law Amendment File Z.08.047 (1541677 Ontario Limited) BE APPROVED, to rezone the westerly portion of the subject lands as shown on Attachment #2 from RM2(H) Multiple Residential Zone with the Holding Symbol "(H)" to RA3(H) Apartment Residential Zone with the Holding Symbol "H", to facilitate the development of 2 additional apartment buildings (Buildings "H" and "K") and an additional 274 apartment dwelling units on the subject lands shown on Attachment #4.
3. THAT the implementing Zoning By-law include the following:
  - a) permit a maximum of 1872 residential units on the entire Liberty Master Plan lands shown on Attachment #9, whereas a maximum of 1598 units is currently permitted;
  - b) permit two additional apartment buildings (Buildings "H" and "K") on the subject lands shown on Attachment #4, for a total maximum of 9 apartment buildings on the entire Liberty Master Plan lands shown on Attachment #9, whereas a total maximum of 7 apartment buildings is currently permitted; and,
  - c) permit the zoning exceptions to the RA3(H) Apartment Residential Zone identified in Table 1 of this Report.
3. THAT the Holding Symbol "(H)" shall not be removed from the subject lands zoned RA3(H) Apartment Residential Zone until such time as the following conditions are addressed to the satisfaction of the City:
  - a) that a Site Development Application(s) for the subject lands be approved by Vaughan Council; and,
  - b) that Vaughan Council adopt a resolution with respect to the allocation of sewage capacity from the York-Durham Servicing Scheme and water

supply capacity from the York Water Supply System in accordance with the City's approved Servicing Capacity Distribution Protocol in effect at the time of site plan approval, assigning capacity to the proposed additional 274 units for the additional residential apartment buildings on the subject lands (Buildings "H" and "K").

4. THAT the Owner enter into a maintenance agreement with the City, which addresses the maintenance of landscaping within the City's right-of-way located at the southwest corner of the site as shown on Attachment #4. The landscaping on these lands shall be consistent with the landscape design for the overall development of the site. The landscape plan for these lands shall be to the satisfaction of the Vaughan Development Planning Department and the requirement for a maintenance agreement will be implemented through the Site Plan approval process.
5. THAT the Owner shall pay to the City of Vaughan, a cash-in-lieu of parkland dedication fee for each additional residential dwelling unit (274 apartment units) in accordance with the City's cash-in lieu of parkland policy. The cash-in-lieu of parkland dedication fee shall be acquired through the Site Plan approval process.

#### Contribution to Sustainability

This will be addressed in the future site plan application report.

#### Economic Impact

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

#### Communications Plan

On September 12, 2008, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to the Beverley Glen Ratepayers Association. The recommendation to receive the Public Hearing report of October 6, 2008, was ratified by Council on October 13, 2008.

- i) Prior to the Public Hearing, a letter was received from a resident expressing concerns respecting the impacts of construction activity on the adjacent site, as well as the impacts that the proposed additional units will have on the overall community. At the Public Hearing, a number of residents also expressed concerns respecting the proposed development. These concerns are addressed later in this report.

On February 12, 2010, a Notice for this Committee of the Whole Meeting was sent to all individuals requesting notice of this meeting or having appeared at the October 6, 2008, Public Hearing.

#### Purpose

The Owner has submitted the following applications on the subject lands shown on Attachments #1 and #2:

1. An Official Plan Amendment Application (File OP.08.012), specifically to amend the following policies of OPA #210 (Thornhill Community Plan), as amended by OPA #621:

- a) increase the maximum permitted density within the approved Liberty Development Master Plan (2004) as shown on Attachment #9, from 1598 residential units to 1872 residential units (an additional 274 apartment units); and,
  - b) increase the maximum permitted number of residential apartment buildings within the approved Liberty Development Master Plan (2004) as shown on Attachment #9, from a maximum of 7 to 9 apartment buildings.
2. A Zoning By-law Amendment Application (File Z.08.047) to amend By-law 1-88, specifically to rezone the westerly portion of the subject lands from RM2(H) Multiple Residential Zone with the Holding Symbol "(H)" to RA3(H) Apartment Residential Zone with the Holding Symbol "(H)", to facilitate the development of 2 additional apartment buildings and 274 additional residential apartment dwelling units on the subject lands, together with the site-specific zoning exceptions identified in Table 1 of this report, to implement the proposed apartment development shown on Attachment #4.

### **Background - Analysis and Options**

#### Location

The 1.18 ha subject lands shown on Attachments #1 and #2 are located at the southeast corner of New Westminster Drive and North Park Road, being Block 5 on Registered Plan 65M-3872, City of Vaughan. The surrounding land uses are shown on Attachment #2.

#### Liberty Master Plan

The subject lands are currently vacant and are included within the conceptual Liberty Master Plan approved by Vaughan Council on November 8, 2004, attached hereto as Attachment #9, and subject to the site-specific policies of OPA #621. The remainder of the Liberty lands have been developed with the following: a 1.94 hectare park; six apartment buildings ranging in height from 15 to 22 storeys; and, 61 block townhouses. The subject lands form the last phase of development of the Liberty Master Plan.

OPA #621 established policies to facilitate the development of the overall Liberty lands as shown on Attachment #9, including an overall maximum unit count of 1598 units. To date, a total of 1,380 units have been site plan approved, in accordance with the Liberty Master Plan. The Liberty Master Plan as shown on Attachment #9, permits the remaining 218 units (1598-1380) to be located on the undeveloped portion of the plan, being the subject lands. The site-specific zoning Exception 9(1153) requires that the remaining 218 units be located on the subject lands in the form of block townhouse units, to a maximum of 32 units, together with an 18-storey apartment building, with a maximum of 186 apartment units.

The proposed development amends the southwest corner of the approved Liberty Master Plan, and is comprised of the following, as shown on Attachment #4:

- a) Building "G", an 18-storey apartment building - consistent with the Liberty Master Plan, however, it is larger in size, and includes 195 residential units;
- b) Building "H" - an additional 16-storey apartment building with 216 residential units; and,
- c) Building "K" - an additional apartment building that replaces the block townhouse development shown on Attachment #9, and is proposed to be 4-storeys in height with 81 residential units.

The Official Plan Amendment Application would increase the maximum number of units and the maximum number of buildings within the Liberty Master Plan. A total of 274 additional apartment

units are proposed for the subject lands as well as an additional 2 apartment buildings, as shown on Attachment #4. This would increase the total number of units within the Liberty Master Plan area to 1,872 units, within 9 apartment buildings, whereas 1,598 units are permitted within block townhouse units and 7 apartment buildings by OPA #621.

### Supporting Documents

The following supporting reports were submitted for review in consideration of the subject applications:

- i) Planning Justification Report, dated July, 2008, prepared by Malone Given Parsons Ltd;
- ii) Functional Servicing Report, Block 5, Thornhill City Centre Lands, North Park Road & New Westminster Drive, dated July 22, 2008;
- iii) Traffic Impact Study, Thornhill City Centre, dated August 2008; and,
- iv) Sun Shadow Study, Buildings "G", "H" and "K", dated July 31, 2008.

### Official Plan

The subject lands are designated "High Density Residential" by OPA #210 (Thornhill-Vaughan Community Plan), as amended by OPA #621. OPA #621 permits a total of 1,598 units within the amendment area (Liberty Master Plan), comprised of 93 townhouse units and 1,505 apartment units, or a combination thereof, with the number of apartment buildings not to exceed 7 buildings, with a maximum height of 22-storeys. The Official Plan Amendment Application proposes to increase the number of residential units from 1598 units to 1872 units, and to permit a maximum of 9 apartment buildings to facilitate the development shown on Attachment #4.

### Zoning

The westerly portion of subject lands is zoned RM2(H) Multiple Residential Zone with the Holding Symbol "(H)" by By-law 1-88, which restricts the permitted uses to block townhouse dwelling units. The easterly portion of the site is zoned RA3(H) Apartment Residential Zone with the Holding Symbol "(H)", which permits apartment dwelling uses. The site-specific zoning Exception 9(1153) limits the total number of units on the Liberty Master Plan lands to 1,598 (of which no more than 93 units can be townhouse units) and the total number of buildings to 7, and the Holding Symbol "(H)" requires site plan approval and traffic improvements to be in place, prior to the lifting of the holding symbol. The Owner is proposing to rezone the westerly portion of the property to RA3(H) Apartment Residential Zone with the Holding Symbol "(H)" to permit a 274 additional residential units within 2 additional apartment buildings on the subject lands.

### Resident's Concerns

As previously mentioned, a letter was received from a neighbouring resident expressing disapproval with the proposed increase in density on the subject lands. At the October 8, 2008 Public Hearing, a number of residents expressed the following concerns to Council:

- i) Dust, truck traffic, litter, garbage and noise from the construction of the existing Liberty buildings have been disturbing residents of the existing community to the west over the years.

Response: This area has been subject of construction for several years, which can temporarily impact the surrounding community and is to be expected. The applicant will be required to adhere to the City's construction standards and maintain the construction site and adjacent roads in accordance with these standards.

- ii) Residents are concerned the new park within the Liberty development is substandard.

Response: The park has been constructed in accordance with City standards for a park facility.

- iii) Residents have indicated that they do not support the proposed density increase and they want the applicant to maintain the Master Plan as originally approved.

Response: Although the Master Plan was approved for the Liberty subdivision in 2004, the land development process is not a fixed process. Landowners can make applications requesting changes in land use or density and a municipality must give consideration to the request. The Owner has requested such changes through these applications and has provided the City with supporting studies to justify the proposed increase in density. The City has reviewed the applications and the supporting information and that review is summarized within this report.

- iv) Residents are concerned the increase in density will increase traffic on streets within the area, and that these streets are already subject to traffic congestion and that such congestion may delay emergency services to the area.

Response: The applicant provided a traffic impact study in support of these applications, which defines the traffic to be generated by the increase in units and outlines the impact on the surrounding road network. This study was reviewed by the Vaughan Engineering Department and the Region of York Roads and Transportation Department. The Vaughan Engineering Department and Region of York comments are discussed later in this report.

- v) Some residents were concerned that the proposal will remove green space from the area.

Response: The subject lands are vacant, however, these lands are designated for future residential development, as shown on Attachment #9. These lands were never intended to be retained for green space. Green space has been provided within the overall development in the form of an active park and a woodlot area in accordance with City standards.

- vi) Some resident's of Building "B" (shown on Attachment #9) were concerned that the proposed apartment buildings will interfere with west views from their existing units.

Response: Since the Public Hearing, the applicant has revised the conceptual site design for the development to provide greater separation distances between the buildings and to protect the views from the existing buildings to the greatest extent possible. The final site design must meet the City's design standards and will be reviewed and approved through the Site Development Process.

- vii) Some resident's expressed concern that they had not received adequate notice of the Public Hearing.

Response: Notice of the Public Hearing was sent to residents within 120m of the subject lands and to those residents having requested notification of future meetings. The applicant has held additional community meetings in an attempt to resolve community concerns. A courtesy notice of this Committee of the Whole meeting was also sent to individuals who requested notice and appeared at the Public Hearing.

- viii) Some residents expressed concerns regarding the impact of development on hospitals, health care, and the impact on commercial uses in the area.

Response: The subject lands are one of the last vacant parcels within the Thornhill Town Centre area. The area is well served with existing infrastructure and community services. This area is also recognized by both Vaughan and the Region of York as an area for intensification and further development.

- ix) Some residents indicated that the proposed buildings are part of an overall neighbourhood and should be reviewed with the lands directly to the south.

Response: The lands to the south (identified on Attachment #3) are located within the Thornhill Town Centre area identified through OPA #210, and subject to the OPA #671 (Thornhill Centre Street Study). A Zoning By-law Amendment Application (Blue Water Ranch Developments Inc. and Thornhill Retirement Residence LP. - File: Z.08.032) has been submitted to develop these lands for high density residential apartment dwellings, and increasing the maximum number of units and the height of the buildings. That application is currently being reviewed and has been taken into consideration in the review of these applications.

#### Land Use Policies/Planning Considerations

The Vaughan Development Planning Department has reviewed the subject Official Plan and Zoning By-law Amendment applications to redesignate and rezone the subject lands shown on Attachments #3 and #4, in light of the following land use policies respecting the proposal:

a) Provincial Policy Statement

Since the approval of OPA #210 and the approval of OPA #621, the Province has approved the Provincial Policy Statement (PPS) in 2005, which provides policy direction on matters of Provincial interest related to land use planning and development. Applications to amend the Official Plan and Zoning By-law must be consistent with the PPS (2005). The subject lands are located within a Settlement Area as defined by the PPS. The PPS policies relating to Settlement Areas state that these areas shall be the focus of growth and that Planning authorities shall identify and promote opportunities for intensification and land use patterns within Settlement Areas, which shall be based on, in part, densities and a mix of land uses which:

- i) efficiently use land and resources; and,
- ii) are appropriate for and efficiently use infrastructure and public service facilities which are planned and available and avoid the need for their unjustified and or uneconomical expansion.

The PPS promotes a full range of housing types and densities to meet projected demographics and market requirements for the current and future residents by ensuring all forms of residential intensification to create a supply of housing. The proposed increase in residential density is consistent with the intent of the PPS with respect to the efficient use of land and infrastructure and would promote efficient land use and development patterns to support a livable and healthy community. The increased density proposed for the site would also make more efficient use of land resources and public investment in infrastructure and public service facilities currently provided within the Thornhill Town Centre area.

The "Building Strong Communities" policies within the PPS state that sufficient land shall be made available through intensification and redevelopment, and if necessary, designate growth areas to accommodate an appropriate range and mix of employment opportunities, housing and other land uses to meet projected needs for a time frame of up to 20 years. The subject applications facilitate intensification and increases the range of housing within the existing built up area.

The policies related to "Managing and Directing Land Use" state that healthy, livable and safe communities are sustained by accommodating an appropriate range and mix of residential, employment, recreational and open spaces uses to meet long term needs; and by promoting cost-effective development standards to minimize land consumption and servicing costs. The subject proposal will add additional dwelling units to an area currently developed with high and medium density residential dwellings. It will minimize land consumption and servicing costs as it allows more people to live in the area which is already planned, serviced and developed for urban development.

The subject lands are located within a Settlement Area as defined by the PPS. The Thornhill Town Centre (bounded by New Westminster Drive to the west and north, Bathurst Street to the east, and Clark Avenue West to the south) is recognized in the City of Vaughan Official Plan and is identified in the Region of York Official Plan as an "Urban Area". The proposal makes efficient use of land by increasing the residential density within the existing Settlement Area and the compact form, mix of uses and densities allows for efficient use of land, existing infrastructure and public service facilities. The subject lands are immediately adjacent to an approved high density development within an existing built up community and future residents have access to the services and facilities in the community.

The PPS also includes housing policies requiring Planning authorities to provide an appropriate range of housing types and densities to meet project requirements of current and future residents of the regional market area and promote compact form and a structure of nodes and corridors. The proposed high-density development will add to the housing types and density within the Thornhill area. Future residents of the proposed development will help support public transit initiatives and commercial activities within the community. The proposed development is consistent with the policies of the PPS.

b) Places to Grow Plan

The Provincial Places to Grow Plan (2006) provides a vision for the Greater Golden Horseshoe for growth to 2031. The Plan requires a minimum of 40% of new residential development to be located within the existing built up area by 2015 and requires that intensification strategies be implemented and addressed through municipal Official Plans.

The "York Region 2031 Intensification Strategy" dated February 2009, identifies population and employment growth forecasts and intensification targets; the types and scale of development; and the urban growth centres and intensification corridors. The City of Vaughan's Official Plan Update Study, "Directions on Where and How to Grow" (2009), provided a forecast for 2031 that recognized that additional units can be accommodated within the Centre Street Corridor, which includes the subject lands. It is anticipated that Vaughan's city-wide intensification strategy will be implemented through the Vaughan Official Plan Review.

The proposed development is consistent with the Places to Grow Plan given that the site is located within the Centre Street Corridor area, which is within the built-up area of Vaughan. The proposal represents intensification and is transit supportive and makes use of existing community infrastructure.

c) Region of York Official Plan

The Region of York Official Plan (2009) designates the subject lands "Urban Area". The proposed Official Plan Amendment application is consistent with the Regional Official Plan policies that direct intensive development along regional and local corridors which are supported by public transit services.

The Region's Official Plan designates this section of Bathurst Street and Centre Street as part of a Regional Corridor. Public transit routes exist on Bathurst Street and Centre Street and the Regional Official Plan includes a planned rapid transit corridor along Centre Street in this area.

The Region's Official Plan recognizes that development within corridors be of an urban form that is compact, mixed-use, oriented to the street, and is cyclist and pedestrian friendly. The proposed increase in units has a compact form since they are planned to be developed within two additional apartment buildings, where 32 townhouses and one apartment building were previously approved. The residential use is adjacent to existing commercial uses in the community and supports the viability of these uses. The 4-storey apartment is street oriented, and a future site plan design will ensure a built form that is pedestrian and cyclist friendly. The Region's transportation requirements will be addressed through the future approval of the required site plan(s) for each of the buildings, and the Region's conditions of approval will be implemented through the Site Development approval process.

d) Vaughan Official Plan Amendment #210, as amended by OPA #621

The subject lands are located within the Thornhill Town Centre area and are designated "High Density Residential by OPA #210 (Thornhill-Vaughan Community Plan) as amended by site-specific OPA #621. OPA #621 permits a maximum density of 1598 units, comprised of 93 townhouse units and 1505 apartments units or a combination thereof not to exceed 1598 units to be developed on the Liberty Master Plan lands. The subject Official Plan Amendment application proposes an increase of 274 units on the subject lands and supports the intensification of residential land uses within the designated urban area. Transit is available along Centre Street with a major transit node located at Centre Street and New Westminster Drive adjacent to the Promenade Shopping Mall. The Town Centre area provides community facilities, including a municipal library, places of worship, schools and significant commercial developments.

Proposed Development Concept

The proposed conceptual site plan, as shown on Attachments #3 and #4, provides for a 4-storey, 81 unit, apartment building (Building "K"), a 16-storey, 216 unit, apartment building (Building "H") and an 18- storey, 195 unit, apartment building (Building "G") centred around an internal courtyard accessed from North Park Road. The proposed Building "G" was previously approved in this location by OPA #621 and the existing zoning (RA3 Apartment Residential Zone) on the site.

The 4-storey building (Building "K") provides a transition in height between the existing residential townhouses to the west and the existing and proposed apartment buildings to the east. The 4-storey building also creates a pedestrian related streetscape along New Westminster Drive in keeping with the pedestrian streetscape interface with the 3-storey townhouses further north on New Westminster Drive. An entrance to Building "K" fronts onto New Westminster Drive (and the courtyard) and individual unit entrances and landscaped amenity areas are located adjacent to the street. Surface parking is limited with courtyard visitor parking being provided in front of each building and additional visitor parking adjacent to the service area at the southwest corner of the site. The internal courtyard will be landscaped to suit the urban character of development. Interior and exterior amenity areas are provided for the shared use of the residents of the proposed buildings. A large green roof is proposed atop the large interior amenity area as a greening feature.

The Owner must submit a Site Development Application(s) to facilitate the proposed development as shown on Attachments #3 and #4, and the application(s) will be considered in a future report(s) to the Committee of the Whole, should the subject applications be approved.

During the processing of the subject applications, the Applicant revised the site design to reduce the height of Buildings "H" (from 18 to 16 storeys) and "K" (from 5 to 4 storeys) and re-oriented the buildings to address resident concerns. Building "K" is sited closer to the New Westminster



Drive road allowance to provide for a desirable pedestrian streetscape as discussed above, and Building "H" has been relocated and reoriented on the site to maximize sight lines and views from existing and future apartment condominium buildings located to the east.

Proposed Zoning

The westerly portion of the subject lands is zoned RM2(H) Multiple Residential Zone with the Holding Symbol "(H)" and restricts the permitted uses to block townhouse dwelling uses. The easterly portion of the site is zoned RA3(H) Apartment Residential Zone with the Holding Symbol "(H)", which permits apartment dwelling uses. To facilitate the proposed development, as shown on Attachments #4 to #8 inclusive, an amendment to By-law 1-88 is required to rezone the westerly portion of the property from RM2(H) Multiple Residential Zone to RA3(H) Apartment Residential Zone, and to provide the following site-specific zoning exceptions to By-law 1-88:

Table 1: Proposed Zoning Exceptions

<b>By-law Standard</b>	<b>By-law 1-88 Requirements of the RA3 Apartment Residential Zone, as Amended by Exception 9(1153)</b>	<b>Proposed Exceptions to By-law 1-88 [RA3-H Apartment Residential Zone, as amended by Exception 9(1153)]</b>
Maximum Number of Apartment Buildings Permitted	7 apartment buildings	9 apartment buildings
Maximum Number of Apartment Units and Townhouse Units Permitted	A total of 1,598 units (a combination of a maximum of 93 townhouses and 1,505 apartments)	A total of 1,872 units (a combination of a maximum of 61 townhouses and 1,811 apartments)
Minimum Yard Requirements	<u>Building "G"</u> i) Front Yard (North Park Road) - 6.0m ii) Rear Yard – 4.0m iii) Interior Side Yard – 6.0m iv) Exterior Side Yard – 6.0m	<u>Building "G"</u> i) Front Yard (North Park Road) – 2.03m  <u>Building "K"</u> i) Front Yard (North Park Road – 3.42m ii) New West Westminster Road – 3.25m iii) 0m setback to site triangle  Stairways and walkways shall be permitted to encroach into these yards

Minimum Parking Requirements	Total Parking Required: 640 spaces (1.3 spaces 492 x units)	Total Parking Provided: 633 spaces (1.10 spaces + 0.18 visitor spaces or 1.28 spaces x 492 units = 630 spaces minimum)
Minimum Landscape Strip Width	i) 6.0m abutting south property line;  ii) Minimum 6.0 m abutting a street and an RA3 Apartment Residential Zone	i) permit the outdoor parking area to extend into the 6.0m landscape strip abutting the south property line  ii) 3.7m abutting New Westminster Drive and Building "K",  iii) 1.8m minimum abutting North Park Road and Building "G"
Maximum Building Height	Building "G" – 18-storeys (52m)	Building "G" - 18-storeys (55m) Building "H" – 16-storeys (52m) Building "K" – 4-storeys (13m)

As previously mentioned, Exception 9(1153) is the site-specific zoning that implements the original Liberty development, as shown on Attachment #9. Exception 9(1153) permits 7 apartment buildings, and permits a maximum unit count of 1,598 for the overall development. An exception to permit 2 additional apartment buildings (Buildings "K" and "H"), and to increase the number of permitted units on the site from 1,598 to 1,872 units, is required. The proposed heights of the buildings will be captured in the implementing zoning by-law as 4-storeys (13m) for Building "K", 16-storeys (52m) for Building "H", and 18-storeys (55m) for Building "G". The height of Building "K" (4-storeys) provides a transition between the existing residential area to the west and north, and the condominium towers to the east. Although the building is 4-storeys in height and in the form of an apartment building, the roof height is consistent with the roof heights of the existing neighbouring 3-storey townhouses as shown on Attachment #8. Building "H" is 16-storeys, which is consistent with the building heights in the existing and proposed apartment buildings to the east and south of the subject lands. The proposed height exceptions are appropriate and acceptable.

Building "G" is proposed to be located on the easterly portion of the subject lands, zoned RA3(H) Apartment Residential Zone with the Holding Symbol (H). The lifting of the holding provision for Building "G" was contingent on transportation improvements within the area (as identified in an earlier traffic study) being completed, as well as, final site plan approval.

The transportation improvements have all been completed as required by the study, and therefore, site plan approval and an application to lift the (H) are all that would be required for the development of Building "G".

Building "H" is also proposed to be located within the RA3 Zone under the existing Exception 9(1153). Building "K" is proposed to be located on the portion of the site currently zoned RM2(H) also under the existing Exception 9(1153) and will need to be rezoned from RM2 to RA3 Apartment Residential Zone. The RA3 Zone is appropriate for the proposed building, however, if Council supports the proposed Official Plan and Zoning By-law Amendment applications, the proposed RA3 zoning for both Buildings "H" and "K" would be with the addition of the Holding Symbol until servicing capacity is available for the additional units and until Site Development approval(s) has been obtained for these buildings.

The proposed slight reduction to the minimum required parking from 640 to 630 spaces is considered to be acceptable as discussed in the "Parking" section of this report.

The proposed reductions to the minimum required setbacks and landscaping strip widths are considered to be consistent and appropriate for this urban area, and can be supported.

The proposed zoning exceptions are supportable and will contribute to creating a development with good urban design principles and is compatible and consistent with the surrounding land use context, and consistent with the applicable Provincial, Regional and local planning policies. The Development Planning Department has no objections to the proposed zoning exceptions to By-law 1-88.

#### Parking

Exception 9(1153) to By-law 1-88 specifies the following parking ratios for the subject lands and based on the proposed 492 units, the development would yield a parking requirement of 640 spaces, calculated as follows:

Resident Parking: 1.1 spaces/unit (1.1x 492 units)	= 541.2 spaces
<u>Visitor Parking: 0.2 spaces/unit (0.2x 492 units)</u>	= <u>98.4 spaces</u>
Total Parking Required	= 639.6 or 640 spaces

The applicant is proposing a reduction to the visitor parking requirement for the subject lands, as follows:

Resident Parking: 1.1 spaces/unit (1.1 x 492 units)	= 541.2 spaces
Visitor Parking: 0.18 spaces/unit (0.18 x 492 units)	= <u>88.5 spaces</u>
Total Parking Proposed:	= 629.7 or 630 spaces

A Traffic Impact Study prepared by Cole Engineering, dated August 2008, was submitted by the Owner and concluded that the proposed reduced parking ratios identified above are appropriate and sufficient to accommodate all parking for the proposed development, as shown on Attachment #4. The proposed parking reduction justifies a ratio of 1.1 spaces per resident unit and 0.18 spaces per unit for visitor parking. Based on the reduced parking ratios, the proposed 492 units generate the need for 630 parking spaces, however, the applicant is proposing to provide 633 spaces. The Vaughan Engineering Department has accepted the parking reduction as proposed in the Traffic Impact Study. An exception will be required in the implementing zoning by-law to recognize the reduced parking ratios.

#### Vaughan Development Planning Department

The applicant met with the Development Planning Department to review the proposed site design for the subject lands. The southwest portion of the site is adjacent to the City road allowance

opposite Katerina Avenue and New Westminster Drive. The road allowance was originally dedicated to the City through the subdivision approval process and was intended to provide for the alignment of a future east-west road, which was determined to be no longer required in 2004 through the Liberty Master Plan. However, a driveway access in this location can be aligned with Katerina Avenue to provide access to the subject site and to also provide for a possible joint secondary access into the adjacent property to the south of the subject site.

The grade of the subject site drops to the southwest. To accommodate the grade change, the landscape treatment along the west elevation of Building "K" must be enhanced to provide for an appropriate pedestrian streetscape. The Owner must also provide for an appropriate enhanced landscape treatment of the existing City road allowance and sight triangle at this location to provide for a continuous coordinated streetscape which accommodates for the change in grade. Although the road allowance/sight triangle will remain in municipal ownership, the Owner will be responsible for the maintenance of the landscape features through a maintenance agreement with the City. The landscaping details will be addressed through the Site Development Approval process. Final landscape plans must be to satisfaction of the Vaughan Development Planning Department and will be approved through the site plan review process, if the subject applications are approved.

The Vaughan Development Planning Department is satisfied that the conceptual site plan and conceptual building elevations, as shown on Attachments #3 to #8 inclusive, are appropriate to implement the proposed development. A complete Site Development Application(s) must be submitted for the subject lands to facilitate a comprehensive review of the proposal to ensure the provision of appropriate access, traffic circulation, parking, urban design and streetscaping, building elevations and massing, building height, landscaping and buffering, and stormwater management and engineering servicing requirements, that will be complementary to the surrounding area. The final design of the site plan application(s) should be sustainable, and designed in accordance with CEPTD (Crime Prevention Through Environmental Design) guidelines and possibly LEEDS (Leadership in Energy and Environmental Design) criteria. Additional supporting studies may be required for the Site Development review process.

#### Vaughan Engineering Department

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

a) Sewage and Water Allocation

The Vaughan Engineering Department has indicated that it has no objections to the municipal services design proposal as detailed in the Functional Servicing Report, prepared by Counterpoint Engineering, dated July 22, 2008. The Engineering Department has also indicated that in the Council minutes dated February 14, 2005, Draft Plan of Subdivision 19T-04V08 (for the Liberty lands) was granted servicing capacity for a total of 984 units, in addition to the 614 units previously allocated on April 14, 2003. The entire Liberty Subdivision was granted a total of 1,598 units of capacity. Based on development approvals to date, there is servicing capacity for 223 residential apartment units at this time. Any development in excess of 223 units requires servicing allocation by Council resolution and an additional 274 residential units are being proposed.

In accordance with the City's Servicing Capacity Distribution Protocol as adopted by Council on April 14, 2009, servicing allocation capacity for the additional 274 residential apartment units for the above noted development has not been reserved nor assigned potential future capacity at this time. Therefore, servicing allocation capacity is currently not available to support the unit increase in the proposed development. The City intends to undertake an annual review of the status of the available and unused servicing capacity and related Distribution Protocol. The availability of servicing allocation capacity for the above noted development application may be

revisited at this time based on their status. A Holding Symbol "(H)" will be required on the subject lands until Council has allocated servicing capacity for the proposed units by Council resolution. A recommendation has been included in this report to require the addition of the Holding Symbol (H).

The Vaughan Engineering Department will require a stormwater management report, lot grading plan, noise report, and external lighting plan at the site plan approval stage of the development process.

### **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 Region of York Planning Department has commented that the subject Official Plan Amendment application was considered by the Regional Development Review Committee. The subject site is designated "Urban Area" by the York Region Official Plan and is consistent with the Regional Official Plan policies that direct development to the existing built up portions of the urban areas (Section 5.2.4) and to locate intensive development along local corridors which are supported by public transit services (Section 5.6). The subject lands are located within 250 metres of the York Region Viva Transit on Centre Street and Bathurst Street. The Region will also provide additional technical comments on the proposal at the Site Development Application review stage of the process. The Region of York has granted an exemption from Regional approval for the Official Plan Amendment application. The exemption allows the Amendment to come into effect following its adoption by Vaughan Council and the expiration of the required appeal period, if approved.

### **Conclusion**

The Vaughan Development Planning Department has reviewed the Official Plan and Zoning By-law Amendment applications to facilitate the development of a proposed 4-storey, 81 unit Building "K", and 16-storey, 216 unit Building "H" proposed to be developed on the subject lands and adjacent to the previously approved 18-storey, 195 unit Building "G" as shown on Attachments #3 to #8 inclusive, along with the required site-specific exceptions to implement the proposal. These applications are consistent with the Provincial Policy Statement, particularly with respect to efficient use of land, resources, infrastructure and public service; the Growth Plan; the Region of York Official Plan; and, the City's OPA #210. The proposal is consistent with the existing land use context in the surrounding area, and represents good planning.

The proposed rezoning of the westerly portion of subject lands from RM2(H) Multiple Residential Zone with the Holding Symbol "(H)" to RA3(H) Apartment Residential Zone with the Holding Symbol "(H)" and the proposed zoning exceptions to By-law 1-88 are considered to be appropriate and will result in development that is compatible with the surrounding area. Accordingly, the Development Planning Department can support the approval of the proposed applications, subject to the recommendations in this report.

**Attachments**

1. Context Location Map
2. Location Map
3. Context Site Plan
4. Conceptual Site Plan
5. Conceptual South Elevations (Buildings G, H and K)
6. Conceptual North Elevations Facing North Park Road (Buildings G, H, and K)
7. Conceptual East Elevations (Buildings G, H and K)
8. Conceptual West Elevations Facing New Westminster Drive (Buildings G, H and K)
9. Liberty Master Plan Approved 2004

**Report prepared by:**

Laura Janotta, Planner, ext. 8791

Carmela Marrelli, Senior Planner, ext. 8212

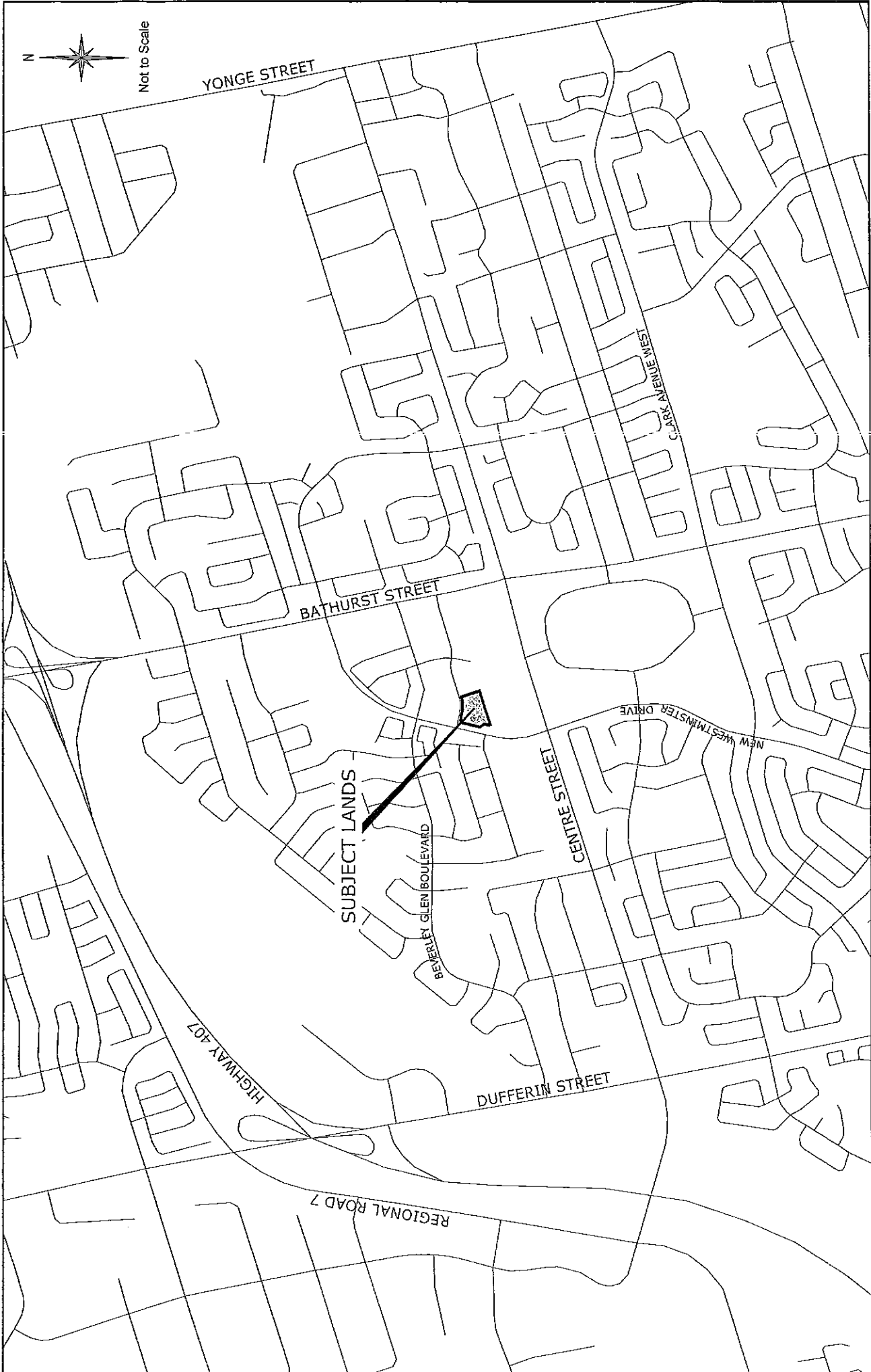
Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN ZIPAY  
Commissioner of Planning

GRANT UYEVAMA  
Director of Development Planning

/CM



SUBJECT LANDS

Attachment

File(S):  
OP.08.012 & Z.08.047

Date:  
February 23, 2010



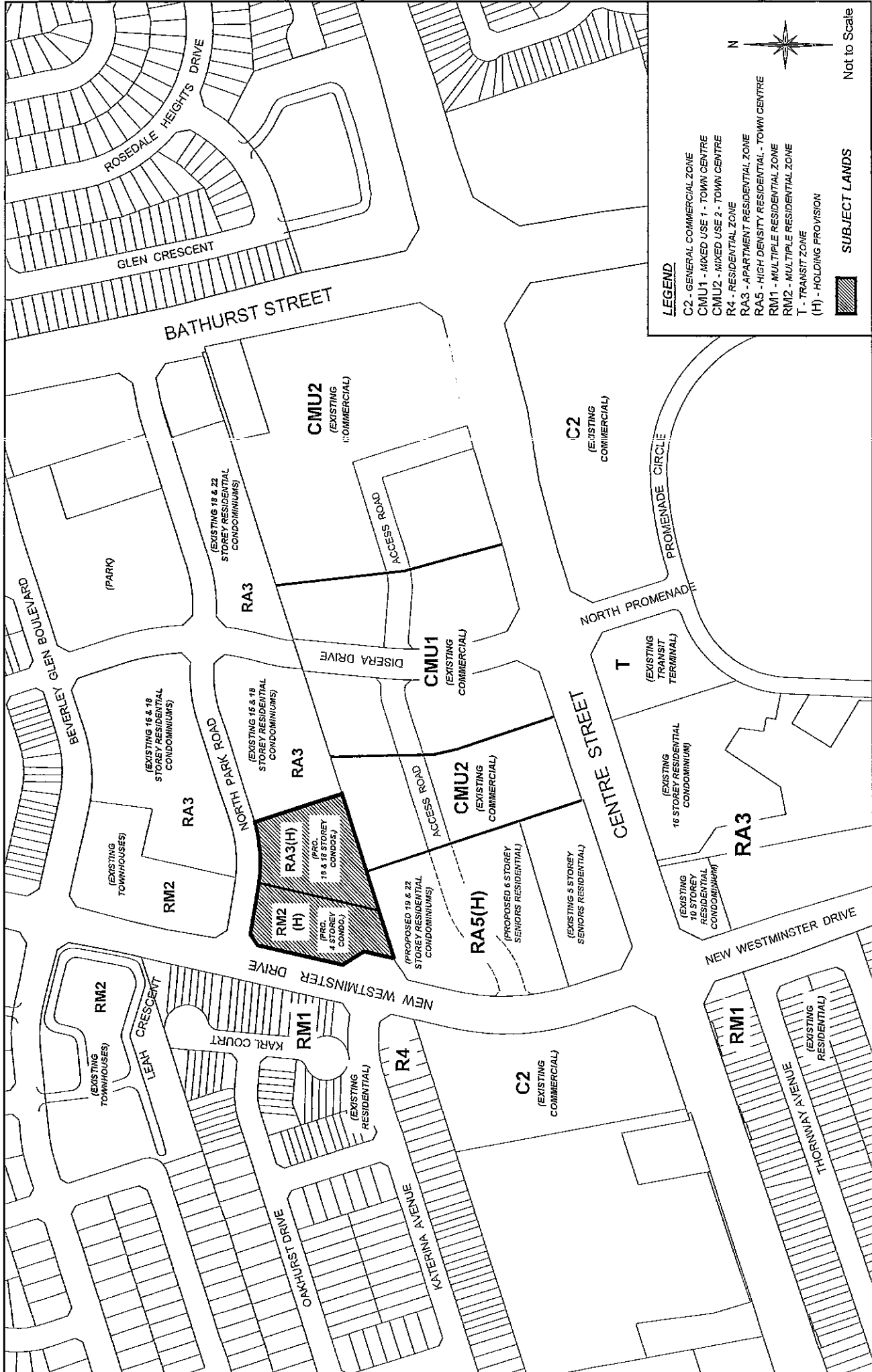
Development Planning Department

Context Location Map

Location: Part of Lot 6,  
Concession 2

Applicant:  
1541677 Ontario Limited

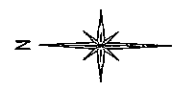
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**LEGEND**

- C2 - GENERAL COMMERCIAL ZONE
- CMU1 - MIXED USE 1 - TOWN CENTRE
- CMU2 - MIXED USE 2 - TOWN CENTRE
- R4 - RESIDENTIAL ZONE
- RA3 - APARTMENT RESIDENTIAL ZONE
- RA5 - HIGH DENSITY RESIDENTIAL - TOWN CENTRE
- RM1 - MULTIPLE RESIDENTIAL ZONE
- RM2 - MULTIPLE RESIDENTIAL ZONE
- T - TRANSIT ZONE
- (H) - HOLDING PROVISION

**SUBJECT LANDS** Not to Scale



# Location Map

Location: Part of Lot 6,  
Concession 2

Applicant:  
1541677 Ontario Limited

N:\DPT\1 ATTACHMENTS\OP\08.0122.08.047a.dwg



The City Above Toronto

Development Planning Department

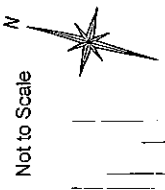
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File(s):  
OP.08.012 & Z.08.047

Date:  
February 23, 2010

# 2





Not to Scale

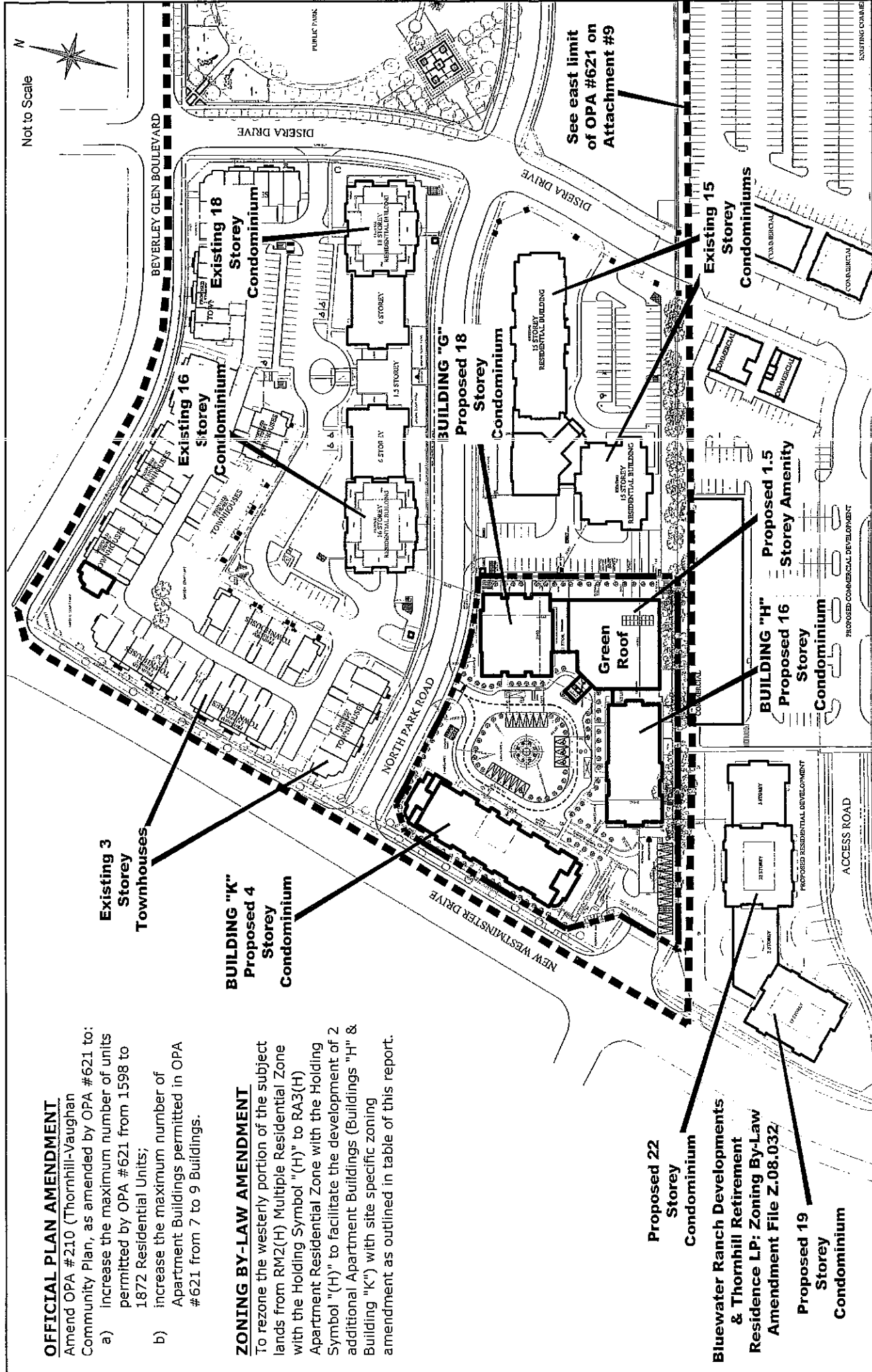
**OFFICIAL PLAN AMENDMENT**

Amend OPA #210 (Thornhill-Vaughan Community Plan, as amended by OPA #621 to:

- increase the maximum number of units permitted by OPA #621 from 1598 to 1872 Residential Units;
- increase the maximum number of Apartment Buildings permitted in OPA #621 from 7 to 9 Buildings.

**ZONING BY-LAW AMENDMENT**

To rezone the westerly portion of the subject lands from RM2(H) Multiple Residential Zone with the Holding Symbol "(H)" to RA3(H) Apartment Residential Zone with the Holding Symbol "(H)" to facilitate the development of 2 additional Apartment Buildings (Buildings "H" & Building "K") with site specific zoning amendment as outlined in table of this report.



See east limit of OPA #621 on Attachment #9

**Context Site Plan**

- Subject Lands
- Lands Subject to OPA #621 (in part)

Location: Part of Lot 6, Concession 2

Applicant: 1541677 Ontario Limited

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Development Planning Department

**Attachment**

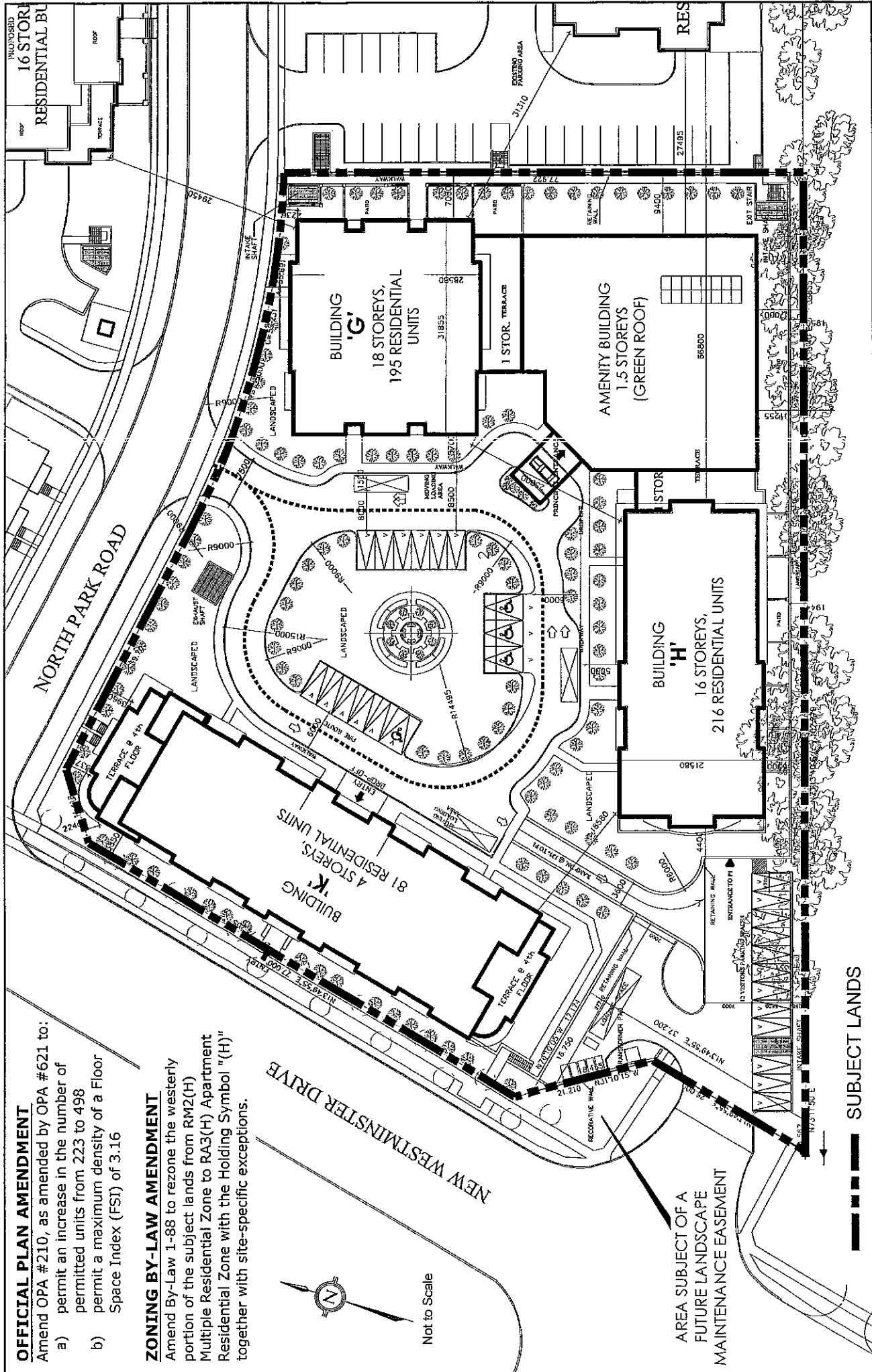
File(s): OP.08.012 & Z.08.047  
Date: February 23, 2010

**3**

- OFFICIAL PLAN AMENDMENT**  
 Amend OPA #210, as amended by OPA #621 to:
- permit an increase in the number of permitted units from 223 to 498
  - permit a maximum density of a Floor Space Index (FSI) of 3.16

- ZONING BY-LAW AMENDMENT**  
 Amend By-Law 1-88 to rezone the westerly portion of the subject lands from RM2(H) Multiple Residential Zone to RA3(H) Apartment Residential Zone with the Holding Symbol "(H)" together with site-specific exceptions.

**AREA SUBJECT OF A FUTURE LANDSCAPE MAINTENANCE EASEMENT**



# Conceptual Site Plan

Location: Part of Lot 6, Concession 2

Applicant:  
 1541677 Ontario Limited

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*The City Above Toronto*  
 Development Planning Department

# Attachment

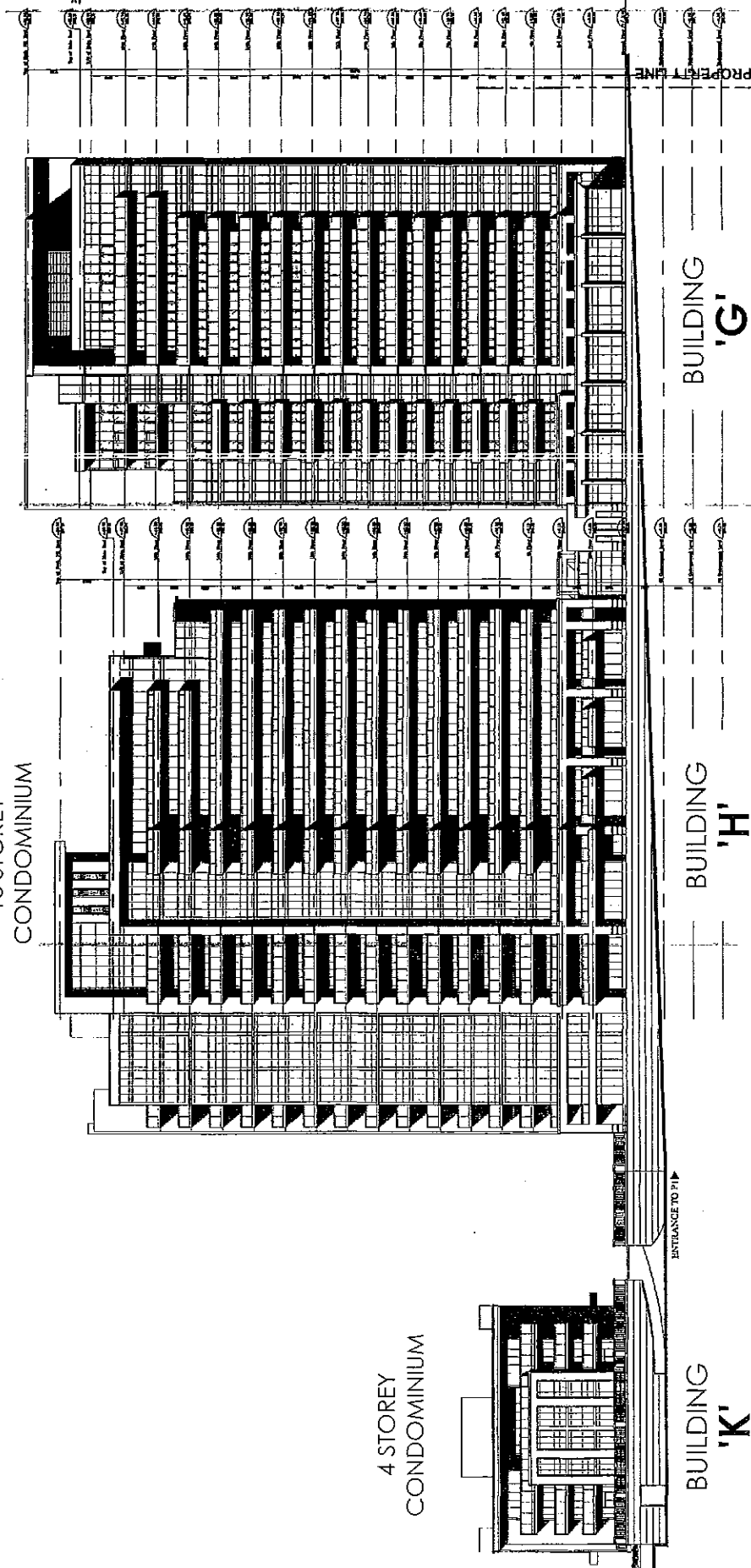
File(s):  
 OP\_08.012 & Z.08.047

Date:  
 February 23, 2010

18 STOREY  
CONDOMINIUM

16 STOREY  
CONDOMINIUM

4 STOREY  
CONDOMINIUM



BUILDING  
'K'

BUILDING  
'H'

BUILDING  
'G'

PROPERTY LINE

ENTRANCE TO PIP

Not to Scale

# Conceptual South Elevations

Location: Part of Lot 6,  
Concession 2

Applicant:  
1541677 Ontario Limited

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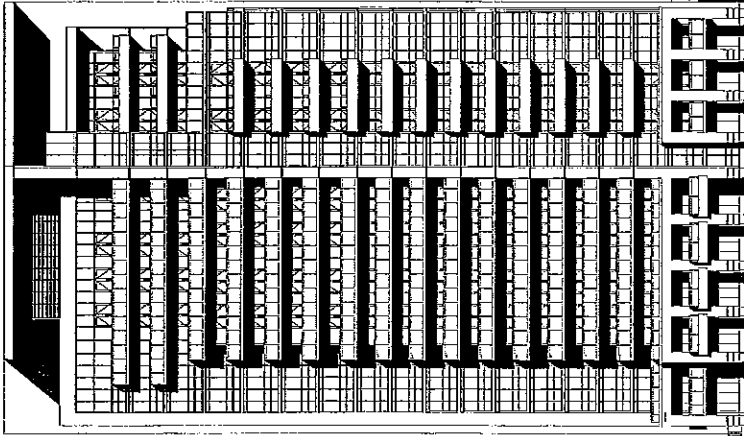
Development Planning Department

# Attachment 5

File(s):  
OP-08-012 & Z-08-047

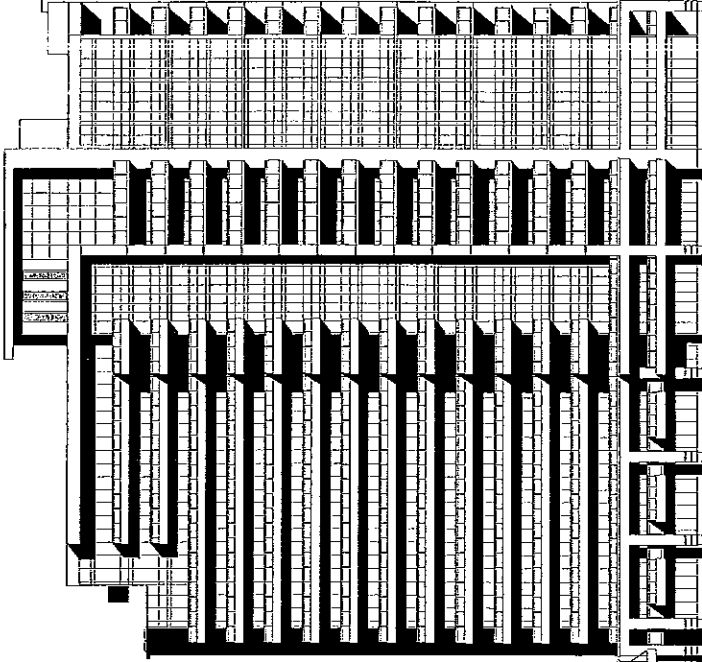
Date:  
February 23, 2010

18 STOREY  
CONDOMINIUM



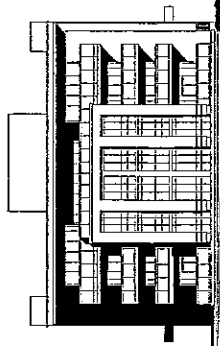
BUILDING  
'G'

16 STOREY  
CONDOMINIUM



BUILDING  
'H'

4 STOREY  
CONDOMINIUM



BUILDING  
'K'

NEW WESTMINSTER DR.

ELEVATIONS FACING NORTH PARK ROAD

Not to Scale

MAX BUILDING HEIGHT  
BY LAW - 52 m.

PROPERTY LINE

# Conceptual North Elevations - Facing North Park Road

Applicant:  
1541677 Ontario Limited

Location: Part of Lot 6,  
Concession 2

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Development Planning Department

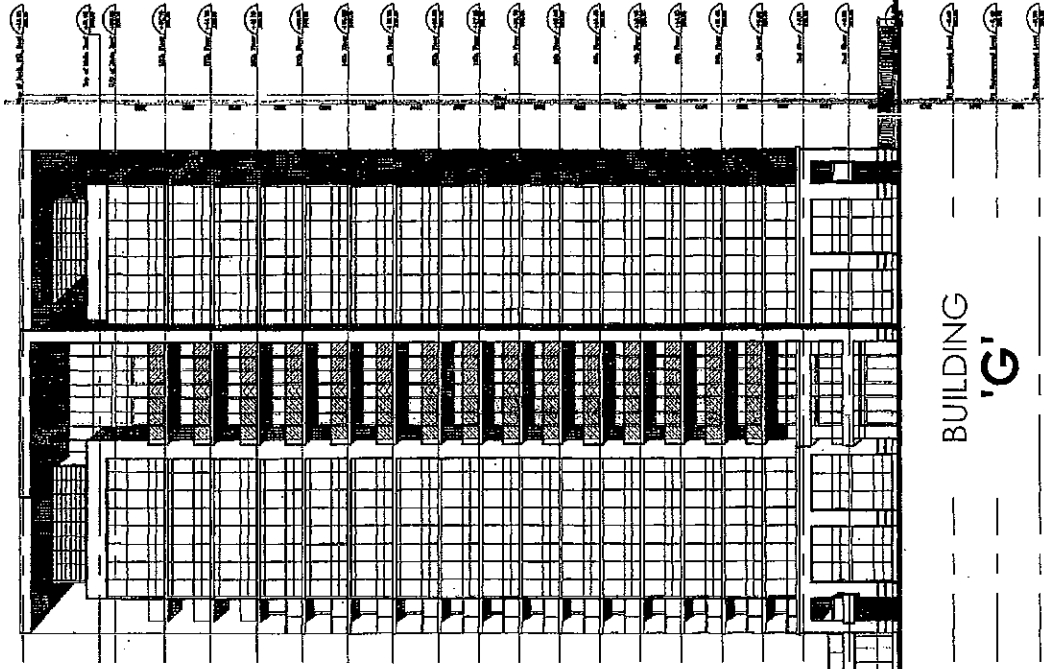
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# 6

File(s):  
OP.08.012 & Z.08.047

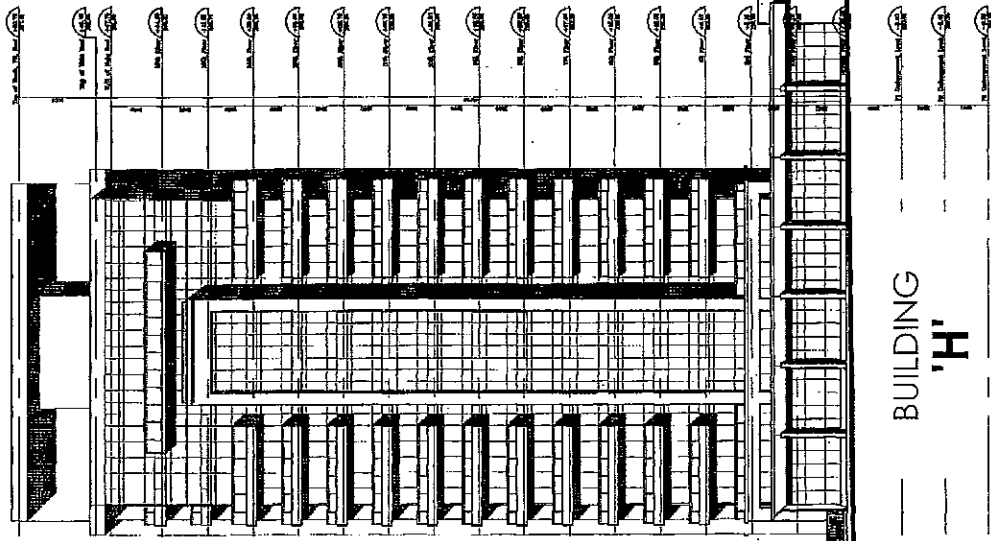
Date:  
February 23, 2010

18 STOREY  
CONDOMINIUM



BUILDING  
'G'

16 STOREY  
CONDOMINIUM



BUILDING  
'H'

PROPERTY LINE

NORTH PARK ROAD

Not to Scale

# Conceptual East Elevations

Location: Part of Lot 6,  
Concession 2

Applicant:  
1541677 Ontario Limited

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Development Planning Department

# Attachment

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OP.08.012 & Z.08.047

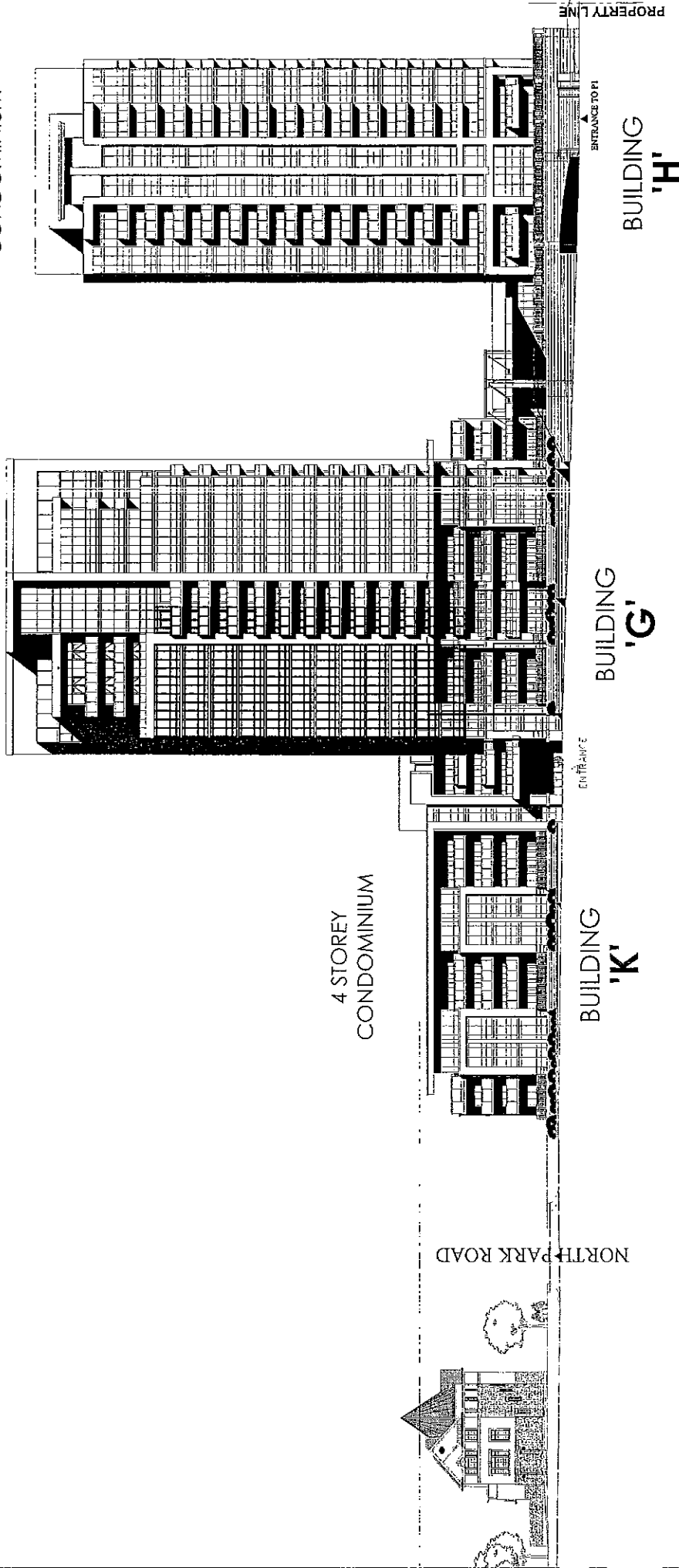
Date:  
February 23, 2010

7

18 STOREY  
CONDOMINIUM

16 STOREY  
CONDOMINIUM

4 STOREY  
CONDOMINIUM



BUILDING  
'K'

BUILDING  
'G'

BUILDING  
'H'

ELEVATIONS FACING NEW WESTMINSTER DRIVE

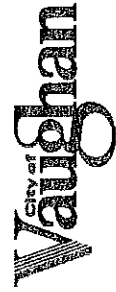
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# Conceptual West Elevations - Facing New Westminster Drive

Applicant:  
1541677 Ontario Limited

Location: Part of Lot 6,  
Concession 2

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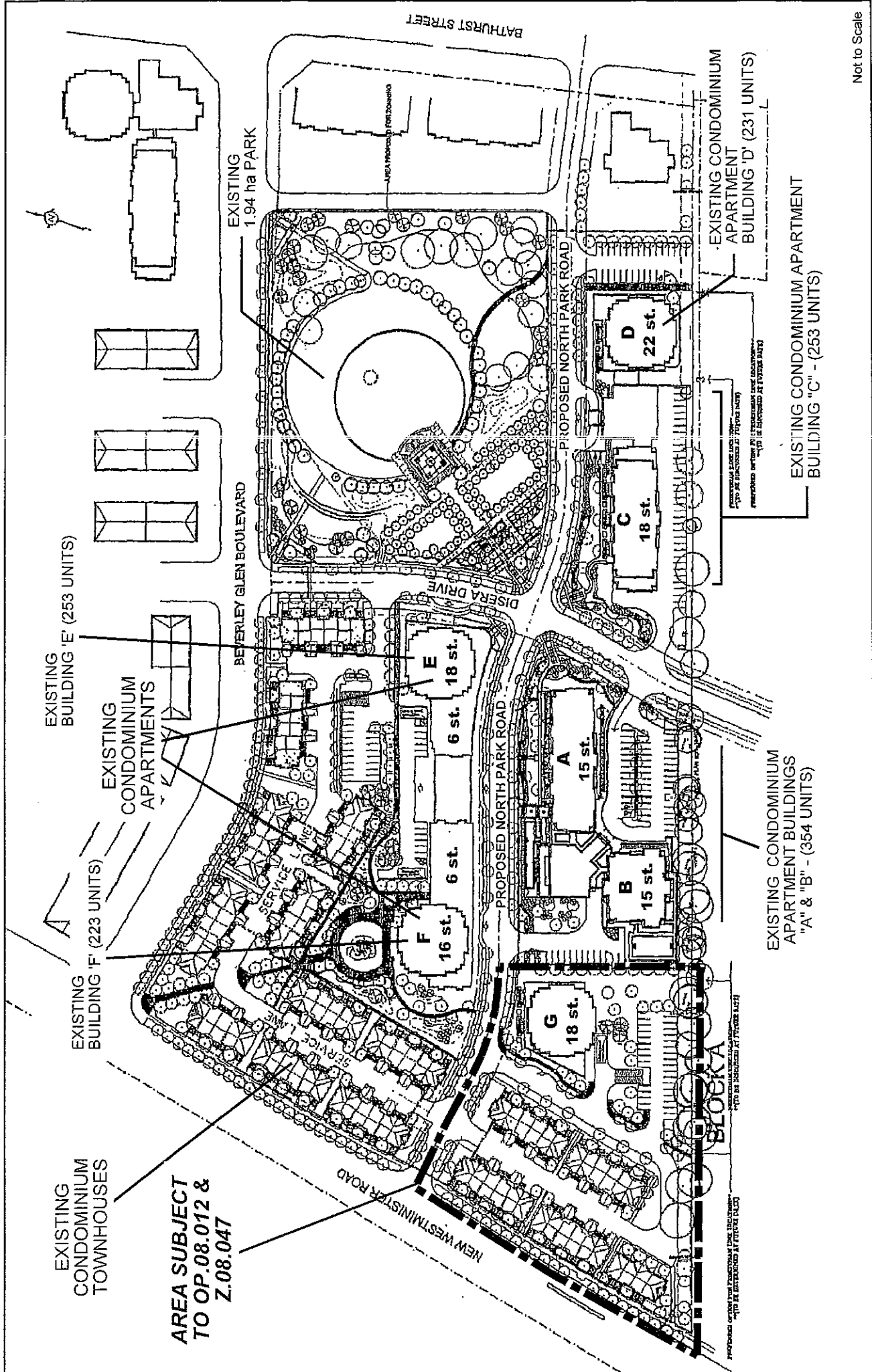
*The City Above Toronto*  
Development Planning Department

## Attachment

File(s):  
0P.08.012 & Z.08.047

# 8

Date:  
February 23, 2010



Not to Scale

**Attachment**  
 File(s): OP-08.012 & Z.08.047  
 Date: February 23, 2010

**City of Vaughan**  
*The City Above Toronto*  
 Development Planning Department

**Liberty Master Plan Approved 2004**  
**(OPA #621)**  
 Applicant: 1541677 Ontario Limited  
 Location: Part of Lot 6, Concession 2  
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