

COMMITTEE OF THE WHOLE AUGUST 31, 2010

**ZONING BY-LAW AMENDMENT FILE Z.10.026
SITE DEVELOPMENT FILE DA.10.040
1541677 ONTARIO LIMITED
WARD 5**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.10.026 (1541677 Ontario Limited) BE APPROVED, to remove the Holding Symbol "H" on Block 5 of Registered Plan 65M-3872, zoned RA3(H) Apartment Residential Zone as shown on Attachment #2, to facilitate the development of a total of 496 condominium apartment units within three buildings, comprising Building "G", 18-storeys and 203 units; Building "H", 16-storeys and 213 units; and, Building "K", 4-storeys and 80 units.
2. THAT Site Development File DA.10.040 (1541677 Ontario Limited) BE APPROVED, to permit the development of three (3) residential apartment buildings (Buildings 'G', 'H' and 'K'), subject to the following conditions:
 - a) that prior to the execution of the Site Plan Letter of Undertaking:
 - i) the final site plan, building elevations and landscape plan shall be approved by the Vaughan Development Planning Department;
 - ii) the final site grading and servicing plan, stormwater management report, noise report, and access and on-site circulation, shall be approved by the Vaughan Engineering Department; and,
 - iii) site-specific OPA #710 and Zoning By-law 134-2010 and the by-law to remove the Holding Provision "H" shall be in full force and effect;
 - b) the Site Plan Letter of Undertaking contain the following provisions:
 - i) "For residential development, the Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a Building permit, or a fixed unit rate per unit, whichever is higher in accordance with the Planning Act and the City's Cash-in-lieu Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division and the approved appraisal shall form the basis of the cash-in-lieu payment;"
 - ii) garbage and recycling collection and snow removal for the condominium apartment buildings shall be privately undertaken and the responsibility of the Owner or respective Condominium Corporation(s);
 - iii) a Structural Engineer shall provide certification to the Vaughan Building Standards Department at the time of Building Permit application that the underground roof slab has been designed to support all structures and plant materials; and,

- iii) the Owner shall satisfy all requirements with respect to noise attenuation and ensure it is in accordance with the noise attenuation features recommended by the Report entitled 'Noise Feasibility Study for Buildings 'G', 'H' and 'K', Thornhill City Centre, City of Vaughan', dated June 21, 2009, by MGC Engineering.

Contribution to Sustainability

The applicant has advised that the following sustainable features will be provided within the site and building design:

- i) green roof (Building "K" and on the amenity building in between Buildings "G" and "H");
- ii) low flush toilets;
- iii) flow controls on faucets;
- iv) shower head aerators;
- v) re-use of rain water for landscape irrigation purposes;
- vi) low-e glass windows; and,
- vii) permeable paving.

Economic Impact

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

Communications Plan

N/A

Purpose

The Owner has submitted the following applications on the subject lands shown on Attachments #1 and #2, to facilitate the development of 3 residential towers, ranging in height from 4 to 18 storeys, with a combined total of 496 residential units as shown on Attachment #3:

1. A Zoning By-law Amendment Application (File Z.10.026 - 1541677 Ontario Limited) to remove the Holding Symbol "H" on the subject lands zoned RA3(H) Apartment Residential Zone by By-law 1-88.
2. A Site Development Application (File DA.10.040 – 1541677 Ontario Limited) to facilitate the development of three apartment buildings, consisting of: an 80 unit, 4-storey building (Building 'K'); a 203 unit, 18-storey building (Building 'G'), and a 213 unit, 16-storey building (Building 'H'), as shown on Attachments #3 to #7.

Background - Analysis and Options

Location

The vacant, 1.18 ha property shown on Attachments #1 and #2, is 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.

Official Plan and Zoning

On March 9, 2010, Vaughan Council approved Official Plan Amendment File OP.08.012 and Zoning By-law Amendment File Z.08.047 (1541677 Ontario Limited) to increase the maximum

permitted density within the approved Liberty Development Master Plan (2004) from 1598 residential units to 1872 residential units (an additional 274 apartment units); and, increase the maximum number of permitted apartment buildings within the approved Liberty Development Master Plan (2004) from 7 apartment buildings to 9 apartment buildings. The implementing Official Plan Amendment (OPA #710) and Zoning By-law (By-law 134-2010) were adopted and enacted, respectively, by Council on June 8, 2010. Both OPA #710 and By-law 134-2010 have been appealed to the Ontario Municipal Board (OMB) by the adjacent easterly Condominium Corporation 1053 representing 50 and 60 Disera Drive, as discussed later in this report.

The subject lands are designated "High Density Residential" by OPA #210 (Thornhill-Vaughan Community Plan), as amended by site-specific OPA #621 and OPA #710, the latter which has been appealed to the OMB. The proposed site development conforms to the Official Plan, as amended. OPA #710 is subject to the approval of the OMB.

The subject lands are zoned RA3(H) Apartment Residential Zone with the Holding Symbol "(H)" by By-law 1-88, and further subject to Exception 9(1153), which permits: reductions to the building setbacks, landscape strips, and parking ratios; an increase in the number of units and number of buildings permitted on the site; and, has applied a Holding Provision on the subject lands, pending servicing allocation by Council. The proposed development complies with the Zoning By-law, as amended. By-law 134-2010 is subject to the approval of the OMB.

Council allocation of sewer and water capacity for this development was assigned to the subject application (DA.10.040) through the City's Servicing Capacity Distribution Protocol in effect as of June 8, 2010. Council's resolution confirmed that sewage and water supply for a total of 274 residential units was allocated to the subject site plan application, subject to confirmation from the Region of York that the required upgrades to the Duffin Creek Water Pollution Control Plant are on schedule and servicing capacity is available. The Region provided confirmation in a letter dated June 21, 2010. The 274 units of capacity is in addition to the 223 residential units of capacity remaining for the site from the previously allocated 1,598 residential units, originally assigned to the Liberty Subdivision. Allocation is now available for all 496 units proposed by this site development application. A by-law removing the Holding Symbol "(H)" will be brought forward to a future Council meeting for enactment.

Ontario Municipal Board (OMB)

On July 12, 2010, the York Region Condominium Corporation 1053, representing 50 and 60 Disera Drive, appealed OPA #710 and Zoning By-law 134-2010, on the basis that the proposed increase in density and height will result in an increase in traffic congestion; an insufficient amount of parking for the area; excessive building heights and obstructed views; wind impacts; and, loss of privacy, and that these impacts have not been addressed through OPA #710 and By-law 134-2010.

OPA #710 and By-law 134-2010 have been forwarded to the Ontario Municipal Board. A Hearing date has not yet been scheduled by the Board. The proposed development would conform to OPA #710 and By-law 134-2010, if they were full force and effect.

Site Plan Review

The site plan shown on Attachment #3, proposes a 4-storey, 80 unit apartment building (Building 'K'); an 18-storey, 203 unit apartment building (Building 'G'); and, a 16-storey, 213 unit apartment building (Building 'H') with landscaping, access and parking areas. The landscaping is shown on Attachment #4. The elevations illustrating the proposed building materials are shown on Attachments #5, #6 and #7. The entire site has been reviewed as one site plan, however, construction will take place in phases. A total of 637 parking spaces will be provided above and below grade.

The Vaughan Development Planning Department is generally satisfied with the proposed site plan, building elevations and landscaping plan, and will continue to work with the Owner to finalize the details. The final site plan, elevations and landscape plan must be approved to the satisfaction of the Development Planning Department.

Garbage and recycling collection and snow removal for the condominium apartment buildings shall be privately undertaken and the responsibility of the Owner or respective Condominium Corporation(s).

The Vaughan Engineering Department is generally satisfied with the site servicing and site grading plans and the storm water management report. The final plans and report must be approved by the Engineering Department prior to the execution of the Site Plan Letter of Undertaking.

The TRCA has reviewed the Stormwater Management Report and Functional Servicing Report for the subject lands and is satisfied with the documents, and has no objection to the proposed application.

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 has no concerns with the proposed site plan, and no Regional Site Plan Agreement is required.

Conclusion

The Site Development File DA.10.040 has been reviewed in accordance with site-specific OPA #621 as amended by OPA #710, By-law 1-88, the comments from City departments and external public agencies, and the area context. The Vaughan Development Planning Department is satisfied that the proposed development of a 4-storey, 80 unit apartment building (Building 'K'); an 18-storey, 203 unit apartment building (Building 'G'); and, a 16-storey, 213 unit apartment building (Building 'H'), with landscaping, access and parking areas as shown on Attachment #3, is appropriate and compatible with the existing and permitted uses in the surrounding area. Allocation is available for all 496 units proposed by this site development application, and a By-law removing the Holding Symbol "(H)" will be brought forward to the September 7, 2010, Council meeting. Accordingly, the Development Planning Department can support the approval of the Site Development Application, subject to conditions contained in this report. Should the Site Plan Application be approved, the Site Plan Letter of Undertaking cannot be executed until the Ontario Municipal Board has approved site-specific OPA #710 and Zoning By-law 134-2010, which have both been appealed to the Board by an adjacent Condominium Corporation.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Landscape Plan
5. Buildings 'G' & 'H' – North and South Elevations
6. Buildings 'G' & 'H' – East and West Elevations
7. Building 'K' - Elevations

Report prepared by:

Laura Janotta, Planner, ext. 8634

Christina Napoli, Acting Senior Planner, ext. 8483

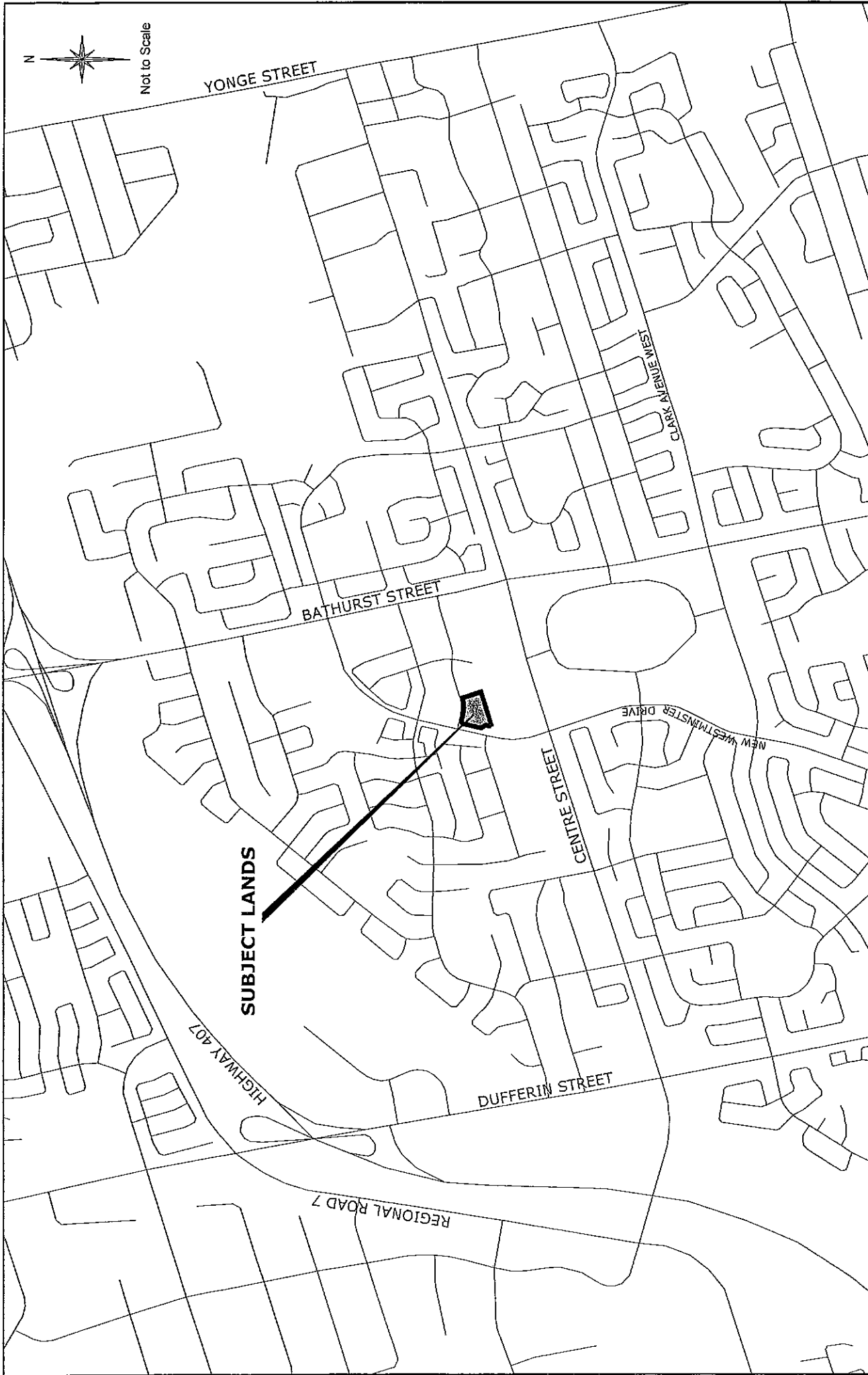
Carmela Marrelli, Acting Manager of Development Planning, ext. 8791

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

GRANT UYEYAMA
Director of Development Planning

/CM



Context Location Map

LOCATION:
Part of Lot 6, Concession 2

APPLICANT:
1541677 Ontario Limited

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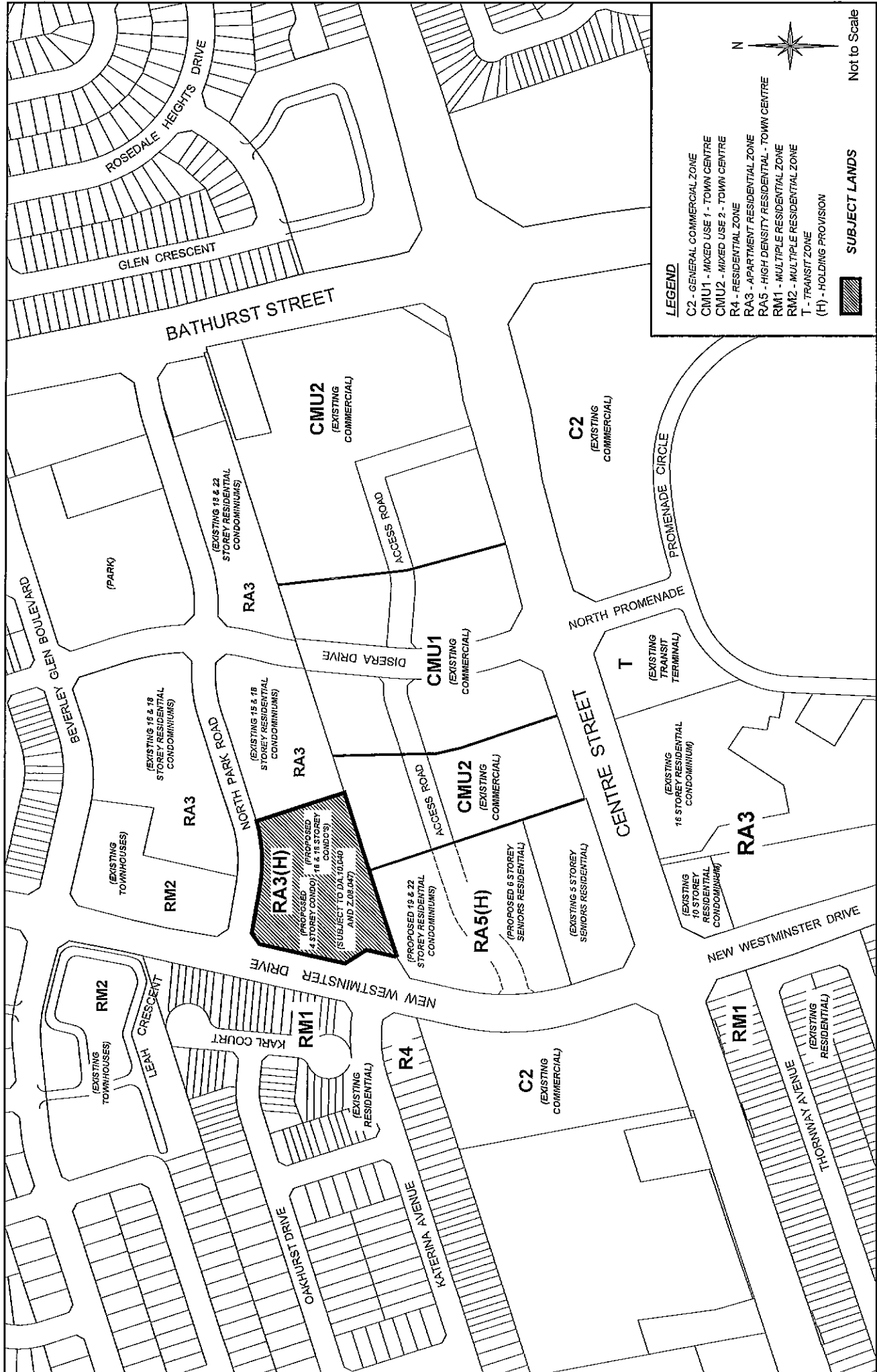


Attachment

FILES: DA.10.040 & Z.10.026
RELATED FILES: OP.08.012 & Z.08.047

1

DATE: July 23, 2010



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 [Hatched Box]

Not to Scale

Location Map

LOCATION:
Part of Lot 6, Concession 2

APPLICANT:
1541677 Ontario Limited

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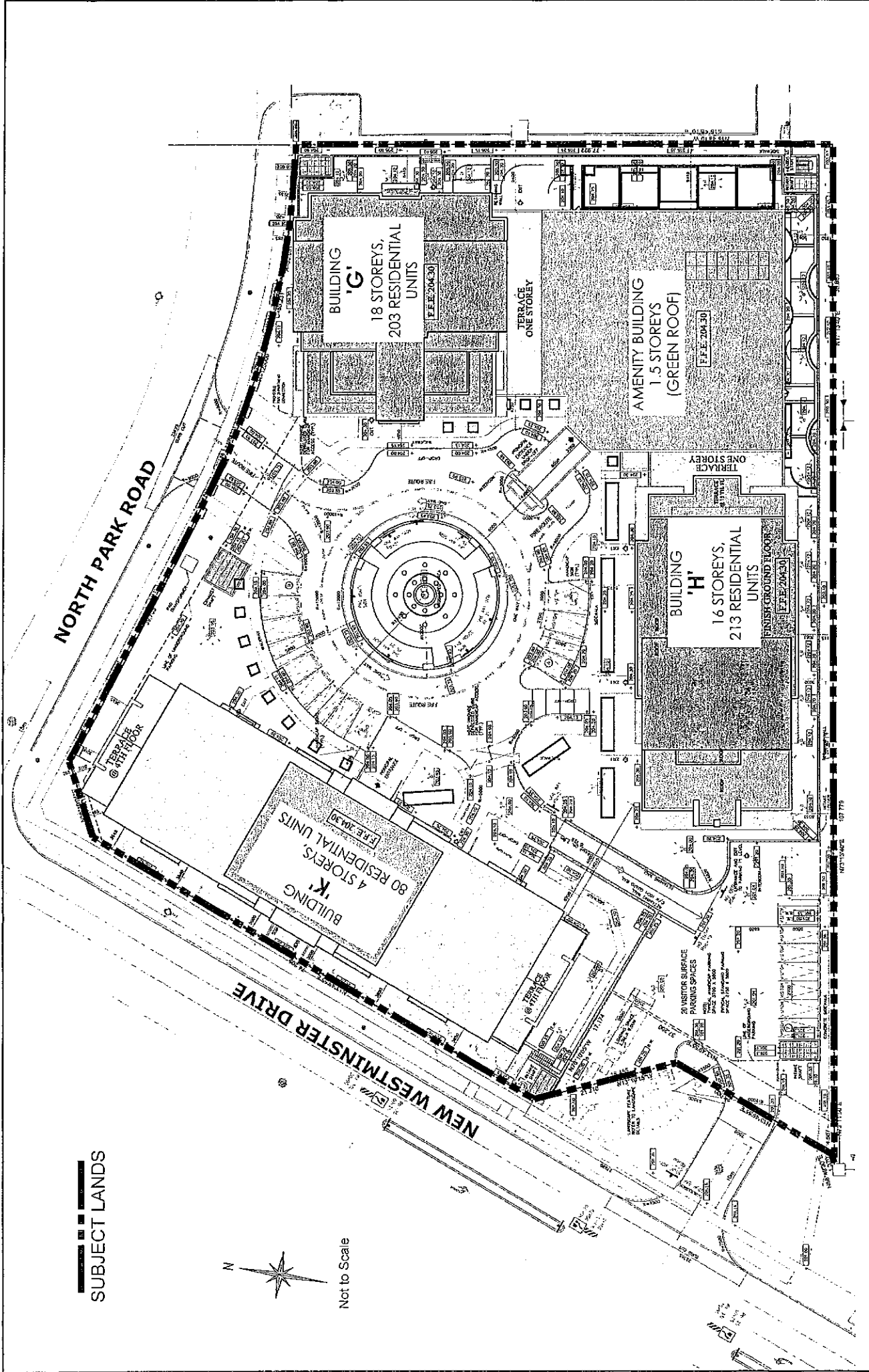


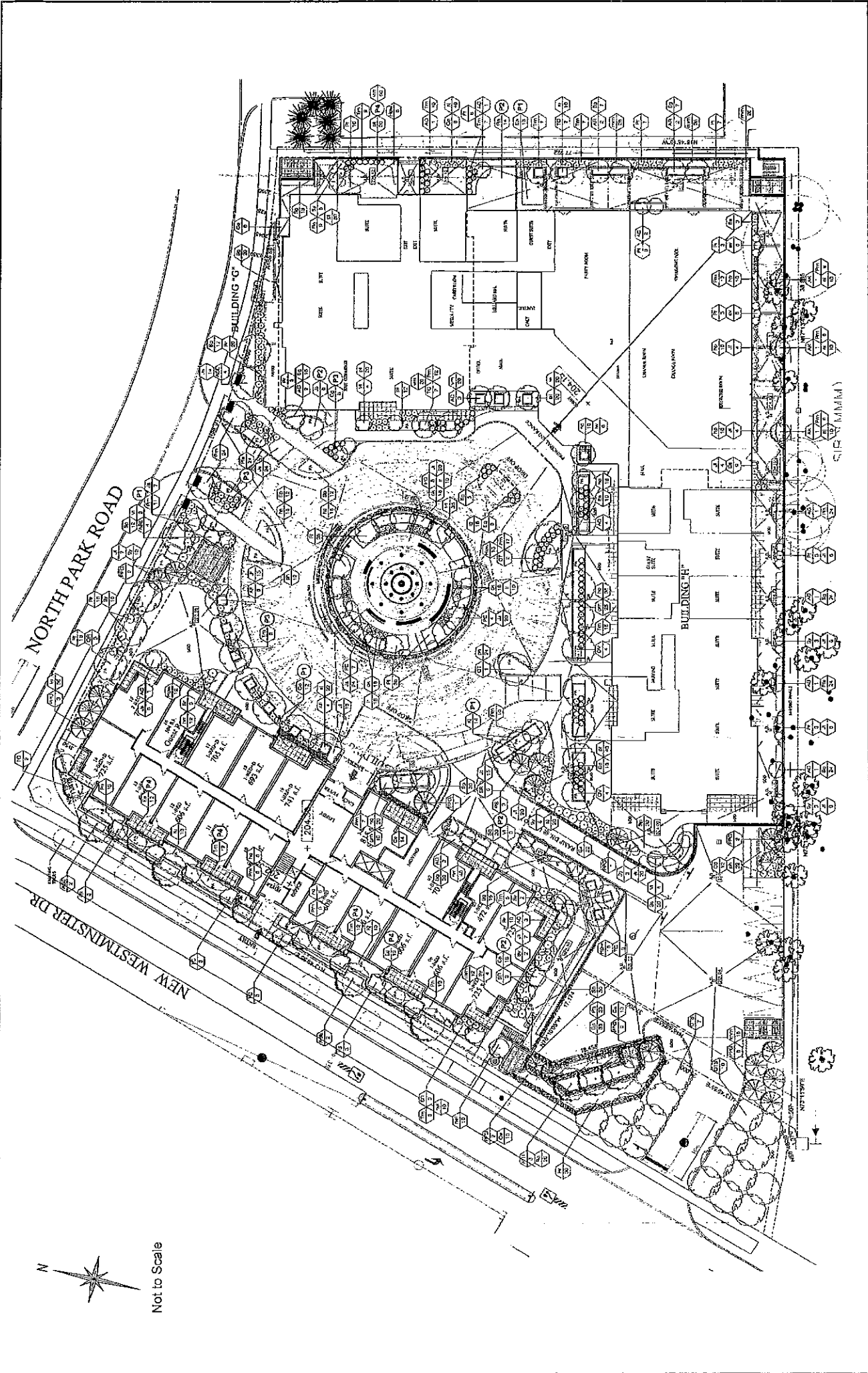
Attachment

FILES: DA.10.040 & Z.10.026
RELATED FILES: OP.08.012 & Z.08.047

DATE: July 23, 2010

2





Not to Scale

Landscape Plan

LOCATION:
Part of Lot 6, Concession 2

APPLICANT:
1541677 Ontario Limited

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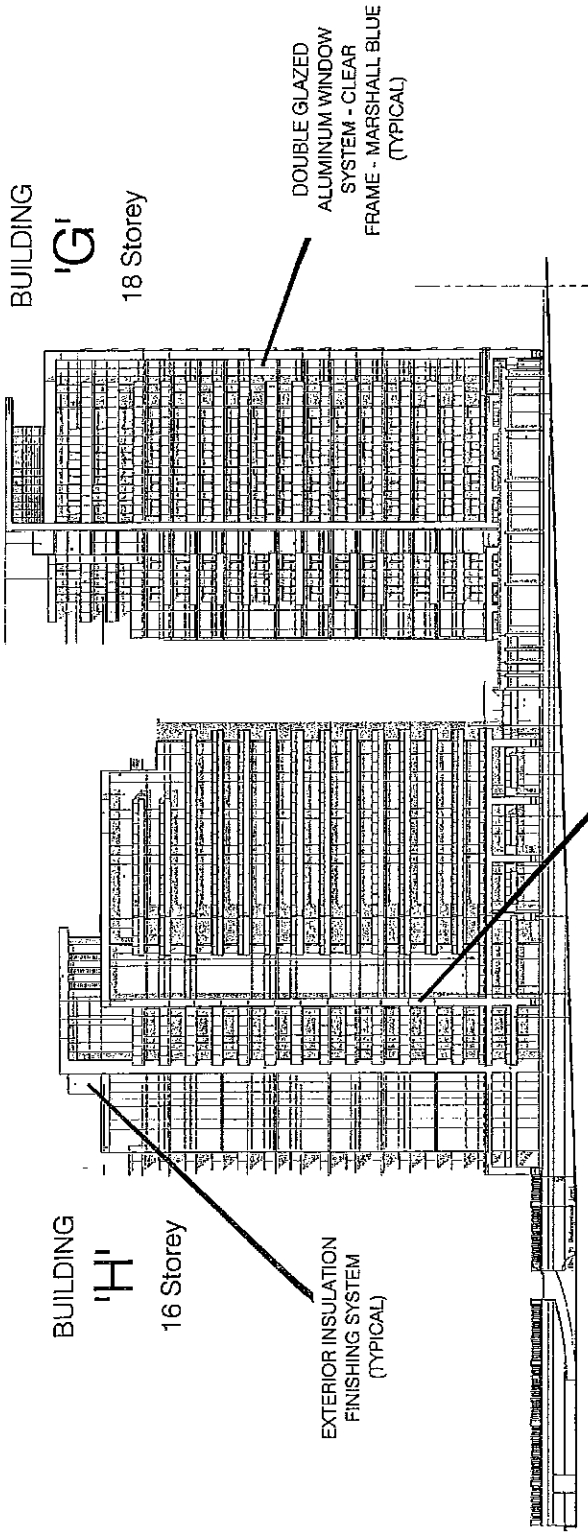


Attachment

FILES: DA.10.040 & Z.10.026
RELATED FILES: OP.08.012 & Z.08.047

4

DATE: July 23, 2010



SOUTH ELEVATION

PRECAST CONCRETE
- WHITE (TYPICAL)

DOUBLE GLAZED
ALUMINUM WINDOW
SYSTEM - CLEAR
FRAME - MARSHALL BLUE
(TYPICAL)

BUILDING
'H'
16 Storey

EXTERIOR INSULATION
FINISHING SYSTEM
(TYPICAL)

BUILDING
'G'
18 Storey

BUILDING
'G'
18 Storey

BUILDING
'H'
16 Storey

SPANDREL GLASS
ALUMINUM WINDOW
SYSTEM - WARM GREY
(TYPICAL)

NORTH ELEVATION (FACING NORTH PARK ROAD)

Not to Scale

Buildings G & H - North & South Elevations



APPLICANT:
1541677 Ontario Limited

Development Planning Department

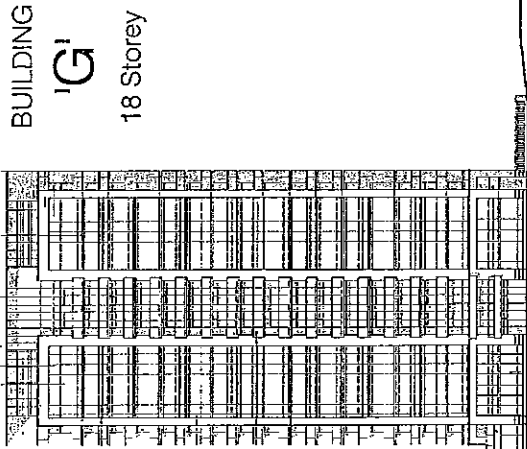
LOCATION:
Part of Lot 6, Concession 2

Attachment
FILES: DA.10.040 & Z.10.026
RELATED FILES: OP-08.012 & Z.08.047

DATE: July 23, 2010

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BUILDING
'G'
18 Storey

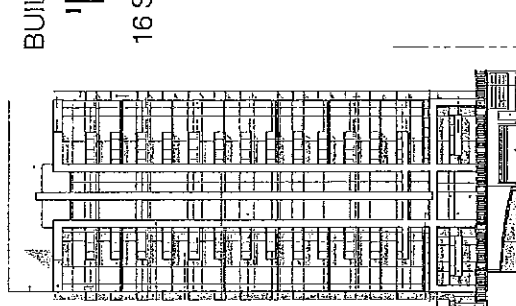


BUILDING
'H'
16 Storey

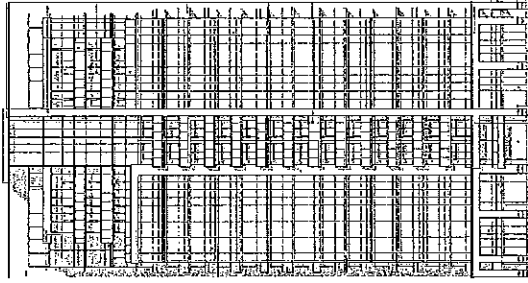


EAST ELEVATION

BUILDING
'H'
16 Storey



BUILDING
'G'
18 Storey



WEST ELEVATION

Not to Scale

Attachment

6

FILES: DA.10.040 & Z.10.026
RELATED FILES: OP.08.012 & Z.08.047

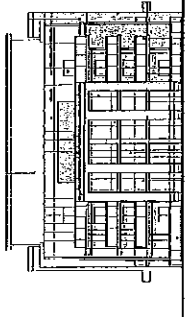
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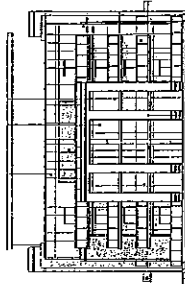
Buildings G & H -
East & West Elevations

APPLICANT: 1541677 Ontario Limited
LOCATION: Part of Lot 6, Concession 2

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SOUTH ELEVATION

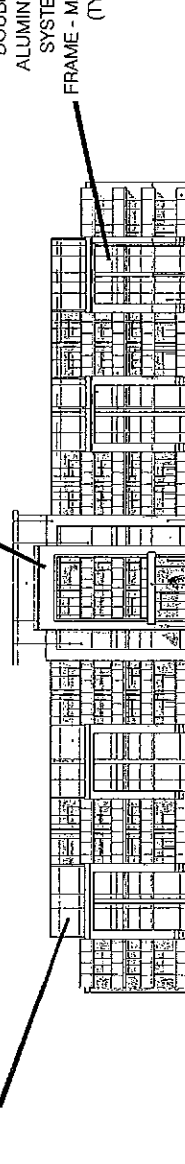


NORTH ELEVATION (FACING NORTH PARK ROAD)

SPANDREL GLASS
ALUMINUM WINDOW
SYSTEM - WARM GREY
(TYPICAL)

PRECAST CONCRETE
- WHITE (TYPICAL)

DOUBLE GLAZED
ALUMINUM WINDOW
SYSTEM - CLEAR
FRAME - MARSHALL BLUE
(TYPICAL)

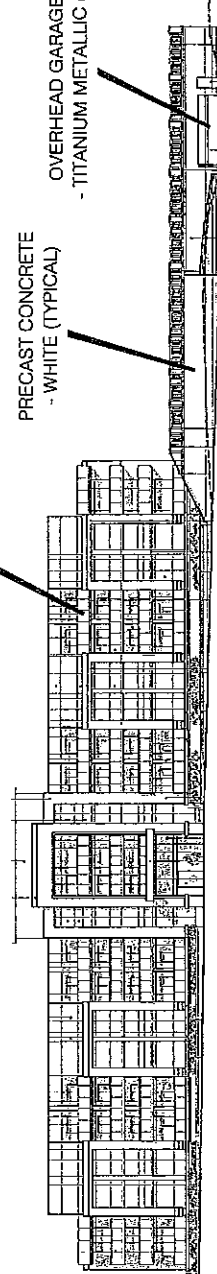


EAST ELEVATION (FACING NEW COURTYARD)

CLEAR BALCONY RAILING WITH
MARSHALL BLUE ALUMINUM
METAL FRAME (TYPICAL)

PRECAST CONCRETE
- WHITE (TYPICAL)

OVERHEAD GARAGE DOOR
- TITANIUM METALLIC (TYPICAL)



WEST ELEVATION (FACING NEW WESTMINSTER DRIVE)

Not to Scale

Building K - Elevations

LOCATION:
Part of Lot 6, Concession 2

APPLICANT:
1541677 Ontario Limited

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Development Planning Department

Attachment

FILES: DA.10.040 & Z.10.026
RELATED FILES: OP.08.012 & Z.08.047

7

DATE: July 23, 2010