

**7. OFFICIAL PLAN AMENDMENT FILE OP.06.002
 ZONING BY-LAW AMENDMENT FILE Z.06.005
 1668872 ONTARIO INC. (ROYAL PINE HOMES)
 WARD 3**

P.2011.26

Recommendation

The Director of Development Planning recommends:

THAT the Public Hearing report for Files OP.06.002 and Z.06.005 (1668872 Ontario Inc. [Royal Pine Homes]) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

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: May 20, 2011
- b) Circulation Area: 150 m and Millwood Woodend Ratepayers' Association
- c) Written Comments Received as of June 8, 2011 as follows:
 - i) Dan Botham, 209 Via Teodoro, resident, correspondence dated June 3, 2011, respecting his objection to the proposed land use and density being incompatible and inappropriate with the existing community (low density and estate residential uses) and natural areas (valleylands and woodlots).

Purpose

The Owner has submitted the following applications on the subject lands shown on Attachments #1 and #2, to facilitate the development of a 6-storey apartment building, with a maximum of 98 self-contained apartment units, to be marketed as an adult lifestyle development as shown on Attachment #3:

1. Official Plan Amendment File OP.06.002 to amend OPA #600, specifically to redesignate the tableland portion of the subject lands (Limit of Development), as shown on Attachment #2, from "Valley Lands" and "Estate Residential" to "High Density Residential/Commercial".
2. Zoning By-law Amendment File Z.06.005 to amend Zoning By-law 1-88, specifically to rezone the subject lands (9909 and 9939 Pine Valley Drive) from A Agricultural Zone and RR Rural Residential Zone to RA2 Apartment Residential Zone (Tableland - Limit of Development), OS1 Open Space Conservation Zone (Valleylands) and OS4 Open Space Woodlot Zone (Tableland Woodlot), in the manner shown on Attachment #2, and to permit the following site-specific zoning exceptions to the RA2 Apartment Residential Zone:

	By-law Standard	Zoning By-law 1-88, RA2 Apartment Residential Zone Requirements	Proposed Exceptions to RA2 Apartment Residential Zone Requirements
a.	Definitions	“Lot” means a parcel of land fronting on a street separate from any abutting land to the extent that a consent contemplated by Section 49 of the Planning Act, R.S.O. 1983 would not be required for its conveyance. For the purpose of this paragraph, land defined in an application for a building permit shall be deemed to be a parcel of land and a reserve shall not form part of the lot.	“Lot” to deem the two existing lots to be one lot regardless of the number of buildings or structures erected and regardless of any conveyances, easements, or condominiums, and whether the buildings or structures have or do not have a common basement or are or are not connected below or above finished grade.
b.	Portions of a Building Below Grade	Minimum setback from the front lot line and the exterior lot line to the nearest part of a building below finished grade - 1.8 m	Minimum setback from the front lot line for the underground parking structure – 0 m
c.	Permitted Uses	No lands in an OS1 Open Space Conservation Zone shall be used in calculating the lot frontage, lot area, coverage or yards required by By-law 1-88 for uses for adjacent zones.	The OS1 Open Space Conservation Zone lands to be included in the calculation of lot frontage, lot area, lot coverage and yard setbacks for the proposed RA2 Zone.
d.	Minimum Interior Side Yard Requirement (South)	22 m	5 m

Other zoning exceptions may be identified through the detailed review of the applications.

Background - Analysis and Options

<p style="text-align: center;">Location</p>	<ul style="list-style-type: none">▪ East side of Pine Valley Drive, south of Major Mackenzie Drive in Part of Lots 19 and 20, Concession 6, known municipally as 9909 and 9939 Pine Valley Drive, City of Vaughan, shown as "Subject Lands" on Attachments #1 and #2.▪ The subject lands have frontage of 171 m on Pine Valley Drive and a site area of 5.04 ha, which is comprised of 0.85 ha for the proposed 6-storey apartment building site, 1.5 ha for the existing valleylands and 2.685 ha for the existing tableland woodlot in the easterly portion of the subject lands, as shown on Attachment #2.
<p style="text-align: center;">Official Plan Designation</p>	<ul style="list-style-type: none">▪ The subject lands are designated "Estate Residential", "Valley Lands" and "Tableland Woodlots" by OPA #600, as shown on Attachment #4, which does not permit the proposed high density development.▪ The "High Density Residential - Commercial" designation in OPA #600 permits apartment uses to a maximum of 12 storeys, and a maximum permitted density of between 60 to 150 units per ha with an average density of a minimum of 115 units per ha. <p>The lands located within the "Limit of Development" as shown on Attachment #2 are proposed to be redesignated to "High Density Residential-Commercial" under OPA #600 for 98 apartment dwelling units within a 6 storey building at a density of 115.29 units per ha.</p> <ul style="list-style-type: none">▪ The subject lands are designated "Low-Rise Residential" and "Natural Areas" (Attachment #5) by the City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010, and is pending final approval from the Region of York. The "Low-Rise Residential" designation permits detached, semi-detached and townhouse dwelling units, and public and private institutional buildings, in a low-rise form no greater than 3 storeys.▪ The proposal does not conform to OPA #600 or VOP 2010, and an application to amend the Official Plan has been submitted.
<p style="text-align: center;">Zoning</p>	<ul style="list-style-type: none">▪ The subject lands are zoned A Agricultural Zone and RR Rural Residential Zone by Zoning By-law 1-88, which permits agricultural and detached residential dwelling uses.▪ The subject lands shown on Attachment #2 (9909 and 9939 Pine Valley Drive) are proposed to be rezoned from A Agricultural Zone and RR Rural Residential Zone in the manner as follows:

	<ul style="list-style-type: none"> i) RA2 Apartment Residential Zone (Limit of Development) to facilitate the 6-storey (44 m high) apartment building on the tableland, with a maximum of 98 self-contained apartment units; ii) OS1 Open Space Conservation Zone (Valleylands) to maintain the valleylands on 1.5 ha; and, iii) OS4 Open Space Woodlot Zone (Tableland Woodlot) to maintain the tableland woodlot on 2.685 ha. <ul style="list-style-type: none"> ▪ The proposal does not comply with the current zoning of the property, and therefore, an application to amend Zoning By-law 1-88 has been submitted.
<p>Surrounding Land Uses</p>	<ul style="list-style-type: none"> ▪ Shown on Attachment #2.

Previous Files

On April 3, 2006, a Public Hearing was held for Files OP.06.002 and Z.06.005 (1668872 Ontario Inc. [Royal Pine Homes]) to amend the Official Plan (OPA #600) and Zoning By-law 1-88 to redesignate and rezone the southerly portion of the subject lands (9909 Pine Valley Drive) for the development of a 5-storey apartment building on the tableland, with a maximum of 60 self-contained apartment units, to be marketed as an adult lifestyle development on 0.56 ha. The recommendation of the Committee of the Whole to receive the Public Hearing report on April 3, 2006, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Council on April 10, 2006.

The Owner acquired the northerly portion of the subject lands (9939 Pine Valley Drive) shown on Attachment #2, and subsequently modified the applications thereby requiring a new Public Hearing. On March 25, 2008, a Public Hearing was held for Files OP.06.002 and Z.06.005 (1668872 Ontario Inc. [Royal Pine Homes]) to amend the Official Plan (OPA #600) and Zoning By-law 1-88 to redesignate and rezone the subject lands (9909 and 9939 Pine Valley Drive) from "Valley Lands" and "Estate Residential" to "High Density Residential/Commercial" (Limit of Development) and to amend Zoning By-law 1-88 on the subject lands (9909 and 9939 Pine Valley Drive) for the development of a 9-storey apartment building on the tableland, with a maximum of 132 self-contained apartment units, to be marketed as an adult lifestyle development on 1.1 ha. The recommendation of the Committee of the Whole to receive the Public Hearing report on March 25, 2008, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Council on March 27, 2008.

The Owner advised that the 2.685 tableland woodlot as shown on Attachment #2 would be conveyed to the City as part of the Owner's obligations under the Block 39 Developer's Group Agreement.

Previously, on February 25, 2002, Council approved Site Development File DA.01.069 (Rodriguez Holding Corp. [Woodbridge Private School]) to facilitate the development of the southerly portion of the subject lands (9909 Pine Valley Drive) with a 1-storey private school having a gross floor area of 2,208.62 m², 21 parking spaces and a septic field. A condition of approval required the applicant to enter into a separate agreement with the City concerning the City's acquisition of a designated 2.685 ha tableland woodlot located on the Owner's overall land holdings as required by OPA #600. On September 27, 2002, the Site Development Agreement

was forwarded to the applicant, however, it was never executed or registered and the separate agreement for the City's acquisition of the woodlot did not occur.

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	COMMENT(S)
a.	Conformity with Provincial Policies, and Regional and City Official Plans	<ul style="list-style-type: none"> ▪ The applications will be reviewed in consideration of the applicable Provincial policies and Regional Official Plan. ▪ The applications will be reviewed in consideration of the applicable policies of OPA #600 and the new City of Vaughan Official Plan 2010, which is pending final approval from the Region of York.
b.	Appropriateness of Proposed Use and Zoning Exceptions	<ul style="list-style-type: none"> ▪ The appropriateness of permitting the proposed use and exceptions to Zoning By-law 1-88 on the subject lands will be reviewed in consideration of, but not limited to, the surrounding existing and planned land uses, built form compatibility, accessibility to community services, parkland dedication, servicing, the protection of natural features and the appropriate development standards.
c.	Development Standards	<ul style="list-style-type: none"> ▪ The Owner is proposing three specific development standards that are not exceptions to Zoning By-law 1-88, but will be reviewed for their appropriateness: <ul style="list-style-type: none"> i. a 5 m structural setback for a building or structure above or below grade from an OS1 Open Space Conservation Zone, whereas 10 m is typically provided; ii. a 6 m ecological buffer to an OS1 Open Space Conservation Zone, whereas 10 metres is typically provided; and, iii. providing a garbage and refuse container external to the building, whereas the City's Waste Collection Design Standards Policy requires that all refuse and recycling containers to be located within a building.
d.	Urban Design and Architectural Guidelines	<ul style="list-style-type: none"> ▪ The proposed development must conform to the applicable Urban Design Guidelines and Architectural Design Guidelines for the Block 39 Community, if approved.

	MATTERS TO BE REVIEWED	COMMENT(S)
e.	Future Site Plan Application	<ul style="list-style-type: none"> ▪ A future Site Plan Application will be required to facilitate the development of the subject lands to ensure appropriate building and site design including built form, materials, pedestrian access, underground driveway ramp, internal refuse containment area, screening of service uses and amenity space, exterior lighting, access, internal traffic circulation, parking, landscaping, servicing and grading, if the applications are approved.
f.	Additional Studies	<ul style="list-style-type: none"> ▪ The Owner submitted traffic impact and environmental noise analysis reports, and site servicing, grading and storm tributary and landscape drawings for the previous applications, which will be updated to reflect the current proposal and submitted for review by the appropriate City Departments and Public Agencies.
g.	Watercourse Restoration Plan	<ul style="list-style-type: none"> ▪ In July 2010, the Toronto and Region Conservation Authority (TRCA) approved a TRCA Permit under Ontario Regulation 166/06 to facilitate grading operations within the Regulated Area and the Regional Storm Flood Plain and the alteration of a tributary of the Humber River, in order to implement restoration works relating to the stream realignment, fish habitat enhancements and combined riparian plantings. ▪ The proposed structural setbacks, ecological buffers, and the disposition of the valleylands must be reviewed and approved by the Toronto and Region Conservation Authority (TRCA) and the City.
h.	Sustainable Development	<ul style="list-style-type: none"> ▪ Opportunities for sustainable design, including CEPTD (Crime Prevention Through Environmental Design), LEEDS (Leadership in Energy and Environmental Design), permeable pavers, bio-swales, drought tolerant landscaping, 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.	Phase 1 Environmental Report	<ul style="list-style-type: none"> ▪ The Phase 1 ESA submitted in support of the applications must be updated and approved to the satisfaction of the Vaughan Development/Transportation Engineering Department. The Owner must submit a Record of Site Condition acknowledged by an Officer of the Ministry of the Environment, to the satisfaction of the Vaughan Development/Transportation Engineering Department.

	MATTERS TO BE REVIEWED	COMMENT(S)
j.	Servicing and Allocation	<ul style="list-style-type: none"> ▪ The proposed development must be in accordance with the Regional infrastructure phasing plan identified in the 2009 Water and Wastewater Master Plan Update. ▪ The City's servicing infrastructure requirements, including sanitary, water and stormwater management, are to be identified, to the satisfaction of the City, including if there are any cost sharing requirements due to the Block 39 Plan, should the application proposal be approved. ▪ The availability of water and sanitary sewage servicing capacity must be identified and allocated by Council, if approved.
k.	Parkland	<ul style="list-style-type: none"> ▪ The provision of parkland dedication and/or cash-in-lieu of parkland in accordance with the Planning Act and City's Cash-in-lieu of Parkland Policy is required, if approved.

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.

Attachments

1. Context Location Map
2. Location Map
3. Concept Site Plan
4. OPA #600 Schedule "B" Land Uses - Vellore Urban Village 1
5. City of Vaughan Official Plan 2010-Schedule 13M - Land Use

Report prepared by:

Judy Jeffers, Planner, ext. 8645

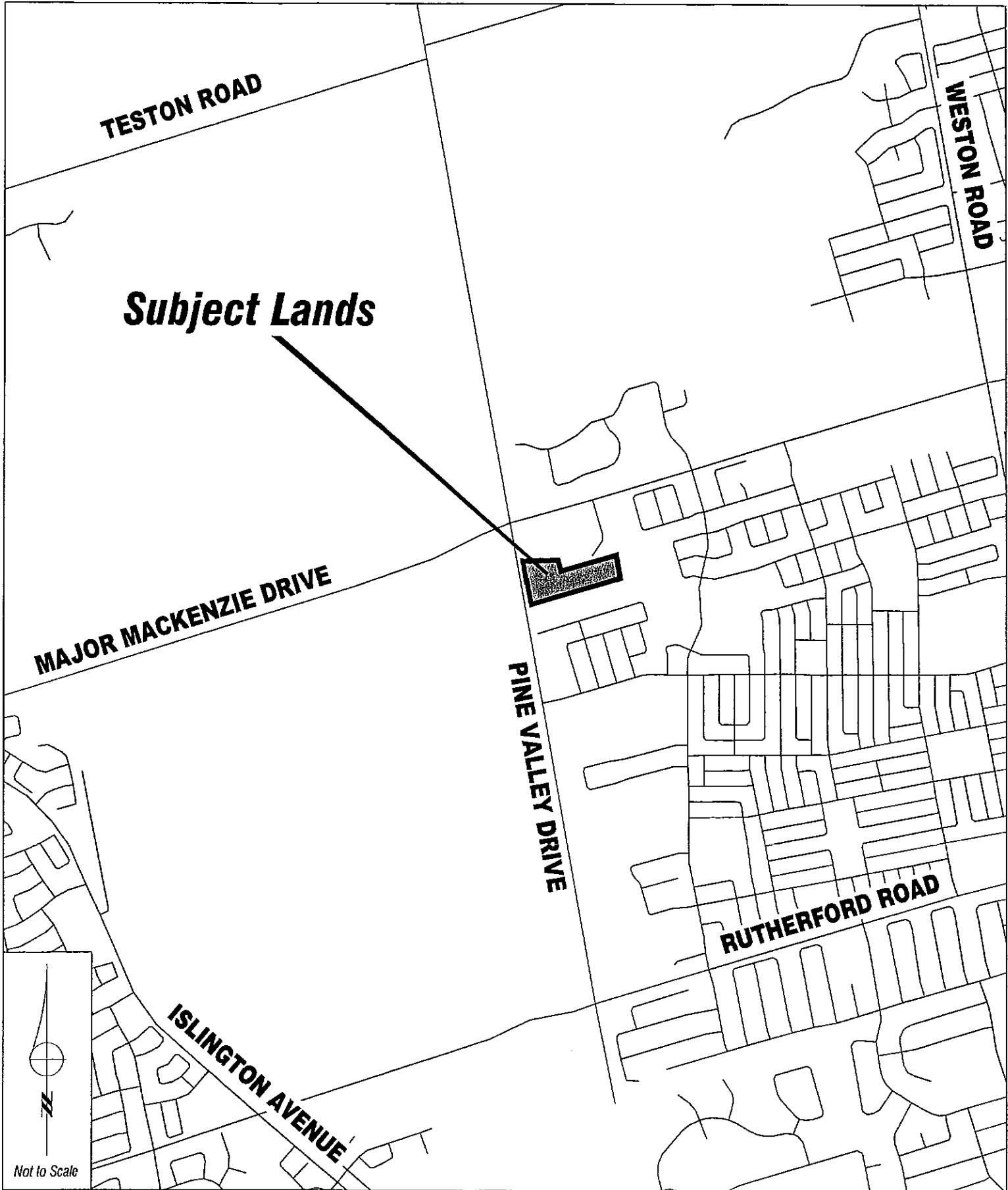
Carmela Marrelli, Senior Planner, ext. 8791

Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

GRANT UYEHAMA
Director of Development Planning

/LG



Context Location Map

LOCATION:
Part Lots 19 & 20, Concession 6

APPLICANT:
1668872 Ontario Inc.

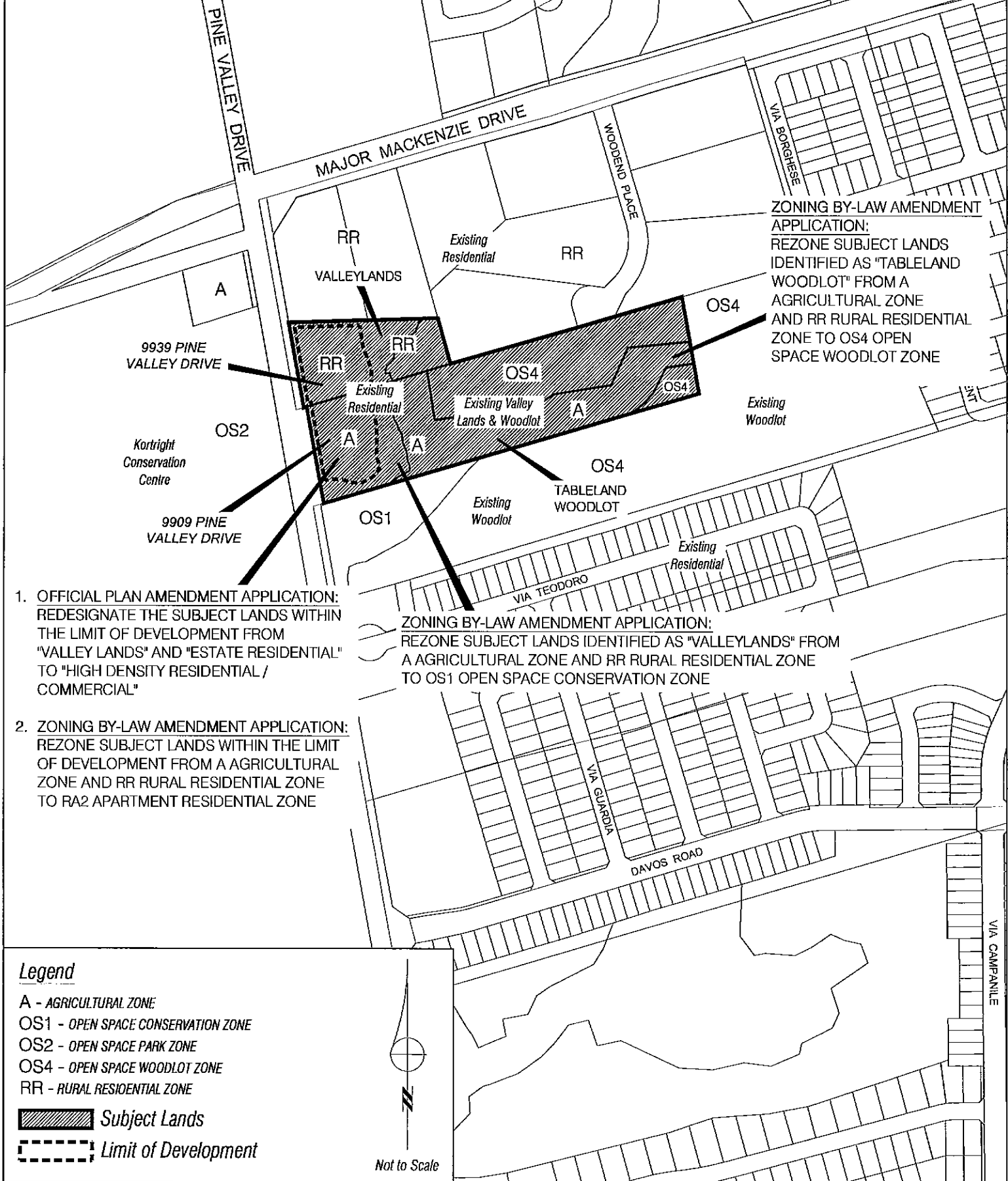
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Attachment

FILES:
OP.06.002, Z.06.005

DATE:
May 19, 2011



Location Map

LOCATION:
 Part Lots 19 & 20, Concession 6

APPLICANT:
 1668872 Ontario Inc.

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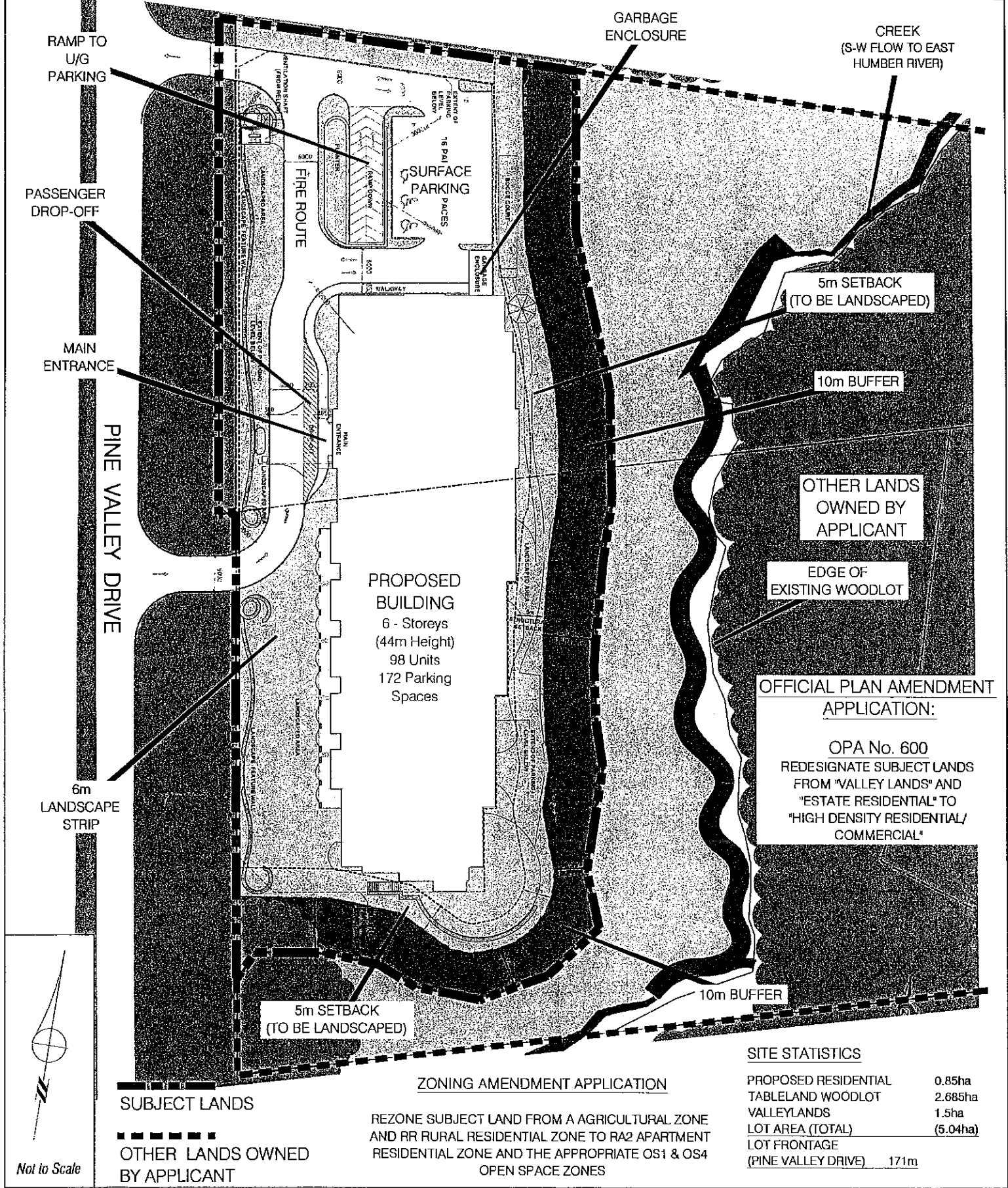


Attachment

FILES:
 OP.06.002, Z.06.005

DATE:
 June 1, 2011

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Concept Site Plan

LOCATION:
 Part Lots 19 & 20, Concession 6

APPLICANT:
 1668872 Ontario Inc.

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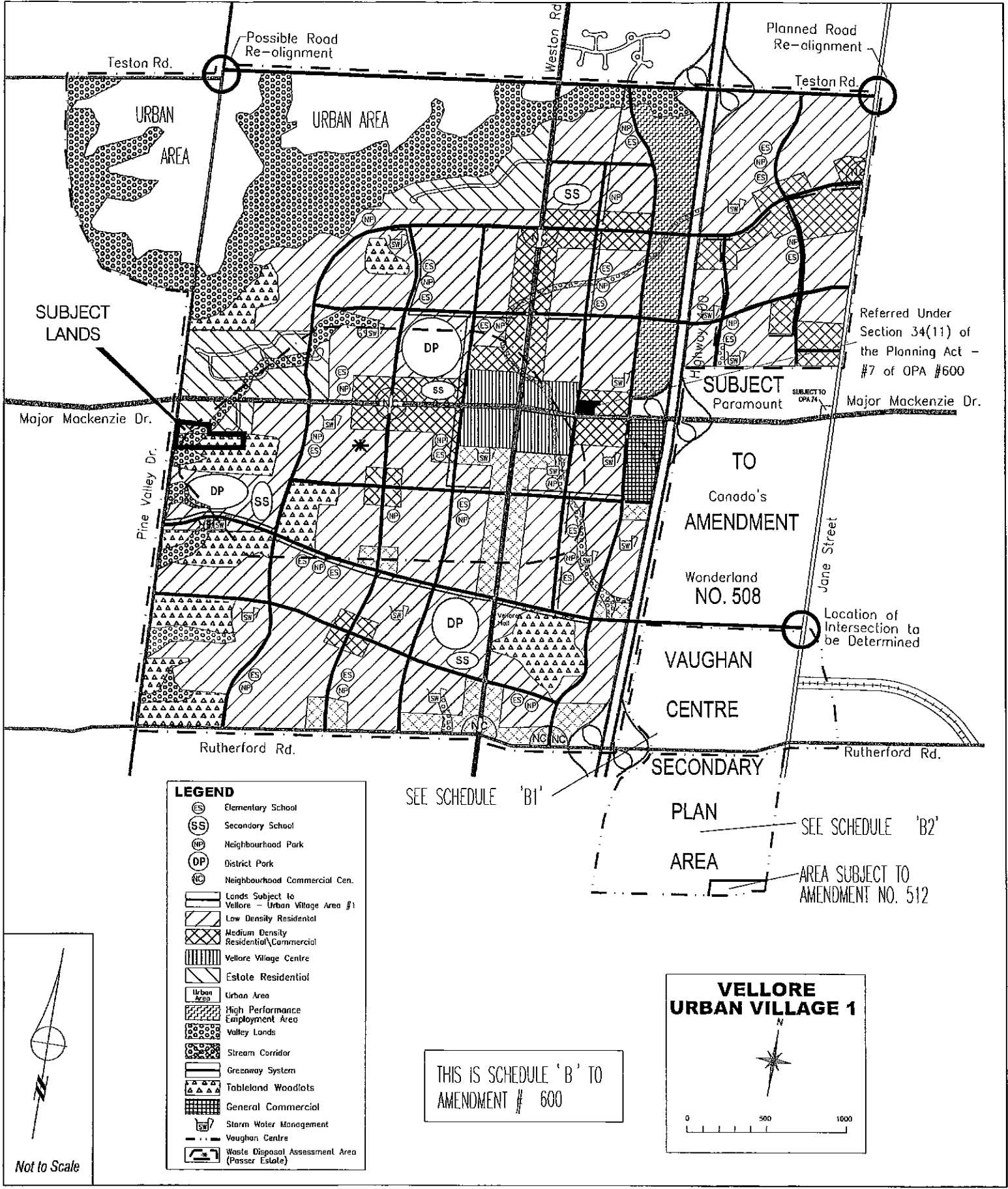


Attachment

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 OP.06.002, Z.06.005

DATE:
 June 1, 2011

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OPA 600 - Schedule 'B' Vellore Urban Village 1



Attachment

FILES:
OP.06.002, Z.06.005

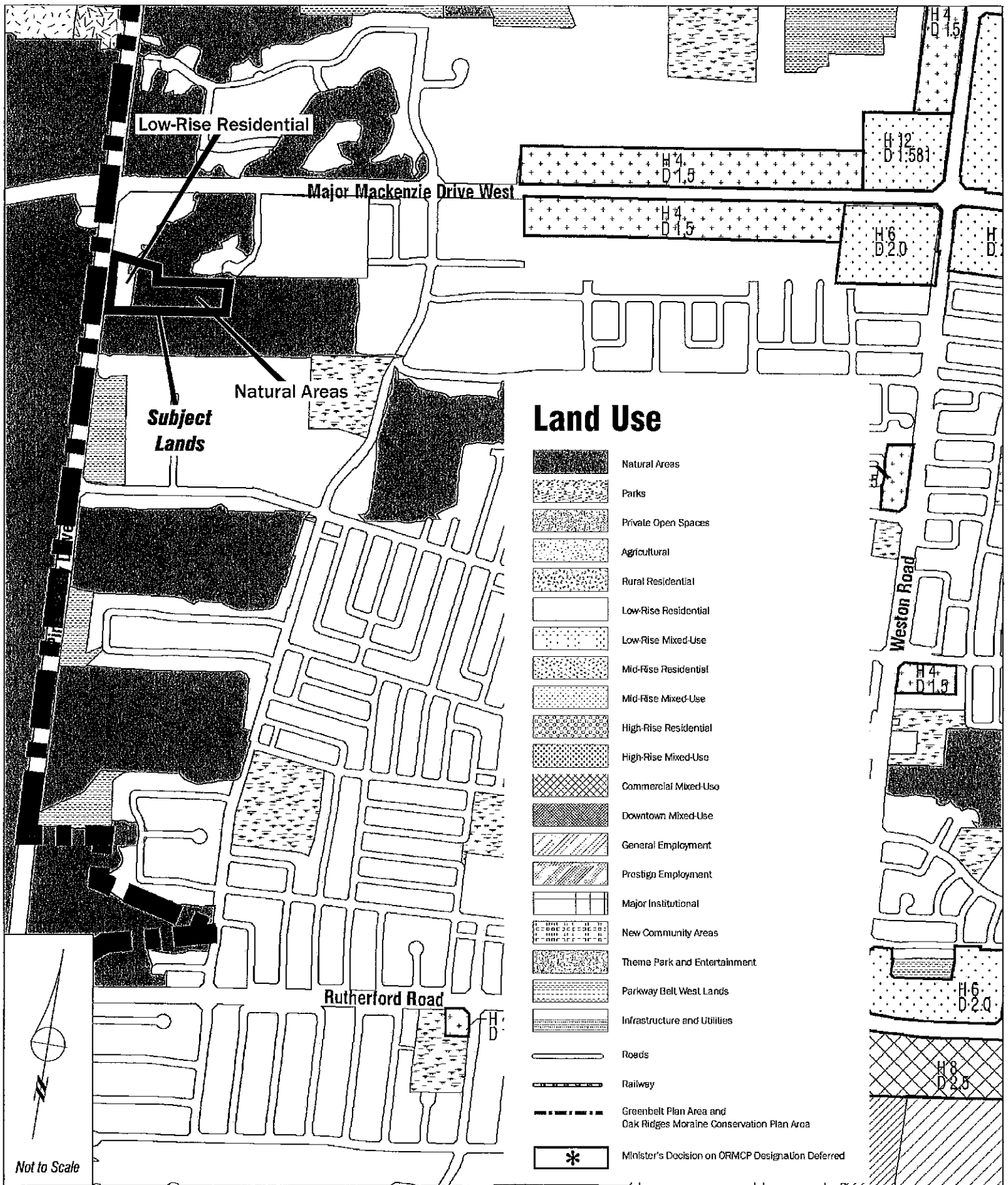
APPLICANT:
1668872 Ontario Inc.

LOCATION:
Part Lots 19 & 20, Concession 6

DATE:
May 19, 2011

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City of Vaughan Official Plan 2010 Schedule 13 - Land Use

APPLICANT:
1668872 Ontario Inc.

LOCATION:
Part Lots 19 & 20, Concession 6

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Attachment

FILES:
OP.06.002, Z.06.005

DATE:
May 19, 2011

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