

COMMITTEE OF THE WHOLE APRIL 24, 2012

**ZONING BY-LAW AMENDMENT FILE Z.12.003
SITE DEVELOPMENT FILE DA.11.104
SOLMAR INC.
WARD 1 - VICINITY OF JANE STREET AND RUTHERFORD ROAD**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.12.003 (Solmar Inc.) BE APPROVED, to amend Zoning By-law 1-88, specifically to remove the Holding Symbol "(H)" from the subject lands shown on Attachment #2, thereby effectively zoning the subject lands RA3 Apartment Residential Zone.
2. THAT Site Development File DA.11.104 (Solmar Inc.) BE APPROVED, to facilitate the development of a 17-storey residential apartment building, consisting of 240 units, 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, landscape plans, materials board and signage plans shall be approved by the Vaughan Development Planning Department;
 - ii) the final site grading and servicing plans, stormwater management report, functional servicing report, traffic impact study, and noise study shall be approved by the Vaughan Development/Transportation Engineering Department;
 - iii) the requirements of the City's Waste Collection Design Standards shall be approved to the satisfaction of the Vaughan Public Works Department;
 - iv) the Owner shall satisfy the requirements of the Toronto and Region Conservation Authority (TRCA);
 - v) the Owner shall satisfy the requirements of the Canadian National Railway (CNR);
 - vi) the Owner shall satisfy the requirements of PowerStream Inc.;
 - vii) the Owner shall satisfy the requirements of Canada Post;
 - viii) Minor Variance File A088/12 to permit a reduction in the required number of parking spaces shall be approved by the Vaughan Committee of Adjustment and shall be in full force and effect;
 - ix) the Owner shall pay to the City of Vaughan, a woodlot development charge at the rate of \$1,000.00 per residential unit, in accordance with the previous Special Area Woodlot Development Charge By-law and the City's Woodlot Acquisition Front-end Agreement; and,
 - b) that the Site Plan Letter of Undertaking include the following provisions:

- i) the Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of 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; and,
 - ii) the warning clause provided by Canadian National Railways as outlined in this report.
3. THAT Vaughan Council adopt the following resolution with respect to the allocation of sewage and water supply capacity to Site Development File DA.11.104:

"IT IS HEREBY RESOLVED THAT Site Development File DA.11.104 is allocated sewage capacity from the York Sewage Servicing System and water supply capacity from the York Water Supply System for a total of 240 apartment residential units, subject to the execution of a Site Plan Letter of Undertaking or Agreement, whichever is in effect, to the satisfaction of the City."

Contribution to Sustainability

The Owner has advised that the following sustainable features have been included within the site and building design:

- i) low-E windows;
- ii) energy efficient light standards;
- iii) drought tolerant landscaping with a water efficient irrigation system;
- iv) a 'tri-sorter' recycling and disposal system on every floor;
- v) low VOC paints, stains and primers;
- vi) low-flow toilets and faucets; and
- vii) bicycle racks in the underground garage level to promote cycling as an alternative to cars.

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 for the subject lands shown Attachments #1 and #2:

1. Zoning By-law Amendment File Z.12.003 to amend Zoning By-law 1-88 specifically to remove the Holding Symbol "(H)" from the subject lands currently zoned RA3(H) Apartment Residential Zone with the Holding Symbol "(H)", thereby effectively zoning the subject lands RA3 Apartment Residential Zone; and,
2. Site Development File DA.11.104 to facilitate the development of a 17-storey residential apartment building as shown on Attachments #4 to #8 inclusive, and consisting of the following:
 - a) 240 residential units;
 - b) 346 parking spaces (including 60 visitor parking spaces);
 - c) a gross floor area of 24,758 m²; and,

- d) a density of 2.7 FSI (Floor Space Index).

Background - Analysis and Options

The vacant 0.67 ha subject lands forms the fourth Phase (Building "D") of the overall 3.6 ha residential apartment development site located at the northeast corner of Jane Street and Rutherford Road (9255 Jane Street), City of Vaughan, shown on Attachments #2 and #3. The surrounding land uses are shown on Attachment #2.

Official Plan

The subject lands are designated "High Density Residential/Commercial" by in-effect OPA #600, as amended by OPA #626, which was approved by the Ontario Municipal Board on April 19, 2005 (Decision Order 0982). The proposed site development conforms to the Official Plan.

Vaughan Official Plan (VOP) 2010

The subject lands are designated "High-Rise Residential" by the new City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified on September 27, 2011), and is pending approval from the Ontario Municipal Board.

VOP 2010 permits a maximum building height of 16-storeys for Buildings "A" and "B" and 17-storeys for Buildings "C" and "D". It also permits a maximum density of 4.0 FSI on the overall development area consisting of Buildings "A", "B", "C", and "D", as shown on Attachment #2. The proposed site development proposes a building height of 17-storeys, which conforms to VOP 2010. The proposed Building "D", in consideration with Buildings "A", "B" and "C", proposes an overall density of 2.7 FSI, which also conforms to VOP 2010.

Zoning

The subject lands are zoned RA3(H) Apartment Residential Zone with the Holding Symbol "(H)" by Zoning By-law 1-88, subject to Exception 9(1246). In 2009, the Vaughan Committee of Adjustment approved Minor Variance File A045/09 to permit an increase in the maximum permitted building height from 16-storeys (50 m) to 17-storeys (56.5 m). The Owner has submitted Zoning By-law Amendment File Z.12.003 to remove the Holding Symbol "(H)" upon Vaughan Council's approval of the subject Site Development File DA.11.104. The proposed development complies with Zoning By-law 1-88, with the exception of the proposed number of parking spaces being provided on the subject lands. The Owner has submitted Committee of Adjustment File A088/12 to permit a reduced number of parking spaces as follows:

Zoning By-law 1-88 Parking Requirement		Building "D" Proposed Parking	
240 units @ 1.5 spaces/unit =	360	240 units @ 1.19 spaces/unit =	286
240 units @ 0.25 visitor spaces/unit =	60	240 units @ 0.25 visitor spaces/unit =	60
Total Required Parking Spaces =	420	Total Provided Parking Spaces =	346

In a memorandum dated March 20, 2012, the Vaughan Development/Transportation Engineering Department indicated that they have no objections or concerns with the reduction in parking. The proposed parking is consistent with the previous phases of the overall development, which was originally approved in Phase I of the development. As a result, the proposed parking reduction can be supported. Prior to the execution of the Site Plan Letter of Undertaking, Minor Variance File A088/12 shall be approved by the Vaughan Committee of Adjustment and be in full force and effect. A condition to this effect has been included in the recommendation of this report.

Holding Symbol "H"

The subject lands are zoned with a Holding Symbol "(H)", which shall be removed upon approval of Site Development File DA.11.104 by Vaughan Council. The Owner has submitted Zoning By-law Amendment File Z.12.003 to remove the Holding Symbol. Should Vaughan Council approve the subject site plan application, the implementing zoning by-law to remove the Holding provision will be forwarded to a future Council meeting for enactment, prior to the execution of the Site Plan Letter of Undertaking.

Site Plan Review

The Vaughan Development Planning Department is generally satisfied with the proposed site plan and building elevations shown on Attachments #4, #6, #7 and #8, and will continue to work with the Owner to finalize the landscape plan shown on Attachment #5.

The Vaughan Development/Transportation Engineering Department has reviewed the servicing, grading and storm water management plans and the Public Works, Waste Management Section has reviewed the development proposal as it relates to garbage and recycling collection.

The Owner must satisfy all requirements of Canada Post and all hydro requirements to the satisfaction of PowerStream Inc., as recommended in this report.

Prior to the execution of the Site Plan Letter of Undertaking, the Owner must satisfy the requirements of the Vaughan Development Planning, Vaughan Development/Transportation Engineering, and Vaughan Public Works Departments. Conditions to this effect have been included in the recommendation of this report.

Servicing Allocation

On May 24, 2011, Vaughan Council approved a recommendation to reserve servicing capacity for 250 residential units for development on the subject lands. The current development proposal is for 240 residential units. Therefore, in accordance with the City's Servicing Capacity Distribution Protocol as adopted by Council on May 24, 2011, formal allocation of servicing capacity will be required by Council in conjunction with the approval of Site Development File DA.11.104. The resolution with respect to the allocation of sewage and water supply capacity has been included in the recommendation of this report.

Toronto and Region Conservation Authority (TRCA)

The Toronto and Region Conservation Authority has reviewed the Site Development application and has no objections. The TRCA, however, notes that additional information is required respecting the dewatering plan. The TRCA requires a double sediment fence along the valley with a secondary barrier such as straw bales or clear stone. The TRCA also requires that the landscape plan be modified to replace the invasive planting material with native species. The Owner must obtain a TRCA permit under Ontario Regulation 166/06 for grading/development of the site and must satisfy all other requirements of the TRCA. A condition to this effect has been included in recommendation of this report.

Canadian National Railway (CNR)

The CNR requires that the following warning clause be inserted in all offers of Purchase and Sale, and within the condominium documents, with the express intention that potential purchasers and future owners are made aware of the proximity of railway operations and the pull back track:

"That Canadian National Railway Company ("CN") is the owner of certain lands known as its "MacMillan Rail Yard" (the "CN Lands"), portions of which are located within 300 metres of the Project Lands, and that the CN Lands are now and will continue to be used

for the present and future railway facilities and operations of CN on a continuous basis (24 hours of each day in each year) including, without limitation, the operation and idling of diesel locomotives with the generation of diesel fumes and odours, artificial lighting of the CN Lands which may illuminate the sky, the switching of rail cars containing bulk and other commodities including hazardous substances and/or goods containing the same, and the operation of various processes for the maintenance of rail equipment."

A condition to this effect has been included in the recommendation section of this report.

Relationship to Vaughan Vision 2020/Strategic Plan

This staff report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Manage Growth & Economic Well-being".

Regional Implications

The subject lands have access onto Jane Street, which is a Regional Road. The Region of York Transportation Services Department has advised that they have no objection to the development proposal.

Conclusion

The Zoning By-law Amendment and Site Development Applications have been reviewed in accordance with OPA #600, as amended by OPA #626, Zoning 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 proposal to remove the Holding Symbol "(H)" and to permit the development of a 17-storey residential apartment building is appropriate and compatible with the existing and permitted uses in the surrounding area. Accordingly, the Vaughan Development Planning Department can support the approval of the Zoning By-law Amendment and Site Development Applications, subject to the conditions contained in this report.

Attachments

1. Context Location Map
2. Location Map
3. Context Plan
4. Site Plan
5. Landscape Plan
6. West Elevation
7. East Elevation
8. Perspective Rendering

Report prepared by:

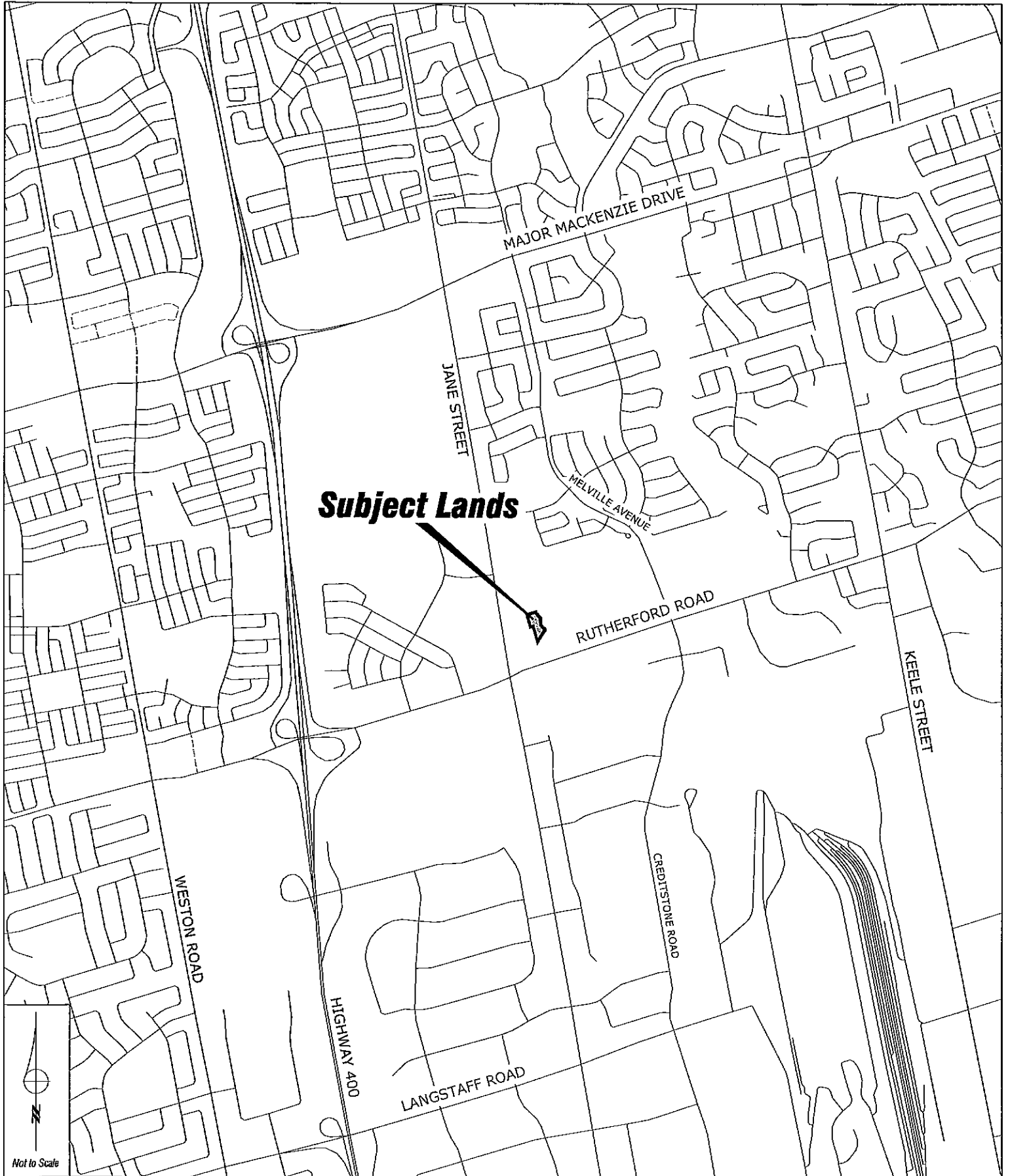
Stephen Lue, Planner, ext. 8210
Christina Napoli, Senior Planner, ext. 8483
Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN MACKENZIE
Commissioner of Planning

GRANT UYHEYAMA
Director of Development Planning

/LG



Context Location Map

LOCATION:
Part of Lot 16, Concession 4

APPLICANT:
Solmar Inc.

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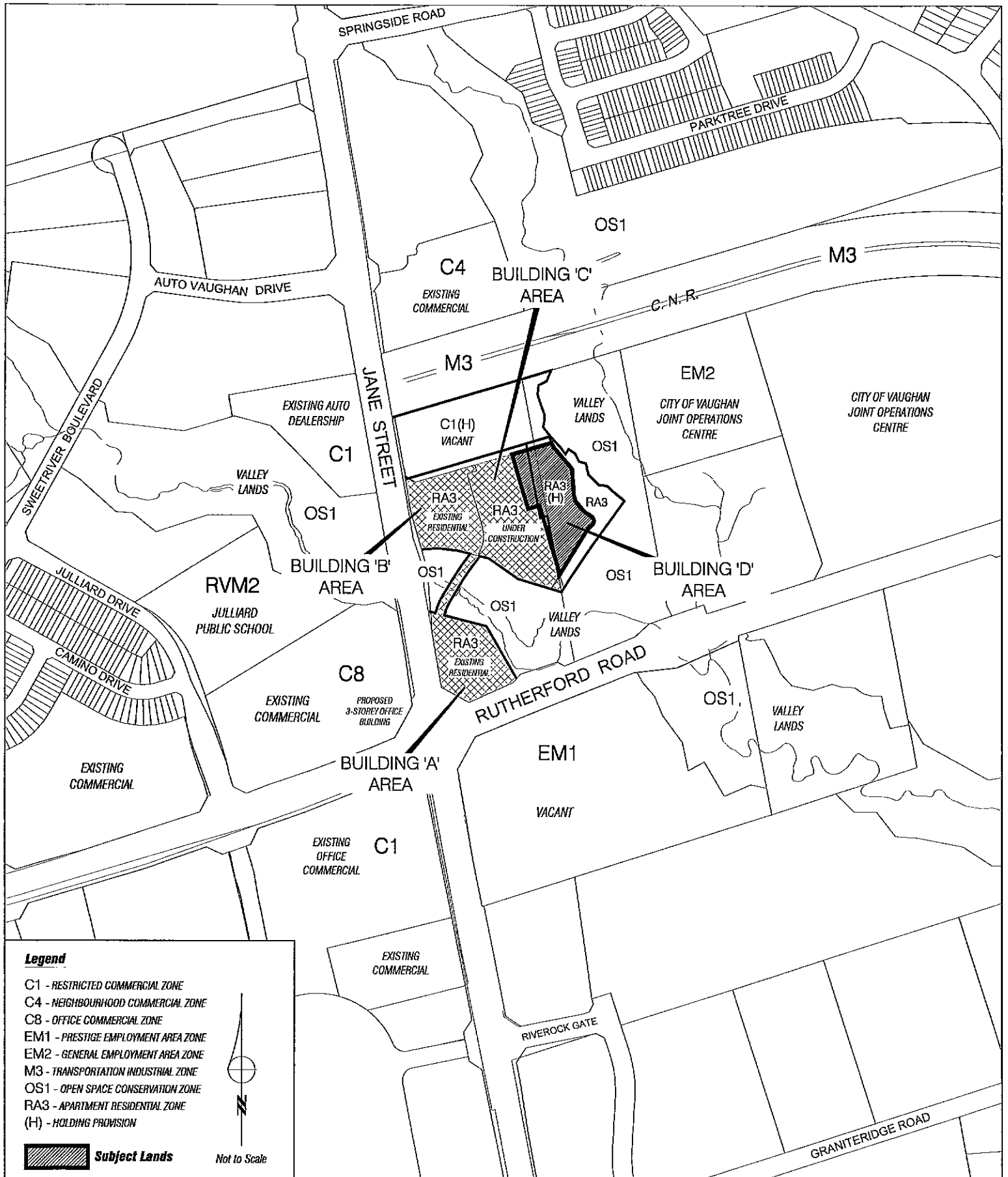


Attachment

FILES:
DA.11.104 & Z.12.003

DATE: April 2, 2012

1



Location Map

LOCATION:
Part of Lot 16, Concession 4

APPLICANT:
Solmar Inc.

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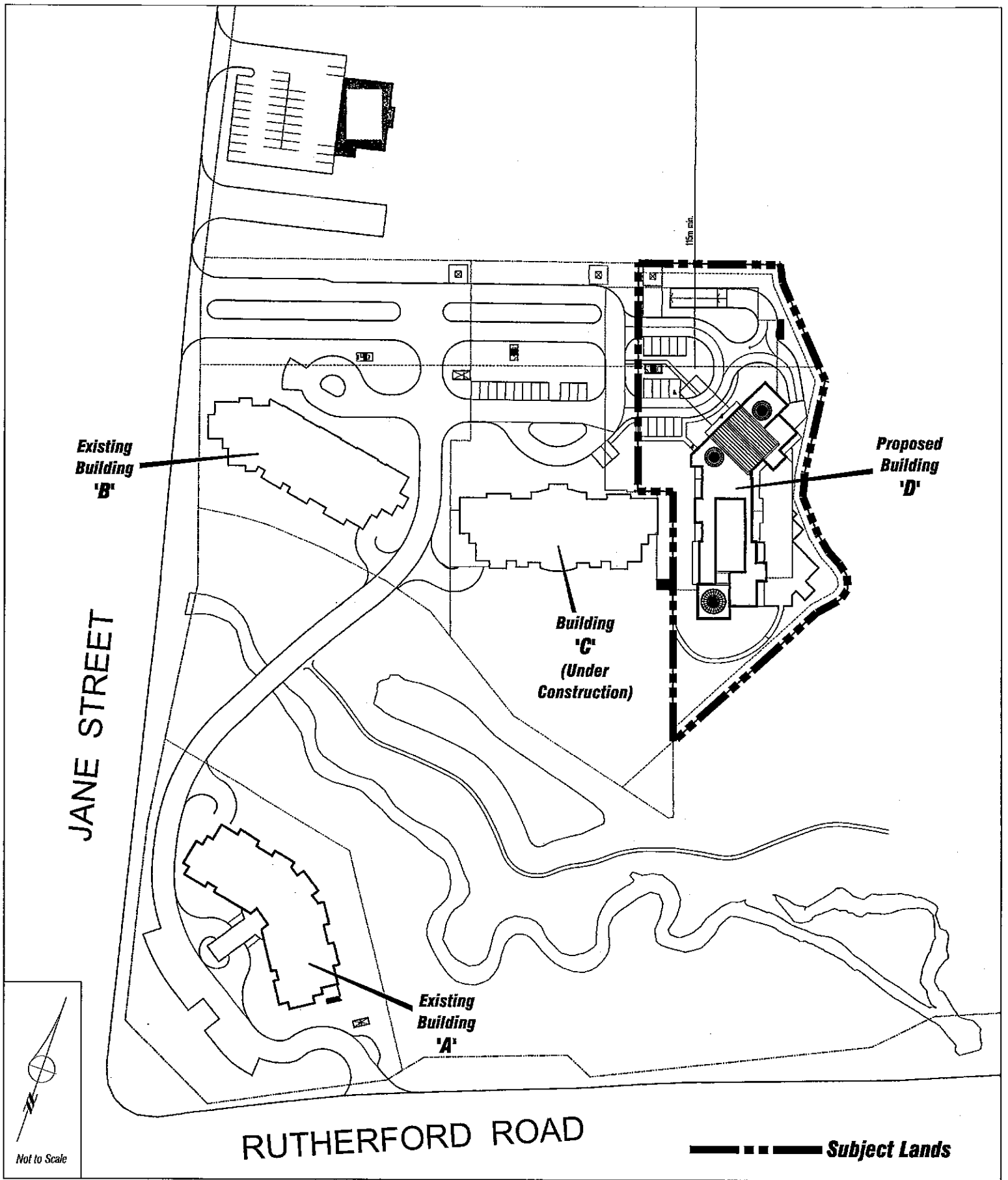


Attachment

FILES:
DA.11.104 & Z.12.003

DATE: April 2, 2012

2



Context Plan

LOCATION:
Part of Lot 16, Concession 4

APPLICANT:
Solmar Inc.

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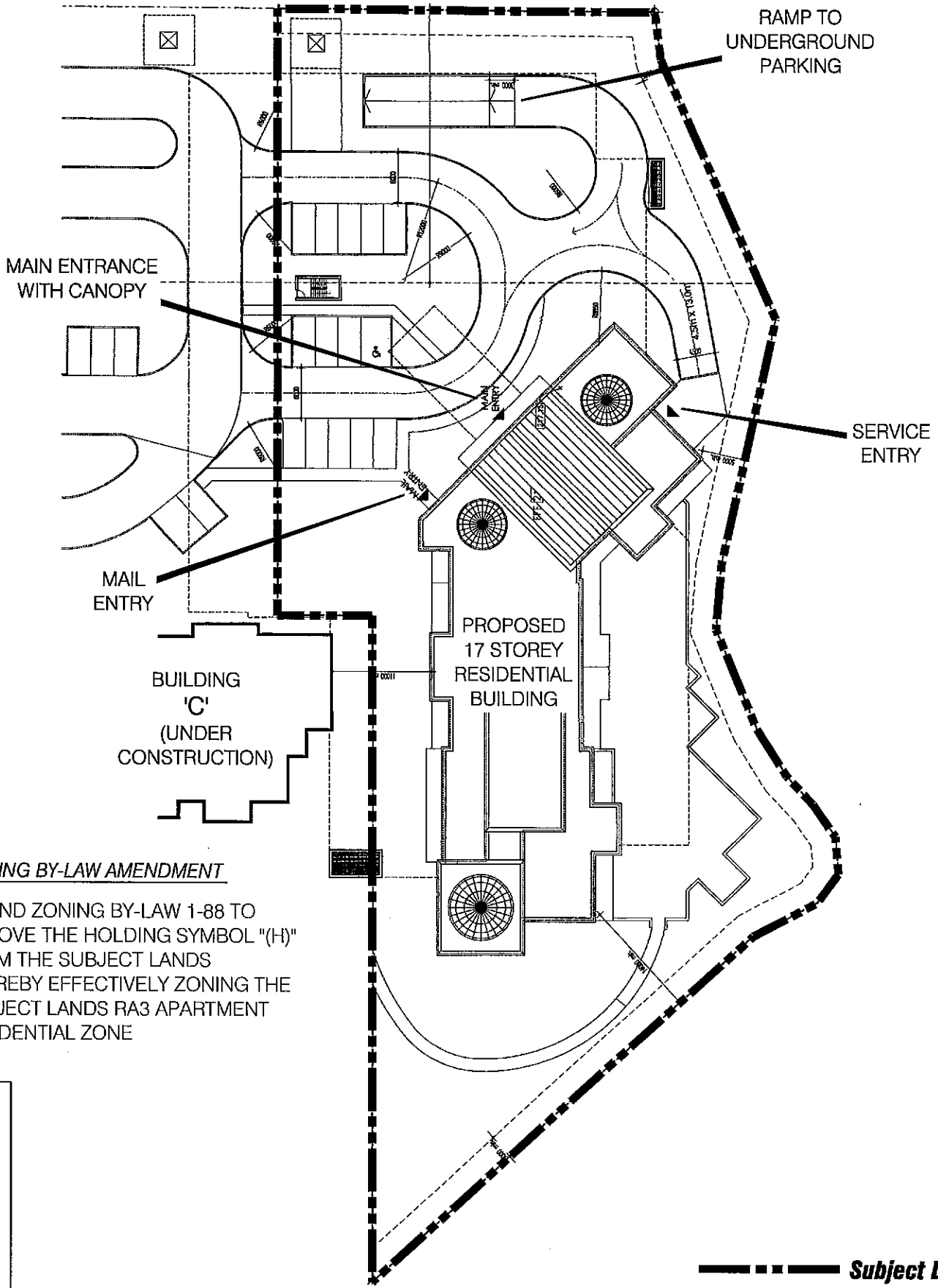


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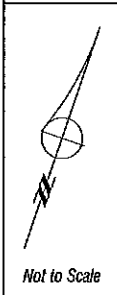
FILES:
DA.11.104 & Z.12.003

DATE: April 2, 2012

3



ZONING BY-LAW AMENDMENT
 AMEND ZONING BY-LAW 1-88 TO REMOVE THE HOLDING SYMBOL "(H)" FROM THE SUBJECT LANDS THEREBY EFFECTIVELY ZONING THE SUBJECT LANDS RA3 APARTMENT RESIDENTIAL ZONE



Site Plan

LOCATION:
Part of Lot 16, Concession 4

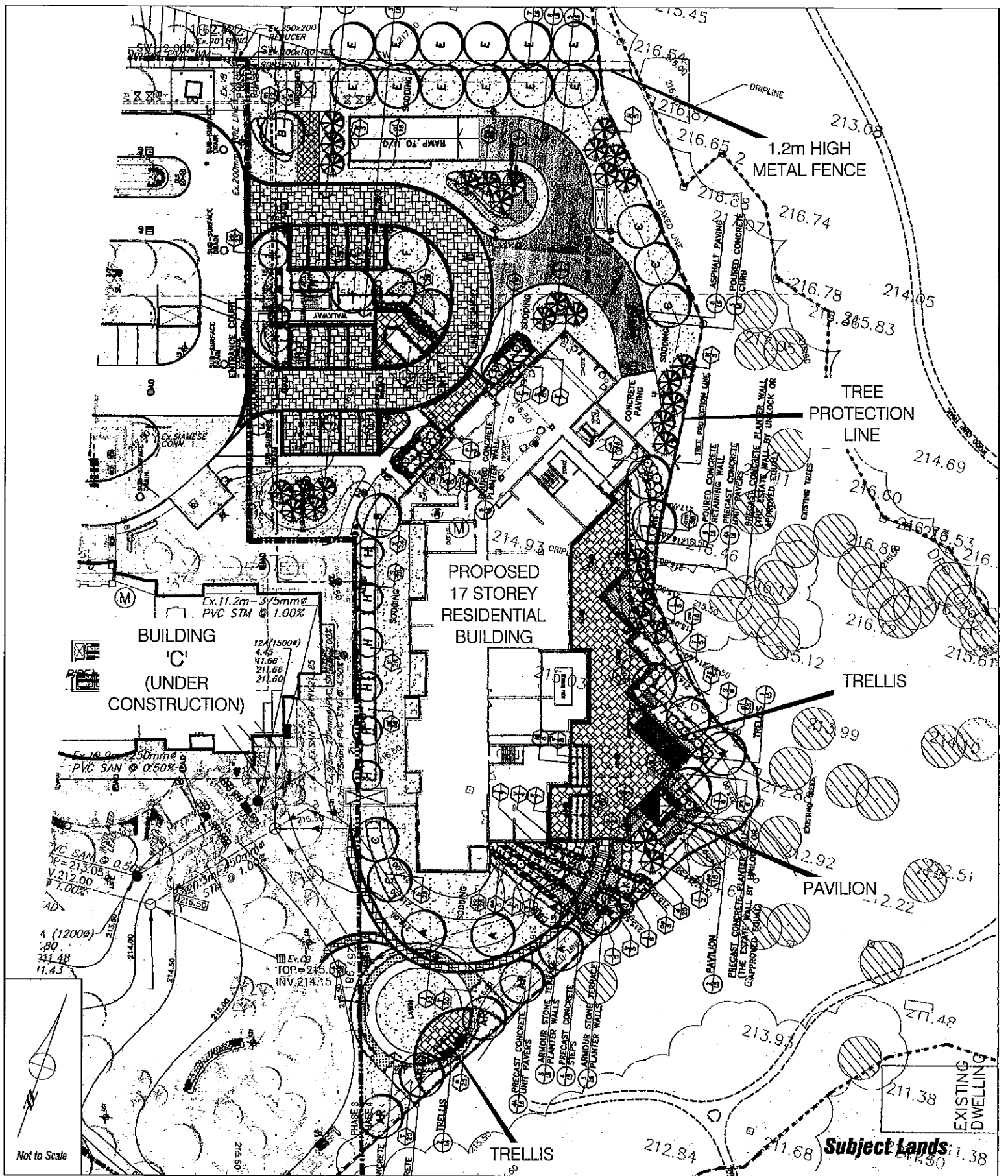
APPLICANT:
Solmar Inc.

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Attachment
 FILES:
 DA.11.104 & Z.12.003
 DATE: April 2, 2012

4



Landscape Plan

LOCATION:
Part of Lot 16, Concession 4

APPLICANT:
Solmar Inc.

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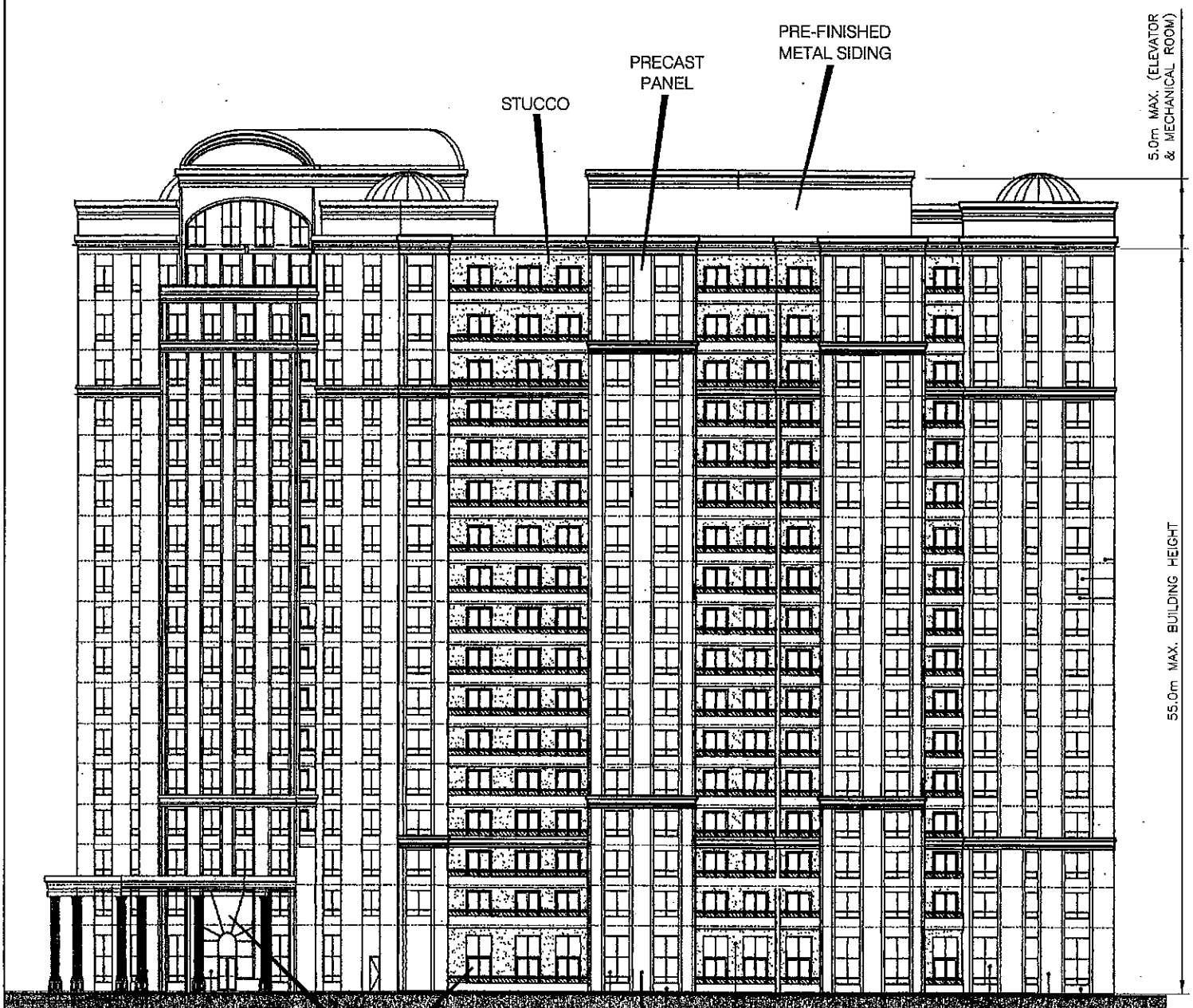


Attachment

FILES:
DA.11.104 & Z.12.003

DATE: April 2, 2012

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5.0m MAX. (ELEVATOR & MECHANICAL ROOM)

55.0m MAX. BUILDING HEIGHT

VISION GLAZING

PRECAST PANEL

WEST ELEVATION

Not to Scale

West Elevation

LOCATION:
Part of Lot 16, Concession 4

APPLICANT:
Solmar Inc.

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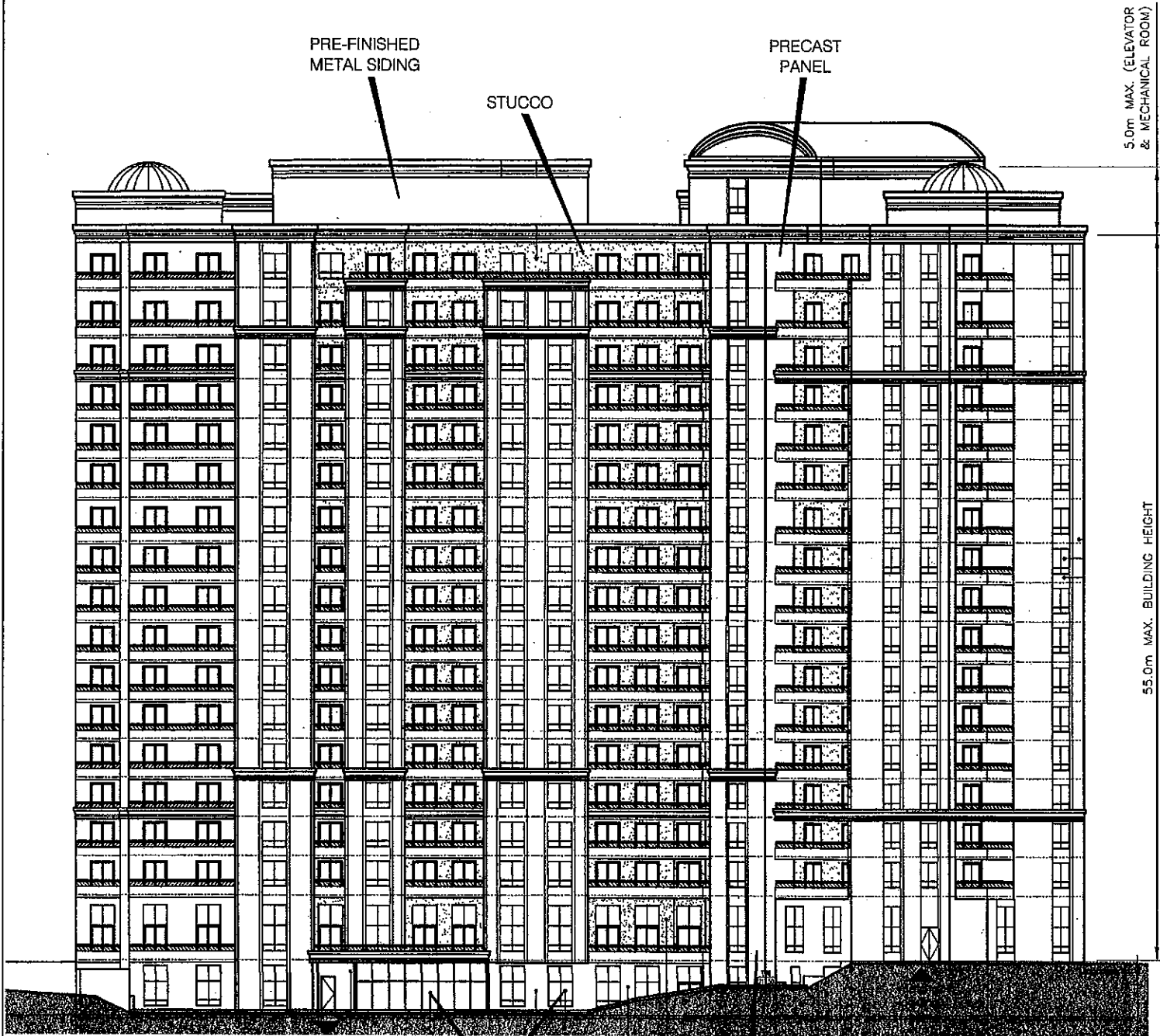


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FILES:
DA.11.104 & Z.12.003

DATE: April 2, 2012

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EAST ELEVATION

Not to Scale

East Elevation

LOCATION:
Part of Lot 16, Concession 4

APPLICANT:
Solmar Inc.

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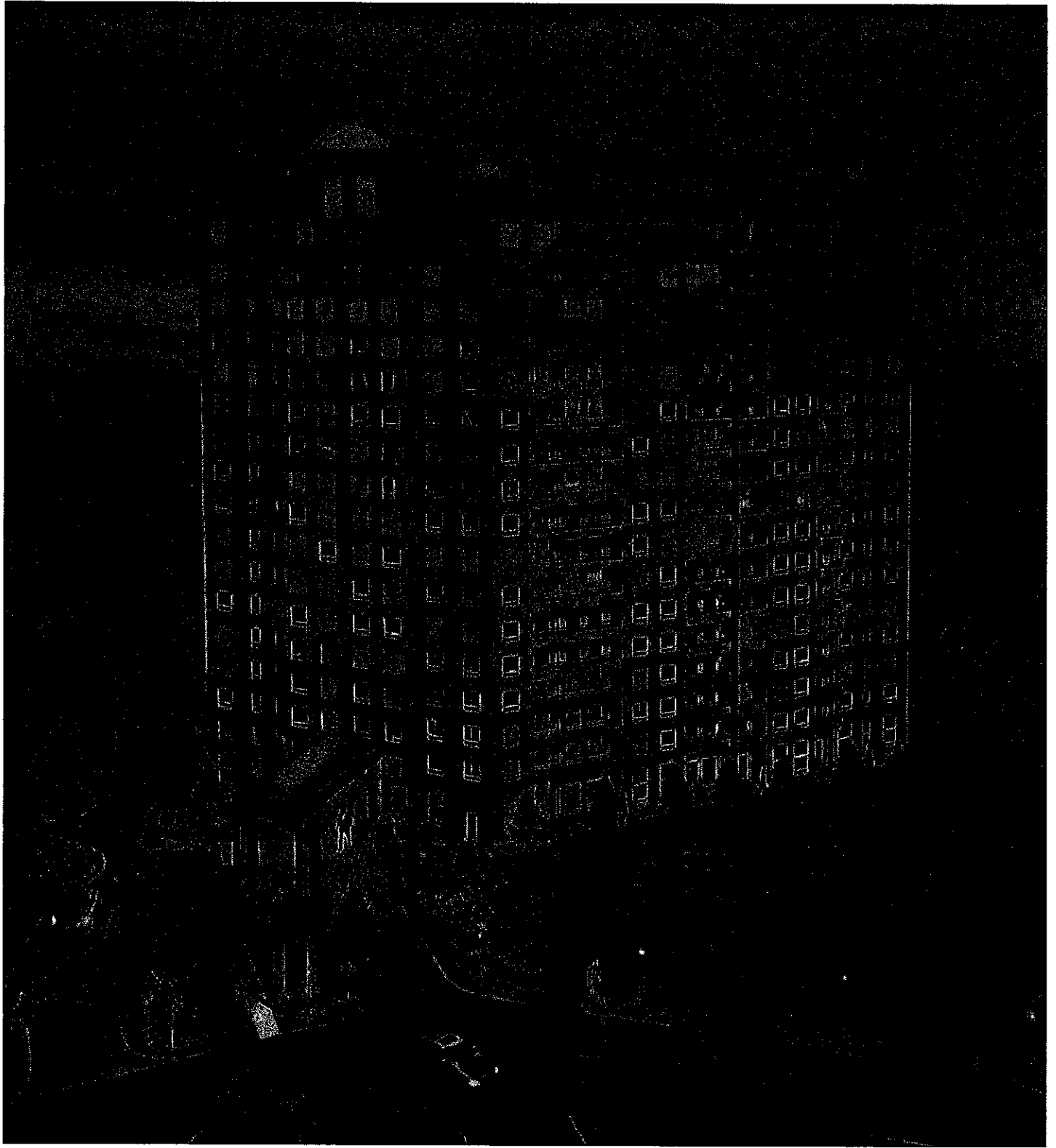


Attachment

FILES:
DA.11.104 & Z.12.003

DATE: April 2, 2012

7



Not to Scale

Perspective Rendering

LOCATION:
Part of Lot 16, Concession 4

APPLICANT:
Solmar Inc.

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Attachment

FILES:
DA.11.104 & Z.12.003

DATE: April 2, 2012

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