

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 19, 2013**

***By approving the recommendation of the Commissioner of Planning, dated February 26, 2013, subject to the following in accordance with Communication C17, from the Commissioner of Planning, dated March 18, 2013:***

- By approving the following in accordance with Communication C10, from the Commissioner of Planning, dated March 14, 2013:***

- By receiving Communication C8, from Rabbi Israel Landa, dated March 5, 2013.***

**The Committee of the Whole recommends:**

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**Recommendation**

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment File OP.11.007 (1541677 Ontario Limited) BE APPROVED, specifically to amend OPA #210 (Thornhill Community Plan) on the subject lands shown on Attachments #1 and #2, to:
  - a) redesignate the subject lands from “Town Centre Commercial” to “High Density Residential”;
  - b) increase the permitted density in the “High Density Residential” designation from 148 units per hectare to 569 units per hectare (thereby increasing the number of permitted apartment units on the subject lands from 114 to 438 units) with a floor space index (FSI) of 4.43;
  - c) permit 835 m<sup>2</sup> of ground floor commercial uses in the “High Density Residential” designation, whereas commercial uses are not permitted; and,
  - d) permit a maximum building height of 25-storeys for Building “L” and 12-storeys for Building “M”, and a podium connection of 5-storeys.
2. THAT Zoning By-law Amendment File Z.11.032 (1541677 Ontario Limited) BE APPROVED, specifically to rezone the subject lands shown on Attachments #1 and #2 from C2 General Commercial Zone subject to Exception 9(4) to RA3(H) Apartment Residential Zone with the Holding Symbol “(H)” to facilitate a mixed-use development consisting of 2 apartment buildings (condominium-style) with 835 m<sup>2</sup> ground floor commercial uses as shown on Attachment #4, subject to the following conditions:
  - a) the Holding Symbol “(H)” shall not be removed from the subject lands zoned RA3(H) Apartment Residential Zone until such time as the following condition is addressed to the satisfaction of the City:
    - i) that City of Vaughan Council adopt a resolution allocating 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 assigning capacity to the subject lands for the proposed 438 apartment dwelling units; and,
  - b) the implementing Zoning By-law include the following site-specific zoning exceptions to permit:
    - i) the zoning exceptions to Zoning By-law 1-88 identified in Table 1 of this report;
    - ii) a maximum of 438 apartment dwelling units;
    - iii) the following commercial uses on the ground floor only, which shall be limited to a maximum gross floor area of 835 m<sup>2</sup>:
      - a) Bank or Financial Institution, Technical or Commercial School, Personal Service Shop, Retail Store (excluding a Department Store and Supermarket), Eating Establishment, Convenience Eating Establishment, Business or Professional Office, Medical Office/Clinic, and Daycare; and,

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- iv) prohibit a drive-through facility, and open/outside storage on the subject lands; and,
  - c) the implementing Official Plan Amendment shall not be adopted and the implementing Zoning By-law shall not be enacted until the community benefit agreement is approved to the satisfaction of the City of Vaughan.
- 3. THAT the site-specific implementing Official Plan and Zoning By-law Amendments include policies and provisions respecting density bonusing, including but not limited to, public art, cash contributions for community benefits, and enhanced streetscaping that will be agreed to through an executed density bonusing agreement between the Owner and the City of Vaughan, in accordance with Section 37 of the Planning Act.
- 4. THAT Site Development File DA.12.057 (1541677 Ontario Limited) BE APPROVED, to permit the development of two residential apartment buildings (condominium-style) being 25-storeys and 12-storeys in height, with 835 m<sup>2</sup> of ground floor commercial uses and connected by a 5-storey podium as shown on Attachments #3 to #9, subject to the following conditions:
  - a) that prior to the execution of the Site Plan Agreement:
    - 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 Development/Transportation Engineering Department; and
    - iii) the changes to the existing berm and landscaping along the easterly edge of the City-owned Thornhill Green Park shall be approved by Plan to the satisfaction of the Vaughan Development Planning, Parks Development, and Development/Transportation Engineering Departments; and,
  - b) the Site Plan Agreement shall contain 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. 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 for the basis of the cash-in-lieu payment;
    - ii) garbage and recycling collection and snow removal for the condominium apartment buildings and commercial units shall be privately undertaken and the responsibility of the Owner or the condominium corporation(s);
    - 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, Buildings "L" and "M", Bathurst Street & Beverley Glen Boulevard, dated August 22, 2011;

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- iv) the Owner shall carry out the Environmental Site Assessment clearance to completion, up to and including the satisfactory registration of the Record of Site Condition (RSC), the proof of which requires two (2) documents, a hard copy of the RSC signed by a Qualified Person and the Acknowledgement Form from the Ministry of Environment (MOE). The complete Environmental Site Assessment (ESA) will include the Phase 2 ESA and any additional environmental documentation or report(s) used to support the filing of the RSC, completed to the satisfaction of the City, prior to the issuance of a Building Permit.
- v) the Owner shall provide for the implementation of Transportation Demand Management (TDM) to the satisfaction of the Vaughan Development/Transportation Engineering Department and the Region of York, including the provision of a Letter of Credit to secure the TDM requirements;
- vi) the Owner shall obtain the necessary approvals from the Region of York regarding the land exchange to complete the sight triangle at the intersection of Beverley Glen Boulevard and Bathurst Street, which shall be finalized to the satisfaction of the Region of York;
- vii) the Owner shall display a Community Plan on the interior wall of the sales office, comprising information approved by the City of Vaughan, prior to offering any units for sale, to be monitored periodically by the City, and that no Building Permit shall be issued until such information is approved by the City of Vaughan Development Planning Department:
  - plan for the broader area, showing the surrounding land uses, arterials, etc.;
  - location of street utilities, entrance features, sidewalks, transit stops;
  - the location of parks, open space, trails, community facilities;
  - the location of Institutional uses, including schools, places of worship, community facilities;
  - the location and type of commercial sites;
  - colour-coded identification of singles, semis, townhouses and apartment units;
  - the following notes in BOLD CAPITAL TYPE on the map:

“For further information, on proposed and existing land uses, please call or visit the City of Vaughan, Development Planning Department, at 2141 Major Mackenzie Drive, L6A 1T1, (905)832-8585.

“This map is based on information available as of (date of map), and may be revised or updated without notification to purchasers.”

[in such circumstances the Owner is responsible for updating the map and forwarding it to the City for verification.]; and,

5. THAT policies and provisions in the site-specific Official Plan and Zoning By-law Amendments include density bonussing conditions, but not limited to, public and, cash contributions for community benefits, and enhanced streetscaping that will be agreed to through an executed density bonussing agreement between the Owner and the City of Vaughan pursuant to Section 37 of the Planning Act.

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#### **Contribution to Sustainability**

The Owner has advised that the following sustainable site and building features will be incorporated into the proposed development:

- intensification of the existing and planned land use, thereby supporting higher order transit (BRT);
- pedestrian connectivity to neighbourhood amenities to promote walking as an alternative to vehicular travel;
- bicycle parking as an alternative to vehicular travel;
- minimize the heat island effect by using green roofs, tree planting, and minimizing surface parking areas;
- stormwater management features to retain a minimum quality of water on site and enhanced storage will be utilized;
- low flow toilets;
- the development will meet OBC standard SB-10 to reduce overall energy usage;
- reduced window to wall ratio to reduce energy usage;
- energy model to assist in the design of electrical, mechanical and building envelope systems to meet SB-10;
- all building materials will be locally sourced;
- maximize usage of building materials with high recycled content;
- construction material waste will be sorted for re-use and recycling;
- a three-stream waste management system will be implemented for the future residents;
- landscaping utilizing drought tolerant native species;
- use of reusable, low embodied energy materials;
- energy efficient lighting features; and,
- water efficient irrigation system to ensure plant health.

#### **Economic Impact**

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

#### **Communications Plan**

On October 21, 2011, a Notice of Public Hearing was circulated to all property owners beyond the City's standard of 150 m from the subject lands, as shown on Attachment #1, and to the Beverley Glen Ratepayers Association. A number of residents attended the Public Hearing held on November 15, 2011.

Deputations and written submissions were received from the following:

- a) Mr. Jim Kirk, Malone Given Parsons Limited, Renfrew Drive, Markham, on behalf of applicant;
- b) Mr. David Butterworth, Kirkor Architects, Martin Ross Avenue, Toronto;
- c) Mr. Adam E. N. Pomer, North Park Road, Thornhill;
- d) Mr. Sam Grossman, North Park Road, Thornhill;
- e) Ms. Jodi Doman-Skolnick, Abbeywood Gate, Thornhill;
- f) Ms Lisa Silver, North Park Road, Thornhill;
- g) Ms. Jocelyn Estrien, North Park Road, Thornhill;
- h) Mr. Jeff Gorewich, North Park Road, Thornhill;
- i) Ms Rebecca Egier, Glen Crescent, Thornhill;
- j) Mr. Arlen Charles Reinstein, Rosedale Heights Drive, Thornhill;
- k) Ms. Anne Purwitsky, Kingsbridge Circle, Thornhill;
- l) Mr. Savino Quatela, Grand Valley Boulevard, Vaughan;

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- m) Barry Fishbane, Rosebrough Crescent, Thornhill;
- n) Ms. Ellen Spiege, Kingsbridge Circle, Thornhill;
- o) Mr. Jack Haft, Charels Street, Vaughan;
- p) Mr. Flavio Mester, Chilmar Crescent, Thornhill;
- q) Mr. Murray Garceau, North Park Road, Thornhill;
- r) Ms. Deborah Winer, Deborah Winer Photography, Thornhill;
- s) Ms. Rita Motlis, North Park Road, Thornhill;
- t) Stella Vivat and Hirsch Vivat, Roseborough Crescent, Thornhill;
- u) Mr. Harvey Ecker, Abbeywood Gate, Thornhill;
- v) Mr. George Diamantouros, North Park Road, Thornhill;
- w) Petition submitted by Mr. Mark McKay, Rosedale Heights Drive, Thornhill; and,
- x) Sandi Pelly, Glen Crescent, Thornhill;

The Development Planning Department also received requests from the following residents for notification of the future Committee of the Whole meeting:

- a) Mr. Barry Iseman, Kingsbridge Circle, Thornhill;
- b) Ms. Catherine Vaccaro, Rosedale Heights Drive;
- c) Alex Gemanosvsky, North Park Road, Thornhill; and,
- d) Sara Miller, Glen Crescent, Thornhill;

#### Issues Expressed at the Public Hearing and in Correspondence

The following is a summary of the issues expressed by the deputants at the November 15, 2011, Public Hearing and in written correspondence, based on the original development proposal consisting of 32 and 18-storey towers as identified in the “Background” section of this report rather than the current 25 and 12-storey tower proposal:

- i) The proposed density will increase traffic in the area on streets that are already congested and that the impact of this development on transit should be assessed.  
Response: The applicant provided a Traffic Impact Study in support of these applications that provides an analysis of the traffic to be generated and the impact on the surrounding road network. This study was reviewed by the Vaughan Development Transportation/Engineering Department and the Region of York Transportation and Community Planning Department. The subject lands are located within the built up area of the City and in a well serviced community. The area is currently well serviced by local transit and is the focus for the growth and intensification, providing a higher density of residents, jobs and activities to make use of future transit investments. The first segment of rapid way from Edgeley Boulevard to Bowes Road is scheduled to be completed by 2016. The segment from Bowes Road to Yonge Street that will service the Thornhill Town Centre will be built between 2015 and 2018. These major public investments in transit infrastructure will facilitate the transformation of the Thornhill Town Centre to a high-density Primary Centre. The recommendations of the traffic study confirm the appropriateness of the significant public investment in local and rapid transit to provide the framework for the future transportation network. The existing street network in the area will be used for enhancements to transit, walking and cycling systems, making efficient use of existing and future infrastructure investments.
- ii) The proposal will result in shadowing on the existing subdivision located east of Bathurst Street.

Response: A shadow analysis study was submitted in support of these applications. The study shows where shadows will be cast by the proposed buildings at each solstice. Given that the proposed buildings are tall and have floor plates of approximately 850 m<sup>2</sup>,

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the buildings will cast long but fast moving shadows. Morning shadows will be cast over the woodlot in the existing Thornhill Green Park but will move off the woodlot by 11:00 am. It should be noted that typical to all residential subdivisions, lots are also impacted by shadowing from the rear yard fences and shadows cast by other neighbouring dwellings. Comments on shadowing are discussed later in this report.

- iii) The proposed development will impact educational and recreational facilities within the community. A resident also questioned how the City utilizes the cash-in-lieu monies for parkland.

Response: The applications were circulated to the York Region District and Separate School Boards for their review and assessment. The applications were also reviewed by the Vaughan Parks Development Department. Cash-in-lieu of parkland dedication will be required for this development. The City typically maximizes the amount of land taken for parks to serve the residents of a development. Where this is not feasible, the City requires the developer to pay cash-in-lieu of parkland in accordance with the policies in the Official Plan and the City's Cash-in-Lieu Policy. The City uses the cash-in-lieu monies to acquire parkland in relative proximity to the development, dependent on factors such as the availability of land for park, land costs and sustainability of land for park purposes. The City's cash-in-lieu of parkland fund is sometimes used to acquire large parcels of parkland that fulfill both active (sports facilities, playgrounds, etc.) and passive (picnic area, trails, etc.) recreation requirements. These regional parks serve the entire population of the City and may not necessarily be in relative proximity to the areas where cash-in-lieu funds were collected.

- iv) The impact of the development on servicing.

Response: The applicant submitted a Functional Servicing and Storm Water Management Report in support of the applications. The report indicates the subject lands will be serviced by municipal water and sewer services and that the existing servicing infrastructure has adequate capacity to service the proposed storm water from the development, including off-site underground storage tanks and on-site roof top storage. The report was reviewed by the Vaughan Development Transportation/Engineering Department and their comments are addressed later in this report.

- v) The impact of the proposed development on the decreasing amount of available land for commercial uses.

Response: The City's Official Plan outlines the City's requirements for land uses. OPA #210 provides for a large area of commercial land within the Thornhill Town Centre, including the Walmart, commercial on Disera Drive, and the Promenade Shopping Mall. The subject lands form part of the Thornhill Town Centre. The application proposes a mixed-use development consisting of residential apartment units and 835 m<sup>2</sup> ground floor commercial uses.

- vi) Several residents expressed the opinion that the proposed density was excessive.

Response: The site is located adjacent to the existing Liberty subdivision, which was planned for high-rise residential development and has been developed with high-rise apartment buildings and townhouses. Overall, the density of the subdivision is higher than the surrounding low density subdivisions. The subject lands are located within an area identified as a Regional Intensification Corridor which will be served by higher order transit. A transit stop is proposed to be located at the intersection of Beverley Glen Boulevard and Bathurst Street. Higher density development is encouraged to locate

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within areas identified as Intensification Corridors and higher density is necessary to support transit. Intensification Corridors are areas well served with facilities to accommodate increased density.

- vii) The development should be accessible to pedestrian amenities in the Bathurst Street and Centre Street area.

Response: The Bathurst and Centre Street area falls within the Town Centre area of the Thornhill-Vaughan Community (OPA #210). The area is a well developed community with many facilities and pedestrian amenities within walking distance of the site. The proposal includes several connections into the park and will upgrade the streetscape on Bathurst Street.

- viii) Compatibility with the existing neighbourhood.

Response: The subject site is adjacent to the existing Liberty subdivision. Nine high rise residential towers ranging in height from 15 to 22 storeys and 61 townhouse units have been built within this subdivision. The proposed high-rise residential housing form is compatible with the existing neighbourhood to the west. There is a low density residential subdivision located to the east of the subject lands, on the east side of Bathurst Street. Bathurst Street serves as a logical break between the proposed high density residential and low density uses. Neighbourhood compatibility will be discussed further in this report.

On February 18, 2013, a Notice for this Committee of the Whole Meeting was sent to all individuals requesting notice, and having appeared at the Public Hearing or having made a written submission to the City.

#### **Purpose**

The Owner has submitted the following applications for the subject lands, municipally known as 7890 Bathurst Street, shown on Attachments #1 and #2:

1. Official Plan Amendment File OP.11.007, to amend the Thornhill Community Plan (OPA #210) to:
  - i) redesignate the subject lands from “Town Centre Commercial” to “High Density Residential”;
  - ii) increase the permitted density in the “High Density Residential” designation from 148 units per hectare to 569 units per hectare (thereby increasing the number of permitted apartment units on the subject lands from 114 to 438 units, with a floor space index (FSI) of 4.43; and,
  - iii) permit 835 m<sup>2</sup> of ground floor commercial uses in the “High Density Residential” designation, whereas commercial uses are not permitted.
2. Zoning By-law Amendment File Z.11.032 to amend Zoning By-law 1-88, specifically to rezone the subject lands from C2 General Commercial Zone subject to Exception 9(4) to RA3(H) Apartment Residential Zone with the Holding Symbol “(H)” together with the zoning exceptions identified in Table 1 of this report to implement the proposed 2 residential apartment buildings (condominium-style) with ground floor commercial uses, as shown on Attachments #4 to #9.



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3. Site Development File DA.12.057 to facilitate the development of the subject lands with two residential apartment buildings (future condominiums), consisting of: 276 units within Building “L”, a 25-storey building; and, 162 units within Building “M”, a 12-storey building connected by a 5-storey podium served by a total of 543 parking spaces. A total of 835m<sup>2</sup> of commercial gross floor area is proposed on the ground floor.

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

##### Location

The 0.77 ha subject lands shown on Attachments #1 and #2 are located on the southwest corner of Bathurst Street and Beverley Glen Boulevard, municipally known as 7890 Bathurst Street, City of Vaughan, shown as “Subject Lands” on Attachments #1 and #2. The surrounding land uses are shown on Attachment #2.

##### Master Plan Design

The adjacent lands to the west were also developed by the Owner (Liberty Developments) in accordance with OPA #621, as amended by OPA #710, and implemented via a Master Plan and related Plan of Subdivision File 19T-04V08. The as-built subdivision includes a 1.94 ha park, nine residential condominium buildings ranging in height from 15 to 22 storeys, a total of 1,872 apartment units and, 61 block townhouse units. The subject lands, which are currently developed with a sales office, were not part of the original Subdivision File 19T-04V08, and were previously developed with a motel, which was demolished.

##### Revisions to the Application

Following the Public Hearing on November 15, 2011, the Owner revised the applications, which are the subject of this report, to respond to issues and concerns raised by the City and residents. The changes include: a reduction in the maximum building height for Building “L” from 32 to 25-storeys; for Building “M” from 18 to 12-storeys; a reduction in the total number of units from 560 to 438 units; a reduced FSI from 5.09 to 4.43; a reduction in the proposed retail commercial GFA from 1,030 m<sup>2</sup> to 835 m<sup>2</sup>; a reconfiguration of the towers to reduce the shadow impact; and, reorganization of the site layout to address comments from the Vaughan Design Review Panel and to improve the site organization and the relationship of the buildings to the street and to the park.

##### Land Use Policies and Planning Considerations

The Vaughan Development Planning Department has reviewed the subject Official Plan Amendment Application, as revised, to redesignate the subject lands shown on Attachments #1 and #2 to “High Density Residential”, in light of the following land use policies:

##### a) Provincial Policy Statement (PPS)

The Provincial Policy Statement includes policies that encourage the focus of new growth within urban areas. The proposed redesignation from commercial to high density residential/commercial meets 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 proposed development makes efficient use of the public service facilities within the surrounding area. The proposed development conforms to the goals, objectives and policies of the PPS.

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##### b) Places to Grow Plan

The Growth Plan policies guide the development of the Greater Golden Horseshoe area; encourages compact built form, transit supportive communities, diverse land uses, and a range and mix of housing types; and, directs growth to settlement areas that offer municipal water and wastewater systems. Opportunities for the optimal use of land and infrastructure are provided for by the Growth Plan by directing growth to existing urban areas. The subject lands are located within the built up area of the City. The Growth Plan encourages intensification throughout the built-up area and includes infill development and development of under utilized lots. To reduce dependence on the automobile and provide pedestrian-friendly urban environments, the Growth Plan encourages intensification, a mix of uses, and transit supportive densities for new developments. Population and employment growth are also encouraged to be accommodated within the built up areas encouraging the development of complete communities with a mix of land uses, a range and mix of employment and housing types, high quality public open spaces, and easy access to local stores and services. The subject property is located within a built up area and in a well serviced community. It is supported by existing municipal water and sewer systems, existing public transit, and will be adjacent to the planned Regional Bus Rapid Transit system and stop. The proposed development is consistent with the goals of the Growth Plan.

##### c) Region of York Official Plan

The subject lands are designated “Urban Area” by the Region of York Official Plan, which permits a wide range of residential, commercial, industrial and institutional uses. The Regional Official Plan encourages a broad range of housing types within efficient and mixed use compact communities at an overall transit supportive density. The range of housing includes different forms, types and tenures to satisfy the need of the Region’s residents. The proposal for apartment units provides for a variety of housing forms to meet the needs of different households.

The Regional Official Plan identifies the portion of Bathurst Street adjacent to the site as a “Regional Corridor” and “Regional Centre”. The proposed Amendment is consistent with the Regional Official Plan policies that directs development to the existing built-up portions of urban areas. The subject lands are located at the junction of these designations. The policies pertaining to corridors encourage mixed uses and high densities, supported by high quality public transit services. The subject lands are suitable for more intensive, mixed-use development being located along a future bus rapid transit corridor, and located within a Regional Centre.

The Regional Official Plan encourages pedestrian-scale development, safety, comfort and mobility, the enrichment of the existing area with attractive buildings, landscaping and streetscapes. The Regional Official Plan recognizes the relationship between transportation and urban form. A mixed-use, compact and higher density urban form encourages and supports a higher level of transit services while reducing the overall parking demand and the length of trips to destinations for work, shopping and school. The Region has indicated that the proposed development does not adversely affect Regional interest.

On November 11, 2011, the Region of York exempted the Official Plan Amendment application from Regional approval.

##### d) Vaughan Official Plan

The subject lands are located within the Thornhill Town Centre and designated “Town Centre Commercial” by in-effect OPA #210 (Thornhill Community Plan), which permits commercial uses. The applicant is proposing to redesignate their lands to “High Density Residential”, which permits residential apartment uses at a maximum density of 148 units per hectare whereas the Owner is proposing 596 units per hectare. The proposal does not conform to Official Plan Amendment #210, and therefore, an Official Plan Amendment is required for the increased density and to add commercial uses.

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### e) City of Vaughan Official Plan 2010

The subject lands are designated “Mid-Rise Mixed-Use” with a maximum permitted density of 3.5 FSI (Floor Space index) and a maximum building height of 12-storeys by City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified September 27, 2011, March 20, 2012 and April 17, 2012) and is pending approval from the Ontario Municipal Board. The proposed 25-storey building height and FSI of 4.43 do not conform to VOP 2010. The proposal is consistent with the policies of the PPS and Growth Plan and implements the Region of York policies for development within Regional Corridors.

### Zoning

The subject lands are zoned C2 General Commercial Zone by Zoning By-law 1-88, and subject to Exception 9(4). The exception recognizes the former motel use on the property. The proposed mixed-use residential and commercial development is not permitted in the C2 Zone. The Owner proposes to rezone the subject lands to RA3 Apartment Residential Zone with the Holding Symbol “(H)” to permit residential apartment uses together with the following site-specific zoning exceptions and those identified in Table 1:

- i) permit ground floor commercial uses with a maximum total gross floor area 835 m<sup>2</sup>, as follows: Bank or Financial Institution, Technical or Commercial School, Personal Service Shop, Retail Store (excluding a Department Store and Supermarket), Eating Establishment, Convenience Eating Establishment, Business or Professional Office, Medical Office/Clinic, Service or Repair Shop, and Daycare; and,
- ii) prohibit a drive-through facility, and open/outside storage uses on the subject lands.

Table 1:

	<b>By-law Standard</b>	<b>By-law 1-88, RA3 Zone Requirements</b>	<b>Proposed Exceptions to RA3 Zone</b>
a.	Definition of a Lot	“Lot – means a parcel of land that fronts onto a street separate from any abutting land to the extent that a Consent contemplated by Section 49 of the <u>Planning Act</u> , 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” – means the subject lands shall be deemed to be one lot, regardless of buildings constructed on the lot, the creation of any new lot by Plan of Condominium, Part Lot Control, Consent, and any easements or restrictions.
b.	Minimum Building Setback	Front Yard (Bathurst Street): 7.5 m  Exterior Side Yard: 7.5 m (to north lot line)	Front Yard (Bathurst Street): 3.0 m  Exterior Side Yard: 1.0 m (to north lot line)

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c.	Minimum Setback to all Daylight Triangles	3.0 m	0 m
d.	Minimum Setback from Front Lot Line (Bathurst Street) to Portions of Building Below Grade	1.8 m	0 m
e.	Maximum Building Height	44 m	Building "L": 77.2 m (25-Storeys) Building "M": 38.8 m (12-storeys)
f.	Minimum Parking Requirement	Residential Use: 438 units @ 1.5 spaces/unit = 657 spaces + Residential Visitor: 438 units @ 0.25 spaces/unit = 110 spaces + Retail Uses: 6.0 spaces/100 m <sup>2</sup> GFA @ 835 m <sup>2</sup> = 51 spaces Total Spaces Required = 821	Residential: 438 units @ 1.05 spaces/unit = 460 spaces + Residential Visitor: 438 units @ 0.15 spaces/unit = 66 spaces + Retail Uses: 1.96 spaces/100m <sup>2</sup> GFA @ 835 m <sup>2</sup> = 17 spaces Total spaces required = 543
g.	Minimum Parking Space Size	2.7 m by 6.0 m	2.6 m by 5.8 m
h.	Minimum Parking Space Size (Barrier-Free)	<ul style="list-style-type: none"> <li>• 3.9 m by 6.0 m (stand alone)</li> <li>• 3.2 m by 6.0 m (when adjacent to another barrier-free space)</li> </ul>	<ul style="list-style-type: none"> <li>• 3.9 m by 5.8 m (stand alone)</li> <li>• 3.2 m by 5.8 m (when adjacent to another barrier-free space)</li> </ul>
i.	Minimum Lot Area Per Unit	67 m <sup>2</sup> of lot area per unit	17 m <sup>2</sup> of lot area per unit (based on a lot area of 7,734 m <sup>2</sup> )
j.	Minimum Landscape Strip Width Abutting a Public Road	6.0 m	<ul style="list-style-type: none"> <li>• 1.7 m abutting North Park Road;</li> <li>• 3.0 m abutting Bathurst Street;</li> <li>• 3.3 m abutting Beverley Glen Boulevard</li> </ul>

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k.	Maximum Gross Floor Area of Ground Floor Retail Uses	N/A	835 m <sup>2</sup>
l.	Minimum Driveway Width for Joint Ingress and Egress (North Park Road and Beverley Glen Boulevard)	7.5 m	6.0 m
m.	Amenity Space (Indoor & Outdoor)	15 m <sup>2</sup> per one bedroom unit	Total of 6,570 m <sup>2</sup> provided on site

The Development Planning Department can support the proposed site-specific exceptions to Zoning By-law 1-88, for the following reasons:

a) Building Setbacks

The Owner proposes to reduce the minimum yard setbacks and the minimum setback to the daylight triangles. A reduction in the minimum 7.5 m setback from each of the two street frontages and the minimum 0 m setback to the sight triangle at Beverley Glen Boulevard would facilitate the buildings that are located closer to the Bathurst Street frontage thereby creating a more urban relationship between the pedestrian activity and the built form.

The proposed exception to Zoning By-law 1-88 for portions of the parking garage below grade being closer to the front lot line are required to facilitate the underground parking structure. The parking structure will minimize the need for surface parking areas and provides for increased landscaping opportunities on site.

b) Maximum Building Height

The Owner proposes to increase the maximum permitted building height from 44 m to 77.2 m for proposed Building “M” (25-storeys). The Liberty subdivision to the west is currently developed with high rise residential buildings ranging in height from 15 to 22-storeys. This proposed increase in the maximum permitted building height from 44 m to 77.2 m (an increase of 33.2 m) and to 25-storeys is in keeping with the existing high rise community to the west. In addition, policies of the PPS, the Growth Plan and the Region of York Official Plan all identify the subject lands as being within an Intensification Area and is located along a Regional Corridor (Bathurst Street). The VOP 2010 further identifies the subject lands as being within a Primary Centre, where development is permitted at densities that support public transit. The proposed increase in allowable building height and density on the subject lands is supported by the PPS, the Growth Plan, and the Regional Official Plan, and therefore, can be supported by the Development Planning Department.

c) Parking

Table 1 summarizes the required (by Zoning By-law 1-88) and proposed parking for the subject lands. The site is located along Bathurst Street near Centre Street. There is currently a Regional bus stop at Centre Street and North Promenade, which is within walking distance of the site. The Region is planning a rapid transit route along Bathurst Street, and there is a proposed transit stop at the intersection of Bathurst Street and Beverley Glen Boulevard as shown on Attachment #2.

There are opportunities to reduce reliance on vehicles and the parking supply for this site, given its location and the proximity to existing and planned public transit.

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The Owner submitted a Traffic Impact and Parking Study, prepared by Cole Engineering, dated September 2011, in support of the proposed reduced parking standards for this site. The study was reviewed by the Vaughan Development/Transportation Engineering Department and additional information was requested. A revised report dated November 26, 2012, was submitted in support of the parking reduction and a further letter dated January 17, 2013 has addressed the comments and concerns of the Vaughan Development/Transportation Engineering Department with respect to the parking reductions.

The proposed development consists of two residential condominiums providing 438 residential units and approximately 835 m<sup>2</sup> of retail area. The Cole study proposes a residential parking ratio of 1.2 parking spaces per unit (i.e. tenant parking ratio of 1.05 spaces per unit and a visitor parking ratio of 0.15 spaces per unit) and a retail parking ratio of 1.96 parking spaces per 100 m<sup>2</sup> for the mixed-use development. The Cole study indicated that the retail uses are expected to be ancillary to the development and are to be used extensively by those already living within the community or in the proposed development. The study also concludes that the retail parking demands typically peak during the noon hour, when residential visitor parking demands are low.

The proposed parking ratio results in a total parking supply of 460 spaces for the residential-tenants and 83 spaces for residential-visitors and for retail. The Cole parking study concludes that the proposed parking supply would be sufficient for the development's specific requirements since the proposed ratio are justified based on the following studies:

- City of Vaughan's Draft Parking Standard Review by IBI; and
- 2008 Survey results at the already constructed and occupied sites:
  - Residential building located at 50/60 Disera Drive ( Block 3);
  - Residential building located at 7/15 North Park Road ( Block 4);
- 2011 Survey results at the already constructed and occupied sites:
  - Residential building located at 50/60 Disera Drive ( Block 3);
  - Residential building located at 7/15 North Park Road ( Block 4);
- Commercial 2012 Survey results at the already constructed and occupied sites:
  - 7330 Yonge Street.

Based on the supporting documents and survey results provided in the Cole Engineering Report, the Vaughan Development /Transportation Engineering Department has no issue with the conclusion of that report, which support the parking supply reduction.

#### d) Minimum Residential Lot Area

The proposed development includes a reduction in the maximum required lot area from 67 m<sup>2</sup> per unit to 17 m<sup>2</sup> per unit. Given a lot area of 7,726.66 m<sup>2</sup> and based on the 67m<sup>2</sup> per unit requirement in Zoning By-law 1-88, a total of 115 residential units would be permitted in the RA3 Zone on the subject lands. A total of 438 apartment units are proposed. The increase in the residential density reduces the minimum lot area per unit to 17 m<sup>2</sup> per unit. The proposed reduction in lot area per unit represents an increase in overall site density supported by the Provincial and Regional policies regarding intensification, and therefore, can be supported by the Development Planning Department.

#### e) Setbacks and Landscape Widths

Although Zoning By-law 1-88 requires minimum building setbacks of 7.5 m from each street

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surrounding the site, the Development Planning Department has no objection to the reduction in building setbacks and reductions in the proposed landscape strip widths as proposed by this application. The reductions facilitate compact built form that is supportive of intensification with the resulting streetscape being urbanized and conducive to pedestrian activity and accessible to public transit.

#### f) Maximum Floor Area for Retail Uses

Ground floor commercial uses are proposed at the base of Building 'M', which are not permitted in the RA3 Apartment Residential Zone. The proposal facilitates 835 m<sup>2</sup> of ground floor commercial uses that will provide services to the future residents of this development and the surrounding community and are considered appropriate for a mixed-use residential development.

#### g) Definition of a Lot

An exception to the Zoning By-law 1-88 definition of a "Lot" is requested to ensure that for zoning purposes, the subject lands are deemed to be one lot. The proposed mixed-use development will likely be developed as one or more condominium tenures, and it is appropriate to ensure that the access driveways will be shared and that any approved zoning exceptions established in this proposal remain applicable to the entirety of the property.

#### h) Holding Symbol "(H)"

Should Council approve the applications, the implementing Zoning By-law will rezone the property to RA3(H) Apartment Residential Zone with the Holding Symbol "(H)". The addition of the Holding Symbol "(H)" is proposed to ensure that water supply and sewage servicing capacity for the development is assigned and can be allocated to the subject lands by Vaughan Council, upon the next Servicing Protocol being considered and approved by Vaughan Council, which is expected in June 2013. A condition to this effect is included in the recommendation of this report.

The Development Planning Department can support the proposed zoning exceptions to the RA3 Apartment Residential Zone. The proposed development demonstrates good urban design principles, is compatible with the surrounding existing and planned land use context, and is consistent with the applicable Provincial and Regional planning policies. The Development Planning Department has no objections to the proposed exceptions to Zoning By-law 1-88.

#### Density Bonusing

Policies and provisions respecting density bonussing will be included in the implementing site-specific Official Plan and Zoning By-law Amendments and will be implemented through a density bonussing agreement between the Owner and the City of Vaughan pursuant to Section 37 of the Planning Act. Density bonussing may include, but not be limited to, public art, cash contributions for community benefits, and enhanced streetscaping. It is recommended that the implementing Official Plan Amendment not be adopted and the Zoning By-law not enacted until the density bonus has been approved to the satisfaction of the City of Vaughan. A condition to this effect has been included in the recommendation of this report.

#### Site Plan Approval

Should Council approve the Official Plan and Zoning By-law Amendment Applications, the subject lands will be developed through the Site Development Application process. A Site Development Application is also the subject of this staff report and before Council for consideration and approval. As a condition of Site Plan approval, the Owner will be required to satisfy all requirements of the City of Vaughan and a Site Plan Agreement and Letter of Credit will be required to guarantee the works, in addition to all site plan requirements. The Region of York may also require the Owner to enter into a separate Site Plan Agreement.

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The proposed site plan is shown on Attachment #3. Site access is via a private driveway from Beverley Glen Boulevard located adjacent the westerly edge of the site to North Park Road. This driveway provides access to service and parking areas on the site.

The development consists of two residential apartment towers connected by a podium. Retail commercial uses are located at grade along Bathurst Street near Beverley Glen Boulevard. The proposed building heights and number of units are shown on Attachment #3.

The site is proposed to be landscaped as shown on Attachment #4, with an urban streetscape along Bathurst Street, which includes elements to integrate and accommodate grade changes across the site. Parking is located underground for residents and visitors, and limited short term surface parking is provided.

Attachments #5 to #7 show the proposed building elevations. The proposed building materials are as labeled on these attachments. Attachment #8 provides a perspective of the proposed development.

The final site plan, landscape plan and building elevations must be finalized to the satisfaction of the Development Planning Department, should the site plan be approved.

#### Vaughan Development/Transportation Engineering Department

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

##### a) Sewage and Water Allocation

A Functional Servicing Report, dated August 22, 2011, and prepared by Counterpoint Engineering Inc. was reviewed by the Vaughan Development/Transportation Engineering Department. This report determined that sanitary, water and storm services were adequate for the proposed development. In accordance with the City's Servicing Capacity Distribution Protocol as adopted by Council, formal allocation of Servicing Capacity is required for the each residential apartment unit (a total of 438 units). The approved 2012 Servicing Capacity Distribution Protocol did not include the subject applications, and therefore, servicing allocation capacity is currently not available to support the proposal. Should the applications be approved, a Holding Symbol "(H)" must be placed on the proposed RA3 Apartment Residential Zone, to ensure that the proposed development does not proceed until City of Vaughan Council allocates servicing capacity. The condition for removing the Holding Symbol "(H)" will be Council's approval of the allocation for the proposed 438 apartment units.

Prior to the execution of the Site Plan Agreement, the final detailed storm water management report, site servicing plans, grading plans, noise report and lighting plans must be to the satisfaction of the Vaughan Development/Transportation Engineering Department.

##### b) Traffic Impact and Parking

The Traffic Impact and Parking Study, prepared by Cole Engineering, dated September 2011, submitted in support of the applications and an addendum report dated November 26, 2012, were reviewed by the Region of York and the Vaughan Development/Transportation Engineering Department. The City of Vaughan has adopted reduced rates of parking in the area with high density development including Thornhill Town Centre and the development located in the areas with good transit service, as good transit service reflects relatively lower parking demand. The proposed development is served by YRT Routes 3, 23, 77 and VIVA Purple. In addition, the



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existing and future rapid transit service along the Bathurst Street corridor further supports the proposed parking rates. The consultant also discussed the possibility of shared parking between residential and retail components. The retail parking demands typically peak during the noon hours, when residential visitors parking demand are low; However, this principle was not applied in the proposed parking estimates.

The Traffic Report includes a Mobility Plan for walking and cycling and a Transportation Demand Management (TDM) Plan which identifies opportunities such as public transit, parking management, car share, implementation strategies, TDM marketing and multi-modal Navigation tools; and, TDM program maintenance, monitoring and costs. The Traffic Report concludes TDM strategies will be incorporated into the development, that 314 bike parking spaces will be provided, and 543 parking spaces will be sufficient for the development. The proposed 438 units and 835 m<sup>2</sup> of retail commercial use generates additional daytime and peak-time trips but has minimal impact on the surrounding road network.

The City requested TDM measures such as transit, cycling, incentives, car sharing, information distributing, personal travel planning programs and Smart Commute. The revised Traffic and Parking Study contains a TDM Plan including the provision of a portion of the recommended 219 long term bike parking spaces. The City requires the Owner to commit to the implementation and monitoring of a TDM Plan. The City and/or the Region may seek to enter into an agreement with the Owner for the total cost of the TDM measures to ensure completion of the TDM program for which the Owner will be required to deposit a Letter of Credit. A condition to this effect has been included in the recommendation of this report.

No road improvements are necessary to accommodate the increase in traffic associated with the proposed development.

The Revised Cole Traffic Impact and Parking Study has been reviewed and approved by the Vaughan Development/Transportation Engineering Department.

#### c) Environmental Site Assessment (ESA)

As a condition of Site Plan approval for the subject lands, the City will require documented proof of the registry of the Record of Site Condition (RSC) with the Environmental Site Registry of the Ministry of the Environment (MOE), which includes the acknowledgement from the MOE and a signed RSC by a qualified person. As well, any Environmental Site Assessment (ESA) report(s) used to support the filing of the RSC shall be provided and completed to the satisfaction of the City. A condition to this effect has been included in the recommendation of this report.

#### d) Noise Attenuation

The Vaughan Development/Transportation Engineering Department has reviewed the Noise Feasibility Study prepared by HGC Engineering, dated August 22, 2011, and the following noise attenuation measures must be addressed:

- i) a central air conditioning system is required for all units in the high-rise residential buildings;
- ii) glazing construction with the specified minimum acoustical performance will be required; and,
- iii) warning clauses are required to inform future residents of the traffic noise issues.

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

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##### Urban Design and Landscaping

An Urban Design Brief was submitted to the Urban Design Section of the Development Planning Department, in support of the applications. The site is organized to encourage ground floor public activities and an intermix of public and private second floor amenity spaces. The typical floor plates for the residential towers is 850 m<sup>2</sup> (above the podium) which is typical of the floor plate size the City has adopted through Vaughan Official Plan 2010. The proposed towers are intended to form a focal landmark gateway from Bathurst Street and Beverley Glen Boulevard. The primary finish of the building is transparent glass as shown on Attachments #5 to #9. Limited visitor parking and loading areas are available at grade to accommodate the residential and retail uses. All other parking is located underground.

The Development Planning Department (Urban Design Section) requested an Existing Vegetation Assessment and Tree Preservation Plan to evaluate the impact of the proposal on the existing double row of mature street trees along Bathurst Street. The Tree Preservation Plan recognizes 16 trees, 13 of which are in fair and poor condition and 3 in good condition, however, all are in conflict with the grading for Bathurst Street or the building and require removal. An Erosion Control, Restoration and Edge Management Plan was requested to determine the impact of the proposed development on the existing adjacent woodlot. In addition, a "Woodlot Edge Management Report" has been requested to address restoration methods. A cross-section illustrating the visual angular plane analysis from the nearest property line of the low rise residential area has been provided. Prior to final site plan approval, a Landscape Master Plan and detailed landscape plans must be approved to the satisfaction of the Development Planning Department. The Owner will be required to provide a Letter of Credit to guarantee the landscape works proposed for the development. A condition of approval has been included in the recommendation of this report.

The proposed development includes a "lookout feature" to be constructed within the Thornhill Green Park adjacent to the subject lands. The Owner is required to enter into the necessary agreement(s) with the City to provide for the future development of the lookout landscape feature, which is to be located on the City-owned lands. A condition has been included in the recommendation of this report to recognize this requirement.

##### Vaughan Design Review Panel

The Vaughan Design Review Panel (DRP) reviewed the original development proposal on December 15, 2011. The Panel's comments were requested on the development concept, preliminary elevations and preliminary Sun Shadow Study, and Buildings "L" and "M", prepared by Kirkor Architects, dated November 25, 2011. The Panel was asked the following questions:

1. What design recommendations would better integrate the proposed 'gateway' development with the surrounding community for a positive contribution to its adjacent public realm (park/woodlot and streetscapes)?
2. Does the proposal meet the intent of, and vision illustrated in the draft Centre Street Urban Design Guidelines for the Town Centre area, with special consideration given to the promotion of alternate forms of mobility (pedestrians, cycling and transit)?

The Panel's comments respecting the original proposal were as follows:

- a) the proposal has the opportunity to connect, animate and integrate the existing and emerging context, including the park, transit, community in transition, in a way that delivers on the future vision of the area;
- b) the site is one of the most valuable locations in the Thornhill Town Centre, adjacent to a future vivaNext transit stop and the Site Plan should respond to this opportunity with pedestrian and transit-oriented development;

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- c) the original site design provides most of the landscape detailing for pedestrians at the southeast corner of the site, whereas the future transit stop will be located, at the north east corner of the site, at Bathurst Street and Beverley Glen Boulevard;
- d) the original site design does not deliver a welcoming, pedestrian-oriented environment, around the perimeter of the site and the built form would not contribute positively to creating frontage along the adjacent streets or the park;
- e) the site organization could be improved by bringing the building closer to the street edges to engage all site edges with active frontages and pedestrian interfaces along the streets and the park;
- f) the existing Thornhill Green Park is one of the most important in the Thornhill Town Centre and an active frontage onto the park would develop a ground level relationship with the park, with pedestrian access increasing security through “eyes on the park”;
- g) surface parking is an undesirable frontage for either the streetscapes, or the park, and is not supportive of the future increase of pedestrian activity on Bathurst Street;
- h) above-grade structured parking internal to the building mass could be considered as an alternative approach to surface parking. Such an approach could push the building to site edges and engage the public realm, eliminating the dominance of surface parking and allow for potential preservation of the existing mature trees along Bathurst Street;
- i) the architecture and the ground plane, should respond to the pedestrian experience at ground level and in the first three floors of the buildings, and capitalize upon and contribute to the adjacent parkland, and streetscapes to create more encouraging ways to walk to and from the future vivaNext stop at Beverley Glen and Bathurst Street.
- j) explore the grade differential across the site as an opportunity to integrate the podium with street level;
- k) a street oriented podium with increased height (whereas the original design had proposed a tall one-storey podium) is recommended to achieve a stronger interface with the street to achieve site density; and,
- l) the Panel requested that sustainability be at the core of the building design.

The Owner has addressed these Design Review Panel comments with revisions to the site organization, building landscape design and building elevations, as shown on Attachments #4 to #9.

#### Shadow Study

The applicant submitted a Shadow Study, prepared by Kirkor Architects, projecting the shadow impact on the surrounding properties both east and west of the subject lands. Shadowing on the east side of Bathurst Street, begins at approximately 3:30 pm until sunset. However, the point tower building design and smaller floor plates of the proposed buildings, cast longer more slender shadows, than slab shaped buildings, and the longer slender shadows move more quickly over the affected properties. Development Planning Staff reviewed the Shadow Study for the proposed development and was of the opinion that the shadows cast by the proposed buildings were acceptable and meet the criteria typically established by municipalities for assessing the shadow impact of high-rise buildings in urban areas.

#### Community Services and Facilities Study

At the request of Staff and to address concerns raised at the Public Hearing, the applicant submitted a Community Services and Facilities Study (CSFS) to determine the impact the proposed high density residential development would have on the existing community. The CSFS report was reviewed by staff in Community Services. The CSFS report concluded that:

- no near-by lands are available for parkland;
- cash-in-lieu of parkland paid by the applicant should be used towards park improvements for

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- the existing and future residents, or alternatively, by the City to acquire additional parkland; and,
- that the existing park space can accommodate the existing population increase.

The CSFS assessed the impact of the proposed population increase on the existing community facilities and services including: Elementary and Secondary Schools, Public Libraries, Community Recreation Centres, Public and Open Spaces, Child Care Centres, Places of Worship, and Emergency Medical and Fire Services. The study concludes the “extra density will not create adverse impacts on the community facilities and services”. It further concludes the predominant age group in the study area is over 50 years of age and 67% have no children at home; and, that the proposal will not generate a significant number of children and will not adversely impact on school capacity.

#### a) Community Service: Active Together Master Plan

The City's Active Together Master Plan (ATMP), outlines the recreational and park needs of the City. This Plan is currently under review and the revised Plan is expected to be presented to Council in mid-2013. The following comments reflect the current 2008 ATMP and may differ from any future recommendation arising from the review of the ATMP.

The ATMP recommends targets for the provision of parkland in communities within the City. Overall, the Active Together Master Plan noted that the Thornhill Community is generally well served by parkland, however, the ATMP recommends the following facilities will be needed (within the Thornhill community planning area): basketball courts, new skateboard parks and a new waterplay facility. The ATMP establishes recommended targets for the provision of parkland and community programming for fully built out communities to 2031. The ATMP also recognizes growth within this community will require both additional active parkland and passive parkland to meet the needs of the population.

City Staff recognize that future development must not deplete the existing per capita park space or put undue pressure on the existing supply of community facilities including facilities, events and programming for existing facility users. This development proposal provides indoor and outdoor amenity areas for the use of the proposed residents and it also proposes improvements to the Thornhill Green Park to provide a “look out-type” landscape feature within the park. The development of the proposed lookout area and landscape features will need to be further reviewed by the Parks Development and Parks and Forestry Operations for park development and maintenance standards.

The ATMP contains recommendations which address the need for the City to ensure that existing community centres and facilities also offer a comparable level of service to newer facilities in new parts of the City. In keeping with the ATMP recommendations, future retrofitting or redevelopment of existing community centres maybe required in certain areas of the City, to achieve this objective.

The Community Services and Facilities Study concludes that the existing level of service supports the expected increase in population attributable to the proposed additional development density. The study has been reviewed by the Development Planning Department in conjunction with Community Services, and the City notes that there is a general need of additional park amenities/facilities that would be associated with the local increase of park users to the existing Thornhill Green Park site, as follows:

- a) additional site furnishing including park benches/seating areas (located in shade /sunlight);
- b) expansion of the playground pit to accommodate additional swings and equipment (safety surface to be upgraded);

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- c) the addition of active fitness facilities (outdoor fitness equipment or apparatus);
- d) covered shade structures/ shade devices would be required;
- e) general improvements to existing wood lot systems (paths, plantings, etc), and
- f) due to the local increase in park users, additional maintenance may be required (garbage pick-up and general site inspections.)

#### b) Childcare Centres

Daycare space has been identified as at capacity in this area. The study concludes the proposed development will not significantly increase the number of children, and the marketplace would provide new daycare spaces to address the demand.

#### c) Places of Worship

Six synagogues and three places of worship have been identified within the study area. The CSFS concludes the area is well served and no adverse impact on existing places of worship is anticipated.

#### d) Emergency Medical & Fire Services

The medical and fire services are located outside the immediate community area. The Vaughan Fire Services Department has no comments/concerns with this development application.

#### Vaughan Real Estate Division

The Vaughan Real Estate Division requires that the Owner shall pay to the City of 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. A condition to this effect is included in the recommendation of this report.

#### School Boards

The York Region District School Board and York Region Catholic School Board have no comments or concerns with respect to the applications.

#### Canada Post

Canada Post will require mailrooms to be provided internal to the buildings for this development.

#### **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 Region of York reviewed Official Plan Amendment File OP.11.007 and provided comments on November 10, 2011. The subject lands are designated "Urban Area" in the Region's Official Plan. Bathurst Street is identified as a Regional Corridor and rapid transit is planned for this section of Bathurst Street. The Region has confirmed that the proposed Official Plan Amendment is consistent with the Regional Official Plan policies directing development to existing built up portions of urban areas; focus intensification along a Regional Corridor; increase the range of residential land uses; complements public transit service; and, locates higher density development adjacent to transit-intensive arterial roads. The Region recognizes that within a Regional Corridor there is potential to provide more intensive and mixed-use forms of development that are served by transit.

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The Region of York also reviewed related Site Development File DA.12.057 and in preliminary comments dated January 27, 2012, the Region indicated that final approval of the Site Development application will not be issued until the Region issues final conditions of approval and a Regional Site Plan Agreement is fully executed.

The Region requested additional information regarding the Traffic Impact Study to address potential traffic operational issues. This information was provided in the Revised Cole Engineering Traffic and Parking Report dated November 26, 2012. Conveyance of a portion of the Owner's lands are required to accommodate future road widenings, free of all costs and encumbrances, including:

- a) a widening across the full frontage where it abuts Bathurst Street to provide a minimum 22.5m right-of-way from the centreline of construction; and,
- b) a 15 m X 15 m daylight triangle at Bathurst Street and Beverley Glen Boulevard.

The Region has advised the applicant of the Region's requirements regarding the Transportation Demand Management Plan. The Region's TDM requirements will be addressed through the Region's Site Plan Agreement requirements. Some of the Region's TDM comments have been addressed through the Cole Traffic Impact and Parking Study (November 26, 2012), however, the Region requires the following from the applicant:

- a) a checklist that identifies the programs/measures, associated costs, and the responsible authority to carry out the TDM implementation and monitoring;
- b) a drawing illustrating the locations of the pedestrian/cycling facilities and connections to adjacent developments and roadways;
- c) a drawing illustrating the proposed locations of the bicycle racks;
- d) pre-loaded presto cards (equivalent amount of one month transit pass);
- e) a real time display screen in the building for real time information on the transit schedule; and,
- f) an agreement with Carshare to provide the service on this site, including a security for funding provided by the developer to a Carshare company to cover the initial start up costs as indicated in the agreement.

#### **Conclusion**

The Owner has submitted Official Plan Amendment File OP.11.007 to amend OPA #210 (Thornhill Community Plan), specifically to redesignate the subject lands from "Town Centre Commercial" to "High Density Residential" to permit a proposed development consisting of 12 and 25-storey apartment buildings (condominium-style) with a maximum density of 4.43 FSI (Floor Space Index) and a maximum gross floor area of 835 m<sup>2</sup> for ground floor retail/commercial uses. The Owner has also submitted Zoning By-law Amendment File Z.11.032 to rezone the subject lands from C2 General Commercial Zone to RA3(H) Apartment Residential with the Holding Symbol "(H)" and to permit the site-specific zoning exceptions identified in Table 1 of this report, to facilitate the development of the site plan.

The Official Plan and Zoning By-law Amendment applications propose to implement a mixed-use residential and commercial development that meets the objectives of the Provincial Policy Statement (PPS) and Growth Plan for the Greater Golden Horseshoe (the Growth Plan) by

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providing the opportunity for a mixed-use development that offers an alternative housing type and higher densities that are compact, pedestrian-friendly and transit-oriented, and that supports the City's and Region's initiatives to facilitate the planned Bus Rapid Transit route along Bathurst Street.

The Vaughan Development Planning Department has reviewed the applications and is satisfied that the proposed high-rise residential, mixed-use development, as shown on Attachments #4 to #9, inclusive, is appropriate and compatible with the existing and permitted uses in the surrounding area. The Development Planning Department can support the approval of Official Plan Amendment File OP.11.007, Zoning By-law Amendment File Z.11.032, and Site Development File DA.12.057, subject to the recommendations in this report.

#### **Attachments**

1. Context Location Map
2. Location Map
3. Conceptual Site Plan
4. Proposed Landscape Plan
5. East Elevations – Facing Bathurst Street
6. West Elevations – Facing Thornhill Green Park
7. North and South Elevations
8. Conceptual Perspective Looking Northwest
9. Conceptual Perspective Looking Southwest

#### **Report prepared by:**

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(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)