

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 19, Report No. 14, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 23, 2013.

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**ZONING BY-LAW AMENDMENT FILE Z.12.014
DRAFT PLAN OF SUBDIVISION FILE 19T-12V004
SITE DEVELOPMENT FILE DA.12.060
WOODBIDGE CROSSING LTD.
WARD 2 - VICINITY OF KIPLING AVENUE AND PORTER AVENUE**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated April 9, 2013, be approved;**
- 2) That staff be requested to review the east elevations of the proposed townhouses to ensure compatibility with the proposed sidewalk;**
- 3) That staff consider the objective of activating the public square in their review of the application; and**
- 4) That the coloured elevation drawings submitted by the applicant be received.**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.12.014 (Woodbridge Crossing Ltd.) BE APPROVED, specifically to amend Zoning By-law 1-88, to:
 - a) rezone the subject lands shown on Attachments #2 and #3 from M2 General Industrial Zone and M3 Transportation Industrial Zone to RM2(H) Multiple Residential Zone with the Holding Symbol "(H)", OS2 Open Space Park Zone and A Agricultural Zone, in the manner shown on Attachment #4;
 - b) that the Holding Symbol "(H)" shall not be removed from the subject lands until servicing for the subject lands has been identified and allocated by Vaughan Council; and,
 - c) permit the site-specific zoning exceptions identified in Table 1 of this report.
2. THAT Draft Plan of Subdivision File 19T-12V004 (Woodbridge Crossing Ltd.), as shown on Attachment #5, BE APPROVED, subject to the Conditions of Approval set out in Attachment #1 to this report.
3. THAT Site Development File DA.12.060 (Woodbridge Crossing Ltd.) BE APPROVED, to facilitate the residential development of the subject lands shown on Attachments #2 and #3 with 53 freehold townhouse units including public square blocks, a pedestrian trail block in private ownership (subject to a public easement), and a private buffer block and private visitor parking areas as shown on Attachments #4, and #6 to #8, subject to the following conditions:
 - a) that prior to the execution of the Site Plan Agreement:
 - i) the final site plan and building elevations shall be approved to the satisfaction of the Vaughan Development Planning Department;

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- ii) the final landscape plan and landscape cost estimate, including the detailed design of the public square blocks shall be approved to the satisfaction of the Vaughan Development Planning and Parks Development Departments;
- iii) the final site grading, servicing, stormwater management and lighting plans shall be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department;
- iv) the Owner shall satisfy all requirements of the Region of York Transportation and Community Planning Department;
- v) the Owner shall satisfy all requirements of the Toronto and Region Conservation Authority;
- vi) the Owner shall convey an easement in favour of the City of Vaughan over Block 2 (Pedestrian Trail);
- vii) the Owner shall arrange with the adjacent property Owner to the west (Canuck Properties) to convey an easement over a portion of the future Porter Avenue West as shown on Attachment #4; the easement shall be of sufficient size and configuration to facilitate two way traffic movements from the west limit of the existing private driveway to the future Porter Avenue West and shall be to the satisfaction of the City of Vaughan;
- viii) the Owner shall satisfy all requirements of CP Railway; and,
- ix) the Draft Plan of Subdivision 19T-12V004 shall be registered;
- b) that the Site Plan Agreement include the following conditions:
 - i) Prior to the issuance of a Building Permit, the Owner shall provide to Vaughan, by way of the dedication of parkland being Blocks 3 and 4 as shown on Attachment #5 and pay by way of certified cheque cash-in-lieu of parkland for the balance totalling 5% or 1 ha per 300 units of the value of the subject lands, 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 Services Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment; and,
 - ii) The Condominium Corporation shall maintain ownership of Block 6 (the berm and noise fence), and Block 2 (Pedestrian Trail) with the necessary easement(s) over Block 2 granted in favour of the City of Vaughan.

Contribution to Sustainability

The applications implement the following Goals and Objectives of Green Directions Vaughan:

Goal 2: To ensure sustainable development and redevelopment.

Objective 2.2: To develop Vaughan as a City with maximum green space and an urban form that supports our expected population growth.

Objective 2.3: To create a City with sustainable built form.

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Goal 3: To ensure that getting around in Vaughan is easy and has low environmental impact.

Objective 3.1: To develop and sustain a network of sidewalks, paths and trails that supports all modes of non-vehicular transportation.

The following sustainable building features are proposed to be provided in the development of the subject lands:

- i) high efficiency fixtures, fittings and appliances (ie: dual flush toilets, low flow shower heads and faucets);
- ii) heating ventilation and air conditioning equipment that uses no CFC refrigerants;
- iii) to the greatest extent possible, use of building materials and products that are extracted and manufactured within the region;
- iv) low E double glazed windows;
- v) high efficiency furnaces, air conditioning units and bathroom fans; and,
- vi) spray foam insulation will be used in all garage ceilings.

Economic Impact

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

Communications Plan

On May 11 2012, a Notice of Public Hearing for Zoning By-law Amendment File Z.12.014, proposing 49 (revised at a later date to 53) residential townhouse units and a public square was circulated to all land owners within 150 m of the subject lands and to the West Woodbridge Homeowners Association. The Public Hearing was held on June 5, 2012, and the recommendation of the Commissioner of Planning to receive the Public Hearing report was ratified by Vaughan Council on June 26, 2012.

At the Public Hearing, a representative of the West Woodbridge Homeowners Association expressed concern with the proposed conceptual site plan and building designs, and indicated that the development should be in keeping with the policies of OPA #695. The individual also requested that the Owner meet with the representatives from the Homeowners Association to discuss their concerns. A representative of an adjacent landowner (Canuck Properties) also addressed Council at the Public Hearing and advised that he attended the meeting to understand the issues of Council and the public.

On September 21, 2012, a Notice of Public Hearing for Draft Plan of Subdivision File 19T-12V004, which includes 9 blocks for 53 townhouse dwelling units, was circulated to all land owners within 150 m of the subject lands and to the West Woodbridge Homeowners Association. The Public Hearing was held on October 15, 2012, and the recommendation of the Commissioner of Planning to receive the Public Hearing report was ratified by Vaughan Council on November 6, 2012. At this Public Hearing, a representative of the West Woodbridge Homeowners Association expressed the same concerns identified at the Public Hearing on June 5, 2012, and advised that the Owner/agent has not met with the Association to discuss their concerns. On November 12, 2012, the Owner met with a representative of the West Woodbridge Homeowners Association and the Local Councillor to discuss their concerns.

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Purpose

The Owner has submitted the following applications on the subject lands shown on Attachments #2 and #3, to facilitate the residential development of fifty-three (53) freehold townhouse units served by a private condominium road and visitor parking as shown on Attachment #4:

1. Zoning By-law Amendment File Z.12.014 to amend Zoning By-law 1-88, specifically to rezone the subject lands shown on Attachments #2 and #3 from M2 General Industrial Zone and M3 Transportation Industrial Zone as shown on Attachment #3 to RM2(H) Multiple Residential Zone with the Holding Symbol “(H)” and OS2 Open Space Park Zone, in the manner shown on Attachment #4 together with the site-specific zoning exceptions identified in Table 1 of this report.
2. Draft Plan of Subdivision File 19T-12V004 to facilitate a proposed residential Plan of Subdivision, shown on Attachment #5, consisting of the following:

Blocks(s)	Purpose	Area
1	Road and 53 townhouse dwelling units	9,917.35 m ²
2	Pedestrian Trail	412.61 m ²
3	Public Square	391.81 m ²
4	Public Square/Park	838.20 m ²
5	Future Development Block	923.71 m ²
6	CP Rail buffer block	2,111.21 m ²
7, 8, 9	0.3 m reserve	57.59 m ²
10	Porter Avenue West - Public Road	1,844.01 m ²
Total Site Area		1.649 ha

3. Site Development File DA.12.060 to facilitate the development of the subject lands with 53, 3-storey freehold townhouse dwellings and visitor parking serviced by a private common element condominium road, public square/open space and buffer blocks, as shown on Attachments #4 and #6 to #8 inclusive.

Background - Analysis and Options

Location

The subject lands shown on Attachments #2 and #3 are located on the west side of Kipling Avenue and south of the Canadian Pacific Railway line, opposite of Porter Avenue East, known municipally as 8100 Kipling Avenue, City of Vaughan.

The 1.65 ha property has 37 m frontage on Kipling Avenue. The parcel is triangular in shape with the southern lot line having a length of 112 m and narrowing to 0 m at the north limit of the site. The parcel was previously occupied by the Woodbridge Lumber Yard and is currently developed with a brick and frame storage building and a frame shed, which are proposed to be demolished.

- i) **Official Plan Amendment #240 as amended by Official Plan Amendment #695**

The subject lands are designated “High Density Residential Neighbourhood” (northerly portion), “Mid Density Residential Neighbourhood” (south portion) and “Public Square” (abutting the CP line) by in-effect OPA #240 (Woodbridge Community Plan) as amended by OPA #695 (Kipling Avenue Corridor Study). The “Mid Density Residential Neighbourhood” designation permits townhouse dwellings and a public square and provides for a maximum lot coverage of 80%, a

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maximum Floor Space Index (FSI) of 2.0, a minimum/maximum building height of 2 and 4 storeys, respectively, and a minimum setback of 4.5 m along future Porter Avenue West. The “High Density Residential Neighbourhood” designation also permits townhouse units and a public square and provides for a maximum building height of 2-storeys, a minimum lot coverage of 80%, and a maximum density of 2.0 FSI.

The proposed development, as shown on Attachment #4 conforms to these policies of the Official Plan. The 53 freehold townhouse dwelling units provide for approximately 36% lot coverage, yield an FSI of 1.17 (based on the net developable area of 9,917.35 m²), and are 3-storeys in height. A 4.5 m building setback from the street (future Porter Avenue West) is also proposed. The proposed townhouse development conforms to the Official Plan.

As part of the review of the applications, consideration was given to Section 3.1, General Land Use Policies of OPA #695, and specifically, the policies and development principles and objectives dealing with Parks and Open Space and Special Character Streets.

Public Square

Official Plan Amendment #695 designates a portion of the subject lands “Public Square”. A public square is intended to be a formal space for passive recreation in support of the adjacent development. OPA #695 provides the following guidelines (in part) that should be considered in the design:

- they should be designed as focal points;
- their relationships with adjacent buildings should provide optimal sunlight penetration, sky view and wind conditions;
- the streetscape and buildings that abut a public square should be designed to reinforce an interactive relationship between the open space and its adjacent land use;
- buildings should front onto a public space; entry and access points should be located conveniently and incorporate civic design themes; and,
- hard and soft landscape elements and features shall be designed to define and articulate activity areas, circulation, entry points, seating and gathering areas.

The applicant is proposing public square and open space blocks (Blocks 3 and 4, respectively) to be conveyed to the City of Vaughan. These blocks are connected by a linear pedestrian trail (Block 2), which lies parallel to a 25 m wide buffer block (Block 6) extending along the easterly property limits and is required along the CP Rail right-of-way, as shown on Attachment #5. Blocks 2 and 6 will be owned and maintained by the future Condominium Corporation, with the necessary access easements registered on title in favour of the City.

The proposed public square (Block 3) located at the southeast portion of the site has been designed with a main passive focal point feature at the junction of future Porter Avenue West, Kipling Avenue and the CP Railway crossing, with a secondary focal point (Block 4) at the north end of the site. The public square and open space blocks, as shown on Attachment #5, will be treated with soft and hard landscaping materials in a manner that provides formal spaces for passive recreational uses for both the future residents of this development and for the existing residents within the area. The public square (Block 3) affords easy access to pedestrian activity from Kipling Avenue and provides opportunity for plantings and furnishings to implement the vision set out in OPA #695. The proposed landscape plan (Attachment #6) shows a public square and open space block including the conceptual design treatment for Block 3 (the main focal point) to establish a gateway feature for the area. The sloped berm area (Block 6) abutting the CP Railway line does not form part of the public square, however, it will be landscaped and maintained by the future Condominium Corporation. The Owner is also proposing to animate the berm by incorporating seating areas into the design as part of the pedestrian trail experience.

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The majority of the corner units adjacent to the public square and trail system are oriented with the main door, windows and wrap around porches that face the public square and trail system. OPA #695 requires that parkland be provided at a rate of 5% of the gross land area or 1 hectare for each 300 dwelling units or a combination of 5% and 1 ha/300 dwelling units, whichever yields the greater provided for in the Planning Act. The size of the public square shown on Schedule 2.4 "Proposed Parks, Parkettes and Public Squares" of OPA #695 for the subject lands is 0.31 ha, including the berm, which is based on a more intense form of development that is being proposed by the Owner. The proposed public square, open space, buffer and pedestrian trail blocks total approximately 0.375 ha in size, which is consistent with OPA #695, however, only the public square and open space blocks (Blocks 3 and 4) totaling 0.123 ha (Blocks 3 and 4) will be considered towards satisfying the parkland requirement of the Official Plan since the berm (Block 6) and pedestrian trail (Block 2) will remain in private ownership with access easements granted in favour of the City of Vaughan. The balance of the parkland requirement will be provided as cash-in-lieu of parkland.

The Development Planning Department and Parks Development Department are generally satisfied with the design of the public square and open space blocks given the site constraints and are satisfied that they are planned a manner that will facilitate a public square that is consistent with the intent of the Official Plan.

Character Street (Porter Avenue West)

Official Plan Amendment #695 identifies the existing private driveway as shown on Attachment #4 as Porter Avenue West, a Special Character Street that should function as a major public east/west pedestrian and bicycle link from Rainbow Creek, easterly to the Fairgrounds and beyond. This street is planned to terminate at the west limit of the site, and connect to a future north-south road (Parkside Drive). OPA #695 indicates that Porter Avenue West should function as a one-way road, out to Kipling Avenue, due to the CP Railway setback and sight-line restrictions at this location.

OPA #695, Appendix B, Streetscape Master Plan, includes guidelines for the design of Porter Avenue West to be considered as follows:

- a right-of-way width of 17.5 m;
- one-way eastbound lane with a lay-by parking lane and a 6.0 m pavement width;
- no left turning lane; and,
- sidewalks on the north and south sides of Porter Avenue West - 2.5 m and 1.5 m wide, respectively.

OPA #695 also states that a 4.5 m setback should be provided between the Porter Avenue West right-of-way and any building to accommodate enhanced landscaping, special streetscape features and green connections to major open spaces.

The main access to the subject lands is proposed from future Porter Avenue West, which serves the subject lands and the industrial lands further to the west (owned by Canuck Properties and currently occupied with Woodbridge Foam). Porter Avenue West is designed with a 17.5 m right-of-way including a pavement width of 8.0 m and a 3.0 m sidewalk on the north side of the street as shown on Attachment #9. The Owner is proposing that Porter Avenue West function as a two-way street with no lay-by parking since it provides the only opportunity to access the subject lands at this time. OPA #695 indicates that Porter Avenue West should function as a one-way street out to Kipling Avenue, due to the CP Railway line setback and sight line restrictions at this location. However, CP Railway has provided comments (identified in the CP Rail Section of this report) indicating that they have no objection to Porter Avenue West functioning as a two-way

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street, provided the proper traffic and directional signage is installed. Further comments are provided by the Vaughan Development/Transportation Engineering Department later in this report that will require the applicant to submit drawings showing the revised right-of-way details including two way vehicular movement to allow this development to function.

The Development Planning Department is satisfied with the revised design intent of Porter Avenue West, which includes the required road width, sidewalks, and building setbacks consistent with the general intent of the Character Street, as outlined in OPA #695.

ii) City Of Vaughan Official Plan 2010 (VOP 2010)

The subject lands are designated 'Low Density Residential C', "Mid-Rise Residential" and "Parks and Public Squares" by the new City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified September 27, 2011, March 23, 2012, and April 17, 2012) as further modified and endorsed by Region of York Council on June 28, 2012, and is pending approval from the Ontario Municipal Board. The policies of OPA #695 were incorporated into Volume 2 of VOP 2010 (Section 11.5) as an area specific amendment. The proposed development conforms to VOP 2010.

Zoning

The subject lands are zoned M2 General Industrial Zone and M3 Transportation Industrial Zone by Zoning By-law 1-88 as shown on Attachment #3, which does not permit the proposed residential development. A Zoning By-law Amendment is required to rezone the subject lands to RM2(H) Multiple Residential Zone with the Holding Symbol "(H)" and OS2 Open Space Park Zone in the manner shown on Attachment #4. In addition, the following site-specific zoning exceptions are required to facilitate the proposed development:

Table 1

	By-law Standard	By-law 1-88 RM2 Multiple Residential Zone Requirements	Proposed Exceptions to RM2 Multiple Residential Zone
a.	Permitted Uses	<ul style="list-style-type: none">- Block Townhouse Dwelling- Apartment Dwelling- Multiple Family Dwelling	Permit 53, 3-storey Freehold Townhouse Units on a Private (Common Element) Condominium Road
b.	Minimum Setback to a Garage (All Units)	6.4 m	6 m
c.	Minimum Amenity Area Per Unit (All 3 bedroom units)	90 m ² per unit	52.5 m ² per unit

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d.	Minimum Lot Area Per Unit	230 m ² per unit	104 m ² per unit
e.	Minimum Landscape Strip Width around the Periphery of an Outdoor Parking Area	3 m	2 m
f.	Minimum Parking Requirement	120 parking spaces (106 residential spaces and 14 visitor spaces)	118 parking spaces (106 residential spaces and 12 visitor spaces)
g.	Minimum Driveway Aisle Width	6 m	4.5 m for the portion of the road along the majority of the western lot line (except at the westerly access location), which will function as a one way street
h.	Accessory Uses, Buildings and Structures	Accessory buildings for the individual lots shall be located in the rear yard.	For the purpose of the freehold townhouse units, the rear yard shall be based on the individual freehold lot
i.	Definition of a 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, RSO. 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 street.	For the purpose of zoning conformity, the subject lands shall be deemed to be one lot, regardless of the number 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.

The proposed zoning exceptions would facilitate a development that is compatible with the existing and planned built form in the area. The reduction to the minimum setback from a garage from 6.4 m to 6.0 m, the reduced landscape strip around an outdoor parking area from 3 m to 2 m and the reduction of visitor parking from 14 to 12 spaces are considered to be minor in nature and will not adversely impact the development or adjacent properties. The reduction in the amenity area per unit can also be supported as a public square, pedestrian trail and open space area are proposed as part of the development, thereby providing convenient access to additional amenity space, together with the front and rear yard amenity space that is already provided for each townhouse lot. The reduction in the minimum lot area per unit from 230 m² to 104 m² applies to

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all the interior lots on the plan, with the end unit lots being slightly larger, however still deficient of the minimum By-law requirement. The reduced lot area is similar to other condominium townhouse developments in the area and in other parts of the City. The remaining exceptions respecting the definition of a lot and location of accessory structures will facilitate future development of the site as a common element condominium.

Block 5 (at the very north end of the property) as shown on Attachment #5 is an irregular shaped parcel of land that is currently zoned M3 Transportation Industrial Zone by Zoning By-law 1-88 and is intended to be developed in the future with the lands to the west. At this point in time, the Owner does not have development intentions for this land, and therefore, the appropriate residential zone category cannot be determined. Accordingly, the Development Planning Department recommends that Block 5 be rezoned to A Agricultural Zone in order to eliminate the industrial zoning from this Block, which in the future must be rezoned to facilitate a comprehensive development with the lands to the west. A recommendation to rezone Block 5 as part of this process is included in the recommendation section of this report.

The Development Planning Department can support the proposed rezoning of the property and all of the required site-specific exceptions to By-law 1-88, in order to implement the proposed development.

Proposed Subdivision Design

The Owner has submitted a Draft Plan of Subdivision as shown on Attachment #5, to facilitate the proposed development, which includes the following:

Blocks(s)	Purpose	Area
1	Road and 53 townhouse dwelling units	9,917.35 m ²
2	Pedestrian Trail	412.61 m ²
3	Public Square	391.81 m ²
4	Public Square/Park	838.20 m ²
5	Future Development Block	923.71 m ²
6	CP Rail buffer block	2,111.21 m ²
7, 8, 9	0.3 m reserve	57.59 m ²
10	Porter Avenue - Public Road	1,844.01 m ²
Total Site Area		1.649 ha

The total area of the proposed Draft Plan of Subdivision is 1.649 ha, which is intended to be registered as a 65M Plan and will facilitate the creation of the blocks for the residential development, public square, public open space park, pedestrian trail (in private ownership, subject to a public easement), private buffer block, future development block, and Porter Avenue West. The registered plan will facilitate a future Site Plan and Part Lot Control Applications to create the lots for the 53 freehold townhouse units. A Common Elements Condominium Application will also be required to create the private visitor parking area, and the private internal road.

The Development Planning Department has no objection to the approval of the proposed Draft Plan of Subdivision as shown on Attachment #5, subject to the Conditions of Draft Approval shown on Attachment #1. The approval of the Plan of Subdivision and Site Plan will facilitate further applications to be submitted (Part Lot Control and Condominium for Common Elements) for approval by Council, in order to implement the townhouse development. The Owner is proposing to retain ownership of Block 5 for future development to be combined with other lands to create a developable parcel, which will require future review of new development applications and approval by Council at a later time.

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Proposed Site Plan

The proposed site plan is shown on Attachment #4. The subject lands are irregular in shape and are bounded by an existing industrial use to the west (Woodbridge Foam), the Canadian Pacific Railway (CPR) line and Kipling Avenue to the east and future Porter Avenue West (existing private driveway) to the south. A CPR/Kipling Avenue level crossing is located north of the property. The proposed site plan shown on Attachment #4 is designed to respond to these development constraints. The plan includes 1 residential block for 53 townhouse units, a public square, an open space block, a buffer block and a pedestrian trail. The proposed townhouse units are designed as either traditional units with rear yard amenity areas or as units with rear garages as shown on Attachments #7 and #8. The visitor parking is organized within the interior of the site abutting the future public square/pedestrian trail, and away from the view from Kipling Avenue and Porter Avenue West.

Access to the subject lands is proposed from the future Porter Avenue West as shown on Attachment #4. As noted previously, Porter Avenue West is a Character Street designed to respond to the guidelines in OPA #695. The Owner currently owns Porter Avenue West, as shown on Attachments #4 and #5, along the frontage of the subject lands. The landowner to the west (Canuck Properties) has an easement in their favour for access over a portion of Porter Avenue West in order to access their lands. However, the west limit of Porter Avenue West does not align with the west limit of the subject lands and therefore, the Owner requires an easement from Canuck Properties over the general area shown on Attachment #4, in order to facilitate full two-way traffic movement from the most westerly proposed access driveway of the subject lands. A condition requiring the Owner to obtain an easement from Canuck Properties is included in the recommendation of this report.

The public square block (Blocks 3) has been designed as a main passive focal point feature at the junction of Porter Avenue West and Kipling Avenue with a second focal point, the open space block (Block 4), located at the north end of the site, connected by a pedestrian trail system.

The design of the public square and open space blocks are conceptual at this time. It is intended that the final design will provide formal space for passive recreational uses for the future residents of this development and for the existing residents within the area. The public square will be treated mainly with hard landscaping. The Parks Development Department has advised that they are working with the Owner's Landscape Architect to finalize the design details of the public square and open space and that they are to be shown as concepts. In addition, the public square and open space blocks will be developed by the Owner to City standards, which will require an agreement between the City and the developer. The cost for the construction of this development will be paid through the collected development charges for the specific site. Detailed plans for Blocks 3 and 4 will be finalized prior to the execution of the Site Plan Agreement. A condition of Site Plan Approval is included that the final landscape plans and design shall be approved by the Parks Development and Development Planning Departments.

The buffer berm (Block 6) and the pedestrian trail (Block 2) as shown on Attachment #5, will be landscaped and animated with built in seating areas. Blocks 2 and 6 will remain in private ownership until a Condominium Corporation is registered for the subject lands, which they will ultimately be responsible for the maintenance.

a) Building Elevations

Typical building elevations for the proposed townhouse dwellings are shown on Attachments #7 and #8. The townhouse dwellings are proposed to be constructed using brick as the main building façade material with a corresponding colour scheme for each model type. A majority of the units are traditional in design with a private backyard amenity area. The units fronting onto

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Porter Avenue West reflect a more urban form and design with a second level walkout deck and small front yard amenity area instead of a backyard. The townhouse blocks are comprised primarily of 6 residential units with the exception of Block “B”, which has 7 units and Block “J” which is comprised of 8 units. The Development Planning Department and the Cultural Services Division are satisfied with the proposed building elevations.

b) Urban Design Comments

The Development Planning Department has reviewed the draft plan of subdivision, landscape plans and streetscape design for Porter Avenue West (Attachment #9) and have no objections, subject to the conditions of draft approval in Attachment #1.

Based on the above, the Development Planning Department can support the approval of the Site Plan, Landscape Plan, Building Elevations, and the Streetscape Design for Porter Avenue West, subject to the comments in this report and the conditions in the recommendation of this report.

Vaughan Development/Transportation Engineering Department Comments

The Vaughan Development/Transportation Engineering Department has provided the following comments regarding the proposed Draft Plan of Subdivision and Site Development Applications:

a) Servicing Capacity Allocation

In accordance with the City's Servicing Capacity Distribution Protocol, which was adopted by Council on June 26, 2012, servicing allocation capacity for the proposed development has not been reserved nor assigned potential future capacity at this time. Therefore, servicing allocation capacity is currently not available to support the proposed development. The City intends to undertake an annual review of the status of the available and unused servicing capacity affecting the Distribution Protocol. The availability of servicing allocation capacity for these applications may be revisited at this time based on the status of the subject development applications.

b) Sanitary and Water Servicing

The Functional Servicing Report submitted by the Owner and prepared by Cole Engineering indicates that the proposed development will be connected to an existing 300mm diameter Sanitary Sewer on Kipling Avenue by a proposed manhole on the subject lands flowing south to an existing 300 mm diameter sanitary sewer flowing east on Woodbridge Avenue. This sanitary servicing scheme shall be analyzed in detail as per the updated City Wide Servicing Master Plan and the Functional Servicing Report shall be revised accordingly. The proposed development is part of pressure District Four (PD4). The existing watermain system consists of a piped municipal system with 350 mm diameter PVC watermain on the east side of Kipling Avenue and 200 mm diameter watermain on the south side of Porter Avenue West. The proposed development will be connected to a 200 mm diameter watermain on Porter Avenue West. The developer should verify for second services to loop the system.

c) Storm Water Management

The Functional Servicing Report (FSR) dated April 2012, as prepared by Cole Engineering Group Limited, indicates that the lands are currently serviced and the future storm drainage will be subject to a release rate based on the current conditions of the commercial site where post development peak flows for all events shall be controlled to the pre-development flows, and as per City Standards. There is an existing 600 mm diameter storm water sewer located on Kipling Avenue. The existing manhole may need to be relocated or replaced with a control manhole closer to the property line as per City Standards. Stormwater quality will be treated on-site with an oil grit separator located prior to the control manhole. The internal storm drainage system for the site will consist of private underground storm sewers.

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d) Road Network

Access to the units will be from a common element condominium driveway, two access points off of the future Porter Avenue West extension that connects to Kipling Avenue to the east. Porter Avenue West has been proposed as a 17.5 metre right-of-way with two-way traffic movement and shall be conveyed to the City. The Kipling Avenue Corridor Study by MMM Group identified Porter Avenue West with a different right-of-way configuration, and being a one-way eastbound road out to Kipling Avenue and only right-out movement onto Kipling Avenue, as per the close proximity to the CPR crossing that is approximately 40 metres to the north of the future intersection.

The following shall be addressed:

- i) Two accesses are required for a development exceeding 40 units;
- ii) Resolve the Porter Avenue West right-of-way configuration and traffic movement discrepancies from the City/Regional Study;
- iii) Illustrate a proper termination of Porter Avenue West at the west limit of the site/road and connection to the industrial lands; and,
- iv) The Railway crossing gate will be required at the intersection of the railway track, Kipling Avenue and Porter Avenue West for safety.

The comments received from CP Railway in the next section of this report also supports two way movement along Porter Avenue West.

e) Traffic/Transportation

The Vaughan Development/Transportation Engineering Department has reviewed the latest conceptual site plan submitted by the Owner which includes a vehicle turnaround, as shown on Attachment #4. The details of the turnaround satisfies the requirements of the Vaughan Development/Transportation Engineering Department.

Staff have also reviewed the Conceptual Context Plan and have no comments with regards to the site traffic circulation. The applicant is required to include dimensions of the proposed road, including road width and curb radii. Additional details on the Conceptual Context Plan shown on Attachment #4 must be provided, to the satisfaction of the City.

f) Environmental Noise Impact

The applicant has provided a preliminary environmental noise and vibration feasibility study report dated March 14, 2012, prepared by HGC Engineering that identify noise sources that will impact the Draft Plan through railway noise from the CP railway and roadway noise from Kipling Avenue. This report provides recommendations that include typical measures to develop the proposed lots and mitigate the noise sources such as single loaded roads, acoustic barriers, safety berm, air conditioning, warning clauses, and potentially upgraded building components and foundations.

The applicant is required to submit final noise and railway vibration reports for review and approval by the City as part of the detailed engineering submission when grading design is typically established. The City shall require all dwelling units that abut or face a railway and/or arterial road such as Kipling Avenue to be constructed with mandatory central air-conditioning. All required acoustic barriers abutting public lands shall be constructed with all berming and/or fencing material, including foundations, completely on private lands and totally clear of any 0.3 m road reserve.

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g) Environmental Reports

The Development/Transportation Engineering Department, Environmental Division has reviewed the submitted environmental reports and have indicated that they are satisfactory and that a peer review is not required. Therefore, the only outstanding item that remains is the Record of Site Condition (RSC) to be filed with the Environmental Site Registry and acknowledged by the Ministry of the Environment along with any updated ESA reports that were used to support the filing of the RSC.

A condition of draft approval is included on Attachment #1 that requires the Owner to provide the City with a copy of the RSC for the subject lands, which has been acknowledged and approved by the MOE.

Canadian Pacific Railway Company (CP Railway)

CP Railway has reviewed the proposal and has advised that the property is located adjacent to the MacTier Subdivision, which is classified as a principle main line. The applicant has submitted a drawing prepared by JSW and Associates supporting a 25 m setback instead of the 30 m setback typically required by the railways. The drawing depicts an engineered berm using a Terramesh Berm System and 1.83 m high noise fence to mitigate against railway impact and noise levels. CP Railway has indicated that the proposed setback is acceptable and has been approved elsewhere, but requires a report to be prepared by JSW and Associates to substantiate the drawing. CP Railway has also reviewed the Access and Parking Study prepared by Cole Engineering which included the future development for the Woodbridge Foam/Canuck lands and adjusted volumes to account for a two way intersection and are in support of their recommendations. With the appropriate signage, CP Railway can support the two way movement along Porter Avenue West, subject to the conditions of draft approval included in Attachment #1.

Vaughan Real Estate Division

The Vaughan Real Estate Division has advised that: prior to the issuance of a Building Permit, the Owner shall provide to Vaughan, by way of the dedication of parkland being Blocks 3 and 4 as shown on Attachment #5 and pay by way of certified cheque cash-in-lieu of parkland for the balance totalling 5% or 1 ha per 300 units of the value of the subject lands, 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 Services Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment;

Vaughan Fire Prevention Services Department

The Vaughan Fire Prevention Services Department has reviewed the proposal and has no objections to the proposal, subject to the following:

- i) that fire route signage is installed as per the Ontario Fire Code and City of Vaughan By-law 1-96;
- ii) fire routes shall be maintained and unobstructed; and,
- iii) snow to be removed off-site.

Vaughan Cultural Services Division

The Vaughan Cultural Services Division has no objection to the proposed development subject to the inclusion of Conditions of Approval in Attachment #1 respecting the standard archaeological

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resources conditions requiring notification should archaeological resources and/or human remains be found on the property during grading or construction activities, and the Owner ceasing all grading or construction activities.

Toronto and Region Conservation Authority (TRCA)

The Toronto and Region Conservation Authority staff has reviewed the proposed applications and have indicated that they have no objection subject to their Conditions of Draft Approval in Attachment #1.

Enbridge Gas Distribution

Enbridge Gas Distribution has reviewed the proposal and has no objections to the applications. Enbridge advises that at this time, there is not a commitment by Enbridge Gas Distribution to service this site, or to service this site by a given date or that there will be costs for servicing this site. The Owner is to contact the Enbridge Customer Connection Department at their earliest convenience to discuss the installation and clearance requirements for service and metering facilities. This is included in the conditions of approval in Attachment #1.

Canada Post

Canada Post has no objections to the proposal subject to the Owner installing mail facilities and equipment to the satisfaction of Canada Post, which are included in the conditions of approval in Attachment #1.

School Boards

The York Region District (Public) School Board, the York Region Catholic District School Board and the Conseil Scolaire de District Catholique Centre-Sud have advised that they have no objection to the proposal.

Relationship to Vaughan Vision 2020

This staff report is consistent with the following initiatives set forth in Vaughan Vision 2020/Strategic Plan:

i) Lead and Promote Environmental Sustainability

The Owner will be incorporating the sustainable site and building features identified in this report, specifically with the built form by using building materials and products that are extracted and manufactured within the region and by using high efficiency fixtures, fittings and appliances.

The Owner is providing an environmental benefit to the community with the full remediation and clean-up of an underutilized and contaminated site and safely preparing it for intensification.

ii) Enhance and Ensure Community Safety/Health and Wellness

The proposed development includes a public park and public square, and a trail system that is publicly accessible, which enhances the City's existing inventory of public amenity and trail network system.

iii) Plan and Manage Growth to Economic Vitality

The proposed development implements the City's current Official Plan and the Growth Management Strategy as set in Vaughan Official Plan 2010.

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Regional Implications

The Region of York has no objections to the proposed development, and their conditions of approval are included in Attachment #1.

Conclusion

The Vaughan Development Planning Department has reviewed the Zoning By-law Amendment, Draft Plan of Subdivision and Site Development applications that propose to implement a residential development comprised of 53 freehold townhouse units on a private common element condominium road that will have access to a new public road (Porter Avenue West). The proposed development is consistent with the intent of the Official Plan, and the proposed zoning amendments will facilitate a development that is compatible with the existing and planned uses in the surrounding area. The development will also include a public square, public open space park, and a pedestrian trail that is publically accessible (but maintained by the Condominium Corporation) and links the two areas, which will facilitate the vision of the Official Plan for this community.

On this basis, the Development Planning Department is satisfied that the proposed residential development is appropriate and can support the approval of the Zoning By-law Amendment, Draft Plan of Subdivision and Site Development applications, subject to the recommendations in this report, and the Conditions of Subdivision Approval set out in Attachment #1.

Attachments

1. Conditions of Draft Approval
2. Context Location Map
3. Location Map
4. Conceptual Site Plan with Proposed Zoning
5. Draft Plan of Subdivision File 19T-12V004
6. Landscape Plan
7. Typical Elevations – Block B, Porter Avenue West
8. Typical Elevations – Block D, Interior Blocks
9. Street Profile (Porter Avenue West, OPA #695)

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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.)