

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 25, 2013**

Item 18, Report No. 28, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 25, as follows:

***By receiving the following Communications:***

***C18. Ms. Lidia Di Leo, Bruce Street, Vaughan, dated June 25, 2013; and***

***C19. Mr. Jerry Di Leo, Bruce Street, Vaughan, dated June 25, 2013.***

**18**

**ZONING BY-LAW AMENDMENT FILE Z.12.007**

**SITE DEVELOPMENT FILE DA.12.018**

**2245108 ONTARIO INC. (VINCE LETO)**

**WARD 2 - VICINITY OF REGIONAL ROAD 7 AND BRUCE STREET**

**The Committee of the Whole recommends:**

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated June 11, 2013, be approved;**
- 2) That the applicant, with the agreement and consent of the affected neighbours, provide coniferous landscape buffering along the front of the Di Leo property to the reasonable satisfaction of the Di Leos, in order to mitigate the impact of any glare from headlights of automobiles exiting the underground garage on the subject property;**
- 3) That the following deputations be received:**
  - 1. Ms. Laura Di Leo, Bruce Street, Woodbridge;**
  - 2. Mr. Ryan Mino-Leahan, KLM Planning Partners Inc., Jardin Drive, Concord;**
  - 3. Mr. Jerry Di Leo, Bruce Street, Woodbridge; and**
  - 4. Mr. Larry Berenz, Bruce Street, Woodbridge;**
- 4) That the following Communications be received:**

**C3 Ms. Marilena Pisegna, Bruce Street, Woodbridge;**  
**C6 Mr. Paul Fortuna, dated June 10, 2013; and**
- 5) 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.12.007 (2245108 Ontario Inc. (Vince Leto)) BE APPROVED, specifically to rezone the subject lands shown on Attachments #2 and #3 from R1 Residential Zone and R3 Residential Zone to RM2 Multiple Residential Zone, together with the site-specific zoning exceptions identified in Table 1 of this report.**
- 2. THAT Site Development File DA.12.018 (2245108 Ontario Inc. (Vince Leto)) BE APPROVED, to permit the development of 124 residential stacked townhouse dwelling units served by a private road and 176 parking spaces as shown on Attachments #3 to #8, subject to the following conditions:**
  - a) that prior to the execution of the Site Plan Letter of Undertaking:**
    - i) the implementing zoning by-law shall be in full force and effect;**

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- ii) the final site plan including notation that all snow will be trucked off-site, building elevations, landscape plan, and landscape cost estimate shall be approved by the Vaughan Development Planning Department;
  - iii) the final site servicing and grading plan and storm water management report shall be approved by the Vaughan Development / Transportation Engineering Department; and,
  - iv) the Owner shall satisfy all requirements of the Region of York Transportation and Community Planning Department and the Toronto and Region Conservation Authority (TRCA); and,
- b) that the Site Plan Letter of Undertaking include the following provisions:
- i) the Owner shall agree to grant an access easement, if required, over the proposed private driveway in favour of the landowners to the north (municipally known as 4855, 4863 and 4871 Regional Road 7) for the purposes of providing one coordinated driveway access in the event that these lands redevelop, to the satisfaction of the Vaughan Development Planning Department and the Vaughan Development/Transportation Engineering Department; and, that the future Condominium Corporation and the land owners to the north (4855, 4863 and 4871 Regional Road 7) shall enter into an agreement on terms acceptable to each of them acting reasonably with respect to covering costs associated with such access. A condition to this effect shall also be included in the Condominium Agreement, Condominium Declaration, and all Agreements of Purchase and Sale or Lease, to ensure all future purchasers and lessees and the future Condominium Corporation are aware of this requirement;
  - ii) 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% or 1 ha per 300 units of the value of the subject lands, prior to the issuance of a Building Permit 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;
  - iii) a warning clause shall be included in all Agreements of Purchase and Sale or Lease and also in the Condominium Agreement and Condominium Declaration advising all future Owners / Tenants / Lessees that this development will not be served by municipal garbage pick-up and that a private in-ground deep waste collection and disposal system will be utilized specifically, a Central "Molok Garbage Collection System", which will require future Owners / Tenants / Lessees to manually deliver household waste to the central Molok disposal units for future private pick-up and disposal, and that this private waste disposal program for this site shall be the sole responsibility of the Condominium Corporation; and,
  - iv) the Owner shall grant an easement in favour of the City of Vaughan to access the City lands at the rear of the property for maintenance purposes to the satisfaction of the City of Vaughan.

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3. THAT the following recommendation from the Vaughan Public Works Department BE APPROVED, respecting waste collection for the subject lands:

“Notwithstanding the requirements in the City's Waste Collection Design Standards Policy for containerized front end waste collection, the use of an in-ground deep waste collection system (Molok Garbage Collection System) be approved for this multi-residential site only, to pilot this type of waste collection system.”

4. THAT Council adopt the following resolution with respect to allocation of sewage and water servicing capacity:

“IT IS HEREBY RESOLVED THAT Site Development File DA.12.018 is allocated sewage capacity from the York Sewage Servicing System and water supply capacity from the York Water Supply System for a total of 124 residential units, subject to the execution of a Site Plan Agreement or Letter of Undertaking, whichever is in effect, to the satisfaction of the City of Vaughan.”

#### **Contribution to Sustainability**

The applications implement the following Goal and Objective of Green Directions Vaughan:

Goal 2: To ensure sustainable development and redevelopment.

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

In accordance with the goal and objective identified above, the Owner has advised that the following, but not limited to, sustainable features will be provided within the site and building design:

- i) drought tolerant plants and native plant species to reduce the need for irrigation;
- ii) 62 underground secured long-term bicycle parking spaces and 8 short-term surface bicycle parking spaces to promote an alternative to vehicles;
- iii) reduction of potable water consumption through rainwater harvesting for irrigation, where needed;
- iv) energy efficient lighting;
- v) use of low volatile organic compounds (VOC) for adhesives, sealants, paints, and building materials, where possible;
- vi) collection and storage of recyclables;
- vii) use of a tri-sort (garbage, recycling and organic) deep waste collection system (Molok), reducing the need for ventilation systems;
- viii) use of locally sourced construction materials;
- ix) high efficiency plumbing fixtures; and,
- x) 2 car share spaces.

#### **Economic Impact**

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

#### **Communications Plan**

On March 30, 2012, a Notice of Public Hearing was circulated to all land owners within 150 m of the subject lands, the Vaughanwood Ratepayers Association, and to those individuals requesting notification.

At the Public Hearing on April 24, 2012, several residents appeared before Vaughan Council in opposition to the proposed development and expressed the following concerns:

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- i) the proposed development is too dense;
- ii) the development should consist of townhouse dwelling units not stacked townhouse dwelling units;
- iii) increased traffic on Bruce Street; busses and cars from the school currently create traffic issues;
- iv) adequacy of on-site parking;
- v) the underground driveway and ramp should be relocated and internalized within the site; and,
- vi) the building should be setback further from the existing residential property to the south.

The recommendation of the Committee of the Whole to receive the Public Hearing report of April 24, 2012, was ratified by Vaughan Council on May 8, 2012.

#### **Purpose**

The Owner has submitted the following applications on the subject lands shown on Attachments #1 and #2, to facilitate the residential development of 124 stacked townhouse units served by 176 parking spaces (171 below ground and 5 surface) on a private road, as shown on Attachment #3:

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 #1 and #2 from R1 Residential Zone and R3 Residential Zone to RM2 Multiple Residential Zone, together with the site-specific zoning exceptions identified in Table 1 of this report.
2. Site Development File DA.12.018 to permit the proposed development of the subject lands with 124, 3-storey stacked townhouse units, as shown on Attachments #3 to #7 inclusive.

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

##### **Location**

The subject lands shown on Attachments #1 and #2, are located on the west side of Bruce Street, south of Regional Road 7, being Lot 50 on Registered Plan 9831 and Part of Block A on Registered Plan 65M-1567, known municipally as 26 Bruce Street, in the City of Vaughan. The surrounding land uses are shown on Attachment #2.

The 0.87 ha parcel is irregular in shape and represents an assembly of 26 Bruce Street and a portion of Tanana Hill Parkette formerly owned by the City of Vaughan and sold to the Owner to facilitate the development as shown on Attachment #2. The parcel has approximately 51 m frontage on Bruce Street and is currently developed with a one-storey private school building, which is proposed to be demolished.

##### **Land Use Policies / Planning Considerations**

##### **City of Vaughan Official Plan**

The subject lands shown on Attachments #1 and #2 are designated "Prestige Areas-Centres & Avenue Seven Corridor" by in-effect OPA #240 (Woodbridge Community Plan), as amended by OPA #661 (The Avenue Seven Land Use Futures Plan). This designation permits a wide range and mix of land uses including office, business, retail, institutional, civic and residential uses in either stand-alone buildings or mixed use complexes. The maximum permitted building height is 8-storeys or 25.6 m, whichever is less, and a maximum Floor Space Index (FSI) of 2.5. OPA #661 also includes a transition policy to protect older residential neighbourhoods by restricting the

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maximum building height of development within 30 m of a “Low Density Residential” designation to 4-storeys or 12.8 m, whichever is less. The proposed development conforms to the in-effect OPA #661 by providing a development with an FSI of 1.27 and a maximum building height of 3 storeys or 12.5 m.

The subject lands are designated “Mid-Rise Mixed-Use” and “Park” by the new City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010, (as modified by Council on September 27, 2011, March 23, 2012, and April 17, 2012) as further modified and endorsed by the Region of York Council on June 28, 2012, and is pending approval from the Ontario Municipal Board. The “Mid-Rise Mixed-Use” designation on the subject lands was modified by Vaughan Council on September 7, 2011, which permits residential uses on the subject lands and requires the ground floor frontage facing arterial and collector streets to consist primarily of retail uses. The maximum building height permitted on the site is 6 storeys and 2.0 FSI. The proposed development does not conform to VOP 2010 as development is not permitted on the portion of the lands designated “Park” and no ground floor commercial uses are proposed. It is noted that the policies of the in-effect OPA #661 prevail at this time as VOP 2010 is not yet in-effect.

#### Zoning

The subject lands are zoned R1 Residential Zone and R3 Residential Zone by Zoning By-law 1-88, which permits only single family detached and semi-detached dwellings. A Zoning By-law Amendment is required to rezone the subject lands to RM2 Multiple Residential Zone to permit the proposed stacked townhouse dwelling units in the manner shown on Attachment #3, together with the following site-specific zoning exceptions:

Table 1

	<b>By-law Standards</b>	<b>By-law Requirements of the RM2 Multiple Residential Zone</b>	<b>Proposed Exceptions to the RM2 Multiple Residential Zone</b>
a.	Permitted Uses	<ul style="list-style-type: none"><li>i) Block Townhouse Dwelling</li><li>ii) Apartment Dwelling</li><li>iii) Multiple Family dwellings</li></ul>	<p>Permit stacked townhouse units, to be defined as follows:</p> <p>Dwelling, Stacked Townhouse - Means an attached low-rise residential building form containing 3 or more dwelling units, each of which has (1) direct access from the outside ground level; (2) one or two party walls with abutting dwelling units; and (3) is above or below a dwelling unit. The maximum building height shall be 12.5 m.</p>

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b.	Minimum Front Yard (Bruce Street at Garage Entrance)	4.5 m	3 m
c.	Minimum Exterior Side Yard (Along Regional Road 7)	4.5 m	0 m (to steps only and 2.1 m to the building)
d.	Minimum Width of Driveway For Joint Ingress/Egress (Bruce Street Garage Access)	7.5 m	6 m (garage access)
e.	<p>i) Minimum Parking Requirements</p> <p>ii) Minimum Number of Barrier Free Parking Spaces</p>	<p>i) 124 units @1.5 spaces / unit = 186 spaces</p> <p align="center">+</p> <p>0.25 visitor spaces / unit = 31 spaces</p> <p>Total Parking Required = 217 spaces</p> <p>ii) 3 spaces</p>	<p>i) 124 units @ 1.16 spaces / unit = 144 spaces</p> <p align="center">+</p> <p>0.24 visitor spaces / unit = 30 spaces</p> <p>Total Parking Provided = 174 spaces (plus 2 car share spaces for 176 total; the breakdown is 144 resident, 2 car share, and 30 visitor spaces.)</p> <p>ii) 2 spaces</p>
f.	Minimum Width of Landscaping Around the Periphery of an Outdoor Parking Area	A strip of land not less than three (3) metres in width around the periphery of an outdoor parking area and within the lot on which the said parking area is situated shall be used for no other purpose than landscaping, but this shall not prevent the provision of access driveways across the said strip.	The minimum width of a strip of land around the periphery of a parking area shall be 1.5 m.

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g.	Minimum Width of a Landscape Strip along a Lot Line Abutting a Street	6 m	2.5 m along Bruce Street and 0 m abutting Regional Road 7.
h.	Minimum Amenity Area	7,135 m <sup>2</sup>	4,900 m <sup>2</sup>
i.	Maximum Building Height	11 m	12.5 m
j.	Minimum Lot Area	28,520 m <sup>2</sup>	8,000 m <sup>2</sup>
k.	Car Share	By-law 1-88 and the RM2 Zone does not permit a car share.	<p>Permit 2 parking spaces devoted to “car share” defined as follows:</p> <p>“Car Share - Means service designed for local users in support of transit and environmental goals. It is a membership based service offering members access to a network of shared vehicles 24 hours, 7 days a week. It is primarily designed for shorter time and distance trips providing a public service to enhance mobility options. It does not include a dealership, car rental use or car brokerage use”.</p> <p>A minimum of 2 car share parking spaces shall be provided on the subject lands located in the underground parking area.</p>

The Development Planning Department can support the proposed zoning exceptions as they facilitate an appropriate development of the subject lands that implements the in-effect Official Plan. The minimum front yard exception is required for only a portion of the building at the underground garage entrance along Bruce Street. The 0 m exterior yard along Regional Road 7 is a result of the requirement to facilitate a future road widening along Regional Road 7, which is supportable as the boulevard along Regional Road 7 is greater in width providing a further distance to the dwellings, and the proposed 0 m setback applies to the steps only. The balance of the proposed zoning exceptions, including the minimum landscape requirements around the periphery of a parking lot and along a street line, as well as, the reduction in driveway access width are minor in nature and will not impact the adjacent properties. Also, the reduction in lot area and amenity area is consistent with other multi-unit developments in Vaughan, and the increase in building height is below the maximum height limit permitted in the in-effect Official Plan. The introduction of a new site-specific “car share” definition in By-law 1-88, facilitates

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sustainable development, and is supported. Similarly, the site-specific definition for “stacked townhouse dwelling” has been applied to other recent developments, and can be supported.

#### Parking

The proposed site plan shown on Attachment #3 includes 171 parking spaces located below ground, and 5 surface parking spaces located internal to the site. Based on Zoning By-law 1-88, the minimum number of parking spaces required for the proposed development is calculated as follows:

Stacked Townhouse Units (124 units x 1.5 spaces/unit)	=186 spaces
<u>Visitor Parking Spaces (124 units x 0.25 spaces/unit)</u>	<u>= 31 spaces</u>
Total Number of Parking Spaces Required	= 217 spaces

The proposed parking supply for the subject lands is deficient by 43 spaces (not including car share spaces). The applicant has submitted a Parking Study prepared by Cole Engineering (February 2013) in support of the proposed parking supply. The Vaughan Development / Transportation Engineering Department has reviewed the Parking Study and support its' conclusions, which identifies that the proposed parking standard is consistent with the standard proposed by the City's comprehensive parking review undertaken by the IBI Group and comparable to other developments in the City of Vaughan.

The applicant is also proposing to reserve two parking spaces for a car share program, to be located in the underground garage, which according to the IBI Group Parking Study relates to a reduction of 4 parking spaces for each car share space. This program supports the Transportation Demand Management (TDM) initiative for community transit and environmental goals. Based on the above, and the Development / Transportation Engineering Department's approval of the Parking Study, the Vaughan Development Planning Department can support the proposed parking supply. Car share parking spaces are not identified as a permitted use in the RM2 Zone, and therefore, a site-specific definition is required as outlined in Table 1 above, to be included in the implementing zoning by-law, if the applications are approved.

The total parking breakdown is 144 resident spaces, 2 car share spaces, and 30 visitor spaces of which 5 spaces are at-grade.

#### Proposed Site Plan

The proposed site plan shown on Attachment #3, responds to some of the concerns raised by the residents at the Public Hearing and comments received from both internal City departments and external public agencies. The subject lands are irregular in shape with frontage on Bruce Street and are bounded by existing residential to the south, open space to the west, and office/residential and Regional Road 7 to the north. The site plan proposes 5 residential blocks distributed over the site with 124 residential stacked townhouse units. Two access driveways are proposed from Bruce Street to serve the proposed development. The north driveway provides the main service access for emergency and service vehicles and the 5 surface visitor parking spaces, and the south access leads to the underground parking garage serving the residents and visitors.

The proposed stacked townhouse units represent a low-rise residential building form, comprised of two to four separate residential units stacked on top of each other. The stacked townhouse units are designed to utilize a built form similar to a traditional street townhouse to address some of the residents' concerns expressed at the Public Hearing, and each unit has direct access to the ground level. The Owner revised the site plan to relocate Blocks “A” and “B” slightly to the north, thereby increasing the interior side yard between the subject lands and the residential property to the south, from 1.5 m to 3.05 m, thereby providing a larger area for landscaping.



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The proposed site plan identifies three Molok deep collection waste management systems to serve the development as shown on Attachments #3 and #8. The applicant is proposing to screen the Molok units with landscaping as shown on Attachment #4.

The Development Planning Department is satisfied with the site plan shown on Attachment #3.

#### Building Elevations

The proposed building elevations are shown on Attachments #5 to #7 inclusive. The elevations are consistent in appearance utilizing similar building materials with architectural variations and colour scheme. The building façade is comprised of brick and stone with a hip and gable roof. The balcony and porch elements are treated with architectural elements and decorative railings and columns. The Development Planning Department is satisfied with the building elevations shown on Attachments #5 to #7.

#### Landscaping

The applicant has provided a landscape plan shown on Attachment #4, which proposes a landscaping treatment including sod, shrubbery and ornamental trees distributed throughout the site. The plan includes two amenity areas. Additional landscaping along Regional Road 7 is also proposed. The landscaping provided around the Molok waste system is required to appropriately screen the units. The Development Planning Department is satisfied with the landscape plan shown on Attachment #4.

#### Future Development - Abutting Lands

The subject lands will play a role with respect to providing rear lane access to the potential comprehensive redevelopment of 4855, 4863 and 4871 Regional Road 7. The vision for Regional Road 7 identified in OPA #661 is for a corridor transformed from its current condition into a series of urban districts characterized by a network of pedestrian-friendly streets, parks and public open spaces that offer a diverse choice of lifestyle. A key concept in establishing the vision is to establish a parallel east-west collector road, both north and south of Regional Road 7 as alternate routes for vehicles. Reducing the number of access points along Regional Road 7 and promoting more comprehensive forms of development helps to enforce the vision for this corridor.

In order to facilitate the vision for Regional Road 7 and protect for the potential future comprehensive development of these lands with respect to parking, access and emergency vehicle movement, access easements must be granted in favour of the affected landowners. It is recommended that the Owner/Condominium Corporation agree to grant an access easement, if required, in favour of the landowners to the north (4855, 4863 and 4871 Regional Road 7) to facilitate driveway access to these properties. This will have the effect of reducing the number of driveways on Regional Road 7 and facilitating one co-ordinated driveway at the rear of these properties when they develop. The same requirement to grant an easement in favour of the subject lands will be included as a condition of approval when 4855, 4863 and 4871 Regional Road 7 develop, if required, when a detailed design for the redevelopment of these properties is proposed.

It is recommended that the requirement to grant this easement be included in the Site Plan Letter of Undertaking and in the Condominium Agreement and Declaration. A condition to this effect is included in the recommendation of this report.

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Vaughan Development/Transportation Engineering Department

The Development/Transportation Engineering Department has provided the following comments with respect to the proposed development:

i) Storm Water Management, Storm Servicing

- The revised report, prepared by Valdor Engineering Inc. "Functional Servicing Report, Proposed Residential Re-Development, 26 Bruce Street", revision dated February 12, 2013, is acceptable.
- The plan shall include an orifice control man hole (MH) detail for reference as per City Standard I-4 and include in the storm control MH detail the 100 year high water level elevation for the proposed development. Include the MH details (i.e. name, rim, invert, size, spacing, etc.) and all pertinent information as shown in Standard I-4.
- The manufacturer's details for all stormwater quality control devices (i.e. STC 2000 oil/grit separator) shall be provided. The allowable intake flow for each stormceptor must be in accordance with the manufacturer's design manual.
- All details for the proposed temporary storm service connection on Regional Road 7 to the existing double catchbasin shall be provided and additional information showing the amount of uncontrolled runoff that will be released via this connection shall be identified. Region of York comments/approval is also required.

ii) Water Servicing

A hydrant pressure and flow test shall be conducted by a qualified contractor and the Consultant shall confirm that the site's required fire flow requirement(s) can be achieved. The Functional Servicing Report shall be updated and resubmitted for final approval.

iii) Sanitary Servicing

The proposed sanitary sewer service from the subject lands will connect to a 400mm diameter sanitary trunk sewer on Bruce Street.

iv) Transportation

The Transportation Division has reviewed the latest submission and revised Traffic Impact and Parking report prepared by Cole Engineering dated February 2013 and May 2013, which indicates concurrence with the findings and conclusions of this latest report supporting an overall parking supply of 176 spaces.

This Division also supports the latest site plan, but requires the applicant to provide notation on the final site plan indicating that site snow storage will be trucked off-site.

v) Other

The following matters were also identified:

- the existing (and/or future) property boundaries for the subject development must be clearly identified and noted in the associated legend;
- privacy fencing is required along the lands bordering the subject lands to the northeast (i.e. 4871, 4863 & 4855 Regional Road 7);

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- clearly identify any additional public right-of-way and/or utility easements that have not been shown on the associated plans;
- the Photometric Lighting Plan, prepared by Light Studio Inc., “Site Lighting Plan”, dated February 12, 2013, is acceptable. However, the Photometric Lighting Plan must be signed and dated by a licensed Professional Engineer in the Province of Ontario; and,
- the Owner/Applicant is required to obtain all necessary approvals from the Toronto and Region Conservation Authority and Region of York.

#### vi) Environmental

The City is satisfied that the comments provided by DSC, the City’s peer review consult, on June 20, 2012, have been addressed by Soil Engineers Ltd. (SEL) in their reports submitted subsequent to that date. No further environmental studies/reports are required.

#### vii) Servicing Allocation

On June 26, 2012, Vaughan Council reserved 122 units of unrestricted servicing capacity for this site development. The current proposal is for 124 residential units so there is a small shortfall of capacity. Since the shortfall is only 2 units, Staff are recommending that Council formally allocate servicing capacity for the total 124 units. The difference between what has been reserved and allocated (2 units) will be reconciled under the annual allocation status report in September 2013.

#### Vaughan Parks and Forestry Operations

The Vaughan Parks and Forestry Division have reviewed the latest submission and require the applicant to provide access to the existing open space area for emergency purposes. It is recommended that a gate access located at the high point of the swale running along the west boundary of the site would be a suitable location, as shown on Attachment #3. In addition, the existing open space through the extreme northwest corner of the site (from Regional Road 7) must be maintained unimpeded for Vaughan Fire Rescue Services access and should be noted on the final plans. The Owner will be required to grant an easement in favour of the City to facilitate the maintenance of the City owned lands to the satisfaction of the City of Vaughan. A condition in this respect is included in the recommendation of this report.

#### Vaughan Legal Department, Real Estate Division

The Vaughan Real Estate Division has indicated that the Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% or 1 hectare per 300 units of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City’s Cash-in-lieu Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment. A condition to this effect is included in the recommendation of this report.

#### Molok Garbage Collection System - Pilot Project by Vaughan Public Works Department

The applicant has proposed the use of an in-ground deep waste collection system, referred to as a “Molok” garbage collection system, for the collection and storage of garbage, recycling, and organic materials. The Molok container is a cylindrical shaped unit, as shown on Attachment #8, designed so that only 40 percent of the container is visible above ground, while the remaining 60 percent is underground. It utilizes a rigid container, or a reusable bag, that fits inside a plastic

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cylinder. The container/bag is raised by a boom crane fitted to the collection vehicle. Once the container is positioned over the collection vehicle, a release mechanism on the bottom is opened, allowing the waste to fall into the truck and the emptied container is returned to the deep-collection unit.

The Vaughan Public Works and Development Planning Departments met with the Owner on March 13, 2013. The Owner indicated that the “Molok” system is more appropriate and practical than the required front end containerized collection due to the constraint of the irregular lot shape, configuration of the internal road network, and vehicular access to the waste storage areas. Based on a review of the plans and lot layout, a total of nine, 5 cubic metre containers are required for garbage/recycling, and three, 3 cubic metre containers are required for organic materials.

The City’s Waste Collection Design Standards Policy was last revised and approved by Vaughan Council on March 27, 2007. The Public Works Department is currently updating the Waste Collection Design Standards Policy including a review of new and/or emerging technologies concerning waste collection and disposal. Deep waste collection systems are currently not allowed in the Policy, however, the Public Works Department has advised that this particular location would be an excellent pilot for this type of multi residential waste collection system due to the configuration of the buildings, and the number of units. The Public Works Department will monitor the waste collection system for a period of one year after full occupancy. Any comments/concerns from the residents respecting the Molok System will be reviewed by the Public Works Department to determine future residential waste collection applications. A warning clause to this effect shall be included in the Site Development Agreement or Letter of Undertaking and in the Condominium Agreement Declaration. All other requirements of the Waste Collection Design Standards Policy would remain applicable.

It is noted that with the use of the Molok System, future residents will be required to carry household waste to the centrally located units. This is not typical for residential development, and therefore, a condition of approval is included requiring the Owner to include in all Agreements of Purchase and Sale or Lease and in the future Condominium Agreement and Declaration Documents a warning clause advising future residents of the requirement to dispose household waste in the Molok system.

The Owner is proposing to collect all waste streams using the Molok System, with the exception of furniture and bulky items, which would be collected separately. As required by the Public Works Department, the Owner has provided a secondary garbage room for bulky items and furniture. This room is located in the underground parking garage level and serves as temporary storage for larger items that cannot be accommodated by the Molok System. The applicant has indicated that these larger items will be picked-up in the underground area as part of the waste management contract for the site.

The access route to the Molok units shall be constructed to the minimum “Heavy Duty Asphalt” and the turning radius for an average collection vehicle is 10.0 m for (inside) and 12.5 m (outside) turns. The driveway width and radii must be designed for large truck uses as per the minimum City Engineering Standards and must be shown on the final approved plans.

Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority (TRCA) are generally satisfied with the Slope Stability Assessment and the Cross Section Drawings prepared by Soil Engineers Ltd. The proposed development has not provided a standard 10 metre buffer from the long-term-stable top-of-slope. The TRCA is amenable to a reduction in this typical setback requirement on the basis of the following contributing factors:

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- i) the existing top-of-slope has been determined to be coincidental with the long-term stable top-of-slope;
- ii) the valley wall along this stretch of the Humber River valley corridor has been highly altered due to past development, including the construction of stormwater management infrastructure into the slope face;
- iii) an existing subdivision is located along the toe of this slope feature and the valley wall is ecologically isolated from any contiguous significant valley vegetation;
- iv) no retaining walls will be placed in the public buffer/setback lands; and,
- v) the existing slope and reduced buffer of 4-5 metres is provided on the Site Plan and will remain in public Ownership (City of Vaughan).

On this basis, the TRCA is satisfied with the proposed development limits of the project and the reduced buffer setback.

In light of the above comments, the TRCA has no objections to the approval of Zoning By-law Amendment File Z.12.007 and Site Development File DA.12.018, subject to water resources issues that are currently being finalized with the applicant.

#### **Relationship to Vaughan Vision 2020/Strategic Plan**

This staff report is consistent with the following initiatives set forth in Vaughan Vision 20/20 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 material and products that are extracted and manufactured within the region and by using high efficiency fixtures, fittings and appliances.

- ii) Manage Growth & Economic Well Being

The proposed development implements the City's current Official Plan and Growth Management Strategy.

#### **Regional Implications**

The subject lands are located on Regional Road 7, which is under the jurisdiction of the Region of York. The Site Development application was circulated to the Region of York Transportation and Community Planning Department for comment. The latest plan incorporates the required road widening along Regional Road #7. The Owner will be required to fulfill all conditions and requirements of the Region of York. A condition to this effect is included in the recommendation of this report.

#### **Conclusion**

The Vaughan Development Planning Department has reviewed the Zoning By-law Amendment and Site Development applications that propose to permit a residential development comprised of 124 stacked townhouse units on a private road. The proposed development conforms to the in-effect Official Plan, and the proposed site-specific zoning exceptions will facilitate a development that is compatible with the existing and planned uses in the surrounding area. The applications have also been reviewed by the relevant City Departments and external public agencies.

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 and Site Development applications, subject to the recommendations in this report.

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**Attachments**

1. Context Location Map
2. Location Map
3. Site Plan
4. Landscape Plan
5. Elevations - Block A
6. Elevations - Blocks B and C
7. Elevations - Blocks D and E
8. Molok - Refuse Containers

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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.)