

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 24, 2014

Item 6, Report No. 30, of the Committee of the Whole, which was considered at the Council (Closed Session) meeting of June 24, 2014, was adopted, as amended, by the Council of the City of Vaughan on June 24, 2014, as follows:

By approving the recommendation contained in the report of the Commissioner of Planning, Interim Director of Planning/Director of Development Planning, and Manager of Development Planning, dated June 17, 2014, subject to the amendment set out in Communication C11 from the Commissioner of Planning, dated June 19, 2014, as follows:

1. ***That Recommendation 3.a) iv., be replaced with the following:***
 - iv. ***The owner and the City of Vaughan shall seek a modification of VOP 2010 to reflect Council's approval at the Ontario Municipal Board, and thereby resolve the owner's appeal of VOP 2010.***

**6 OFFICIAL PLAN AMENDMENT FILE OP.13.005
ZONING BY-LAW AMENDMENT FILE Z.13.008
SITE DEVELOPMENT FILE DA.13.016
CELEBRATION ESTATES INC.
WARD 2 - VICINITY OF REGIONAL ROAD 7 AND KIPLING AVENUE**

The Committee of the Whole recommends:

- 1) **That consideration of this matter be deferred to the Council meeting of June 24, 2014; and**
- 2) **That the following deputations be received:**
 1. **Ms. Marlene Saunders, Lansdowne Avenue, Woodbridge; and**
 2. **Mr. Nick Pinto, West Woodbridge Homeowners Association Inc, Mapes Avenue, Woodbridge.**

Recommendation

The Commissioner of Planning, Interim Director of Planning/Director of Development Planning, and Manager of Development Planning recommend:

1. THAT Official Plan Amendment File OP.13.005 (Celebration Estates Inc.) BE APPROVED, to amend Vaughan Official Plan 2010, specifically to redesignate the subject lands from "Low-Rise Residential" to "Mid-Rise Residential" with a maximum Floor Space Index (FSI) of 3.5 and building height of 10-storeys.
2. THAT Zoning By-law Amendment File Z.13.008 (Celebration Estates Inc.) BE APPROVED, to amend Zoning By-law 1-88, specifically to rezone the subject lands from R3 Residential Zone to RA3 Apartment Residential Zone, together with the site-specific zoning exceptions identified in Table 1 of this report.
3. THAT Site Development File DA.13.016 (Celebration Estates Inc.) BE APPROVED, to permit the development of an apartment building having a 5-storey component with frontage on Lansdowne Avenue and a 10-storey component on Regional Road 7, containing 154 units, with a Floor Space Index (FSI) of 3.5 and 208 parking spaces as shown on Attachments #3 to #8, subject to the following conditions:
 - a) that prior to the execution of the Site Plan Agreement:
 - i. the Vaughan Planning Department shall approve the final site plan, building elevation plans and landscape plan;

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- ii. the Vaughan Development/Transportation Engineering Department shall approve the final site grading and servicing plans, underground parking plans, Traffic Impact Study/Traffic Demand Management Plan, noise report and storm water management report;
 - iii. the owner shall satisfy all requirements of the Toronto and Region Conservation Authority, and,
 - iv. the owner shall withdraw their appeals to VOP 2010.
4. THAT Vaughan Council pass the following resolution with respect to the allocation of sewage capacity from the York-Durham-Peel Servicing Scheme and water supply capacity from the York Water Supply System.

“IT IS HEREBY RESOLVED THAT Site Development File DA.13.016 be allocated sewage capacity from the York-Durham-Peel Servicing Scheme and water supply capacity from the York Water Supply System for a total of 154 residential units.”
5. THAT the owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent of 5% of the value of the subject lands, or a fixed unit rate per unit, whichever is higher, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City’s “Cash-In-Lieu of Parkland Policy”.
6. THAT the owner contribute financially towards traffic calming measures or roadway improvements required on Lansdowne Avenue and/or Burwick Avenue.
7. THAT Vaughan Council direct the Vaughan Planning Department, Policy Planning Division, to undertake a land use study for the area at the northeast quadrant of the Kipling Avenue and Regional Road 7 intersection as shown on Attachment #2, with the final boundaries to be determined by the Planning Department, Policy Planning Division, to address land use designations, density and building heights and identify opportunities where intensification may occur. A Transportation Study should also be carried out in conjunction with the land use study.

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 greenspace and an urban form that supports our expected population growth
- To create a City with a sustainable built form

In accordance with the goals and objectives identified above, the owner has advised that the following, but not limited to, sustainable site and building features will be included in the proposed development:

- Bicycle parking spaces will be provided at and below grade
- A green roof system will be incorporated in the plan
- Electronic fixtures on vanities/toilets in common area washrooms
- Programmable thermostats on high efficiency furnaces and air conditioners
- Carbon monoxide parking garage exhaust fan control

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- Motion sensors in common room areas and other appropriate locations
- Heat exchanger for the domestic hot water supply
- Compact fluorescent bulbs
- Use of water efficient plant material in landscaped areas

Economic Impact

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

Communications Plan

On April 26, 2013, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands, and to the West Woodbridge Homeowners' Association and those individuals that had requested notice of previous development applications filed on the subject lands (Files OP.07.012 and Z.12.050 - Naser Gjureci). The Notice of Public Hearing was also posted on the City's website at www.vaughan.ca and a Notice sign installed on the property. On June 5, 2014, a notice of this Committee of the Whole Meeting was mailed to those individuals that appeared at the Public Hearing and/or submitted written correspondence respecting the applications.

Deputations and/or written submission were received from the following:

- Ms. Rosemary Humphries, on behalf of the applicant
- Mr. Giuseppe Barranca, Burwick Avenue; Ms. Marlene Saunders, Lansdowne Avenue, Woodbridge, and a written submission dated May 21, 2013
- Mr. Frank Cirillo, Lansdowne Avenue
- Ms. Denise Arpaia, Lansdowne Avenue
- Ms. Josie Fedele, West Woodbridge Homeowners' Association, on behalf of Mr. Nick Pinto, President West Woodbridge Homeowners' Association
- Mr. Vittorio Pacini, Lansdowne Avenue
- Written submission dated May 17, 2013, from Mr. Gino Rotondi, Kipling Avenue
- Written submission dated May 21, 2013, from Mr. Andrew Scott, Mr. Frank Cirillo, Ms. Denise Arpaia, Mr. Claudio Campagner, Mr. Michael Franco, Mr. R. Maine and Mrs. Teresa Pacini
- Written submission dated May 21, 2013, from Mr. Joe Marchese, Kipling Avenue
- Written submission dated May 24, 2013, from Mr. Ron Moro, Tasha Court
- Written submission dated May 27, 2013, from Mr. Dražen Bulat, Veneto Drive

The following is a summary of the concerns and opinions expressed by the deputants at the Public Hearing on May 21, 2013, and in written submissions:

- Increasing the density from "Low Density Residential" to "High Density Residential" will forever change the established stable single detached neighbourhood
- The proposed development does not conform with the existing OPA #240, OPA #661 or VOP 2010, all of which designate the lands "Low Density Residential"
- Vehicle traffic created by this proposed high density development will inevitably travel through a surrounding low density neighbourhood
- Vehicles will travel on Burwick Avenue, which may place elementary school children attending Woodbridge Public School in potential harm's way
- Sufficient land must be set aside for the future road widening of Regional Road 7
- The intersection of Lansdowne Avenue and Regional Road 7 is located on the edge of a hill, which creates a potentially dangerous situation for eastbound traffic on Regional Road 7 turning left on Lansdowne Avenue. The same applies for southbound traffic on Lansdowne Avenue turning left on to eastbound Regional Road 7

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- The traffic will inevitably go to the already congested intersection of Kipling Avenue and Regional Road 7. Additional traffic will be created at the intersection of Kipling Avenue and Burwick Avenue
- Residents located off of Kipling Avenue, south of Regional Road 7 community will be subject to undue further hardship entering and exiting from their community, as Kipling Avenue and Regional Road 7 is the only entrance/exit
- Emergency vehicles will have more difficulty in attending on a timely basis any of the area residents/businesses because of the increased traffic congestion
- There is no east-west and north-south transportation route

There were also deputations and written submissions, including a petition signed by several land owners that expressed support for the applications and encouraged a City-initiated review of the area between the subject property and Kipling Avenue within the northeast quadrant of Kipling Avenue and Highway 7 to facilitate a more intense form of development.

The recommendation of the Committee of the Whole to receive the Public Hearing report of May 21, 2013, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council on June 4, 2013.

On July 25, 2013, a community meeting was held at the Memorial Arena with Local Councillor Tony Carella, representatives from the owner, the West Woodbridge Homeowner's Association and residents in the area. Revisions to the plans were presented at the meeting and included a reduction of the building height along Lansdowne Avenue from 5 - 10-storeys to 5-storeys, a decrease in the total number of residential units from 163 to 154 units, the removal of lay-by parking spaces on Lansdowne Avenue, and a re-orientation of the proposed amenity space.

The above concerns and comments are addresses in the "Planning Consideration" section of this report.

Purpose

To seek approval from the Committee of the Whole for the following applications:

1. Official Plan Amendment File OP.13.005 to amend Vaughan Official Plan 2010, specifically to redesignate the subject lands from "Low-Rise Residential" to "Mid-Rise Residential" with a maximum FSI of 3.5 and a maximum building height of 10-storeys to facilitate the proposed development shown on Attachments #3 to #8.
2. Zoning By-law Amendment File Z.13.008 to amend Zoning By-law 1-88, specifically to rezone the subject lands from R3 Residential Zone to RA3 Apartment Residential Zone, together with the site-specific zoning exceptions identified in Table 1 of this report.
3. Site Development File DA.13.016 to permit the development of an apartment building with a 5-storey component along Lansdowne Avenue and a 10-storey component on Regional Road 7, with 154 units, an FSI of 3.5, and 208 parking spaces as shown on Attachments #3 to #8.

This report also seeks approval for the Planning Department, Policy Planning Division, to undertake a land use study for the area at the northeast quadrant of the Kipling Avenue and Regional Road 7 intersection as shown on Attachment #2, with the final boundaries to be determined by the Planning Department, Policy Planning Division to address land use designations, density and building heights and identify opportunities where intensification may occur.

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Background - Analysis and Options

Location

The subject lands are located at the northeast corner of Regional Road 7 and Lansdowne Avenue, east of Kipling Avenue, comprised of an assembly of 4 lots municipally known as 11, 15, 23 and 27 Lansdowne Avenue, shown as "Subject Lands" on Attachments #1 and #2.

The 0.372 ha property has approximately 52.7 m of frontage on Lansdowne Avenue. The property is currently developed with detached dwellings located on 11, 23 and 27 Lansdowne Avenue, which are proposed to be demolished. 15 Lansdowne Avenue is currently vacant.

Planning Considerations

The Planning Department has reviewed the Official Plan and Zoning By-law Amendment and Site Development applications, in consideration of the following policies and recommends approval of the applications for the following reasons:

a) Ontario Planning Act

Section 2 of the *Ontario Planning Act* states that the Council of a municipality in carrying out their responsibilities shall have regard to, among other matters, matters of Provincial interest such as:

- i. the orderly development of safe and healthy communities
- ii. the co-ordination of planning activities and public bodies
- iii. the appropriate location of growth and development
- iv. the adequate provision of a full range of housing
- v. the promotion of development that is designed to be sustainable to support public transit and be oriented to pedestrians

Section 3(5) of the *Ontario Planning Act* also requires that a decision of Council of a municipality in respect of the exercise of any authority that affects a planning matter shall:

- i. be consistent with the policy statements issued under subsection (1) that are in effect on the date of the decision
- ii. conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be

The applications satisfy these requirements of the Planning Act based on the findings of the City's technical review and analysis as discussed in the following sections.

b) The Provincial Policy Statement (PPS) 2014

The Provincial Policy Statement (PPS) provides policy direction on matters of Provincial interest related to land use planning and development. Policy 1.1.3.3 states that planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or area, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

The PPS defines "Intensification" as follows:

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“Intensification: means the development of a property, site or area at a higher density than currently exists through:

- a) redevelopment, including the reuse of brownfield sites;*
- b) the development of vacant and/or underutilized lots within previously developed areas;*
- c) infill development; and*
- d) the expansion or conversion of existing buildings.”*

The PPS further defines “Residential Intensification” as follows:

“Residential intensification: means intensification of a property, site or area which results in a net increase in residential units or accommodation and includes:

- a) redevelopment, including the redevelopment of brownfield sites;*
- b) the development of vacant or underutilized lots within previously developed areas;*
- c) infill development;*
- d) the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and*
- e) the conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, secondary suites and rooming houses.”*

The proposal represents the intensification of the subject lands, as defined by the PPS. The PPS directs municipalities to identify opportunities for intensification where it can be accommodated within the municipality. It further places the responsibility for the identification of opportunities for substantial intensification with planning authorities that is implemented through official plans and zoning by-laws. Intensification and redevelopment is a desirable planning objective on the subject lands, and the proposal reflects a coordinated and comprehensive approach to managing intensification and redevelopment. Furthermore, a recommendation is included in this report to review the land use policies at the northeast quadrant of the Kipling Avenue and Regional Road 7 intersection as shown on Attachment #2 to determine if there are additional intensification opportunities.

Policy 1.2.1 of the PPS states that a coordinated, integrated, and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single, and/or upper tier municipal boundaries, and within other orders of government, agencies and boards, including managing and/or promoting growth and development.

The applications are consistent with the PPS as they represent an integrated and comprehensive approach to managing growth related to City planning matters, as it relates to the intensification of land uses in this area.

Furthermore, Policy 4.7, Implementation and Interpretation of the PPS states:

“The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through municipal official plans.

Official plans shall identify provincial interests and set out appropriate land use designations and policies. To determine the significance of some natural heritage features and other resources, evaluation may be required.

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Official plans should also coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial solutions. Official plans shall provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas.

In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with this Provincial Policy Statement. The policies of this Provincial Policy Statement continue to apply after adoption and approval of an official plan."

The Planning Act states that the appropriate location of growth and redevelopment is a matter of Provincial interest and the PPS states that official plans shall provide policies to protect Provincial interests. Policy 4.7 identifies that the mechanism through which Provincial interest is protected is the municipal official plan. The policy is achieved by establishing appropriate land use designations and policies to direct development to suitable areas.

The applications constitute the introduction of intensification on a site identified in VOP 2010 as an Intensification Area, specifically a Regional Intensification Corridor. This is consistent with the approach to promoting areas for intensification as required by the PPS and with the scale of intensification proposed in an Intensification Corridor by VOP 2010. The proposed development is consistent with the intent of the PPS.

c) Places to Grow: The Growth Plan for the Greater Golden Horseshoe (The Growth Plan)

The Growth Plan identifies how and where growth and development will occur within the Greater Golden Horseshoe. The applications are required to conform to The Growth Plan. It establishes policies that address, among other matters, land use planning, urban form, housing, transportation and infrastructure.

Section 2.2.2.1 of the Growth Plan states (in part) that population and employment growth will be accommodated by, "*b) focusing intensification in intensification areas.*" The Growth Plan utilizes the same definition for "intensification" and "redevelopment" (in part) as the PPS. The Growth Plan defines an "intensification area" as:

"Lands identified by municipalities or the Minister of Infrastructure within a settlement area that are to be the focus for accommodating intensification. Intensification areas include urban growth centres, intensification corridors, major transit station areas, and other major opportunities that may include infill, redevelopment, brownfield sites, the expansion or conversion of existing buildings and greyfields."

Additionally, Section 2.2.3.6 of the Growth Plan, General Intensification, states (in part):

"All municipalities will develop and implement through their official plans and other supporting documents, a strategy and policies to phase in and achieve intensification and the intensification target. This strategy and policies will:

- a) *be based on the growth forecasts contained in Schedule 3, as allocated to lower-tier municipalities in accordance with policy 5.4.2.2*
- b) *encourage intensification generally throughout the built-up area*
- c) *identify intensification areas to support achievement of the intensification target*
- g) *identify the appropriate type and scale of development in intensification areas*

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- h) *identify density targets for urban growth centres where applicable, and minimum density targets for other intensification areas consistent with the planned transit service levels, and any transit-supportive land-use guidelines established by the Government of Ontario.”*

Section 2.2.3.7 of the Growth Plan also states that (in part):

“All intensification areas will be planned and designed to:

- f) achieve an appropriate transition of built form to adjacent areas.”*

Policy b) above encourages intensification generally throughout the built-up area. Policy c) above, states that the Growth Plan requires municipal official plans such as VOP 2010, to identify intensification areas to support and to meet the municipality's intensification targets. The proposed building height and density is consistent with policy g) above that states the official plan shall identify the appropriate type and scale of development in intensification areas.

As directed by the Growth Plan and noted earlier, intensification is to be implemented by way of municipal Official Plans. The Growth Plan and the Region's intensification strategy places the onus on the upper tier and local municipalities to decide where and how to accommodate growth and intensification. The applications are consistent with the City's intensification strategy as required by the Growth Plan as the lands are located on a Regional Intensification Corridor (Regional Road 7) in an identified Intensification Area by VOP 2010. For the reasons noted above, and as discussed later in this report, the applications conform to the Growth Plan policies.

d) Region of York Official Plan

The Region of York Official Plan identifies the subject lands as being located within the “Urban Area” by Map 1, Regional Structure. It also acknowledges, “All planning decisions under the York Region Official Plan shall conform to provincial plans and be consistent with the Provincial Policy Statement.”

By way of a letter dated May 15, 2013, York Region's Transportation and Community Planning Department provided the following comments on the proposed Official Plan Amendment and a request by the owner for exemption from Regional Official Plan Amendment approval.

“The subject site is designated “Urban Area” by the York Region Official Plan, which permits a wide range of residential, industrial and institutional uses. The subject site is also adjacent to Regional Road 7, identified by the Regional Official Plan as a Regional Corridor. The Regional Official Plan encourages appropriate intensification on this important rapid transit corridor. Regional staff generally supports intensification on Regional Corridors, however, the final building height, density and number of units will be determined by the City of Vaughan. Local Planning staff typically determines built form compatibility with adjacent structures and land uses. Regional planning staff is of the opinion that local planning staff are best able to determine the appropriate building height and density.

The application for Official Plan Amendment was exempted from approval by Regional Planning Committee and Regional Council. However, Regional Staff reserved the right to provide technical comments on the Site Development application including, but not limited to, road requirements and vehicular access.”

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York Region has also provided technical comments which are discussed later in the report.

The applications conform to the York Region Official Plan.

e) Vaughan Official Plan 2010 (VOP 2010)

Schedule 1 of VOP 2010 identifies the subject lands as being located within a designated Intensification Area, specifically a “Regional Intensification Corridor”. However, the subject lands are designated “Low-Rise Residential” (Schedule 13) which permits detached, semi-detached and townhouse dwellings. Accordingly, the proposal does not conform to VOP 2010.

Ontario Municipal Board (OMB) Appeal of VOP 2010

On December 20, 2012, the owner filed an appeal of VOP 2010 with the Ontario Municipal Board given that the proposal would not conform to the “Low Density Residential” designation. The owner’s VOP 2010 appeal is currently outstanding. Should Vaughan Council concur with the recommendation of this report and should the implementing Official Plan Amendment come into full force and effect, the owner will be required to withdraw the appeals with the OMB. A condition in this respect has been included in the recommendation section of this report that requires the appeals to be withdrawn prior to the execution of the site plan agreement.

To facilitate the proposed development, the lands must be redesignated from “Low Rise Residential” to “Mid-Rise Residential” with a maximum FSI of 3.5 and a building height of 10-storeys. VOP 2010 permits mid-rise buildings (buildings over five storeys in height and up to a maximum of 12-storeys) within this designation. Section 9.2.3.5 of VOP 2010 includes criteria for Mid-Rise Buildings. In order to provide appropriate privacy and daylight/sunlight conditions for any adjacent houseform buildings, Mid-Rise Buildings on a lot that abuts the rear yards of a lot with a detached house shall generally be setback a minimum of 7.5 metres from the property line and shall be contained within a 45 degree angular plane measured from the property line abutting the buildings. The rooftop of Mid-Rise Buildings should include green space, private outdoor amenity space or environmental features such as solar panels. The subject proposal meets these criterion.

In consideration of the Provincial and Regional policies encouraging intensification and providing compact developments with densities that encourage public transit and provide opportunities for a mix of housing types in the community, the approval of the Official Plan Amendment application can be supported. The City has undertaken a coordinated, integrated, and comprehensive approach to manage and promote intensification and redevelopment in this area through OPA #661 (The Avenue Seven Futures Land Use Futures Study) and a comprehensive City-Wide Official Plan Review (VOP 2010).

OPA #661 and VOP 2010 did not identify the subject lands for intensification at the level proposed (i.e. 5-10 storeys with an FSI of 3.5). OPA #661 identifies Transit Stop Centres at various locations and included policies that encouraged additional densities for sites that were within 200 metres of a Transit Stop. The subject lands are within 200 metres of an identified Transit Stop at the intersection of Regional Road 7 and Kipling Avenue. Furthermore, OPA #661 identified that a tertiary plan be undertaken for the “Woodbridge GO Centre” for an area that would generally include the northeast quadrant of the Regional Road 7 and Kipling Avenue intersection.

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Prior to the adoption of VOP2010, the previous owner (Naser Gjureci) had a block townhouse development approved by Council on the subject lands, and accordingly a “Low Rise Residential” designation was placed on the property. However, recently a new owner has purchased the site and the applications have been based on the assembly of 4 lots with frontage on Regional Road 7, which is identified as a Regional Corridor (Intensification Area). In addition to a Planning Justification report, the owner has submitted an Intensification/Segment Analysis in support of the application, which included a Demonstration Concept Plan for the 4 quadrants of the Kipling Avenue and Regional Road intersection.

Results of Independent Peer Review

The City undertook a peer review of the development concept (external Peer Review) to address the issue of intensification in this area and to inform the City position related to the VOP 2010 appeals.

The peer review was undertaken by the external planning consultant, Urban Strategies Inc., the firm who undertook the VOP 2010 review. The peer review concluded that the use, general form and density of the proposed development at Regional Road 7 and Lansdowne Avenue are appropriate. Furthermore, in consideration of the proposal and the potential for land assembly elsewhere in the Kipling and Regional Road 7 area, it was recommended that the City of Vaughan review and update the limits of the intensification node (Kipling Avenue and Regional Road 7) and the applicable building height and density policies. Accordingly, this report includes a recommendation that the Vaughan Planning Department initiate a review of the policy regime related to built form, height and density for the lands north of Regional Road 7.

Significant intensification is underway at the southwest quadrant and that there are limited opportunities on the southeast and northwest quadrants due to the depth of lots and existing gas station uses. Recognizing these conditions, a recommendation is included in this report that seeks Vaughan Council's direction to undertake a land use study for the northeast quadrant of the Kipling Avenue and Regional Road 7 intersection, in the general area as shown on Attachment #2 with the final boundaries to be determined by the Planning Department, Policy Planning Division, to address land use designations, density and building heights and identify opportunities where intensification may occur. A Transportation Study should also be carried out in conjunction with the land use study, as identified in the comments of the Vaughan Development / Transportation Engineering Department.

Zoning

The subject lands are zoned R3 Residential Zone, which does not permit an apartment building. In order to facilitate the proposed plan, an amendment to Zoning By-law 1-88 is required to rezone the subject lands from R3 Residential Zone to RA3 Apartment Residential Zone, together with the following site-specific Zoning exceptions.

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Table 1:

	By-law Standard	By-law 1-88 Requirements of the RA3 Apartment Residential Zone	Proposed Exceptions to RA3 Apartment Residential Zone
a.	Minimum Building Setbacks	<p>i. Front (Lansdowne Avenue) - 7.5 m</p> <p>ii. Exterior Side (Regional Road 7) - 7.5 m</p> <p>iii. Rear (East) - 7.5 m</p> <p><u>Portion of Building Below Grade (Underground Garage)</u></p> <p>Lansdowne Avenue and Regional Road 7 - 1.8 m</p> <p><u>Entrance Structure to Underground Parking</u></p> <p>Rear (East) - 7.5 m</p>	<p>i. Front (Lansdowne Avenue) - 3.0 m</p> <p>ii. Exterior Side (Regional Road 7 - in the vicinity of the daylight triangle) - 0 m</p> <p>iii. Rear (East) - 1.5 m (Also, permit balconies to be setback a minimum of 0.9 m)</p> <p><u>Portion of Building Below Grade (Underground Garage)</u></p> <p>Lansdowne Avenue and Regional Road 7 - 0.6 m</p> <p><u>Entrance Structure to Underground Parking</u></p> <p>0.6 m</p>
b.	Maximum Width of a Driveway	7.5 m	7.6 m
c.	Minimum Parking Requirement	<p>154 units @ 1.5 spaces / unit = 231 spaces</p> <p>+</p> <p>154 units @ 0.25 visitor spaces / unit = 39 spaces</p> <p>Total Parking Required = 270 spaces</p>	<p>154 units @ 1.15 parking spaces / unit = 177 spaces</p> <p>+</p> <p>154 units @ 0.20 visitor spaces / unit = 31 spaces</p> <p>Total Parking Proposed = 208 spaces</p>
d.	Parking Space Dimensions	2.7 m X 6.0 m	2.7 m X 5.9 m

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e.	Minimum Amenity Area Per Unit	One Bedroom Units - 118 @ $20 \text{ m}^2 / \text{unit} = 2,360 \text{ m}^2$ + Two Bedroom Units - 29 @ $55 \text{ m}^2 / \text{unit} = 1,595 \text{ m}^2$ + Three Bedroom Units - 7 @ $90 \text{ m}^2 = 630 \text{ m}^2$ Total Required Amenity Area $= 4,585 \text{ m}^2$	$22.78 \text{ m}^2 / \text{unit}$ (all unit types) Total Amenity Area = $3,509.5 \text{ m}^2$
f.	Minimum Lot Area Per Unit	67 m^2	24.05 m^2
g.	Architectural Encroachments (Canopies and Overhangs) into Required Yards	0.5 m maximum	1.2m maximum (6 th , 9 th and Roof Floors)

The Planning Department has no objections to the proposed exceptions to Zoning By-law 1-88.

The proposed building setbacks primarily occur at the daylight triangle only. The balcony encroachments are considered minor in nature and will not impact upon adjacent development. The minimum setback to the underground garage will not be visible at grade level and is typical of high rise development. The reduced number of parking spaces has been supported by the Traffic and Parking Impact Study prepared by Cole Engineering, dated March 2013, with addenda, which has been approved by the Vaughan Development Transportation/Engineering Department. The proposed per unit lot and amenity area requirements are required to facilitate the intensification of the subject lands and are appropriate for this form of development.

The subject lands represent a corner lot and the proposal includes lands to be conveyed to York Region. Furthermore, the design of the building includes features such as overhangs and balconies to enhance the building aesthetic that contribute to the requested zoning exceptions. The implementing Zoning By-law will also include standards to ensure that no development/structures are permitted within a 6 metre wide erosion access allowance along the south portion of the lands. These zoning exceptions would facilitate a development that is compatible with the surrounding area. In addition, the standards in Zoning By-law 1-88 do not reflect current development standards for this form of development. In consideration of the above, the Development Planning Department can support the proposed site-specific exceptions to Zoning By-law 1-88.

Vaughan Development/Transportation Engineering Department

The Development/Transportation Engineering Department has reviewed the plans and reports in support of the Official Plan and Zoning By-law Amendment and Site Development applications and offers the following comments:

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a) Municipal Servicing

The owner has submitted a Functional Servicing and Stormwater Management Design Brief (FSR) prepared by Masongsong Associates Engineering Limited, updated September 2013, in support of the applications. The report concludes that the proposed site development can be serviced by connections to the existing municipal sanitary sewer and watermain on Lansdowne Avenue and the existing regional storm sewer on Regional Road 7.

b) Water Servicing

As identified in the FSR, water supply for the development is proposed to be serviced from a new 200mm fire and 100mm domestic water service via a proposed 200mm diameter connection to the existing 200mm diameter watermain on Lansdowne Avenue. Pressure test results have been included in the FSR and they exceed the required minimum pressure. The existing connections to the site shall be decommissioned to the satisfaction of the City of Vaughan.

c) Sanitary Servicing

The existing sanitary infrastructure on Lansdowne Avenue consists of a 200mm diameter concrete municipal sanitary sewer. The FSR is proposing a new 200mm diameter sanitary connection to the above noted existing sanitary sewer. The existing connections to the site shall be decommissioned to the satisfaction of the City of Vaughan. The analysis is acceptable and concludes that capacity is available within the existing downstream sewers to support the proposed development.

d) Storm Drainage

i. Quantity:

The Storm Water Management Brief within the FSR indicates that post-development storm drainage (tower rooftop, driveway, parking area, walkways, etc.) will be controlled to pre-development flow rates by introducing an underground storage tank that ultimately discharges to the existing regional ditch inlet structure. The ditch inlet is located adjacent to the development within the north boulevard of Regional Road 7 and will be replaced with a ditch inlet manhole, requiring York Region approval and confirmation provided to the City of Vaughan.

The existing drainage patterns for the adjacent properties shall not be affected by the proposed development.

ii. Quality:

Storm water quality control is proposed to be provided by installing an oil/grit separator to provide Level 1 (minimum 80% Total Suspended Solids Removal) quality control for the site as required.

e) Traffic Impact and Parking Study

A Traffic Impact and Parking Study, prepared by Cole Engineering, dated March 13, 2013, with updates dated October 13, 2013, February 24, 2014, and April 16, 2014, was submitted in support of the applications. The Transportation Engineering Section has reviewed the report and offers the following comments:

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i. Parking Study

The study supports the proposed development with a reduced parking supply of 208 spaces (1.15 spaces per unit for residents and 0.20 space per unit for visitors) instead of the City of Vaughan Zoning By-law 1-88 requirement of 270 spaces (1.5 spaces per unit for residents and 0.25 spaces per unit for visitors).

The parking study concludes that the proposed parking supply is sufficient for the development's specific requirements since the proposed rates are justified based on the following studies:

- City of Vaughan's Draft Parking Standard Review by IBI, and,
- Detailed parking survey of the existing Volare Condos (located at the southwest corner of Regional Road 7 and Kipling Avenue)

The number of parking spaces is considered appropriate based on the preliminary findings of the City of Vaughan's Draft Parking Standards completed by IBI Group. Since the new City of Vaughan Official Plan (VOP 2010) promotes non-auto modal splits to encourage more sustainable travel, this Department has no objection with the reduced parking supply recommended in the study.

ii. Traffic Impact Study (TIS)

Site Access

The development will contain 154 condominium units. The vehicular access will be via a full moves access on Lansdowne Avenue which is located approximately 75 m north of the intersection of RR7/Lansdowne Avenue. The proposed access location meets York Region's minimum spacing requirement from an arterial intersection.

Local Road Network

Lansdowne Avenue is a short local urban street that intersection with Regional Road 7 (RR7) to the south and Burwick Avenue to the north. Lansdowne Avenue currently services approximately 15 residential properties and connects to Woodbridge Public School via Burwick Avenue. The roadway has a pavement width of 8.5 m, which is generally in good condition. The intersection of RR7 and Lansdowne Avenue/McKenzie Street has a restricted eastbound left-turn movement. It is expected, when the Bus Rapid Transit (BRT) is constructed along RR7, the intersection of RR7 and Lansdowne Avenue/McKenzie Street will be restricted to right-in/right-out movements only.

Lansdowne Avenue intersects with Burwick Avenue to the north as an all-way stop controlled T-intersection. Burwick Avenue is also a local dead-end street which services approximately eight residential properties and Woodbridge Public School, located at the cul-de-sac.

The analysis presented in the TIS demonstrates that the City intersections of, 1) Lansdowne Avenue and Burwick Avenue and 2) Burwick Avenue/Kipling Avenue, are currently operating at a good level of service. The intersection of Lansdowne Avenue/McKenzie Street and RR7 is currently operating at capacity due to high traffic volumes on RR7. It is important to note that currently left turn movement is prohibited from RR7 to Lansdowne Avenue.

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A contiguous network of sidewalk currently exists on Lansdowne Avenue, Burwick Avenue and on both sides of Kipling Avenue.

RR7 and Kipling Avenue

The Regional signalized intersection of RR7 and Kipling Avenue is generally operating at an acceptable level of service with the exception of the southbound left-turn (SBL) movement. This SBL movement is operating with significant delay, with a level of service 'F' during the AM peak hour and level of service 'E' during the PM peak hour. According to site observations by the traffic consultant, the SBL traffic is being served, however vehicles have to wait more than one cycle, especially during the morning. This situation is common at key intersections during peak periods in more urban centres.

The delay in the SBL movement results in queuing at the intersection. The TIS includes an analysis of the impacts of this queuing on the operation of other adjacent intersections, such as 1) Burwick Avenue and Kipling Avenue and 2) Rainbow Drive and Kipling Avenue. The results show queuing during the AM peak period extends past the intersection of Burwick Avenue and Kipling Avenue (140m north of RR7) for about 16 minutes out of the total study duration of two hours or 13% of total survey time and queues extended past the intersection of Rainbow Drive and Kipling Avenue (70m north of RR7) for 114 minutes or 90% of total survey time. It should be noted, this is a current condition and vehicles wanting to access Rainbow Drive from Kipling Avenue are not entirely blocked, as an option exists to access Rainbow Drive via Ellerby Square (just north).

To further assess the queuing situation, a Traffic Gap Survey was conducted to determine whether gap availability was sufficient for turning traffic accessing/egressing from these two affected un-signalized intersections. The gap surveys were conducted in February, 2014 during the peak AM and PM hours. The consultant utilized the Highway Capacity Manual guidelines (internationally accepted guidelines for analyzing capacity and quality of service of roadways) to determine the available capacity of the study area intersections. The study observed sufficient gaps were available to accommodate existing and projected (2018) traffic volumes.

Existing and Future Transit Service

The proposed development is located within an area that is well served by transit. There are three different buses that operate on this section of RR7;

1. York Region Transit Route 077
2. Viva Orange Route 605 and
3. Brampton Transit ZUM Route 501.

During the weekday AM and PM peak hours, there is a 15-minute headway between consecutive buses for every route. This is considered to be a good level of service and is expected to improve. BRT is currently identified to be implemented after 2019 for this subject area of RR7. Funding has been committed for BRT on RR7 from Vaughan Metropolitan Centre to Helen Street (1.4 km east of subject site), however the section between Helen Street to Highway 50 has been identified for future considerations and funds have not yet been committed.

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Site traffic distribution

The proposed 154 units on the site will theoretically generate approximately 62 vehicles per hour (vph) trips during the A.M (12 inbound and 50 outbound) and 57 vph (36 inbound and 21 outbound) during PM peak periods based on Institute of Transportation Engineer guidelines (an internationally accepted trip calculation guidelines) and the proposed parking supply. Based on the TIS, the majority of the site traffic will use Kipling and Burwick Avenue to access and egress the site. Under the AM peak period, the distribution of traffic suggests that approximately 36 vph vehicles will be traveling north on Lansdowne Avenue during AM peak hour and the balance will be heading south to the RR7 intersection.

Future Background Traffic Condition (without proposed development)

The future level of service conditions were determined for the study area intersections utilizing future background total traffic volumes plus proposed development for the 2018 planning horizon. The traffic consultant utilized a Regional model to estimate background traffic growth. Under future background (2018) traffic conditions, the signalized intersection of RR7/Kipling Avenue is expected to approach and exceed roadway capacity despite optimization of the signal timing and phases within Regional guidelines. This analysis result is similar to the future background analysis presented in the Kipling Avenue Corridor Study undertaken by the City in September 2009.

Future Traffic Conditions with the proposed development traffic

The analysis indicates that under future total traffic volumes, all the study area intersections will continue to operate at levels comparable to background conditions. However a northbound right turn lane at RR7/Kipling Avenue is expected to improve roadway capacity.

The analysis demonstrates that under future condition, intersections of Lansdowne and Burwick Avenue, Burwick Avenue and Kipling and Lansdowne Avenue and RR7 are anticipated to operate at good levels of service with residual capacity and minimum traffic delays; situation is very similar to existing conditions.

Potential Traffic Calming Measures and Traffic Operations

Site observations indicate motorists travelling westbound along RR7 occasionally use Lansdowne Avenue as a by-pass to avoid intersection delays at RR7 and Kipling Avenue. The survey noted 24 vehicles or 15% infiltration during the weekday peak hour periods. The TIS study recommends consideration of the following measures to minimize the cut-through traffic;

- Converting Lansdowne Avenue to a one-way (SB only) Street
- Enforcing turn restriction during school and roadway peak hours
- Speed Humps including warning signs and appropriate pavement marking along Lansdowne Avenue

The intersection of Burwick Avenue/Lansdowne Avenue is an all-way stop controlled intersection which helps to effectively and safely distribute the right-of-way between various conflicting vehicular and pedestrian traffic volumes. To help improve traffic circulation, stopping is prohibited on the south side of Burwick

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Avenue between Woodbridge Public School and Lansdowne Avenue, obliging parents to utilize the pick-up/drop-off facility provided on the school site. Furthermore, a pedestrian signal and pavement markings are provided at the intersection of Kipling Avenue at Burwick Avenue along with additional flashing beacons installed with “School Crossing Signs” alerting motorists. Similarly “School crossing” and “School Zone” signs are also installed in the vicinity, warning motorists to slow down and watch out for children as they are approaching a school zone.

Lansdowne Avenue and Burwick Avenue are assumed roads under the jurisdiction of the City. Any further mitigation measure proposed in the TIS, such as converting Lansdowne Avenue into one-way (southbound only), speed humps or turn prohibitions, would be required to follow the City’s Traffic Calming Policy and would require community consultation prior to Council review and implementation. Given this development will add a disproportionate amount of traffic to the local street network, staff is recommending that they contribute financially towards any traffic calming or roadway improvement. A condition to this effect is included as a recommendation to this report.

Region of York

Regional Staff have no objections to the proposal and have indicated the subject development will have negligible impact at the Regional intersection of RR7 and Kipling Avenue.

Findings and Proposed Transportation Strategy

The TIS concludes that the traffic volumes generated by the proposed development represent a small component of total traffic passing through the intersection during the peak hours. For example, in the future total traffic scenario, there are only 50 outbound trips expected to exit from the site during the peak AM hours (contributing less than 1% of the total traffic volume at RR7/Kipling Avenue intersection. Therefore, the proposed development’s traffic is expected to have modest impact on the adjacent roadway intersections.

Local transit is currently available along RR7 with bus stops at Kipling Avenue. Once implemented, the BRT service will help improve modal splits and ultimately reduce single occupancy passenger trips. This development will benefit from BRT, as the site is within walking distance (<200 metres or < 5-minute walk) of the future high order transit service.

To ensure existing transit service and future improvements are taken advantage of, and single occupancy vehicle use is minimized for the proposed development, Transportation Demand Management (TDM) will play an important role. The applicant will be required to complete a TDM Plan for the development to the satisfaction of the City and York Region, and this will be a condition of the City’s Site Plan approval.

In addition to the above comments provided by the Transportation Engineering Department, a Transportation Impact Study should also be carried out in conjunction with the Northeast Quadrant Planning Study, as recommended above by the Planning Department.

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f) Environmental Site Assessment

The owner has submitted a *Phase One Environmental Site Assessment*, dated December 10, 2012 and prepared by Soil Engineers Ltd. (SEL), which has been reviewed to the satisfaction of the Development/Transportation Engineering Department.

g) Environmental Noise Impact

The owner has submitted a Noise Feasibility Study prepared by HGC Engineering, dated March 4, 2013. The report identifies traffic on Regional Road 7 as the primary source of noise for the site development. Also considered in the analysis is the Canadian Pacific Rail (CPR) line approximately 170 metres east of the site and Kipling Avenue to the west.

The study proposes central air conditioning, specific fixed glazing windows, exterior wall construction, including standard warning clauses, to meet the City and Ministry of the Environment's (MOE) noise criteria.

Given the size of the upper floor balconies and their designation under the MOE Guidelines, the balconies are not considered outdoor living areas and are not considered for mitigation. Furthermore, more information shall be provided in a revised report addressing the outdoor patios proposed at grade level and the effects of the small wall and landscape plantings as it relates to mitigating noise levels to the units, and any further changes to the building layout/configuration.

Mechanical equipment shall meet the MOE noise criteria as required by the City of Vaughan, and recommendations be implemented in accordance with the final Noise Report, to the satisfaction of the City.

h) Allocation of Servicing Capacity

On October 29, 2013, Council set aside 12,900 person equivalent of restricted servicing capacity for reservation or allocation to development applications that come forward for approval over the coming year.

Based on the City's servicing allocation protocol, the subject site may be classified within the "High-Density" category. High-Density Developments may be allocated restricted servicing capacity up to 18 months prior to the completion of required Regional infrastructure improvement, which in this case is the Southeast Collector Sewer. York Region has confirmed that the Southeast Collector Infrastructure is on schedule to be completed by the end of 2014. Accordingly, should Council wish to approve site development application DA.13.016, it is recommended that Council also allocate servicing capacity to the development by way of resolution. A recommendation to this effect has been included in this report.

Toronto and Region Conservation Authority (TRCA)

The TRCA has provided comments on the subject applications by way of correspondence dated July 2, 2013, and October 10, 2013, and have no objections to the approval of the development.

The owner has submitted water balance calculations satisfactory to the TRCA that demonstrate the target volume at the site is acceptable. An underground roof-top collection tank is proposed for the site which will also be used for irrigation purposes.

The TRCA has requested that the implementing zoning by-law ensure that no development/structures are permitted within a 6 metre wide erosion access allowance on the south portion of the lands and that the Site Plan Agreement include a condition/requirement that the applicant successfully obtain a TRCA Permit under Ontario Regulation 166/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses) for

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grading/development prior to the issuance of a municipal Building Permit. Conditions to this effect are included in the recommendation of this report.

Vaughan Legal Services Department - Real Estate Division

The Vaughan Legal Services Department, Real Estate Division, has advised that for residential high-density development, 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.

Vaughan Public Works Department - Waste Management

The Public Works Department - Waste Management Section has reviewed the site plan and finds it to be acceptable.

Vaughan Parks Development Department

The Vaughan Parks Development Department has no objections to the approval of the subject applications.

School Boards

The York Region District and York Region Catholic District School Boards have no objection to the approval of the applications.

Site Plan Review

The Vaughan Planning Department is generally satisfied with the proposed site plan, building elevations and landscaping plan, as shown on Attachments #3 to #8.

The proposed apartment building is L-shaped and includes a 5-storey component with frontage on Lansdowne Avenue and a 10-storey component on Regional Road 7. The proposed site plan shows an access/egress on Lansdowne Avenue at the northerly portion of the property which leads to 4 surface parking spaces and 204 parking spaces located in 3 underground parking levels. An amenity/landscaped common area is located central to the property. The applicant will be providing details of the partial roof top terrace landscaping above the 5th floor portion of the building as part of the final landscaping drawings, to the satisfaction of the Development Planning Department. The north property limit includes a 7.0 m wide buffer area. The proposed building elevations include red and dark grey brick, clear glass with charcoal grey aluminum frames, spandrel glass panels and precast stone panels as shown on Attachments #5 to #8. The design of the building is within a 45 degree angular plane from the north property line, as shown on Attachment #6.

The Vaughan Planning Department, together with other relevant City Departments, will continue to work with the owner to ensure that the final plans reflect a well-designed and technically acceptable development.

The Cultural Heritage Division of the Planning Department advises that the property municipally known as 11, 23 and 27 Lansdowne Avenue were included in the Vaughan Heritage Inventory and, as such, were evaluated for their cultural significance. Based on the evaluation they are able to be cleared of heritage concerns. At such time that the owner requires a Building or Demolition Permit, a formal Heritage Clearance will be required.

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Vaughan Design Review Panel

A similar but not identical proposal for the subject lands was considered by the Design Review Panel on February 28, 2013. A formal development application was not in receipt by the City of Vaughan at the time of the Panel's consideration.

Since the proposal was considered by the Design Review Panel, the owner submitted the formal development applications which are the subject of this report. Throughout the development process the owner has worked with City staff for additional improvements to the site and building design. As previously noted in the report, the Planning Department is generally satisfied with the site plan, building elevations and landscape plan, and should the applications be approved, will continue to work with the owner to finalize the development details prior to the execution of the Site Plan Agreement.

Regional Implications

The owner must enter into a Site Plan Agreement with York Region with respect to conveyances, encroachments, and servicing works.

The owner will be required to fulfill all requirements of the York Region Transportation and Community Planning Department, in accordance with the Regional correspondence dated August 28, 2013, and March 12, 2014, including but not limited to, the following:

- Provide for a 22.5 m right-of-way from the centreline of Regional Road 7
- To submit, for review and approval by the Region: a Traffic Management Plan; Transportation Demand Management (TDM) Plan; Dewatering Plan; and, revised drawings indicating the pedestrian connectivity between the building and the sidewalk along Regional Road 7.
- The owner is required to provide confirmation from the local power authority that there is sufficient clearance from the face of the proposed building, including balconies and other appurtenances, to the proposed future location of hydro poles under the ultimate VIVANEXT bus rapid transitway plan
- Meet or exceed the Region's Transit-Oriented Development Guidelines.
- Provide a real time display screen in the building so that residents have real time information on the transit schedule as part of the TDM strategy.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the following initiatives set forth in the 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.

The proposed development includes a three stream waste disposal system which will contribute to increasing the waste diversion targets as part of the Greening Vaughan strategy.

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The proposed landscape plan will include drought tolerant plant material/grey water irrigation/xeriscaping to promote water efficiency, and proper management of stormwater discharge into the City's natural corridors and sewer systems. The proposal also includes a green roof amenity area located on the 5th floor of the portion of the building fronting onto Landsdowne Avenue.

ii. **Plan and Manage Growth & Economic Vitality**

The development facilitates intensification located on a designated Regional Intensification Corridor to support the expansion of public transportation systems and alternative modes of transportation (e.g. cycling, walking, etc.).

Servicing for the proposed development has been identified in accordance with the annual servicing/allocation report approved by Vaughan Council.

Conclusion

The Vaughan Planning Department has reviewed the subject Official Plan and Zoning By-law Amendment and Site Development Applications in consideration of the applicable Provincial Policies, Regional and City Official Plan policies, the requirements of Zoning By-law 1-88, the comments received from City Departments and external public agencies, the peer review study by Urban Strategies, and the surrounding area context. The Vaughan Planning Department is satisfied that the proposed apartment building is compatible with the surrounding area for the reasons set out in this report. On this basis, the Planning Department can support the approval of the Official Plan Amendment and Zoning By-law Amendment and Site Development Applications, subject to the conditions contained in this report.

In addition, the Vaughan Planning Department is recommending that a land use study be undertaken by the Vaughan Planning Department, Policy Planning Division, to review the land use designations at the northeast quadrant of the Kipling Avenue and Regional Road 7 intersection. A Transportation Study should also be carried out in conjunction with the land use study.

Attachments

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

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.)