

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 25, 2013

Item 1, Report No. 30, of the Committee of the Whole (Public Hearing), which was adopted, as amended, by the Council of the City of Vaughan on June 25, 2013, as follows:

By receiving the following Communications:

- C1. Mr. Marvin Fajertag, President YRSCC 153, Disera Drive, Thornhill, dated June 11, 2013; and**
C2. Ms. Debbie Schopp, dated June 14, 2013.

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**OFFICIAL PLAN AMENDMENT FILE OP.12.019
ZONING BY-LAW AMENDMENT FILE Z.12.047
BAIF DEVELOPMENTS LIMITED
WARD 5 – NORTHWEST CORNER OF BATHURST STREET AND
BEVERLEY GLEN BOULEVARD**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning and the Director of Development Planning, dated June 11, 2013, be approved;
- 2) That the following deputations and communication be received:
1. Mr. Michael Goldberg, Goldberg Group, Avenue Road, Toronto, on behalf of the applicant;
 2. Mr. Steven Kirshenblatt, Kirkor Architects & Planners, Martin Ross Avenue, Toronto, on behalf of the applicant;
 3. Ms. Denise Price, Alameda Circle, Thornhill;
 4. Mr. Barry Friedman, Karl Court, Thornhill;
 5. Ms. Gila Martow, Beverley Glen Ratepayers' Association, Coldwater Court, Thornhill;
 6. Mr. Sam Grossman, North Park Road, Thornhill;
 7. Ms. Ellen Spiegel, Kingsbridge Circle, Thornhill and Communication C20, dated June 10, 2013; and
 8. Ms. Maxine Povering, OHR Menachem Way, Thornhill; and
- 3) That the following Communications be received:
- C1. Mr. Jack Weinberg, dated May 23, 2013;
C4. Mr. Alan Archibald, Conley Street, Thornhill, dated June 10, 2013;
C5. Mr. Igor Steiman, dated June 9, 2013;
C6. Lorene and Bill Sweigman, dated June 9, 2013;
C7. Mr. David Kroft, Disera Drive, Thornhill, dated June 8, 2013;
C18. Mr. John Kucharczuk, dated June 11, 2013; and
C19. Ms. Julie Ahlan, McCabe Crescent, Thornhill, dated June 11, 2013.

Recommendation

The Commissioner of Planning and the Director of Development Planning recommend:

1. THAT the Public Hearing report for Files OP.12.019 and Z.12.047 (Baif Developments Limited) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Contribution to Sustainability

The contribution to sustainability will be determined when the technical report is considered.

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Economic Impact

This will be addressed when the technical report is completed.

Communications Plan

- a) Date the Notice of a Public Meeting was circulated May 17, 2013.
- b) Circulation Area: Beyond the regular 150 m notification area. Expanded notification area as shown on Attachment #1 and to the Beverley Glen Ratepayers Association.
- c) Comments Received as of May 28, 2013: None.

Purpose

The Owner has submitted the following applications for the subject lands shown on Attachments #1 and #2, to facilitate a proposed development in the manner shown on Attachments #3 to #8, consisting of 797 residential apartment units within four (4) apartment buildings with a maximum Floor Space Index (FSI) of 4.35 and 600 m² of ground floor convenience retail and retail store uses fronting onto Bathurst Street, with the maximum building heights for Building “A” of 12-storeys, Building “B” of 27-storeys, Building “C” of 12-storeys, and Building “D” of 7-storeys:

- 1. Official Plan Amendment File OP.12.019, specifically to amend the Thornhill Vaughan Community Plan (OPA #210) to:
 - i) increase the permitted density in the “High Density Residential” designation from 148 units per hectare to 569 units per hectare (thereby increasing the number of permitted apartment units on the subject lands from 106 to 797 units (an additional 691 units); and,
 - ii) permit a total of 600 m² of ground floor area devoted to Convenience Retail Store and Retail Store uses in the “High Density Residential” designation, whereas commercial uses are not permitted.
- 2. Zoning By-law Amendment File Z.12.047 to amend Zoning By-law 1-88, specifically to the RA3(H) Apartment Residential Zone with the Holding Symbol “(H)”, subject to Exception 9(1034), together with the following site-specific zoning exceptions to implement the proposed development:

	By-law Standard	By-law 1-88 Requirements of the RA3 Apartment Residential Zone	Proposed Exceptions to the RA3 Apartment Residential Zone Requirements
a.	Minimum Building Setbacks	<u>To the Proposed Building</u> <ul style="list-style-type: none">i) Front (Beverley Glen Blvd.) - 7.5 mii) Exterior Side - (Bathurst Street) - 7.5 miii) Rear (North) – 7.5 m	<u>To the Proposed Building</u> <ul style="list-style-type: none">i) Front - 2.55 m (Building “D”) and 3.9 m (Building “A”)ii) 5 miii) 6.85 m (Building “C”)

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b.	Minimum Parking Requirement	<p>797 units @ 1.5 spaces / unit = 1196 spaces</p> <p align="center">+</p> <p>797 units @ 0.25 visitor spaces / unit = 200 spaces</p> <p>Total Parking Required = 1396 spaces</p>	<p>797 units @ 1.05 spaces / unit = 837 spaces</p> <p align="center">+</p> <p>797 units @ 0.15 visitor spaces / unit = 120 spaces</p> <p>Total Parking Provided = 957 spaces</p>
c.	Minimum Barrier Free Parking Space Size	3.9 m X 6.0 m	2.6 m X 5.8 m
d.	Minimum Amenity Area Per Unit	<p>One Bedroom - 582 units @ 20 m² / unit = 11,640 m²</p> <p align="center">+</p> <p>Two Bedrooms - 216 units @ 55 m² / unit = 11,880 m²</p> <p>Total Required Amenity Area = 23,520 m²</p>	<p>Provide amenity area at a rate of 15 m² for any unit types</p> <p>Total amenity area provided = 11,955 m²</p>
e.	Minimum Lot Area Per Unit	67 m ²	17.5 m ²
f.	Maximum Building Height	<p align="center">44 m</p> <p>Measured from the average elevation of the finished grade at the front of the building to the highest point of the roof surface, exclusive of accessory roof construction such as a mechanical room, elevator, etc.</p>	<p align="center">82 m and 27 storeys (Building "B")</p> <p>Measured from Canadian geodetic datum to the highest point of the roof surface, exclusive of accessory roof construction such as a mechanical room, elevator, etc.</p>
g.	Outdoor Patio and Permitted Yard Encroachment	An outdoor patio is not permitted in an RA3 Zone.	Permit an outdoor patio to encroach 3.9 m into the required front yard (Beverley Glen Boulevard)
h.	Canopies and Permitted Yard Encroachment	A canopy is not a permitted yard encroachment in an RA3 Zone	Permit a canopy to encroach 2.0m into the required exterior side yard (Bathurst Street)

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i.	Minimum Landscape Strip Width along a Street	6.0 m	5.0m (Bathurst Street) 2.5 m (Beverley Glen Blvd.) 0 m (at the sight triangle)
j.	Definition of a Lot	“Lot” - Means a parcel of land fronting on a street separate from any abutting land to the extent that a Consent contemplated by Section 49 of the Planning Act, R.S.O. 1983 would not be required for its conveyance. For the purpose of this paragraph, land defined in an application for a building permit shall be deemed to be a parcel of land and a reserve shall not form part of the street.	“Lot” - For the purposes of zoning, the subject lands shall be deemed to be one lot, regardless of the number of buildings or structures erected on the lands and regardless of any conveyances, easements, or condominiums, and whether the buildings or structures have or do not have a common basement or are or are not connected below or above finished grade.

Additional zoning exceptions may be identified through the detailed review of the applications and will be addressed when the technical report is completed.

Background - Analysis and Options

Location	<ul style="list-style-type: none">▪ The 1.4 ha site is located on the northwest corner of Bathurst Street and Beverley Glen Boulevard (2 Beverley Glen Boulevard), shown as “Subject Lands” on Attachments #1 and #2. The site is currently vacant and was used as a staging site for infrastructure improvements to the York Durham Servicing System. The site was fenced for that construction; however, the location of the westerly limit of the fence does not include the entire land holding. A 6 m wide Regional sewer easement is located along the entire Bathurst Street frontage of the property.
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Official Plan Designation	<ul style="list-style-type: none">▪ “High Density Residential” by in-effect OPA #210 (Thornhill Vaughan Community Plan), which permits only residential apartment uses at a maximum density of 148 units per hectare (106 units). The proposal to permit a maximum density of 569 units per hectare (797 units) and at grade convenience retail and retail store uses does not conform to the maximum density and permitted use policies of OPA #210.▪ The subject lands are designated “Mid-Rise Residential” with a maximum permitted density of 3.5 FSI (Floor Space Index) and a maximum building height of 12-storeys by the new City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified September 27, 2011, March 20, 2012, and April 17, 2012) as further modified and endorsed by Region of York Council on June 28, 2012, and is pending approval from the Ontario Municipal Board (OMB). The proposed 4.35 FSI for the overall development and the 27-storey building height for Building “B” do not conform to VOP 2010.▪ The proposed development does not conform to the maximum density and permitted use policies of in-effect Official Plan #210 and exceeds the maximum building height (Building “B” only) and density (floor space index) policies of VOP 2010, and therefore an Official Plan Amendment is required.
Zoning	<ul style="list-style-type: none">▪ RA3(H) Apartment Residential Zone with the Holding Symbol “(H)”, subject to Exception 9(1034) by Zoning By-law 1-88, which permits the residential apartment use.▪ The proposal to permit the residential apartment development does not comply with the development standards in Zoning By-law 1-88; and, the proposed at grade commercial uses, specifically Convenience Retail Store and Retail Store uses within Building “A”, are not permitted by Zoning By-law 1-88; therefore, a Zoning By-law Amendment is required.

Preliminary Review

Following a preliminary review of the applications, the Development Planning Department has identified the following matters to be reviewed in greater detail:

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	MATTERS TO BE REVIEWED	COMMENTS
a.	Conformity with Provincial policies, Regional and City Official Plans	<ul style="list-style-type: none"> The applications will be reviewed in consideration of the applicable Provincial policies, and Regional and City Official Plan policies.
b.	Appropriateness of Proposed Density, Building Height, at Grade Commercial Uses and Development Standards	<ul style="list-style-type: none"> The appropriateness of permitting the proposed residential and convenience and retail store uses will be reviewed in consideration of compatibility with the surrounding existing and planned land use context. The appropriateness of the proposed development standards required to implement the proposal will be reviewed.
c.	Urban Design and Architectural Guidelines/Vaughan Design Review Panel	<ul style="list-style-type: none"> The Urban Design Brief submitted in support of the applications will be reviewed. On February 23, 2012, the Owner presented three concept plans to the Vaughan Design Review Panel (DRP) for their consideration. The current proposal, which differs, must be reviewed by the Panel at a future DRP meeting. The appropriate urban design policies will be included in the implementing Official Plan Amendment, if the applications are approved.
d.	Urban Transportation Considerations and Parking Reports	<ul style="list-style-type: none"> The Urban Transportation Considerations Report (December 2012) submitted in support of the applications addresses traffic impact, parking and transportation demand management for the site. This report proposes a parking ratio of 1.2 spaces per unit (1.05 spaces/unit plus 0.15 spaces for visitors) and a total of 3 spaces / 100 m² of commercial gross floor area. The report must be reviewed and approved by the Region of York and the Vaughan Development/Transportation Engineering Department. Opportunities to incorporate Transportation Demand Management (TDM) measures into the proposed development, including but not limited to, bicycle racks, car-share facilities, transit passes for future residents, car-pooling, etc., will be reviewed.
e.	Phase 1 Environmental Site Assessment	<ul style="list-style-type: none"> The Updated Phase 1 ESA (Environmental Site Assessment) (October 2012) submitted in support of the applications must be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department.

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f.	Functional Servicing Report / Sewer and Water Allocation	<ul style="list-style-type: none">▪ The Functional Servicing Report (October 2012) submitted in support of the applications will be reviewed to the satisfaction of the Vaughan Development/Transportation Engineering Department.▪ Servicing allocation required for the proposed development will be reviewed. The availability of water and sanitary sewage servicing capacity for the proposal must be identified and allocated by Vaughan Council, if approved; use of the Holding Symbol "(H)" may be required if servicing capacity is unavailable.
g.	Density Bonusing	<ul style="list-style-type: none">▪ The proposed density exceeds Official Plan policy permissions, therefore, opportunities to achieve public benefits (e.g. daycare, community facilities, public art, and streetscape improvements, etc.) will be considered in establishing the appropriate site density, and if approved, density bonusing policies incorporated into the implementing Official Plan Amendment and the appropriate requirements included in the implementing Zoning By-law. If approved, the Owner will also be required to enter into a Density Bonusing Agreement with the City.
h.	Bathurst Street Road Widenings and Future Transit	<ul style="list-style-type: none">▪ Bathurst Street is identified as a Rapid Transit Corridor by the Region of York Official Plan. Future road widenings and the integration of future transit facilities will be reviewed together with opportunities for limited on-street parking, to the satisfaction of York Region. The proposed development includes a parcel of land located at the northwest corner of Bathurst Street and Beverley Glen Boulevard, as shown on Attachment #3, which is proposed to be acquired from the Region of York. The proposed land conveyance must be approved by the Region of York.
i.	Studies and Supporting Material	<ul style="list-style-type: none">▪ In addition to the earlier mentioned studies, the Planning Justification Report, Pedestrian Level Wind Study, Noise Feasibility Study, Sun Shadow Study, and Community Services and Facilities Study (December 2012) submitted in support of the applications will be reviewed to the satisfaction of the City. Any additional studies that may be required will be identified through the detailed review of the applications.

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j.	Future Site Development Application	<ul style="list-style-type: none">▪ A future Site Development Application(s) will be required, if the applications are approved, to permit the proposed development and will be reviewed to ensure, but not limited to, appropriate building and site design, appropriate distinct treatment of at-grade commercial storefronts, built form, access, pedestrian connectivity, barrier free accessibility, internal traffic circulation, parking, landscaping, location of loading areas, servicing and grading.▪ Opportunities for sustainable design, including CEPTD (Crime Prevention Through Environmental Design), LEEDS (Leadership in Energy and Environmental Design), permeable pavers, bio-swales, drought tolerant landscaping, bicycle racks to promote alternative modes of transportation, energy efficient lighting, reduction in pavement and roof-top treatment to address the "heat island" effect, green roofs, etc, will be reviewed and implemented through the site plan approval process, if approved.
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Relationship to Vaughan Vision 2020/Strategic Plan

The applicability of these applications to the Vaughan Vision will be determined when the technical report is considered.

Regional Implications

The applications have been circulated to the Region of York for review and comment. Any issues will be addressed when the technical report is considered.

Conclusion

The preliminary issues identified in this report and any other issues identified through the processing of the applications will be considered in the technical review of the applications, together with comments from the public and Vaughan Council expressed at the Public Hearing or in writing, and will be addressed in a comprehensive report to a future Committee of the Whole meeting.

Attachments

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

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.)