

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 25, 2012

Item 20, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 25, 2012.

20

SITE DEVELOPMENT FILE DA.11.041

WOODSTREAM PLAZA INC.

WARD 2 – VICINITY OF REGIONAL ROAD 7 AND WOODSTREAM BOULEVARD

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated September 4, 2012, be approved; and**
- 2) That the coloured elevation drawings submitted by the applicant be received.**

Recommendation

The Commissioner of Planning recommends:

1. THAT Site Development File DA.11.041 (Woodstream Plaza Inc.) BE APPROVED, to permit two 10-storey mixed-use apartment buildings with a total of 361 apartment units, 688 m² of ground floor commercial uses, and 24 back-to-back 2-storey multiple dwellings, as shown on Attachments #3 to #8, on the subject lands shown on Attachments #1 and #2.
2. THAT prior to the execution of the Site Plan Letter of Undertaking:
 - i) the final site plan, building elevations and landscape plans shall be approved by the Vaughan Development Planning Department;
 - ii) the final site servicing and grading plans, storm water management plans, Traffic Impact Study and noise report shall be approved by the Vaughan Development/Transportation Engineering Department;
 - iii) Zoning By-law Amendment File Z.11.015 (Woodstream Plaza Inc.) shall be approved by Vaughan Council to remove the Holding Symbol “(H)” and the implementing Zoning By-law shall be final and binding; and,
 - iv) the Owner shall submit a Minor Variance Application to permit the variances to Zoning By-law 1-88 identified in Table 1 of this report, which shall be approved by the Committee of Adjustment, and the Committee’s decision shall be final and binding.
3. THAT the Site Plan Letter of Undertaking shall include a clause requiring the Owner to carry out the Recommendations of the approved Remedial Action Plan, prepared by EXP Services Inc., in conjunction with the site development, to the satisfaction of the City.
4. THAT prior to the removal of the Holding Symbol “(H)”, the Owner shall provide the City with proof that a Record of Site Condition (RSC) has been acknowledged/registered with the Ministry of the Environment.
5. THAT Council adopt the following resolution with respect to the allocation of servicing capacity:

“IT IS HEREBY RESOLVED THAT Site Development File DA.11.041 is allocated sewage capacity from the York-Durham Servicing Scheme and water supply capacity from the York Water Supply System for a total of 385 residential units.”

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6. THAT the Owner shall pay cash-in-lieu of parkland dedication, prior to the issuance of a building permit, in accordance with the Planning Act and the City's "Cash-In-Lieu of Parkland Policy".

Contribution to Sustainability

The applicant has advised that the following sustainable features will be included in the building and site design:

- i) energy efficient features such as individual heat pumps, green roof, and roof top landscaped areas;
- ii) reduced parking standards to promote alternative transportation modes, particularly as the site is located along Regional Road 7;
- iii) convenient at-grade bicycle storage area; and,
- iv) maximizing existing infrastructure with a high density project.

Economic Impact

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

Communications Plan

Notice of this meeting was sent to Dr. Fabio D'Ambrosi, who requested notification.

Purpose

The Owner has submitted Site Development File DA.11.041 to permit the development of the subject lands shown on Attachments #1 and #2 with two 10-storey mixed-use buildings with a total of 361 apartment units, 688 m² of ground floor commercial uses, and 24 back-to-back 2-storey multiple dwelling units as shown on Attachments #3 to #8.

Background - Analysis and Options

Location

The subject lands are 1.07 ha in size and are located at the southwest corner of Woodstream Boulevard and Regional Road 7, municipally known as 12 and 24 Woodstream Boulevard, as shown on Attachments #1 and #2.

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 Study Plan). This designation permits a range of land uses including office, business, retail, institutional, civic and residential apartment dwellings on the subject lands. The site is also located within 200 m of a designated "Transit Stop Centre" (OPA #661) at the intersection of Martin Grove Road and Regional Road 7, which permits a maximum building height of 10-storeys and a maximum 3.0 FSI (Floor Space Index) on the subject lands.

The subject lands are designated "Mid-Rise Mixed Use", with a maximum permitted building height of 10 storeys and a maximum density of 3.0 FSI 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 20, 2012, and April 17, 2012), and is pending approval from the Ontario Municipal Board.

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The proposed development conforms to the Official Plans. It is noted that the FSI of the development was 3.0 when the Zoning By-law Amendment Application was being processed and the implementing zoning by-law was enacted to implement the Official Plan, but later the Region of York required the dedication of a road widening along Regional Road 7, which reduced the lot area from 11,213 m² to 10,740 m², with a resultant net FSI of 3.13.

Zoning

On June 11, 2008, Vaughan Council approved Zoning By-law Amendment File Z.07.053 to rezone the subject lands from C2 General Commercial Zone to RA3 (H) Apartment Residential Zone with the Holding Symbol “(H)”, by By-law 1-88, subject to Exception 9 (1315). The implementing zoning by-law (By-law 39-2009) was enacted by Vaughan Council on February 24, 2009.

The conditions for removing the Holding Symbol “(H)” include: servicing capacity being allocated to the development by Vaughan Council; confirmation of the Ministry of Environment’s Acknowledgement/Registration of the Record of Site Condition; and, the approval of a Site Development Application for the property. Should Council approve the subject Site Development Application and the resolution to allocate servicing capacity to the development, the Holding Symbol “(H)” will be removed at a future date upon confirmation of the Ministry of Environment’s Registration of the Record of Site Condition for the property.

Upon review of the Site Development Application, the following exceptions to Zoning By-law 1-88, specifically, the RA3 (H) Apartment Residential Zone with the Holding Symbol “(H)” subject to Exception 9(1315), are required to implement the proposed development:

Table 1:

	Standard	By-law 1-88 Requirements - RA3(H) Apartment Residential Zone, subject to Exception 9(1315)	Proposed Variances to the RA3(H) Apartment Residential Zone, subject to Exception 9(1315)
a.	Minimum Building Setback	a) Front Yard (north) – 3.0 m b) Exterior Side Yard (east) – 3.0 m	a) 0 m b) 0 m • Note: the 0 m setbacks occur only where the building abuts the daylight triangle
b.	Maximum Encroachment of Stairs into a Yard abutting Woodstream Boulevard	1.8 m	Permit the encroachment of the exterior stairs into the exterior sideyard not closer than 0.3m from the property line
c.	Maximum Encroachment of a Canopy into the Interior Side Yard	0.5 m	2.0 m

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d.	Minimum Setback to Underground Garage	1.8 m (Woodstream Boulevard)	0.4 m
e.	Minimum Number of Parking Spaces	555	532
f.	Minimum Lot Area	11,213 m ²	10,740 m ²
g.	Maximum Building Height	10 storeys	For the ground floor units with lofts, the building height shall be defined as: “Notwithstanding the inclusion of horizontal separations (lofts) on the ground floor only, the ground floor shall be considered one storey for the purposes of determining building height.”
h.	Maximum Number of Townhouse Dwelling Units Permitted on the Subject Lands	14 townhouse dwellings	24 back-to-back multiple dwellings
i.	Maximum Floor Space Index (FSI)	3.0	For the purposes of calculating the maximum FSI, the lot area prior to the road widening shall be used.

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

The proposed variances to the building setbacks occurs at the daylight triangle only. The stair and canopy 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 a Traffic and Parking Impact Study prepared by Cole Engineering, dated April 2012, which has been reviewed by the Development Transportation/Engineering Department. The reduced lot area and increased Floor Space Index are a result of a road widening required by the Region of York. The change to the definition of the maximum building height is a result of apartment units with lofts located on the ground floor only, but does not affect the overall 10-storey height of the proposed building. The number of townhouse dwelling units proposed on the site is a result of a redesign of a portion of the site to create more marketable units and provide a better streetscape facing Woodstream Boulevard. These variances would facilitate a development that is compatible with the surrounding area. In light of the above, the Development Planning Department can support the proposed variances to Zoning By-law 1-88.

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The Owner has submitted Minor Variance File A022/12 with the Committee of Adjustment to permit the above-noted variances. Prior to the execution of the Site Plan Letter of Undertaking, the Committee of Adjustment must approve Minor Variance Application A022/12 and the Committee's decision must be final and binding. A condition in this respect is included in the recommendation of this report.

Site Plan Review

The proposed site plan is shown on Attachment #3. The 1.07 ha site is proposed to be developed with two 10-storey mixed-use buildings with a total of 361 residential condominium units, 688 m² of ground floor commercial uses, and 24 back-to-back multiple dwelling units, as shown on Attachments #3 to #8. The site will be served by 2 access driveways on Woodstream Boulevard. The proposed development includes 6 parking spaces at grade, and 526 parking spaces in 2 levels of underground parking for a total of 532 on-site parking spaces. In addition, 7 lay-by parking spaces are proposed on Woodstream Boulevard.

The Development Planning Department is generally satisfied that the proposed site plan, building elevations and landscaping plan, as shown on Attachments #3 to #8 are appropriate and conform to the policies of the Official Plan and Zoning By-law.

Vaughan Development/Transportation Engineering Department

The Owner has submitted site servicing and grading plans, a storm water management report, a Traffic Impact/Parking Study and a Noise Report in support to the application, which must be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department, prior to the execution of the Site Plan Letter of Undertaking. Conditions to this effect are included in the recommendation of this report.

The applicant has also submitted a related Minor Site Development File DA.11.098 to amend the approved servicing plan for the abutting property to the west (5555 Highway 7) to facilitate amendments to permit servicing connections for the subject lands, which is under review and being considered concurrently with the subject application. The Owner will be required to enter into and/or provide a mutual servicing agreement with respect to servicing, if approved.

A Record of Site Condition must be acknowledged/registered with the Ministry of the Environment in order to remove the Holding Symbol from the property. Previous environmental reports have identified the need for remediation on the property.

The applicant has provided a Phase I Environmental Site Assessment Report, dated December 2, 2008, and a Phase II Environmental Site Assessment Report, dated December 5, 2008, both prepared by Trow Associates Inc. In addition, the applicant has provided the following updated reports: Phase I Environmental Site Assessment Report, dated January 27, 2012; Phase II Environmental Site Assessment Report, dated January 27, 2012; Phase I Environmental Site Assessment Report, dated May 7, 2012; and, a Phase II Environmental Site Assessment Report, dated May 14, 2012; all prepared by EXP Services Inc. All ESA reports have been reviewed by Decommissioning Consulting Services Limited (DCS), the City's peer review consultant. The Phase I ESA report identified the potential of environmental concerns from a former dry cleaning facility located within the commercial plaza on the site. The Phase II ESA report confirmed the impact of the former dry cleaning operations to the soil and the groundwater at the southern portion of the plaza site.

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DCS has advised that the applicant shall provide a Remedial Action Plan and shall address all comments contained in its letter, dated June 11, 2012. The Applicant has provided a Remedial Action Plan, dated June 20, 2012, prepared by EXP Services Inc. The Remedial Action Plan addresses the excavation and disposal of the impacted soil and groundwater. The Remedial Action Plan has been peer reviewed by Decommissioning Consulting Services Limited (DCS) and DCS has advised that the submitted information is generally satisfactory subject to the applicant addressing a number of comments contained in the letter, dated July 12, 2012. Once the site has been remediated, the applicant will be required to obtain a Record of Site Condition.

Accordingly, the Development/Transportation Engineering Department has no objection to the approval of the Site Development Application subject to the following conditions:

1. The Owner/Applicant shall address the comments contained in the Letters from DCS, dated June 11, 2012 and July 12, 2012 to the satisfaction of the City, prior to the submission of a Record of Site Condition to the Ministry of Environment (MOE).
2. The Owner/Applicant shall agree in the Letter of Undertaking to carry out the recommendations of the approved Remedial Action Plan, prepared by EXP Services Inc., in conjunction with the site development to the satisfaction of the City.
3. Prior to the removal of the Holding Symbol "H" (File Z.11.015), the Owner/Applicant shall provide the City with proof that the Record of Site Condition (RSC) for the site has been acknowledged/registered with the Ministry of Environment.

Conditions to this effect are included in the recommendation of this report.

Vaughan Real Estate Division

The Vaughan Real Estate Division has advised that for residential high-density development, the Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a Building Permit, or a fixed unit rate per unit, whichever is higher in accordance with the Planning Act and the City's Cash-in-lieu Policy. In addition, 2% shall be paid for the commercial component in accordance with Section 42 of the Planning Act. The Owner shall submit an appraisal of the subject lands, for the commercial component 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.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Vitality".

Regional Implications

The Owner must enter into a Site Plan Agreement with the Region of York with respect to conveyances, encroachments, and servicing works and satisfy all conditions of the Region of York.

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Conclusion

Site Development File DA.11.041 has been reviewed in accordance with OPA #661, Zoning By-law 1-88, the comments from City Departments and external public agencies, and the area context. The Development Planning Department is satisfied that the proposed development for a 10-storey mixed-use development conforms to the Official Plan and Zoning By-law, and is appropriate and compatible with the existing and permitted uses in the surrounding area, subject to the comments and recommendations in this report. On this basis, the Development Planning Department can support the approval of the Site Development Application, subject to the conditions contained in this report.

Attachments

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

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/CM

(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.)