

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OCTOBER 30, 2012

Item 5, Report No. 41, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on October 30, 2012.

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**OFFICIAL PLAN AMENDMENT FILE OP.12.010
ZONING BY-LAW AMENDMENT FILE Z.12.025
1834371 ONTARIO INC. (LIBERTY DEVELOPMENT CORPORATION)
WARD 4 - VICINITY OF REGIONAL ROAD 7 AND MAPLECRETE ROAD**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated October 16, 2012, be approved;**
- 2) That the following deputations be received:**
 - 1. Mr. Jim Kirk, Malone Given Parsons Ltd., Renfrew Drive, Markham, on behalf of the applicant; and**
 - 2. Mr. David Butterworth, Kirkor Architects, Martin Ross Avenue, Toronto, on behalf of the applicant; and**
- 3) That the following communication be received:**

C9. Ms. June Little, Toronto and Region Conservation Authority, Shoreham Drive, Downsview, dated October 16, 2012.

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for Files OP.12.010 and Z.12.025 (1834371 Ontario Inc. (Liberty Development Corporation)) 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.

Economic Impact

This will be addressed when the technical report is completed.

Communications Plan

- a) Date the Notice of a Public Meeting was circulated: September 21, 2012
- b) Circulation Area: 150 m
- c) The applications were also advertised as follows:
 - City's On-line Calendar;
 - included in the October e-news City Update, which was e-mailed to over 8,000 subscribers;
 - posted to the City's website on the City's landing page under the "Planning Applications" hot link;
 - on the City Page, which was posted on the City's website on September 21, 2012; and,
 - posted on the City's Facebook and Twitter sites.
- d) Comments Received as of October 2, 2012: None

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Purpose

The Owner has submitted the following applications on the subject lands shown on Attachments #1 and #2 to facilitate the development of a 3-phased, mixed-use project with four (4) residential apartment buildings (future condominium) ranging in height from 25 to 38 storeys with a total of 1,328 residential units, one (1) 14-storey office building (24,336.18m²), 3,300m² of retail area, an overall density of 6.337 FSI (Floor Space Index), and 2,166 parking spaces, as shown on Attachments #3 to #9:

1. Official Plan Amendment File OP.12.010 to amend OPA #500 (Vaughan Corporate Centre Plan), as amended by OPA #528, OPA #529 and OPA #663 (The Avenue 7 Land Use Future Study Plan), to extend the limits of the "Gateway Site" designation to include the property municipally known as 180 Maplecrete Road, thereby permitting an unlimited maximum building height on the entirety of the subject lands. The balance of the subject lands (2951 Regional Road 7 and 190 Maplecrete Road) are currently designated as a "Gateway Site".
2. Zoning By-law Amendment File Z.12.025 to amend Zoning By-law 1-88, specifically to rezone the subject lands from C8 Office Commercial Zone, C8(H) Office Commercial Zone with the Holding Symbol "(H)" and EM1 Prestige Employment Area Zone to C9(H) Corporate Centre Zone with the Holding Symbol "(H)" together with the following site-specific zoning exceptions:

	By-law Standard	By-law 1-88 Requirements (C9 Corporate Centre Zone)	Proposed Exceptions to By-law 1-88 (C9 Corporate Centre Zone)
a.	Minimum Rear Yard Setback (West Property Line)	6m	1.0m
b.	Minimum Setback from Front Lot Line to Portions of Building Below Grade (Maplecrete Road)	1.8m	0m
c.	Minimum Building Height	10m	7.95m (Podium level of Building "1" as shown on Attachment #3)
d.	Maximum Residential Density	67m ² /unit	20,718.21m ² /1,328 units = 15m ² /unit
e.	Minimum Parking Space Size	2.7m by 6m	2.7m by 5.8m

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f.	Minimum Parking Space Size, Barrier-Free	3.9m by 6.0m (standalone) 3.2m by 6.0m (adjacent to another)	3.9m by 5.8m (standalone) 3.2m by 5.8m (adjacent to another)
g.	Minimum Parking Requirements	<p>1.5 spaces per dwelling unit @ 1,328 units (1992 spaces)</p> <p>1,328 units @ 0.25 visitor spaces per dwelling unit (332 spaces)</p> <p>3.5 spaces/100m² GFA for office uses @ 24,336.18m² (852 spaces)</p> <p>6 spaces/100m² for retail GFA @ 3,300m² (198 spaces)</p> <p>Total Number of Spaces Required = 3,374</p>	<p>0.7 spaces/for 1-Bedroom Units @ 1,035 units (725 spaces)</p> <p>0.9 spaces for 2-Bedroom Units @ 293 units (264 spaces)</p> <p>0.15 visitor spaces per dwelling unit @ 1,328 units (199 spaces)</p> <p>1.5 spaces/100m² GFA for office uses @ 24,336.18m² (365 spaces)</p> <p>2 spaces/100m² for retail uses @ 3,300m² (66 spaces)</p> <p>Total Number of Spaces Required with Proposed Parking Ratios = 1,619</p> <p>Total Number of Spaces Provided = 2,166</p>

Additional zoning exceptions may be identified through the detailed review of the application.

Background - Analysis and Options

Location	<ul style="list-style-type: none"> Southwest corner of Maplecrete Road and Regional Road 7, municipally known as 2951 Regional Road 7 and 190 and 180 Maplecrete Road, City of Vaughan, shown as "Subject Lands" on Attachments #1 and #2.
Official Plan Designation	<ul style="list-style-type: none"> "Corporate Centre Node" by in-effect OPA #500 (Vaughan Corporate Centre Plan) as amended by OPA #663 (The Avenue 7 Land Use Future Study Plan) and partially identified as a Gateway Site.

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	<p>Item 5, CW(PH) Report No. 41 – Page 4</p> <ul style="list-style-type: none"> ▪ The “Gateway Site” policies permit unlimited building height, but only 2951 Regional Road 7 and 190 Maplecrete Road. 180 Maplecrete Road is not identified as a “Gateway Site”; therefore, the maximum building height is 25m. The application to permit two (2) residential apartment towers, on 180 Maplecrete Road, each with a proposed building height of 81m, does not conform to the Official Plan. ▪ The in-effect Plan also protects for two (2) local roads (17m-20m right-of-way) that traverses the subject lands in an east and west and north and south direction. The development proposal currently does not achieve the planned road network and therefore, does not conform to the Official Plan. ▪ The subject lands are designated “Neighbourhood Precinct – N4” by the Vaughan Metropolitan Centre Secondary Plan (VMC Plan), which forms part of Volume 2 of the Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified on September 27, 2011, March 20, 2012, and April 17, 2012) and is pending approval from the Ontario Municipal Board. VOP 2010 permits a maximum density of 4.5 FSI and a maximum building height of 25 storeys for 2951 Regional Road 7 and 190 Maplecrete Road and a maximum density of 3.0 FSI and maximum building height of 10-storeys for 180 Maplecrete Road. The proposal does not conform to VOP 2010. ▪ The VMC Plan encourages a fine-grain grid of streets and also protects for a north-south and an east-west local road (20m-22m right-of-way), as well as a local street or mews (20m right-of-way) as a westerly extension of the east-west planned local road, through the subject lands, in the locations shown on Attachment #2. Though the Owner proposes a street network that is consistent with the street network encouraged in the VMC Plan, the proposed right-of-way widths are approximately 15m.
Zoning	<ul style="list-style-type: none"> ▪ C8 Office Commercial Zone and C8(H) Office Commercial Zone with the Holding Symbol “(H)” (2951 Regional Road 7) and EM1 Prestige Employment Area Zone (190 and 180 Maplecrete Road) by Zoning By-law 1-88. ▪ The application to facilitate the proposed development does not comply with Zoning By-law 1-88. ▪ An Amendment to Zoning By-law 1-88 is required to rezone the subject lands to C9 (H) Corporate Centre Zone with the Holding Symbol “(H)” and to permit the site-specific zoning exceptions to facilitate the proposed plan.
Surrounding Land Uses	<ul style="list-style-type: none"> ▪ Shown on Attachment #2.

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Preliminary Review

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

	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 the Regional and City Official Plan policies.
b.	Vaughan Metropolitan Centre (VMC) Secondary Plan	<ul style="list-style-type: none"> The Applications will be reviewed in consideration of the policies in the VMC Plan including, but not limited to: <ul style="list-style-type: none"> the vision and principles identified in the Plan including the contribution of the proposed plan to creating a VMC downtown area that is transit-oriented, walkable, accessible, diverse, vibrant, green and beautiful; the structural concept of the VMC Plan, which provides for a maximum density of 6.0 FSI and a building height of 35 storeys for lands in the vicinity of the subway station and a maximum building height of 10 and 25-storeys and a maximum density of 3.0 and 4.5 FSI on the subject lands; the requirement in the Neighbourhood Precinct designation for an office building to front onto and address Regional Road 7 and appropriately incorporate street related commercial uses along Regional Road 7; the urban design and built form policies provided in the Plan; policies respecting the minimum building setbacks, ground floor commercial uses, building massing, parking and servicing facilities; consideration will be given to the proposed 0m setback for the underground parking garage in light of the City's on-going review of undergrounding the existing hydro lines and the appropriate building setback required to achieve this initiative; the street network and public transportation policies of the Plan which protects a 23m to 26m right-of-way for Maplecrete Road (minor collector road) and a 20m to 22m wide right-of-way for the planned future east/west and north/south local streets that traverse the subject lands;

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	MATTERS TO BE REVIEWED	COMMENTS
		<p><u>Item 5, CW(PH) Report No. 41 – Page 6</u></p> <ul style="list-style-type: none"> the natural environment policies of the Plan including energy infrastructure and protecting for the potential for a District Energy system to service the property, and stormwater management; and, the requirement for a Noise and Vibration Study for residential development proposals within 1000 m of the CNR Rail Yard, 300m from an existing industrial use and within 100 m of Regional Road 7.
c.	Appropriateness of the Development Proposal	<ul style="list-style-type: none"> The appropriateness of permitting the development proposal on the subject lands will be reviewed in consideration of compatibility with the existing and planned land uses in the surrounding area. OPA #500, as amended by OPA #663, does not prescribe a maximum FSI on any one site, but instead permits a maximum average overall density of 5.0 FSI over the Corporate Centre Node. The VMC Secondary Plan permits a maximum FSI of 3.0 and 4.5 and a maximum building height of 10 and 25-storeys on the respective properties. The appropriateness of permitting a maximum density of 6.337 FSI and a maximum building height of 38-storeys (121 m) will be reviewed in consideration of the VMC Secondary Plan. The applications will be reviewed to have regard for bonusing provisions, pursuant to Section 37 of the Planning Act, to secure public benefits as outlined in the VMC Plan, as it relates to the Official Plan Amendment Application to extend the “Gateway Site” policies onto the portion of the Subject Lands municipally known as 180 Maplecrete Road.
d.	Black Creek Renewal Study	<ul style="list-style-type: none"> The applications will be reviewed in accordance with the conclusions of the Black Creek Renewal Study to the satisfaction of the Toronto and Region Conservation Authority, Vaughan Development/Transportation Engineering Department, and the Vaughan Development Planning Department.
e.	City of Vaughan Design Review Panel	<ul style="list-style-type: none"> The applications will be reviewed with regard to the recommendations of the City of Vaughan Design Review Panel of March 29, 2012.

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f.	Overall Transportation Network	<ul style="list-style-type: none"> ▪ The applications must satisfactorily address issues relating to access onto Regional Road 7 and Maplecrete Road, the planned YRT Regional Road 7 bus rapid transit, and any required road widenings, to the satisfaction of the Region of York and the Vaughan Development/Transportation Engineering Department. ▪ The Owner is proposing private roads with parking located under the road surface to facilitate the proposed development Plan. The appropriateness of this proposed strata parking arrangement must be reviewed by the City. In addition, the necessary agreements, easements, and/or arrangements required to ensure public access and maintenance over the roads will be reviewed.
g.	Proposed Public Park	<ul style="list-style-type: none"> • The Owner has advised that the open space area shown as “internal courtyard” on Attachment #4 is proposed to be a public park. The provision of a public park in this location will be reviewed in consideration of, but not limited to, the following: <ul style="list-style-type: none"> • the appropriateness of including a public park at this location and its ownership given that the current Official Plan (OPA #500, as amended) and the VMC Secondary Plan, as adopted by Vaughan Council, do not include a public park at this location; • should this location be determined to be acceptable for a public park, the proposal provides for parkland located over an underground parking structure. This strata park arrangement must be reviewed in consideration of: <ul style="list-style-type: none"> - the detailed design requirements (e.g. soil depth, tree species, etc.) necessary to ensure the appropriate structural waterproofing, servicing, and programming integration and compatibility with the underground parking structure; - the configuration and size of the park and achieving public accessibility to the park; - the physical limit between the park and the underground parking structure; - the necessary arrangements, easements, and/or agreements required to ensure public access over the park;

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		<p><u>Item 5, CW(PH) Report No. 41 – Page 8</u></p> <ul style="list-style-type: none"> - future long term maintenance and programming of service levels of the park; - parkland dedication considerations given that the park would be encumbered by an underground parking garage; and, - park funding, delivery and future management considerations.
h.	Supporting Documents	<ul style="list-style-type: none"> ▪ The following documents submitted in support of the applications must be reviewed and approved by the Region of York and/or the City of Vaughan Development/Transportation Engineering Department and/or the Development Planning Department: <ul style="list-style-type: none"> ▪ Environmental Noise Study; ▪ Parking Study and TDM Plan; ▪ Transportation Assessment; ▪ Functional Servicing Report; ▪ Phase 1 Environmental Site Assessment; ▪ Preliminary Geotechnical Investigation; and, ▪ Pedestrian Level Wind Assessment.
i.	Cost Sharing/Development Agreement(s)	<ul style="list-style-type: none"> ▪ The proposed development will be reviewed in consideration of any necessary agreements or other mechanisms as may be required to implement the Owner's proportionate share for the cost sharing of any necessary infrastructure improvements in the VMC.
j.	Planning Justification Report	<ul style="list-style-type: none"> ▪ The Planning Justification Report prepared by Malone Given Parsons Ltd. in support of the proposal must be approved to the satisfaction of Vaughan Development Planning Department.
k.	Future Draft Plan of Subdivision Application	<ul style="list-style-type: none"> ▪ Pursuant to the policies of the Council adopted VMC Plan and as enabled by the <u>Planning Act</u>, the City is requiring that a Draft Plan of Subdivision application be submitted for the conveyance of the two planned local streets that traverse the subject lands.
l.	Future Site Development Application	<ul style="list-style-type: none"> ▪ A future Site Development Application is required, if the subject applications are approved, and will be reviewed to ensure, but not limited to, appropriate building and site design, access, internal traffic circulation, parking, including shared vehicle parking spaces and the provision of public parking, landscaping servicing and grading;

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		<u>Item 5, CW(PH) Report No. 41 – Page 9</u> <ul style="list-style-type: none">▪ 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 treatments that address the “heat island” effect, green roofs, etc. will be reviewed and implemented through the site plan approval process, if approved.
m.	Servicing	<ul style="list-style-type: none">▪ Servicing Allocation must be identified and assigned to the development, if approved. Should servicing capacity not be available the Holding Symbol “(H)” will be applied to the subject lands. Removal of the Holding Symbol “(H)” will be conditional on servicing being allocated by Vaughan Council to the subject lands. The Holding Symbol “(H)” may be applied to the subject lands to secure other city interests, as may be required.

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 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. Site Phasing Plan
4. Conceptual Site Plan
5. Conceptual East Elevations
6. Conceptual North Elevations
7. Conceptual South Elevations
8. Conceptual West Elevations
9. Conceptual Rendering

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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.)