

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 13, 2016

Item 13, Report No. 43, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on December 13, 2016.

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SITE DEVELOPMENT FILE DA.13.090

2058258 ONTARIO LIMITED

WARD 2 - VICINITY OF REGIONAL ROAD 7 AND PINE VALLEY DRIVE

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning & Growth Management, Interim Director of Development Planning and Senior Manager of Development Planning, dated December 6, 2016, be approved; and**
- 2) That the coloured elevations submitted by the applicant be received.**

Recommendation

The Deputy City Manager, Planning & Growth Management, Interim Director of Development Planning and Senior Manager of Development Planning recommend:

1. THAT Site Development File DA.13.090 (2058258 Ontario Limited) BE APPROVED, to permit the development of the subject lands shown on Attachments #1 and #2 with a 7-storey "Supportive Living Facility" consisting of 136 units and a 10-storey residential apartment building consisting of 89 residential dwelling units, and a total of 161 shared parking spaces located at-grade and within one level of underground parking, as shown on Attachments #4 to #8 inclusive, subject to the following conditions:
 - a) that prior to the execution of the Site Plan Agreement:
 - i) the Vaughan Development Planning Department shall approve the final site plan, building elevations, landscape plan and landscape cost estimate;
 - ii) the Vaughan Development Engineering and Infrastructure Planning (DEIP) Department shall approve the final site grading and servicing plans, stormwater management report, and functional servicing report;
 - iii) the Owner shall satisfy all requirements of the Vaughan Environmental Services Department, Waste Management Division;
 - iv) the Owner shall satisfy all requirements of the York Region Community Planning and Development Services Department;
 - v) the Owner shall satisfy all requirements of the Toronto and Region Conservation Authority, including obtaining required TRCA Permits and conveyance of the open space lands zoned OS1 Open Space Conservation Zone to the TRCA;
 - b) that the Site Plan Agreement include the following provisions:
 - i) the Owner, at their own expense, shall agree to conduct sanitary sewer flow monitoring for a period of no less than eighteen (18) months, to the satisfaction of the City. The duration of flow monitoring must allow for and capture a substantial number of wet weather events in order to accurately

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assess system response to wet weather flows which in conjunction with actual dry weather flows accurately reflect peak flows within the system. A flow monitoring report shall be prepared by the Consultant and submitted to the City for review and approval;

- ii) the Owner shall provide the City with a Letter of Credit in the amount satisfactory to the City of Vaughan Development Engineering and Infrastructure Planning Department, as security for its payment towards future downstream sanitary sewer improvements as specified in the Functional Servicing Report prepared by Schaeffers Consulting Engineers. The Letter of Credit shall be renewed as necessary and to the satisfaction of the City, until final costs are determined and the Owner has paid its proportionate share towards the required infrastructure improvements. Upon receiving confirmation the sewer has been reconstructed or receiving payment from the Owner for their proportionate share of the infrastructure improvement, the City will release the Letter of Credit. Alternatively, the City may draw on the Letter of Credit to reconstruct the sewer or use the Owner's proportionate share of the infrastructure improvement;
 - iii) the Owner shall agree to enter into a Municipal Servicing Agreement with the City of Vaughan to front-end finance and construct surcharging sanitary sewer lengths, if required.
- 2. THAT Site Development File DA.13.090 be allocated servicing capacity from the York Sewage Servicing/Water Supply System for a total of 89 residential units (197 persons equivalent).
 - 3. THAT 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.

Contribution to Sustainability

The applications implement the following Goals and Objectives of Green Directions Vaughan:

Goal 2: To ensure sustainable development and redevelopment

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

Goal 3: To ensure that getting around in Vaughan is easy and has a low environmental impact

- Objective 3.1: To develop and sustain a network of sidewalks, paths and trails that supports all modes of non-vehicular transportation

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:

- pedestrian connections to Regional Road 7 to encourage pedestrian activity
- bicycle parking to promote an alternative mode of transportation
- green roofs
- a three-stream waste management system
- the use of Low E-glazing

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- drought tolerant native landscape species
- energy efficient lighting
- low-albedo roofing material

Economic Impact

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

Communications Plan

N/A

Purpose

To seek approval from the Committee of the Whole for Site Development File DA.13.090, to permit the development of the subject lands shown on Attachments #1 and #2, with a 7-storey “Supportive Living Facility” (Building “A”) for seniors consisting of 136 dwelling units, a 10-storey residential apartment building (Building “B”) consisting of 89 dwelling units, and 161 shared parking spaces located at-grade and within 1 level of underground parking, as shown on Attachments #3 to #8.

Background - Analysis and Options

Synopsis:

The Owner is proposing to develop the subject lands with a 7-storey “Supportive Living Facility” (Building “A”) for seniors consisting of 136 dwelling units, a 10-storey residential apartment building (Building “B”) consisting of 89 dwelling units, and 161 shared parking spaces located at-grade and within 1 level of underground parking as shown on Attachments #3 to #8, inclusive. The Vaughan Development Planning Department supports the approval of the Site Development Application as the proposed uses are permitted by the Official Plan and Zoning By-law 1-88, and is compatible with the surrounding land uses.

Location

The subject lands shown on Attachments #1 and #2, are located on the south side of Regional Road 7, west of Pine Valley Drive, and are municipally known as 4603 and 4611 Regional Road 7. The surrounding land uses are shown on Attachment #2.

Land Use Policies/Planning Considerations

Ontario Municipal Board (OMB) Appeals

On November 27, 2015, the OMB issued its Decision with respect to an appeal of Official Plan Amendment File OP.12.004 to amend the City’s in-force Official Plan (OPA #661) to increase the maximum building height from 10-storeys to 14-storeys, increase the maximum building height for a 4-storey building within 30 m of a “Low Density Residential” designation from 12.8 m to 13.5 m, and to reduce the minimum distance from a 4-storey building abutting a “Low Density Residential” designation from 30 m to 28 m. Zoning By-law Amendment File Z.12.010 to rezone the subject lands from R1 Residential Zone to RA3 Apartment Residential Zone and OS1 Open Space Conservation Zone was also approved by the OMB. The appeals sought approval to facilitate the development of a 14-storey residential apartment building and a 4-storey “Supportive Living Facility” on the subject lands. At the outset of the Hearing, the OMB was advised that the development proposal was revised to a 7-storey “Supportive Living Facility” and a 10-storey residential apartment building and that an Official Plan Amendment was no longer needed and would be withdrawn.

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The Owner asked the OMB, with the support of the City, and with no opposition from the surrounding residents, to approve the proposed Zoning By-law Amendment File Z.12.010 to rezone the subject lands from R1 Zone to RA3 Zone and OS1 Zone. The OMB allowed the appeal to permit the development of the 7-storey “Supportive Living Facility” and a 10-storey residential apartment building on the subject lands, and the Official Plan Amendment file was withdrawn.

A site-specific appeal to Vaughan Official Plan 2010 (VOP 2010) was submitted by the Owner to the OMB on November 12, 2012, which sought to keep the existing height and density permissions of 10-storeys and 3.0 F.S.I as per the in-effect Official Plan (OPA #661). On December 21, 2015, the OMB Order modified Schedule 13 of VOP 2010 to increase the maximum permitted building height and FSI from 8-storeys to 10-storeys and from 2.5 to 3.0 FSI, respectively. The modifications were consistent with the Board's Decision issued on November 27, 2015, related to the appeals of Official Plan Amendment File OP.12.004 and Zoning By-law Amendment File Z.12.010.

Official Plan and Zoning

The subject lands are designated “Mid-Rise Mixed-Use” and “Natural Areas” by City of Vaughan Official Plan 2010 (VOP 2010). This designation permits a mix of residential, retail, community and institutional uses having a maximum building height of 10-storeys and a FSI of 3 times the area of the lot, for the subject lands. The development will facilitate two buildings, a 7-storey and a 10-storey, yielding a FSI of 3.0. The proposal conforms to the height and density permissions of VOP 2010.

The “Mid-Rise Mixed-Use” designation requires that the ground floor frontage of a building facing an arterial street (e.g. Regional Road 7) shall predominantly consist of retail uses or other active uses to animate the street. The “Mid-Rise Mixed-Use” designation also permits Mid-Rise Buildings and Public and Private Institutional Buildings. The proposal includes the use of a “Supportive Living Facility” within Building “A” as shown on Attachment #3. The “Supportive Living Facility” is a facility which will accommodate persons requiring assisted living of seniors to support the health, safety and well-being of its residents. The proposal conforms to the “Mid-Rise Mixed-Use” policies of VOP 2010.

The subject lands are zoned RA3 Apartment Residential Zone and OS1 Open Space Conservation Zone by Zoning By-law 1-88, subject to site-specific Exception 9(1431), which permits the 10-storey residential apartment building and a 7-storey “Supportive Living Facility” with site specific exceptions. The lands zoned OS1 Open Space Conservation zone will be maintained as open space and will be conveyed to the Toronto and Region Conservation Authority. The proposed development complies with By-law 1-88.

Site Plan Review

The Owner has submitted Site Development File DA.13.090 to facilitate the development of a 7-storey “Supportive Living Facility” for seniors consisting of a total of 136 units, identified as Building “A” on Attachment #3 and a 10-storey residential apartment building consisting of a total of 89 residential apartment units, identified as Building “B” on Attachment #3. The development includes 161 parking spaces comprised of 123 residential parking spaces and 28 visitor parking spaces, which are located at-grade and within one level of underground parking, and all shared between the two buildings. Long term and short term bicycle parking spaces are proposed, including 52 long term spaces and 12 short term spaces. The proposed 3,015 m² of amenity area includes a common patio and seating areas, balconies and terraces, rear landscaped area and common green amenity space, as shown on Attachments #3 and #4.

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The “Supportive Living Facility” will be owned and operated by a privately owned company and the Residential Apartment Building will be maintained by a condo corporation. The Owner is proposing to sever the lands between Buildings “A” and “B” once full build out is achieved. However, even though the development will be under separate ownerships and parcels of land, the site will operate as one lot as per the site-specific zoning Exception 9(1431) to Zoning By-law 1-88, which states:

“The subject lands shall be deemed to be one lot, with a common element private condominium road, regardless of the number of buildings or structures constructed on the lot, the creation of any new lot or separate units by plan of condominium, part lot control, consent or any other permissions, and any encroachments, easements or restriction shall be deemed to comply with the provisions of this by-law.”

As such, this development will be required to provide reciprocal easements and will share common element areas, such as, amenity areas, walkways, access, and at-grade and underground parking.

The current proposal provides a full movement access to the subject lands from Regional Road 7. Once the Regional Road 7 Rapidway has been constructed, the access will be restricted to a right-in, right-out movement. The proposed development provides a pedestrian connection to the proposed sidewalk on Regional Road 7 with minimal setbacks, which provides a prominent and visible street presence. An entrance to the “Supportive Living Facility” (Building “A”) is located along the Regional Road 7 frontage and provides for a more interactive pedestrian presence within this area.

The proposed building elevations are shown on Attachments #5 to #8 and consist primarily of light grey precast paneling, dark grey brick veneer, and clear and grey spandrel glazing. The amenity areas and balcony railings utilize tinted grey vision glass.

The landscape plan shown on Attachment #4, consists of a mix of deciduous and coniferous trees, shrubs and grasses located within the rear and common amenity areas of the development. The Owner is proposing an intensive restoration and landscape treatment along the west side of Building “B”, within the OS1 Open Space Conservation Zone lands, which is to be conveyed to the Toronto and Region Conservation Authority.

Through discussion with City staff, the Applicant has proposed to complete the terminus of Sydel Crescent by constructing a cul-de-sac on the south side of the subject lands, as shown on Attachments #3 and #4, which will be conveyed to the City of Vaughan. The Applicant has proposed to construct a 1.8 m wide boulevard, which includes a 2.0 m high decorative metal fence, a 1.5 m high privacy screen, and landscape screening to screen the development from the existing low-rise residential development to the south. No access will be provided from the proposed development onto the extension and terminus of Sydel Crescent.

Snow removal and clearing, as well as garbage and recycling pick-up will be privately administered and be the shared responsibility of the Condominium Corporation and the “Supportive Living Facility”.

The Vaughan Development Planning Department is satisfied with the proposed development, as shown on Attachments #3 to #8 inclusive, subject to the finalization of the site plan, building elevations and landscape plans. A condition to this effect is included in the recommendation of this report.

Vaughan Development Engineering and Infrastructure Planning (DEIP) Department

The Vaughan DEIP Department has provided the following comments:

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a) Sewage and Water Allocation

The City's latest annual servicing capacity allocation strategy report was endorsed by Vaughan Council. The report confirmed servicing capacity is available to support continued urban growth throughout the City. Accordingly, servicing capacity for the proposed residential apartment building (Building "B") is available and unrestricted. Servicing capacity is not required for the "Supportive Living Facility" (Building "A") for seniors. A recommendation to allocate servicing capacity for a total of 89 residential units (261 persons equivalent) is provided in this report.

b) Sanitary Servicing

The sanitary service analysis completed by Schaeffers Consulting Engineers has identified that the subject site lies within a sewer shed that requires sanitary sewer upgrades. The analysis included various development proposals along Regional Road 7 and identified sanitary sewer surcharging will occur based on full build-out on the existing sewers across Regional Road 7. Based on the results of this analysis, the DEIP Department requires each Owner connecting to the sanitary sewers to agree to the following:

- i) the Owner, at its own expense, shall agree to conduct sanitary sewer flow monitoring for a period of no less than eighteen (18) months to the satisfaction of the City. The duration of flow monitoring must allow for and capture a substantial number of wet weather events in order to accurately assess system response to wet weather flows which in conjunction with actual dry weather flows accurately reflect peak flows within the system. A flow monitoring report shall be prepared by the Consultant and submitted to the City for review and approval.
- ii) the Owner shall provide the City with a Letter of Credit in the amount satisfactory to the Vaughan DEIP Department, as security for its payment towards future downstream sanitary sewer improvements as specified in the Functional Servicing Report prepared by Schaeffers Consulting Engineers. The Letter of Credit shall be renewed as necessary and to the satisfaction of the City, until final costs are determined and the Owner has paid its proportionate share towards the required infrastructure improvements. Upon receiving confirmation the sewer has been reconstructed or receiving payment from the Owner for their proportionate share of the infrastructure improvement, the City will release the Letter of Credit. Alternatively, the City may draw on the Letter of Credit to reconstruct the sewer or use the Owner's proportionate share of the infrastructure improvement.
- iii) the Owner shall agree to enter into a Municipal Servicing Agreement with the City of Vaughan, if required and based on flow monitoring results, to front-end finance and construct surcharging sanitary sewer lengths.

A condition to this effect is included in the recommendation of this report.

The Vaughan DEIP Department has no objection to the approval of the Site Development application, however, they must approve the final site grading and servicing plans, stormwater management report, and functional servicing report, submitted in support of the application. A condition to this effect is included in the recommendation of this report.

Vaughan Environmental Services Department

The Owner must satisfy the Waste Management Division's requirements. Garbage and recycling pick-up will be privately administered, and shall be the shared responsibility of the Condominium Corporation and the "Supportive Living Facility". A condition to this effect is included in the recommendation of this report.

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Vaughan Legal Services Department, Real Estate Division

The Legal Services Department, Real Estate Division, has advised that the Owner by way of certified cheque, shall pay 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.

Toronto and Region Conservation Authority (TRCA)

The TRCA has advised that they have no objections to the approval of Site Development File DA.13.090, subject to the Owner conveying the lands zoned OS1 Open Space Conservation Zone into public ownership. Additionally, the Owner must satisfy all TRCA requirements including successfully obtaining a TRCA Permit under Ontario Regulation 166/06, prior to the issuance of a Building Permit. A condition to this effect is included in the recommendation of this report.

School Boards

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

Canada Post

Canada Post has advised that the Owner must supply, install and maintain a centralized mailbox facility to Canada Post's specifications.

Relationship to Term of Council Service Excellence Strategy Map (2014-2018)

This report supports the following priorities set forth in the Term of Council Service Excellence Strategy Map (2014-2018):

- Re-establish the urban tree canopy
- Continue to ensure the safety and well-being of citizens
- Attract investment and create jobs
- Continue to cultivate an environmentally sustainable City

Regional Implications

York Region has no objection to the approval of the Site Development application. The subject lands are designated "Urban Area" in the Region's Official Plan. The subject lands are located on Regional Road 7, which is a Regional Rapid Transit Corridor (Regional Rapidway). Once the Regional Rapidway is constructed, access to the site from Regional Road 7 will be restricted to right-in, right-out movements only. The York Region Rapidway construction timing for this section of Regional Road 7 will commence this Fall. The Owner will be required to fulfill all requirements of the York Region Community Planning and Development Services Department, including the execution of a Regional Site Plan Agreement. A condition to this effect is included in the recommendation of this report.

Conclusion

The Vaughan Development Planning Department has reviewed the proposed Site Development File DA.13.090 in accordance with Vaughan Official Plan 2010, Zoning By-law 1-88, comments from City departments and external public agencies, and the area context. The Site Development application to facilitate a proposed 10-storey residential apartment building (future condominium)

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and 7-storey “Supportive Living Facility” for seniors conforms to Vaughan Official Plan 2010 (VOP 2010), complies with Zoning By-law 1-88 and facilitates a development that is compatible with the existing and planned uses in the surrounding area. On this basis, the Vaughan Development Planning Department can support the application, subject to the recommendations in this report.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Landscape Plan
5. Building “A” Elevations - “Supportive Living Facility”
6. Building “B” Elevations - Residential Apartment Building
7. Colour Rendering - View Looking North-West
8. Colour Rendering - View Looking South-East

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.)