#### EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 21, 2017

Item 11, Report No. 6, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 21, 2017.

# SITE DEVELOPMENT FILE DA.15.081 CLUSTERGARDEN ESTATES INC. <u>WARD 1 - VICINITY OF SPRINGSIDE ROAD AND JANE STREET</u>

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 February 7, 2017, be approved; and
- 2) That the coloured elevation submitted by the applicant be received.

#### **Recommendation**

11

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.15.081 (Clustergarden Estates Inc.) BE APPROVED, to permit the development of the subject lands shown on Attachments #1 and #2 with 42 three-storey back-to-back townhouse units contained within 3 building blocks atop an underground parking garage, as shown on Attachments #3 to #6, subject to the following conditions:
  - a) Prior to the execution of the Site Plan Letter of Undertaking:
    - the Vaughan Development Planning Department shall approve the final site plan, underground parking plan, building elevations and landscape plan;
    - ii) the Vaughan Environmental Services Department, Solid Waste Management Division shall approve the final site plan;
    - iii) the Vaughan Development Engineering and Infrastructure Planning Department shall approve the final site servicing and grading plan, stormwater management report and underground parking plan with an elevator;
    - the Owner shall successfully obtain approval of Minor Variance Application A020/16 for the required exceptions to Zoning By-law 1-88, as identified in Table 1 of this report, from the Vaughan Committee of Adjustment, and the Committee's decision shall be final and binding and the Owner shall satisfy any conditions of approval imposed by the Committee;
    - v) the Owner shall satisfy all requirements of the Toronto and Region Conservation Authority;
    - vi) the Owner shall satisfy all requirements of Canada Post; and,
    - vii) the Owner shall satisfy all requirements of CN Rail.

# EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 21, 2017

# Item 11, CW Report No. 6 - Page 2

- b) That the Site Plan Letter of Undertaking shall include the following clauses:
  - "Warning: Homeowners are advised that removal of both recycling, general waste, leaf and yard waste, bulky waste items, metal/appliance collection and any future organics collection will be by way of a private service provided by and paid for by the future Condominium Corporation. The Condominium is not designed for public waste removal."
  - ii) "Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way."

# **Contribution to Sustainability**

The application implements 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 3.2: To develop and sustain a network of roads that supports efficient and accessible public and private transit
- Objective 3.3: Reduce single occupant vehicle (SOV) trips by supporting active transportation, car pooling and public transit

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:

- upgraded windows (energy star)
- upgraded building envelope higher insulation (Roxul insulation-recycled)
- low flow water fixtures: shower heads, faucets and toilets
- low volatile organic compounds (VOC) paint
- energy star appliances
- native plant and tree species with drought tolerant plant and tree species

# Economic Impact

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

# Communications Plan

When the subject application was submitted to the Vaughan Development Planning Department, the Owner advised the abutting property owners on Parktree Drive, Lucena Crescent and Tania Crescent via a hand delivered handout advising residents of their ownership with contact

#### EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 21, 2017

# Item 11, CW Report No. 6 - Page 3

information. A resident from 133 Parktree Drive contacted the Vaughan Development Planning Department with concerns. Through the public notice process for the related Committee of Adjustment Application A020/16, a resident from 10 Tracie Court expressed concerns with the Minor Variance Application. An evening community meeting was also held on January 18, 2018. The following concerns were raised by the community and are summarized below:

- i) the lot should be developed with one single row of townhouses similar to the existing dwellings in the area and with 5 or 6 units fronting Parktree Drive instead of 41 units with underground parking;
- ii) traffic safety;
- iii) the community mailbox creating a mess for the neighbourhood;
- iv) vehicles parking in the neighbourhood;
- v) overnight parking on Parktree Drive;
- vi) long term on-street parking for Canada's Wonderland;
- vii) construction access/parking during construction;
- viii) proposed building height; and,
- ix) setback to ravine/loss of wildlife.

In response to the above concerns, the Vaughan Development Planning and Development Engineering and Infrastructure Planning (DEIP) Departments offer the following responses:

#### i) <u>Proposed Housing Style</u>

Section 9.2.2.1 of the City of Vaughan Official Plan 2010 (VOP 2010) permits the proposed townhouse building form on the subject lands, which is further discussed in this report. The proposed use is also permitted by Zoning By-law 1-88. In addition, the proposed dwellings will have the appearance of townhouse dwellings from Springside Road and Parktree Drive. The proposed underground garage will eliminate the garages and driveways from the streetscape.

#### ii) <u>Traffic Safety</u>

The City requires a traffic impact study to be submitted for a development proposal when it is expected that 100 trips will be added to the surrounding road network during the peak hour. The proposed development will generate approximately 23 a.m. and 27 p.m. peak hour weekday trips. These trips represent a very small fraction (less than 1%) of the existing traffic on the adjacent road network.

A review of the number of collisions in the area shows one (1) collision per year (or a total of five collisions in the past five years). This collision rate is low and the DEIP Department have concluded there is no particular pattern associated with these collisions and that the added vehicle volume will not be problematic and will not result in more collisions.

#### iii) <u>Community Mailbox</u>

The future residents of the proposed development will not be utilizing the existing community mailbox located on Parktree Drive. A community mailbox is proposed that is located in the interior central courtyard of the development site, as shown on Attachment #3, which will not be publicly accessible. The Condominium Corporation will be responsible for any maintenance associated with the mailbox.

#### EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 21, 2017

# Item 11, CW Report No. 6 - Page 4

#### iv) Vehicle Parking In the Neighbourhood

All the required residential and visitor parking will be accommodated in an underground parking garage (Attachment #6), save and except 1 surface level parking space, as shown on Attachment #3. The proposed driveway from Parktree Drive will serve emergency vehicles and garbage removal only, and provide access to one surface level visitor parking space. The number of parking spaces proposed for the development also complies with the requirements of Zoning By-law 1-88.

In May 2016, the Transportation Services Division of the Development Engineering and Infrastructure Planning (DEIP) Department conducted a study to observe on-street parking activities in the area. The study results showed that a limited number of vehicles parked on the street for a time period in excess of the 3 hours limit permitted by the City's Parking By-law. Therefore, it was concluded there are no operational issues related to parking in the immediate area.

#### v) Overnight Parking On Parktree Drive

In early May, 2016, the Vaughan Transportation Services Division of the DEIP Department deployed Video Collection Units (VCUs) on Parktree Drive and confirmed that there was no on-street parking activity observed during the periods extending from May 21, 2016, commencing at 6am through to May 22, 2016 at 11:59 pm and from 12:00 am to 12:15 pm on May 26, 2016). There was 1 vehicle parked on the south side of Parktree Drive, west of Larissa Court on May 26, 2016, in the evening. No traffic operational issues were observed during the study periods.

#### vi) Long Term On-Street Parking for Canada's Wonderland

The City's current Parking By-law permits on-street parking for a maximum of 3 hours. Enforcement of this By-law is undertaken by the City on a seasonal basis (including during Canada's Wonderland operating season) and on a complaint basis.

#### vii) Construction Access/Parking during Construction

The Owner has indicated access to the site during construction will be provided from Springside Road. Once the underground parking garage is constructed, the construction crews will then be directed to use the underground parking structure in order to park.

Once the Building Permit has been issued, a pre-construction meeting will be held with the Development Engineering and Infrastructure Planning Department and construction access and final construction access details will be confirmed.

#### viii) Proposed building height

A concern was raised with regard to the proposed building height and that the townhouses appear to be 4-storeys in height. The building is deemed to be 3-storeys by Zoning By-law 1-88. A private amenity space for each unit is located within the roofline, and therefore is not considered as another storey.

#### ix) Setback to Ravine/Loss of Wildlife

The subject lands abut an Open Space Conservation Zone and are regulated by the Toronto and Region Conservation Authority (TRCA). As part of the development review process, the TRCA staked the subject site in order to determine the development limit of the site, as well as to establish appropriate buffers to protect the existing ravine system.

#### EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 21, 2017

# Item 11, CW Report No. 6 - Page 5

Additionally, planting in the buffer is proposed to ensure a net ecological benefit for the adjacent natural feature. The buffer, in conjunction with the proposed restoration and planting plans, are intended to maintain space for wildlife with minimal disturbance to the buffer and no public access.

# x) <u>Contact Person</u>

A request was made that the Owner identifies a contact person for the community in the event concerns are encountered during construction. The Owner has advised that they have experience building infill projects and it is their normal business practice to send out a notice to the surrounding community identifying when construction is anticipated to commence. As part of their practice a contact is identified where any inquiries can be directed.

# Purpose

To seek approval from the Committee of the Whole for Site Development File DA.15.081 to permit the development of the subject lands shown on Attachments #1 and #2 with 42 three-storey back-to-back townhouse units contained within three (3) building blocks atop an underground parking as shown on Attachments #3 to #6.

# **Background - Analysis and Options**

Synopsis:

The Owner is proposing to construct 42 three-storey back-to-back townhouses within three (3) building blocks having underground parking (future standard plan of condominium). The Vaughan Development Planning Department supports the development proposal, subject to the Owner successfully obtaining approval of Minor Variance Application A020/16 from the Vaughan Committee of the Adjustment. The development conforms to the Official Plan, and is compatible and appropriate with the existing and planned surrounding land uses.

# Location 1 -

The vacant 0.58 ha subject lands shown on Attachments #1 and #2, are located in the southwest corner of Springside Road and Parktree Drive, City of Vaughan. The surrounding land uses are shown on Attachment #2.

# Official Plan

The subject lands are designated "Low-Rise Residential" and "Natural Area" by Vaughan Official Plan 2010 (VOP 2010), and are located within a "Community Area", as identified on Schedule "1" - Urban Structure of VOP 2010. The "Low-Rise Residential" designation permits townhouse dwellings subject to the compatibility criteria in Section 9 of the Official Plan. There is no associated maximum density provision for this designation. An Urban Design Brief was submitted in support of the site plan application, and the Owner has worked with City Departments to resolve matters related to urban design, site layout and building elevation designs. The proposed townhouse use is permitted by VOP 2010 and the Owner has satisfactorily addressed the compatibility criteria. Accordingly, the development proposal conforms to the policies of VOP 2010, and is compatible with the existing surrounding townhouse developments.

# EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 21, 2017

# Item 11, CW Report No. 6 - Page 6

# <u>Zoning</u>

The subject lands are zoned RM2 Multiple Dwelling Zone, subject to site-specific Exception 9(893) by Zoning By-law 1-88, which permits multiple family dwellings. In order to implement the proposed site plan shown on Attachment #3, the Owner has submitted Minor Variance Application A020/16, which is tentatively scheduled to be considered by the Committee of Adjustment on February 9, 2017. The Minor Variance Application seeks to modify site-specific exceptions to the RM2 Zone as follows:

# Table 1:

	By-law Standard	Zoning By-law 1-88 Requirement of the RM2 Zone, Subject to Exception 9(893)	Proposed Minor Variance to the RM2 Zone, Subject to Exception 9(893)
a.	Minimum Front Yard Setback (Parktree Drive)	4.5 m	<ul> <li>2.9 m (Block B)</li> <li>1.2 m (Unit 30, Block B to daylight triangle)</li> </ul>
b.	Minimum Exterior Yard Setback (Springside Road)	4.5 m	<ul> <li>1.2 m (Unit 30, Block B to daylight triangle)</li> <li>1.6 m (Block A)</li> </ul>
c.	Maximum Building Height	11 m	14 m (Blocks A, B and C)
d.	Minimum Lot Area	230 m <sup>2</sup> per unit	135 m <sup>2</sup> per unit
e.	Minimum Amenity Area	<ul> <li>90 m<sup>2</sup> (3 bedroom unit)</li> <li>110 m<sup>2</sup> (4 bedroom unit)</li> </ul>	80 m <sup>2</sup> (3 and 4 bedroom units)
f.	Minimum Setback to the Nearest Part of a Building Below Finished Grade	1.8 m- front lot line (Parktree Drive) and the exterior lot line (Springside Road)	0.3 m (front and exterior lot lines)
g.	Maximum Driveway Width	7.5 m	7.7 m (Springside Road)
h.	Landscaping Around Parking and Access Areas	<ul> <li>Minimum 3 m landscape strip around the periphery of a parking area</li> <li>Minimum 1.2 m landscape earth berm or an evergreen hedgerow around the periphery of a parking area</li> </ul>	No landscaped strip or landscaped earth berm or evergreen hedgerow around the periphery of the outdoor parking area (1 surface level parking space)

#### EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 21, 2017

#### Item 11, CW Report No. 6 - Page 7

The Vaughan Development Planning Department supports the proposed variances to the RM2 Zone identified in Table 1 for the following reasons:

#### a) <u>Minimum Building Setbacks</u>

The requested variances for reduced front yards on Springside Road and the daylight triangle and the exterior side yard on Springside Road will facilitate a development that addresses and animates the streetscape along the public right-of-way. The proposed setbacks will result in a compact street-related urban built form that is encouraged by the Official Plan and defines the street edge along Springside Road and Parktree Drive, thereby promoting a vibrant pedestrian and streetscape environment.

#### b) <u>Minimum Lot Area</u>

The variance to the minimum lot area is a result of the proposed compact urban form, which is typical of this form of development.

#### c) <u>Maximum Building Height</u>

The proposed building height will allow each townhouse unit to have a rooftop amenity area while still providing 3 and 4 bedroom units within 3-storeys. The proposed building height will also contribute to an alternate housing style within the neighbourhood.

#### d) <u>Minimum Amenity Area</u>

The overall minimum amenity area proposed for the 3 and 4 bedroom units ranges between 80 m<sup>2</sup> to 93 m<sup>2</sup> per unit, with an average of  $92m^2$ . The amenity area in the proposed development consists of the private rooftop amenity areas for each unit, the central landscape courtyard and an enhanced landscape adjacent to the woodlot located along the southwest property line. The site is well served by nearby public parks and outdoor recreational amenities, including Brett Yerex Park which features a tennis court and a children's playground and West Maple Creek Park that includes a basketball court, baseball diamond and children's playground.

# e) <u>Minimum Setback to below Grade Structures</u>

The proposed 0.3 m setback for the underground garage is typical of many developments that contain underground parking garages and allows all of the required parking to be permitted below grade, save and except for 1 visitor parking space.

The proposed variances to Zoning By-law 1-88 are considered to be minor in nature and meet the general intent and purpose of the Official Plan and the Zoning By-law. The surrounding neighbourhood consists of street and block townhouse building forms ranging from 2 to 3-storeys in height, which are compatible with this proposal. The subject property is located on a prominent corner lot, at the entrance to the existing neighbourhood and therefore, can support a height and density to establish the development as a 'gateway' into the community.

#### Minor Variance Application

The Owner submitted Minor Variance Application A020/16 on December 7, 2015, which was considered by the Committee of Adjustment (Committee) on January 28, 2016 and adjourned by the Committee to their February 11, 2016, meeting. At that meeting, the Committee adjourned the application Sine Die, as recommended by the Vaughan Development Planning Department. The Committee reconsidered the application on December 8, 2016, and adjourned the application

#### EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 21, 2017

# Item 11, CW Report No. 6 - Page 8

to the February 9, 2017 Committee Meeting, being the Committee's first meeting following consideration of this Site Development Application by the Committee of the Whole.

Should Vaughan Council approval the subject Site Development Application, the Owner shall successfully obtain approval of Minor Variance Application A020/16 for the required zoning exceptions to Zoning By-law 1-88, as identified in Table 1 of this report, from the Vaughan Committee of Adjustment, and the Committee's decision shall be final and binding and the Owner shall satisfy any conditions of approval imposed by the Committee, prior to the execution of the Site Plan Agreement. A condition to this effect is included in the recommendation of this report.

#### Site Plan Review

The subject lands are currently vacant and have a total site area of 0.58 ha. The Owner is proposing to develop the property with 42 back-to-back townhouses within three (3) building blocks as shown on Attachments #3 to #6. Block A, containing 16 units, will face Springside Road. Block B, containing 14 units, will face Parktree Drive and Block C, abutting the OS1 Open Space Conservation Zone will contain 12 units. An interior courtyard/amenity space for the future residents is proposed at the centre of the proposed development. Planter beds located in front of each unit entrance are proposed to enhance the streetscape and provide additional landscape area on the site. The proposed site plan is shown on Attachment #3.

The required parking for this development will be provided in an underground parking garage (Attachment #6), in order to minimize the amount of hard surface, reduce potential conflicts between vehicles and pedestrians and improve the streetscape through the removal of individual garage doors and driveways for each unit. A total of 81 parking spaces are proposed on the site comprised of 70 parking spaces for the future residents, 10 visitor parking spaces in an underground garage and with 1 visitor parking space located at grade. Zoning By-law 1-88 requires a total of 75 parking spaces to be provided for the proposed development. The 81 proposed parking spaces exceed the Zoning By-law 1-88 requirement by 6 parking spaces.

The main access driveway for the proposed development is located on Springside Road and leads directly to the underground parking garage. A second access on Parktree Drive acts as a fire route, and provides access to the Molok waste system, the surface level parking space, and the community mailbox. In order to mitigate any possible adverse impact to the surrounding neighbourhood regarding traffic, the proposed site plan includes the following features:

- The main access driveway is located on Springside Road
- The parking supply exceeds the requirements of Zoning By-law 1-88, thereby avoiding parking spillover onto the surrounding public roads
- the second access driveway on Parktree Drive will be used for emergency, delivery and garbage pick-up only
- a sidewalk is proposed on the west side of Parktree Drive
- site accessibility is improved by providing ramps, wider internal and external sidewalks and one accessible visitor parking space in the underground with elevator access to the ground level
- one at-grade visitor parking space for quick pick-up/drop-off activities

The majority of the proposed landscape is located within the central amenity area. The central amenity area includes benches and walkways and an enhanced design with high quality landscape elements such as hardscapes with planters, pavers and site furniture, as shown on Attachment #4. In addition, cedars will be planted surrounding the Molok garage bin area to provide additional screening.

#### EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 21, 2017

# Item 11, CW Report No. 6 - Page 9

The proposed building elevations shown on Attachment #5 have a maximum building height of 14 m in order to accommodate a 3-storey building without a basement and an outdoor amenity area within the roofline. The townhouse units will be constructed with brick and stucco on the main building façade and stone at the base of the units. The units reflect traditional building forms that will be consistent with the surrounding neighbourhood.

The Owner will be required to submit a future Draft Plan of Condominium application to facilitate the proposed standard condominium tenure for the development, if this application is approved. The future Condominium Corporation will privately administer off-site snow storage, garbage disposal, and manage all common activities including the maintenance of the driveways, underground parking garage, amenity areas and landscape.

The Vaughan Development Planning Department will continue to work with the Owner to finalize the details of the proposed development. The final site plan, building elevations, landscape plan and landscape cost estimate must be approved to the satisfaction of the Vaughan Development Planning Department. A condition to this effect is included in the recommendation of this report.

#### **Design Review Panel**

Prior to submitting the subject application, the Owner presented their proposal to the Vaughan Design Review Panel (DRP) on June 25, 2015. The site plan submitted to the DRP depicted a similar site organization however, a private internal road with access driveways from Springside Road and Parktree Drive was located behind Block B. Layby parking and the underground parking garage were accessed from Parktree Drive.

The DRP suggested that the Owner reorganize the site to frame the street and the ravine. The DRP also commented that there were too many ramps on site and encouraged the Owner to consolidate them into one ramp with the recommendation to locate the parking below grade. The DRP also suggested that the Owner consider creating a larger and more meaningful central green space.

The current development proposal incorporates the suggestions of the DRP, including the reorganization of the buildings on the site and the inclusion of a central amenity area.

# Vaughan Development Engineering and Infrastructure Planning (DEIP) Department

The Vaughan DEIP Department are generally satisfied with the proposed development. The final site servicing and grading plan, stormwater management report and underground parking plan that includes an elevator must be approved to the satisfaction of the DEIP Department. A condition to this effect is included in the recommendation of this report.

#### Vaughan Environmental Services Department, Solid Waste Management Division

The Owner is proposing to collect all waste streams using the Molok System, with the exception of furniture and bulky items, which would be collected separately. The Molok garbage bins would be located adjacent to the service driveway from Parktree Drive, as shown on Attachment #3. As required by the Public Works Department, the Owner has provided a secondary garbage room for bulky items and furniture. This room is located in the underground parking garage level and serves as temporary storage for larger items that cannot be accommodated by the Molok System. The applicant has indicated that these larger items will be picked-up in the underground area as part of the waste management contract for the site.

The Vaughan Environmental Services Department, Solid Waste Management Division has no objection to the development proposal all comments from the Waste Division have been addressed subject to the following conditions of approval:

#### EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 21, 2017

# Item 11, CW Report No. 6 - Page 10

- 1. As proposed by the Owner, the following measures will be taken to inform residents that waste collection will be privately serviced at this development:
  - i. Informed consent from all purchasers will be received by way of a description of the waste removal service in the Condominium Disclosure Statement and Draft/Final Declaration, which will be reviewed by the City as part of the Condominium Approval Process and prior to release for registration of the Condominium.
  - ii. The Declaration will include a Budget for the common elements and Notes to the Budget, detailing the nature and cost of the waste removal service and its implication on monthly fees paid by each unit owner. Buyers and all future buyers will be made aware of this service through a Condominium Declaration that is registered on title.
  - iii. The following warning clause shall be included in the Disclosure Statement, Condominium Declaration, Agreement of Purchase and Sale, and the Site Plan Agreement, indicating that removal of both recycling and general waste will be by way of a private service, and that this Common Element Condominium is not designed for public waste removal.

"Warning: Homeowners are advised that removal of both recycling, general waste, leaf and yard waste, bulky waste items, metal/appliance collection and any future organics collection will be by way of a private service provided by the Condominium Corporation. The Common Element Condominium is not designed for public waste removal."

2. The access route to the Molok units shall be constructed to the minimum "Heavy Duty Asphalt" or an equally durable heavy duty paving stone, and the turning radius for an average collection vehicle is 10.0 m for (inside) and 12.5 m (outside) turns. The driveway width and radii must be designed for large truck uses as per the minimum City Engineering Standards and must be shown on the final approved plans.

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

Solid Waste Management Staff have advised that Molok bins are not permitted to service multiresidential developments pursuant to the City of Vaughan, Waste Collection Design Standards Policy, Revised April 2016. As such, the subject development will be monitored over the course of one (1) year by Solid Waste Management Staff following first occupancy. Based on the monitoring results from this site and monitoring results from other multi-residential pilot project examples of this system in Vaughan, a determination will be made by Staff whether or not the Molok bins will be accepted for future multi-residential developments.

#### Office of the City Solicitor, Vaughan Real Estate Department

The Office of the City Solicitor, Vaughan Real Estate Department, has confirmed that cash-in-lieu of parkland dedication is not required since it was paid in full through the final registration of Plan 65M-3063.

#### Toronto and Region Conservation Authority (TRCA)

The TRCA have reviewed the site plan and have no objection to the modification of the 10m buffer setback from the dripline and regulatory floodplain as shown on Attachment #3, as

#### EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 21, 2017

# Item 11, CW Report No. 6 - Page 11

appropriate buffer plantings are proposed to ensure a net ecological benefit for the adjacent natural feature. The Owner shall ensure that all restoration and planting plans are followed to minimize disturbance of the buffers.

The TRCA have no objection to the development proposal, subject to the issuance of a TRCA Development permit as required by Ontario Regulation 166/06. The Owner will be required to satisfy all conditions of the TRCA. A condition to this effect is included in the recommendation of this report.

#### <u>CN Rail</u>

CN Rail has no objection to development proposal, subject to the following conditions being satisfied prior to the execution of the Site Plan Agreement:

- 1. The Owner shall engage a consultant to undertake a noise analysis. Subject to the review of the noise report, the Railway may consider other measures recommended by an approved Noise Consultant.
- 2. The Owner shall be required to grant CN an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CN.
- 3. The following clause should be inserted in all agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 300m of the railway right-of-way:
  - "Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way."

The Owner must satisfy all the requirements of CN Rail. A condition to this effect is included in the recommendation of this report.

# Canada Post

Canada Post has no objection to the proposed development subject to the Owner satisfying their requirements with regard to a community mailbox being provided on the subject site. A condition to this effect is included in the recommendation of this report.

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

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

• Create and manage affordable housing options.

# Regional Implications

York Region has indicated no concerns with the proposed development.

#### EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 21, 2017

# Item 11, CW Report No. 6 - Page 12

#### **Conclusion**

Site Development File DA.15.081 has been reviewed 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 proposed townhouse use is permitted by the Official Plan and Zoning By-law 1-88. The Vaughan Development Planning Department is satisfied that the development proposal for 42 back-to-back townhouse units, (future standard condominium) is appropriate and compatible with the planned uses in the surrounding area. Accordingly, the Vaughan Development Planning Department can support the approval of Site Development File DA.15.081, subject to the conditions in report.

#### **Attachments**

- 1. Context Location Map
- 2. Location Map
- 3. Site Plan
- 4. Landscape Plan
- 5. Typical Elevations Block "A"
- 6. Underground Parking Plan

#### **Report prepared by:**

Margaret Holyday, Planner, ext. 8216 Christina Napoli, Senior Planner, ext. 8483

(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.)

# COMMITTEE OF THE WHOLE FEBRUARY 7, 2017

#### SITE DEVELOPMENT FILE DA.15.081 CLUSTERGARDEN ESTATES INC. WARD 1 - VICINITY OF SPRINGSIDE ROAD AND JANE STREET

#### 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.15.081 (Clustergarden Estates Inc.) BE APPROVED, to permit the development of the subject lands shown on Attachments #1 and #2 with 42 three-storey back-to-back townhouse units contained within 3 building blocks atop an underground parking garage, as shown on Attachments #3 to #6, subject to the following conditions:
  - a) Prior to the execution of the Site Plan Letter of Undertaking:
    - i) the Vaughan Development Planning Department shall approve the final site plan, underground parking plan, building elevations and landscape plan;
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    - iii) the Vaughan Development Engineering and Infrastructure Planning Department shall approve the final site servicing and grading plan, stormwater management report and underground parking plan with an elevator;
    - the Owner shall successfully obtain approval of Minor Variance Application A020/16 for the required exceptions to Zoning By-law 1-88, as identified in Table 1 of this report, from the Vaughan Committee of Adjustment, and the Committee's decision shall be final and binding and the Owner shall satisfy any conditions of approval imposed by the Committee;
    - v) the Owner shall satisfy all requirements of the Toronto and Region Conservation Authority;
    - vi) the Owner shall satisfy all requirements of Canada Post; and,
    - vii) the Owner shall satisfy all requirements of CN Rail.
  - b) That the Site Plan Letter of Undertaking shall include the following clauses:
    - "Warning: Homeowners are advised that removal of both recycling, general waste, leaf and yard waste, bulky waste items, metal/appliance collection and any future organics collection will be by way of a private service provided by and paid for by the future Condominium Corporation. The Condominium is not designed for public waste removal."
    - ii) "Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of

the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way."

# **Contribution to Sustainability**

The application implements 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 3.2: To develop and sustain a network of roads that supports efficient and accessible public and private transit
- Objective 3.3: Reduce single occupant vehicle (SOV) trips by supporting active transportation, car pooling and public transit

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:

- upgraded windows (energy star)
- upgraded building envelope higher insulation (Roxul insulation-recycled)
- low flow water fixtures: shower heads, faucets and toilets
- low volatile organic compounds (VOC) paint
- energy star appliances
- native plant and tree species with drought tolerant plant and tree species

# Economic Impact

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

# **Communications Plan**

When the subject application was submitted to the Vaughan Development Planning Department, the Owner advised the abutting property owners on Parktree Drive, Lucena Crescent and Tania Crescent via a hand delivered handout advising residents of their ownership with contact information. A resident from 133 Parktree Drive contacted the Vaughan Development Planning Department with concerns. Through the public notice process for the related Committee of Adjustment Application A020/16, a resident from 10 Tracie Court expressed concerns with the Minor Variance Application. An evening community meeting was also held on January 18, 2018. The following concerns were raised by the community and are summarized below:

- i) the lot should be developed with one single row of townhouses similar to the existing dwellings in the area and with 5 or 6 units fronting Parktree Drive instead of 41 units with underground parking;
- ii) traffic safety;
- iii) the community mailbox creating a mess for the neighbourhood;

- iv) vehicles parking in the neighbourhood;
- v) overnight parking on Parktree Drive;
- vi) long term on-street parking for Canada's Wonderland;
- vii) construction access/parking during construction;
- viii) proposed building height; and,
- ix) setback to ravine/loss of wildlife.

In response to the above concerns, the Vaughan Development Planning and Development Engineering and Infrastructure Planning (DEIP) Departments offer the following responses:

#### i) Proposed Housing Style

Section 9.2.2.1 of the City of Vaughan Official Plan 2010 (VOP 2010) permits the proposed townhouse building form on the subject lands, which is further discussed in this report. The proposed use is also permitted by Zoning By-law 1-88. In addition, the proposed dwellings will have the appearance of townhouse dwellings from Springside Road and Parktree Drive. The proposed underground garage will eliminate the garages and driveways from the streetscape.

#### ii) Traffic Safety

The City requires a traffic impact study to be submitted for a development proposal when it is expected that 100 trips will be added to the surrounding road network during the peak hour. The proposed development will generate approximately 23 a.m. and 27 p.m. peak hour weekday trips. These trips represent a very small fraction (less than 1%) of the existing traffic on the adjacent road network.

A review of the number of collisions in the area shows one (1) collision per year (or a total of five collisions in the past five years). This collision rate is low and the DEIP Department have concluded there is no particular pattern associated with these collisions and that the added vehicle volume will not be problematic and will not result in more collisions.

#### iii) <u>Community Mailbox</u>

The future residents of the proposed development will not be utilizing the existing community mailbox located on Parktree Drive. A community mailbox is proposed that is located in the interior central courtyard of the development site, as shown on Attachment #3, which will not be publicly accessible. The Condominium Corporation will be responsible for any maintenance associated with the mailbox.

#### iv) <u>Vehicle Parking In the Neighbourhood</u>

All the required residential and visitor parking will be accommodated in an underground parking garage (Attachment #6), save and except 1 surface level parking space, as shown on Attachment #3. The proposed driveway from Parktree Drive will serve emergency vehicles and garbage removal only, and provide access to one surface level visitor parking space. The number of parking spaces proposed for the development also complies with the requirements of Zoning By-law 1-88.

In May 2016, the Transportation Services Division of the Development Engineering and Infrastructure Planning (DEIP) Department conducted a study to observe on-street parking activities in the area. The study results showed that a limited number of vehicles parked on the street for a time period in excess of the 3 hours limit permitted by the City's Parking By-law. Therefore, it was concluded there are no operational issues related to parking in the immediate area.

# v) Overnight Parking On Parktree Drive

In early May, 2016, the Vaughan Transportation Services Division of the DEIP Department deployed Video Collection Units (VCUs) on Parktree Drive and confirmed that there was no on-street parking activity observed during the periods extending from May 21, 2016, commencing at 6am through to May 22, 2016 at 11:59 pm and from 12:00 am to 12:15 pm on May 26, 2016). There was 1 vehicle parked on the south side of Parktree Drive, west of Larissa Court on May 26, 2016, in the evening. No traffic operational issues were observed during the study periods.

# vi) Long Term On-Street Parking for Canada's Wonderland

The City's current Parking By-law permits on-street parking for a maximum of 3 hours. Enforcement of this By-law is undertaken by the City on a seasonal basis (including during Canada's Wonderland operating season) and on a complaint basis.

# vii) Construction Access/Parking during Construction

The Owner has indicated access to the site during construction will be provided from Springside Road. Once the underground parking garage is constructed, the construction crews will then be directed to use the underground parking structure in order to park.

Once the Building Permit has been issued, a pre-construction meeting will be held with the Development Engineering and Infrastructure Planning Department and construction access and final construction access details will be confirmed.

# viii) <u>Proposed building height</u>

A concern was raised with regard to the proposed building height and that the townhouses appear to be 4-storeys in height. The building is deemed to be 3-storeys by Zoning By-law 1-88. A private amenity space for each unit is located within the roofline, and therefore is not considered as another storey.

# ix) Setback to Ravine/Loss of Wildlife

The subject lands abut an Open Space Conservation Zone and are regulated by the Toronto and Region Conservation Authority (TRCA). As part of the development review process, the TRCA staked the subject site in order to determine the development limit of the site, as well as to establish appropriate buffers to protect the existing ravine system. Additionally, planting in the buffer is proposed to ensure a net ecological benefit for the adjacent natural feature. The buffer, in conjunction with the proposed restoration and planting plans, are intended to maintain space for wildlife with minimal disturbance to the buffer and no public access.

# x) <u>Contact Person</u>

A request was made that the Owner identifies a contact person for the community in the event concerns are encountered during construction. The Owner has advised that they have experience building infill projects and it is their normal business practice to send out a notice to the surrounding community identifying when construction is anticipated to commence. As part of their practice a contact is identified where any inquiries can be directed.

# Purpose

To seek approval from the Committee of the Whole for Site Development File DA.15.081 to permit the development of the subject lands shown on Attachments #1 and #2 with 42 three-storey back-to-back townhouse units contained within three (3) building blocks atop an underground parking as shown on Attachments #3 to #6.

# **Background - Analysis and Options**

#### Synopsis:

The Owner is proposing to construct 42 three-storey back-to-back townhouses within three (3) building blocks having underground parking (future standard plan of condominium). The Vaughan Development Planning Department supports the development proposal, subject to the Owner successfully obtaining approval of Minor Variance Application A020/16 from the Vaughan Committee of the Adjustment. The development conforms to the Official Plan, and is compatible and appropriate with the existing and planned surrounding land uses.

#### Location

The vacant 0.58 ha subject lands shown on Attachments #1 and #2, are located in the southwest corner of Springside Road and Parktree Drive, City of Vaughan. The surrounding land uses are shown on Attachment #2.

#### Official Plan

The subject lands are designated "Low-Rise Residential" and "Natural Area" by Vaughan Official Plan 2010 (VOP 2010), and are located within a "Community Area", as identified on Schedule "1" - Urban Structure of VOP 2010. The "Low-Rise Residential" designation permits townhouse dwellings subject to the compatibility criteria in Section 9 of the Official Plan. There is no associated maximum density provision for this designation. An Urban Design Brief was submitted in support of the site plan application, and the Owner has worked with City Departments to resolve matters related to urban design, site layout and building elevation designs. The proposed townhouse use is permitted by VOP 2010 and the Owner has satisfactorily addressed the compatibility criteria. Accordingly, the development proposal conforms to the policies of VOP 2010, and is compatible with the existing surrounding townhouse developments.

# Zoning

The subject lands are zoned RM2 Multiple Dwelling Zone, subject to site-specific Exception 9(893) by Zoning By-law 1-88, which permits multiple family dwellings. In order to implement the proposed site plan shown on Attachment #3, the Owner has submitted Minor Variance Application A020/16, which is tentatively scheduled to be considered by the Committee of Adjustment on February 9, 2017. The Minor Variance Application seeks to modify site-specific exceptions to the RM2 Zone as follows:

# Table 1:

	By-law Standard	Zoning By-law 1-88 Requirement of the RM2 Zone, Subject to Exception 9(893)	Proposed Minor Variance to the RM2 Zone, Subject to Exception 9(893)
a.	Minimum Front Yard Setback (Parktree Drive)	4.5 m	<ul> <li>2.9 m (Block B)</li> <li>1.2 m (Unit 30, Block B to daylight triangle)</li> </ul>
b.	Minimum Exterior Yard Setback (Springside Road)	4.5 m	<ul> <li>1.2 m (Unit 30, Block B to daylight triangle)</li> <li>1.6 m (Block A)</li> </ul>
c.	Maximum Building Height	11 m	14 m (Blocks A, B and C)
d.	Minimum Lot Area	230 m <sup>2</sup> per unit	135 m <sup>2</sup> per unit
e.	Minimum Amenity Area	<ul> <li>90 m<sup>2</sup> (3 bedroom unit)</li> <li>110 m<sup>2</sup> (4 bedroom unit)</li> </ul>	80 m <sup>2</sup> (3 and 4 bedroom units)
f.	Minimum Setback to the Nearest Part of a Building Below Finished Grade	1.8 m- front lot line (Parktree Drive) and the exterior lot line (Springside Road)	0.3 m (front and exterior lot lines)
g.	Maximum Driveway Width	7.5 m	7.7 m (Springside Road)
h.	Landscaping Around Parking and Access Areas	<ul> <li>Minimum 3 m landscape strip around the periphery of a parking area</li> <li>Minimum 1.2 m landscape earth berm or an evergreen hedgerow around the periphery of a parking area</li> </ul>	No landscaped strip or landscaped earth berm or evergreen hedgerow around the periphery of the outdoor parking area (1 surface level parking space)

The Vaughan Development Planning Department supports the proposed variances to the RM2 Zone identified in Table 1 for the following reasons:

# a) <u>Minimum Building Setbacks</u>

The requested variances for reduced front yards on Springside Road and the daylight triangle and the exterior side yard on Springside Road will facilitate a development that

addresses and animates the streetscape along the public right-of-way. The proposed setbacks will result in a compact street-related urban built form that is encouraged by the Official Plan and defines the street edge along Springside Road and Parktree Drive, thereby promoting a vibrant pedestrian and streetscape environment.

#### b) Minimum Lot Area

The variance to the minimum lot area is a result of the proposed compact urban form, which is typical of this form of development.

#### c) <u>Maximum Building Height</u>

The proposed building height will allow each townhouse unit to have a rooftop amenity area while still providing 3 and 4 bedroom units within 3-storeys. The proposed building height will also contribute to an alternate housing style within the neighbourhood.

#### d) <u>Minimum Amenity Area</u>

The overall minimum amenity area proposed for the 3 and 4 bedroom units ranges between 80 m<sup>2</sup> to 93 m<sup>2</sup> per unit, with an average of  $92m^2$ . The amenity area in the proposed development consists of the private rooftop amenity areas for each unit, the central landscape courtyard and an enhanced landscape adjacent to the woodlot located along the southwest property line. The site is well served by nearby public parks and outdoor recreational amenities, including Brett Yerex Park which features a tennis court and a children's playground and West Maple Creek Park that includes a basketball court, baseball diamond and children's playground.

#### e) <u>Minimum Setback to below Grade Structures</u>

The proposed 0.3 m setback for the underground garage is typical of many developments that contain underground parking garages and allows all of the required parking to be permitted below grade, save and except for 1 visitor parking space.

The proposed variances to Zoning By-law 1-88 are considered to be minor in nature and meet the general intent and purpose of the Official Plan and the Zoning By-law. The surrounding neighbourhood consists of street and block townhouse building forms ranging from 2 to 3-storeys in height, which are compatible with this proposal. The subject property is located on a prominent corner lot, at the entrance to the existing neighbourhood and therefore, can support a height and density to establish the development as a 'gateway' into the community.

#### Minor Variance Application

The Owner submitted Minor Variance Application A020/16 on December 7, 2015, which was considered by the Committee of Adjustment (Committee) on January 28, 2016 and adjourned by the Committee to their February 11, 2016, meeting. At that meeting, the Committee adjourned the application Sine Die, as recommended by the Vaughan Development Planning Department. The Committee reconsidered the application on December 8, 2016, and adjourned the application to the February 9, 2017 Committee Meeting, being the Committee's first meeting following consideration of this Site Development Application by the Committee of the Whole.

Should Vaughan Council approval the subject Site Development Application, the Owner shall successfully obtain approval of Minor Variance Application A020/16 for the required zoning exceptions to Zoning By-law 1-88, as identified in Table 1 of this report, from the Vaughan Committee of Adjustment, and the Committee's decision shall be final and binding and the Owner shall satisfy any conditions of approval imposed by the Committee, prior to the execution of the Site Plan Agreement. A condition to this effect is included in the recommendation of this report.

#### Site Plan Review

The subject lands are currently vacant and have a total site area of 0.58 ha. The Owner is proposing to develop the property with 42 back-to-back townhouses within three (3) building blocks as shown on Attachments #3 to #6. Block A, containing 16 units, will face Springside Road. Block B, containing 14 units, will face Parktree Drive and Block C, abutting the OS1 Open Space Conservation Zone will contain 12 units. An interior courtyard/amenity space for the future residents is proposed at the centre of the proposed development. Planter beds located in front of each unit entrance are proposed to enhance the streetscape and provide additional landscape area on the site. The proposed site plan is shown on Attachment #3.

The required parking for this development will be provided in an underground parking garage (Attachment #6), in order to minimize the amount of hard surface, reduce potential conflicts between vehicles and pedestrians and improve the streetscape through the removal of individual garage doors and driveways for each unit. A total of 81 parking spaces are proposed on the site comprised of 70 parking spaces for the future residents, 10 visitor parking spaces in an underground garage and with 1 visitor parking space located at grade. Zoning By-law 1-88 requires a total of 75 parking spaces to be provided for the proposed development. The 81 proposed parking spaces exceed the Zoning By-law 1-88 requirement by 6 parking spaces.

The main access driveway for the proposed development is located on Springside Road and leads directly to the underground parking garage. A second access on Parktree Drive acts as a fire route, and provides access to the Molok waste system, the surface level parking space, and the community mailbox. In order to mitigate any possible adverse impact to the surrounding neighbourhood regarding traffic, the proposed site plan includes the following features:

- The main access driveway is located on Springside Road
- The parking supply exceeds the requirements of Zoning By-law 1-88, thereby avoiding parking spillover onto the surrounding public roads
- the second access driveway on Parktree Drive will be used for emergency, delivery and garbage pick-up only
- a sidewalk is proposed on the west side of Parktree Drive
- site accessibility is improved by providing ramps, wider internal and external sidewalks and one accessible visitor parking space in the underground with elevator access to the ground level
- one at-grade visitor parking space for quick pick-up/drop-off activities

The majority of the proposed landscape is located within the central amenity area. The central amenity area includes benches and walkways and an enhanced design with high quality landscape elements such as hardscapes with planters, pavers and site furniture, as shown on Attachment #4. In addition, cedars will be planted surrounding the Molok garage bin area to provide additional screening.

The proposed building elevations shown on Attachment #5 have a maximum building height of 14 m in order to accommodate a 3-storey building without a basement and an outdoor amenity area within the roofline. The townhouse units will be constructed with brick and stucco on the main building façade and stone at the base of the units. The units reflect traditional building forms that will be consistent with the surrounding neighbourhood.

The Owner will be required to submit a future Draft Plan of Condominium application to facilitate the proposed standard condominium tenure for the development, if this application is approved. The future Condominium Corporation will privately administer off-site snow storage, garbage disposal, and manage all common activities including the maintenance of the driveways, underground parking garage, amenity areas and landscape.

The Vaughan Development Planning Department will continue to work with the Owner to finalize the details of the proposed development. The final site plan, building elevations, landscape plan and landscape cost estimate must be approved to the satisfaction of the Vaughan Development Planning Department. A condition to this effect is included in the recommendation of this report.

# Design Review Panel

Prior to submitting the subject application, the Owner presented their proposal to the Vaughan Design Review Panel (DRP) on June 25, 2015. The site plan submitted to the DRP depicted a similar site organization however, a private internal road with access driveways from Springside Road and Parktree Drive was located behind Block B. Layby parking and the underground parking garage were accessed from Parktree Drive.

The DRP suggested that the Owner reorganize the site to frame the street and the ravine. The DRP also commented that there were too many ramps on site and encouraged the Owner to consolidate them into one ramp with the recommendation to locate the parking below grade. The DRP also suggested that the Owner consider creating a larger and more meaningful central green space.

The current development proposal incorporates the suggestions of the DRP, including the reorganization of the buildings on the site and the inclusion of a central amenity area.

#### Vaughan Development Engineering and Infrastructure Planning (DEIP) Department

The Vaughan DEIP Department are generally satisfied with the proposed development. The final site servicing and grading plan, stormwater management report and underground parking plan that includes an elevator must be approved to the satisfaction of the DEIP Department. A condition to this effect is included in the recommendation of this report.

# Vaughan Environmental Services Department, Solid Waste Management Division

The Owner is proposing to collect all waste streams using the Molok System, with the exception of furniture and bulky items, which would be collected separately. The Molok garbage bins would be located adjacent to the service driveway from Parktree Drive, as shown on Attachment #3. As required by the Public Works Department, the Owner has provided a secondary garbage room for bulky items and furniture. This room is located in the underground parking garage level and serves as temporary storage for larger items that cannot be accommodated by the Molok System. The applicant has indicated that these larger items will be picked-up in the underground area as part of the waste management contract for the site.

The Vaughan Environmental Services Department, Solid Waste Management Division has no objection to the development proposal all comments from the Waste Division have been addressed subject to the following conditions of approval:

- 1. As proposed by the Owner, the following measures will be taken to inform residents that waste collection will be privately serviced at this development:
  - i. Informed consent from all purchasers will be received by way of a description of the waste removal service in the Condominium Disclosure Statement and Draft/Final Declaration, which will be reviewed by the City as part of the Condominium Approval Process and prior to release for registration of the Condominium.
  - ii. The Declaration will include a Budget for the common elements and Notes to the Budget, detailing the nature and cost of the waste removal service and its implication on monthly fees paid by each unit owner. Buyers and all future buyers

will be made aware of this service through a Condominium Declaration that is registered on title.

iii. The following warning clause shall be included in the Disclosure Statement, Condominium Declaration, Agreement of Purchase and Sale, and the Site Plan Agreement, indicating that removal of both recycling and general waste will be by way of a private service, and that this Common Element Condominium is not designed for public waste removal.

> "Warning: Homeowners are advised that removal of both recycling, general waste, leaf and yard waste, bulky waste items, metal/appliance collection and any future organics collection will be by way of a private service provided by the Condominium Corporation. The Common Element Condominium is not designed for public waste removal."

2. The access route to the Molok units shall be constructed to the minimum "Heavy Duty Asphalt" or an equally durable heavy duty paving stone, and the turning radius for an average collection vehicle is 10.0 m for (inside) and 12.5 m (outside) turns. The driveway width and radii must be designed for large truck uses as per the minimum City Engineering Standards and must be shown on the final approved plans.

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

Solid Waste Management Staff have advised that Molok bins are not permitted to service multiresidential developments pursuant to the City of Vaughan, Waste Collection Design Standards Policy, Revised April 2016. As such, the subject development will be monitored over the course of one (1) year by Solid Waste Management Staff following first occupancy. Based on the monitoring results from this site and monitoring results from other multi-residential pilot project examples of this system in Vaughan, a determination will be made by Staff whether or not the Molok bins will be accepted for future multi-residential developments.

#### Office of the City Solicitor, Vaughan Real Estate Department

The Office of the City Solicitor, Vaughan Real Estate Department, has confirmed that cash-in-lieu of parkland dedication is not required since it was paid in full through the final registration of Plan 65M-3063.

#### Toronto and Region Conservation Authority (TRCA)

The TRCA have reviewed the site plan and have no objection to the modification of the 10m buffer setback from the dripline and regulatory floodplain as shown on Attachment #3, as appropriate buffer plantings are proposed to ensure a net ecological benefit for the adjacent natural feature. The Owner shall ensure that all restoration and planting plans are followed to minimize disturbance of the buffers.

The TRCA have no objection to the development proposal, subject to the issuance of a TRCA Development permit as required by Ontario Regulation 166/06. The Owner will be required to satisfy all conditions of the TRCA. A condition to this effect is included in the recommendation of this report.

# <u>CN Rail</u>

CN Rail has no objection to development proposal, subject to the following conditions being satisfied prior to the execution of the Site Plan Agreement:

- 1. The Owner shall engage a consultant to undertake a noise analysis. Subject to the review of the noise report, the Railway may consider other measures recommended by an approved Noise Consultant.
- 2. The Owner shall be required to grant CN an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CN.
- 3. The following clause should be inserted in all agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 300m of the railway right-of-way:

"Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way."

The Owner must satisfy all the requirements of CN Rail. A condition to this effect is included in the recommendation of this report.

#### Canada Post

Canada Post has no objection to the proposed development subject to the Owner satisfying their requirements with regard to a community mailbox being provided on the subject site. A condition to this effect is included in the recommendation of this report.

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

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

• Create and manage affordable housing options.

# Regional Implications

York Region has indicated no concerns with the proposed development.

#### Conclusion

Site Development File DA.15.081 has been reviewed 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 proposed townhouse use is permitted by the Official Plan and Zoning By-law 1-88. The Vaughan Development Planning Department is satisfied that the development proposal for 42 back-to-back townhouse units, (future standard condominium) is appropriate and compatible with the planned uses in the surrounding area. Accordingly, the Vaughan Development Planning Department can support the approval of Site Development File DA.15.081, subject to the conditions in report.

# **Attachments**

- 1. Context Location Map
- 2. Location Map
- 3. Site Plan
- 4. Landscape Plan
- 5. Typical Elevations Block "A"
- 6. Underground Parking Plan

# Report prepared by:

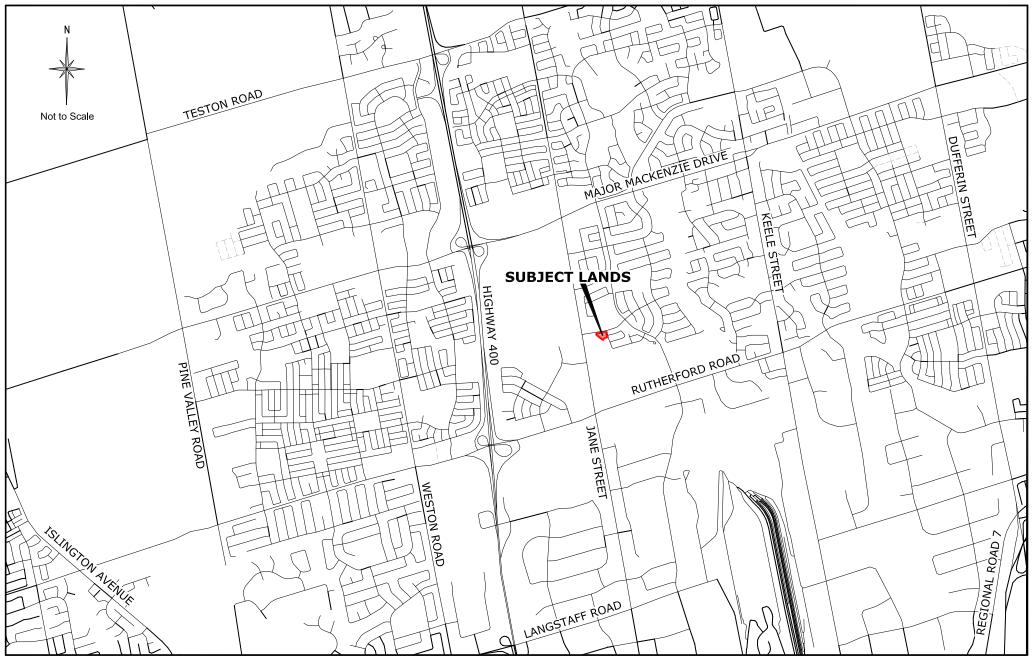
Margaret Holyday, Planner, ext. 8216 Christina Napoli, Senior Planner, ext. 8483

Respectfully submitted,

JOHN MACKENZIE Deputy City Manager Planning & Growth Management MAURO PEVERINI Interim Director of Development Planning

BILL KIRU Senior Manager of Development Planning

/CM



# **Context Location Map**

*Location:* Part of Lot 17, Concession 4

*Applicant: Clustergarden Estates Inc.* 

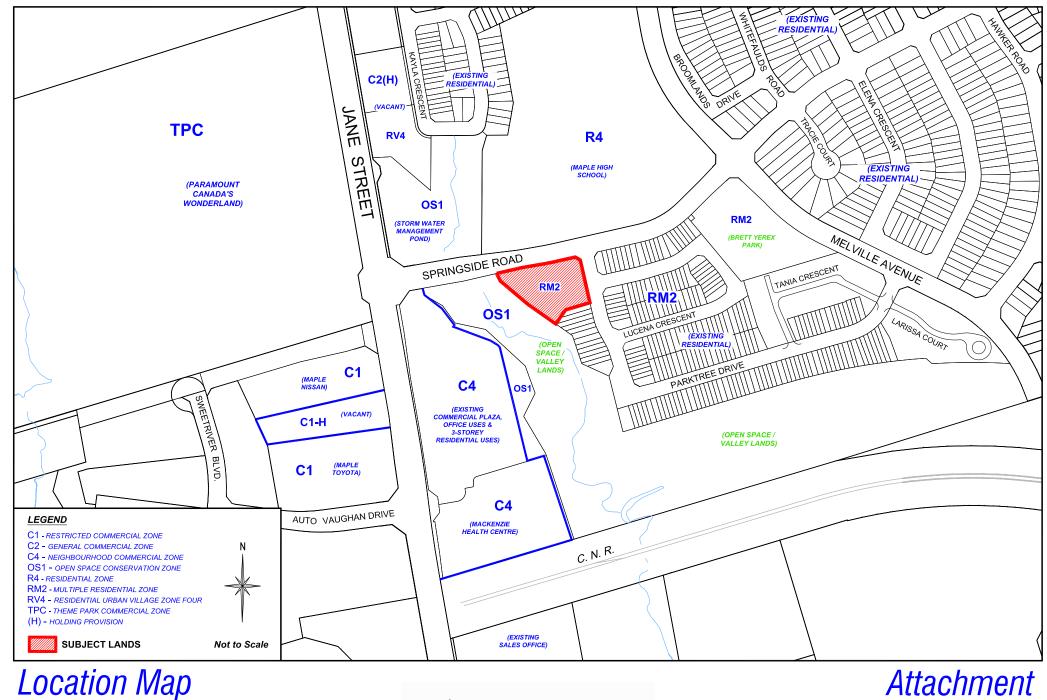


Attachment



Date: February 7, 2017

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*Location: Part of Lot 17, Concession 4* 

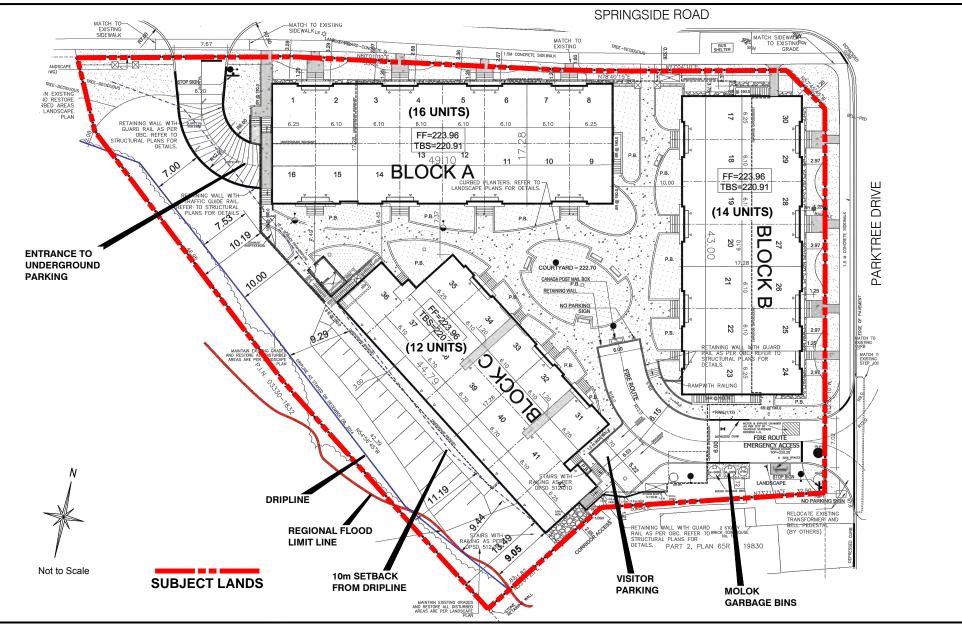
Applicant:

Clustergarden Estates Inc.

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# Site Plan

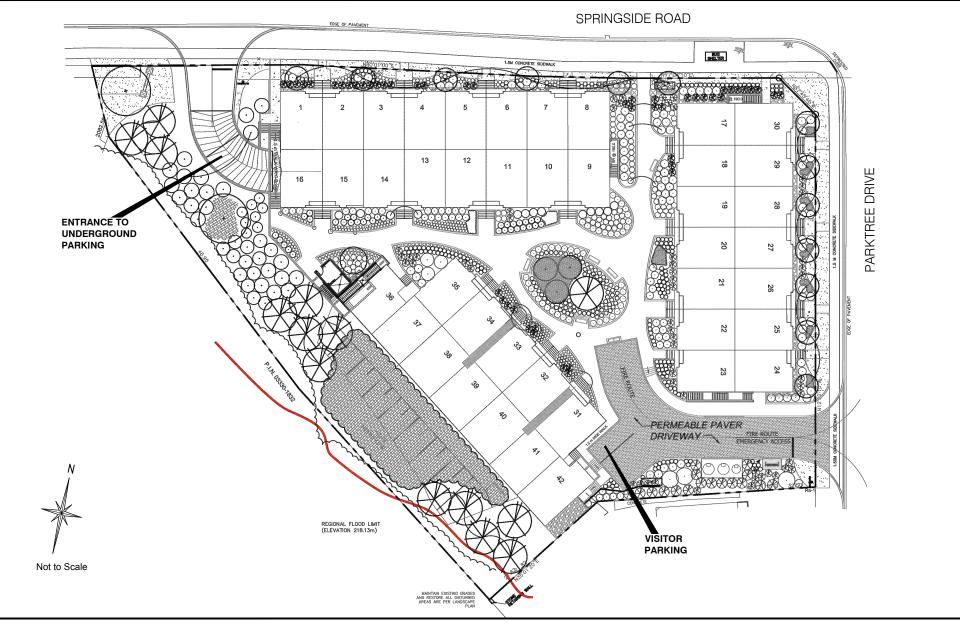
*Location:* Part of Lot 17, Concession 4

*Applicant: Clustergarden Estates Inc.* 

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# Landscape Plan

*Location:* Part of Lot 17, Concession 4

Applicant: Clustergarden Estates Inc. N:\GIS\_Archive\Attachments\DA\da.15.081.dwg







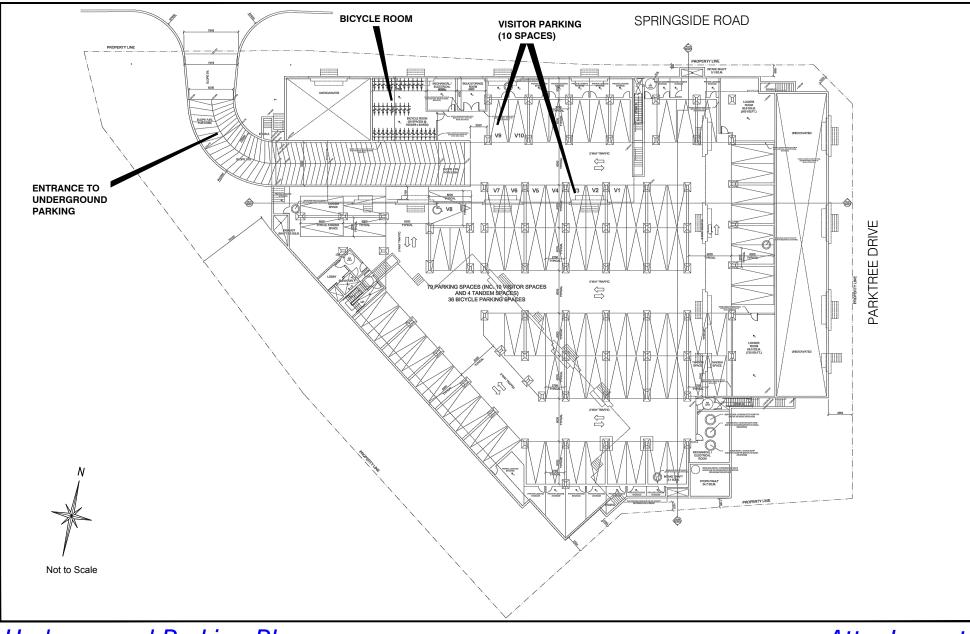
Typical Elevations - Block 'A'

*Location:* Part of Lot 17, Concession 4

Applicant: Clustergarden Estates Inc. N:\GIS\_Archive\Attachments\DA\da.15.081.dwg







# **Underground Parking Plan**

*Location:* Part of Lot 17, Concession 4

Applicant: Clustergarden Estates Inc. N:\GIS\_Archive\Attachments\DA\da.15.081.dwg



