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Communication
cw: April 9/13
Item: 1

TO: HONOURABLE MAYOR & MEMBERS OF COUNCIL
FROM: JOHN MACKENZIE, COMMISSIONER OF PLANNING
DATE: APRIL 8, 2013
SUBJECT: COMMUNICATION

ITEM #1, COMMITTEE OF THE WHOLE – APRIL 9, 2013

ITEM #2, COMMITTEE OF THE WHOLE – FEBRUARY 5, 2013

ITEM #7, COMMITTEE OF THE WHOLE – JANUARY 15, 2013

ZONING BY-LAW AMENDMENT FILE Z.11.027

SITE DEVELOPMENT FILE DA.11.074

ISLINGTON PALISADES LTD.

WARD 2 – VINCINTY OF ISLINGTON AVENUE AND HIGHWAY 407

Recommendation

The Commissioner of Planning recommends:

1. THAT this Communication, BE RECEIVED, as information.

Background

On January 15, 2013, the Committee of the Whole resolved the following Motion, which was ratified by Vaughan Council on January 29, 2013:

“THAT consideration of this matter be deferred to the Committee of the Whole Meeting of February 5, 2013, to permit the applicant, City staff, deputants, and other interested parties sufficient time to resolve outstanding issues.”

On February 5, 2013, the Committee of the Whole resolved the following Motion, which was ratified by Vaughan Council on February 19, 2013:

“THAT Vaughan Council defer consideration of Zoning By-law Amendment File Z.11.027 and Site Development File DA.11.074 (Islington Palisades Ltd.) to the Committee of the Whole meeting of April 9, 2013.”

Development Planning Staff provides the following information:

1. On January 29, 2013 and April 4, 2013, meetings were held and attended by the Local Ward 2 Councillor, Development Planning staff, representatives of the applicant and residents from the area to discuss outstanding issues with regard to the development proposal. During this time the following has occurred:
 - The applicant has submitted comparable parking surveys of two other similar facilities to the City. Based on the submission of the comparables, as well as other expert reports submitted by the applicant, the Vaughan Development/Transportation Engineering Department support the parking supply proposed by the applicant.
 - The applicant has advised that an Environmental Site Assessment Phase II is being prepared and will be completed prior to the OMB Hearing. The January 15, 2013 Development Planning Report included a recommendation that the zoning for the property

include the use of a Holding Symbol "(H)" that shall not be removed from the subject lands until such time that the Vaughan Development/Transportation Engineering Department is satisfied with the Phase 2 Environmental Site Assessment, and if required, the Owner has provided documented proof of the registration of the Record of Site Condition that has been acknowledged by the Ministry of Environment (MOE), which will ensure that the appropriate environmental measures have been addressed, prior to the removal of the Holding provision on the site.

- The applicant has submitted a Traffic Report/Traffic Demand Management Plan that has been reviewed to the satisfaction of York Region Transportation Services and the City of Vaughan Development/Transportation Engineering Department.
 - York Region Transportation Services has visited the site and has reconfirmed their original response that a Sight-line Analysis Study for the access/egress location on Islington Avenue is not required.
 - The applicant has agreed to provide an 8 ft. high wood privacy fence along the entire length of the north and east property lines, and the south property line to the limit of the proposed building. Additional planting in the east and south areas of the property will also be provided. Furthermore, the applicant will include a barrier free meandering path leading to Islington Avenue to facilitate easier pedestrian movement with the grade of the property, which the TRCA has given approval to, with the final construction details to be addressed as part of the TRCA's Cut and Fill Permit review. The revisions will be incorporated into the final site plan and landscape plans, prior to final approval.
 - The waste management system has been revised to traditional internal garbage storage with loading space for pick up.
 - The applicant's engineering consultant has been in dialogue with the TRCA regarding their comments dated March 4, 2013. These are minor engineering issues that can be easily addressed prior to final approval of the plans, to the satisfaction of the TRCA.
 - The applicant has been in discussion with York Region regarding three (3) possible options for the sanitary servicing of the site. The three options are to service from the west side of Islington; staying on the east side of Islington and servicing through the boulevard; and the third is to connect to an existing sanitary sewer on the adjacent property to the north through the registration of an easement. The Owner is reviewing all three options including the initiation of negotiations with the resident to the north and the Owner of the property to the south (who is looking to cost share when they submit a site plan application for the Hungarian Church soon). The Owner will be required to make a decision with respect to which servicing option they prefer and may be required to enter into an appropriate development agreement prior to any final Board Order granting site plan approval. As noted in the January 15, 2013 Development Planning report, Staff are recommending that the Board withhold its Order until this condition is satisfied. We are advised that the Region is willing to review any of the three servicing options for approval and servicing capacity is not an issue for this development.
2. On February 5, 2013, Ms. Angie Vendramini appeared before the Committee of the Whole and requested a response to correspondence she submitted dated January 14, 2013, and addressed to the Mayor and Members of Council. The Development Planning Department responds as follows:
- The subject lands are designated "Low Density Residential" (majority of site) and "Open Space" (below the valley wall in the vicinity of the front/west lot line) by in-effect OPA #240 (Woodbridge Community Plan), which includes an Institutional Policy (Section 7.5 e) that permits homes for the aged in the vicinity of the commercial core, community commercial, and residential areas. The Official Plan does not require facilities to be located within the commercial or community core. The proposed rezoning conforms to the Official Plan.

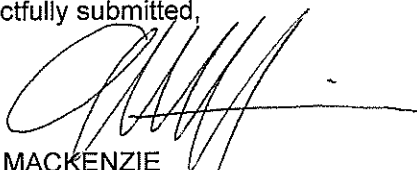
- The applications were circulated to HydroOne for comments, which is normal procedure. HydroOne responded that they have no objections or concerns with respect to the proposal.
- The applications have been reviewed by the City's Development/Transportation Engineering, Fire and Building Standards Department. The slope of the site, visibility to on-coming traffic and the singular point of access/egress have not been identified as a problem.
- Many applications require a number of exceptions to Zoning By-law 1-88 to facilitate development. The City does not have a specific zone for uses associated with senior's living. As such, the City typically uses an Apartment Zone as a basis. The Development Planning Department can support the proposed exceptions to Zoning By-law 1-88. The seniors rental facility use as proposed (i.e. no kitchen with common living facilities) is not typical of an apartment dwelling, but is very common to other built senior's apartment buildings in Vaughan. The proposed zoning exceptions will facilitate a building that is desirable from an urban design perspective and appropriate for the subject lands.
- The applicant has submitted a Parking Impact Study with comparables to justify the proposed parking supply that has been reviewed to the satisfaction of City Staff.
- The Owner has agreed to erect a higher fence than the City's standard along the boundaries that interface with the residential community and to enhance planting in certain areas in order to mitigate perceived nuisance with the community.

Conclusion

On May 24, 2012, the Owner appealed the Zoning By-law Amendment application pursuant to Section 34(11) of the Planning Act, citing the reason for the appeal that Council failed to make a decision on the application within 120 days of the application being filed. On June 8, 2012, the Owner appealed the Site Development application pursuant to Section 41(12) of the Planning Act citing the reason for the appeal that Council failed to make a decision on the application within 30 days of the application being filed. Two pre-hearings were convened on October 23, 2012 and on February 14, 2013. The OMB has scheduled a full Hearing to consider the appeals for 5 days, commencing on April 22, 2013.

On January 15, 2013, the Committee of the Whole deferred consideration of the matter to permit the applicant, City staff, deputants, and other interested parties sufficient time to resolve outstanding issues. Since that time, meetings amongst all parties have occurred on January 21, 2013 and April 4, 2013. Thus far, the Owner has agreed to enhanced landscaping, fenestration and revisions to store garbage indoors. These and other typical site plan details can be resolved through the normal finalization of plan details and/or prior to final approval of the site plan by the OMB.

Respectfully submitted,



JOHN MACKENZIE
Commissioner of Planning

Copy to: Clayton Harris, City Manager
Jeffrey A. Abrams, City Clerk
Grant Uyeyama, Director of Development Planning

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