

Committee of the Whole (Public Hearing) Report

DATE: Tuesday, June 04, 2019

WARD: 2

**TITLE: 919819 ONTARIO LTD. AND 1891445 ONTARIO LTD.
OFFICIAL PLAN AMENDMENT FILE OP.18.008
ZONING BY-LAW AMENDMENT FILE Z.18.013
VICINITY SOUTH EAST OF REGIONAL ROAD 7 AND KIPLING
AVENUE**

FROM: Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To receive comments from the public and the Committee of the Whole on Official Plan Amendment and Zoning By-law Amendment Files OP.18.008 and Z.18.013 for the Subject Lands shown on Attachment 1, to permit the development of a 16-storey residential apartment building comprised of a 6-storey podium and 10-storey tower that includes 178 units, a Floor Space Index (FSI) of 3.8 times the lot area, 181 parking spaces and 636 m² of Privately Owned Public Space (POPS), as shown on Attachments 2 to 5.

Report Highlights

- To receive input from the public and the Committee of the Whole on amendments to Vaughan Official Plan 2010 and Zoning By-law 1-88 to permit a development proposal consisting of a 16-storey residential apartment building comprised of a 6-storey podium and a 10-storey tower that includes 178 units, an FSI of 3.8 times the lot area, 181 parking spaces and 636 m² of privately-owned public space (POPS).
- A technical report to be prepared by the Development Planning Department will be considered at a future Committee of the Whole meeting

Recommendations

1. THAT the Public Hearing report for Files OP.18.008 and Z.18.013 (919819 Ontario Ltd. and 1891445 Ontario Inc.) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.
2. THAT staff continue to review Files OP.18.008 and Z.18.013 (919819 Ontario Ltd. and 1891445 Ontario Inc.) and work with the Owner to resolve the outstanding matters detailed in this report.

Background

The subject lands ('Subject Lands'), shown on Attachment 1 are located on the south side of Regional Road 7, east of Kipling Avenue, and consist of 4 properties municipally known as 5217 and 5225 Regional Road 7, and 26 and 32 Hawman Avenue. The surrounding land uses are shown on Attachment 1.

The Owner hosted a community meeting on May 2, 2019, to inform area residents of the proposal and to discuss any issues and concerns they may have regarding the proposed development.

Official Plan and Zoning By-law Amendment applications have been submitted in support of the development.

On April 6, 2018, the Owner submitted the following Applications (the "Applications") for the Subject Lands to permit a high density residential development consisting of one, 16-storey residential apartment building comprised of a 6-storey podium and 10-storey tower that includes 178 units, a Floor Space Index (FSI) of 3.8 times the lot area, 181 parking spaces and a 636 m² privately owned public space (POPS) (the "Development"), as shown on Attachments 2 to 5:

1. Official Plan Amendment File OP.18.008 to redesignate the Subject Lands from "Low-Rise Residential" to "High-Rise Residential" and to amend the "High Rise Residential" land use policies 9.2.2.5 and 9.2.3.6 respecting development adjacent to lands designated "Low Rise Residential" and the development criteria for high-rise residential buildings.
2. Zoning By-law Amendment File Z.18.013 to amend Zoning By-law 1-88, specifically to rezone the Subject Lands from "R2 Residential Zone" to "RA3 Apartment Residential Zone" in the manner shown on Attachment 2, together with the site-specific exceptions identified in Table 1 of this report.

Based on the review undertaken to date, the Applications are not considered to be consistent with the Provincial Policy Statement (the 'PPS') or conform to the Growth Plan for the Greater Golden Horseshoe, 2019 (the 'Growth Plan') and the York Region and City Official Plans

- In accordance with Section 2 and 3 of the *Planning Act*, all land use decisions shall have regard to all matters of provincial interest and shall be consistent with PPS and conform to provincial policies.
- The Applications were received on April 6, 2018 and a Notice of Complete Application was sent out the Owner on April 26, 2018 and to the surrounding landowners on June 15, 2018.
- On April 30, 2018, Development Planning Staff met with the Owner to discuss the development proposal at which time staff expressed concerns with the scale of the development being proposed.
- Staff requested the Owner to consider alternative development proposals, as the Development does not conform to VOP 2010 policies because the Subject Lands were not identified for development with this level of intensification. The Owner agreed to consider other options for the site and agreed to suspend the circulation of the applications and to postpone erecting a Notice Sign on the property while discussions continued.
- Based on the information reviewed to-date, the Applications have not demonstrated consistency with the PPS or conform to Growth Plan, Regional and City Official Plans.

Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol

- a) Date the Notice of Public Hearing was Circulated: May 10, 2019.

The Notice of Public Hearing was also posted on the City's website at www.vaughan.ca and Notice Signs were installed along the Regional Road 7 and Hawman Avenue frontages in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: 150 m of the Subject Lands, plus the expanded notification area as shown on Attachment 1, to the West Woodbridge Homeowners' and the Village of Woodbridge Ratepayers Associations.

Any written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication. All written comments

that are received will be reviewed by the Development Planning Department as input in the application review process and will be addressed in a technical report to a future Committee of the Whole meeting.

Previous Reports/Authority

Not Applicable

Analysis and Options

The Subject Lands are identified as being within a Stable Community Area adjacent to a Regional Intensification Corridor

The Subject Lands are located in a stable Community Area abutting a Regional Intensification Corridor (Regional Road 7) on Schedule 1 - Urban Structure of VOP 2010. Community Areas are considered stable areas with mostly low-rise building forms and a limited level of intensification that is sensitive and compatible with the character of the area form and planned function of the surrounding context.

The north portion of the Subject Lands (5217 and 5225 Regional Road 7) front onto Regional Road 7 (a Regional Intensification Corridor) the remaining portion has frontage on Hawman Avenue (26 and 32 Hawman Avenue).

Regional Intensification Corridors are regional roads which have been identified for higher-order transit investments. New development on the lands fronting onto these roads and that are located in a Community Area, will be designed to respect and reinforce the physical character of the established neighbourhood including appropriate transition to areas of lower intensity development.

The Development will be evaluated in consideration of the above-noted policies in VOP 2010.

Amendments to VOP 2010 are required to permit the Development

The Subject Lands are designated “Low-Rise Residential”, which permits single detached, semi-detached, townhouse units, and public or private institutional buildings to a maximum building height of 3-storeys which does not permit the Development.

The Owner is proposing to redesignate the Subject Lands from “Low-Rise Residential” to “High-Rise Residential”, to permit the development of a 16-storey residential apartment building containing 178 units, a Floor Space Index (FSI) of 3.8 times the lot area, and to amend the following “High-Rise Residential” land use policies respecting

development adjacent to lands designated “Low-Rise Residential” and the development criteria for high-rise residential buildings as follows:

- i) Section 9.2.2.5 d) to permit a High-rise Building within 70 metres of an area designated “Low Rise Residential” or on streets that are not arterial streets or Major Collector Streets, whereas High-rise Buildings are not permitted;
- ii) Section 9.23.6 respecting development criteria for high-rise buildings.

The proposed redesignation and amendments to VOP 2010 must be evaluated through a detailed review of the Applications.

Amendments to Zoning B-law 1-88 are required to permit the Development

The Subject Lands are zoned “R2 Residential Zone” by Zoning By-law 1-88, as shown on Attachment 1, which does not permit the 16-storey apartment building. The Owner proposes to rezone the Subject Lands to “RA3 Apartment Residential Zone” in the manner shown on Attachment 2, together with the following site-specific exceptions to Zoning By-law 1-88:

Table 1

	Zoning By-law 1-88 Standard	RA3 Apartment Residential Zone Requirements	Proposed Exceptions to the RA3 Apartment Residential Zone Requirements
a.	Maximum Building Height	44 m	50 m (excluding mechanical room)
b.	Minimum Amenity Area	7,480 m ²	2,953 m ² (including privately owned public space (POPS))
c.	Minimum Unit Size/Lot Area	67 m ²	23.5 m ²

	Zoning By-law 1-88 Standard	RA3 Apartment Residential Zone Requirements	Proposed Exceptions to the RA3 Apartment Residential Zone Requirements
d.	Minimum Number of Parking Spaces	<p>178 units @ 1.5 spaces/unit = 267</p> <p>+</p> <p>178 units @ .25 spaces/unit for visitor parking = 45</p> <p>Total Parking Required = 312 spaces</p>	<p>75 units (1 Bdm) @ .95 spaces/unit = 72 spaces</p> <p>+</p> <p>94 units (2 Bdm) @ 1.05 spaces/unit=99 spaces</p> <p>+</p> <p>9 units (3 Bdm) @1.05 spaces/unit = 10</p> <p>+</p> <p>178 units @ 0.20 visitor parking spaces/unit = 36</p> <p>Total Parking Proposed = 217 spaces</p>
e.	Minimum Front Yard Setback	7.5 m Regional Road 7	<p>0.60 m above the ground floor along Regional Road 7</p> <p>And</p> <p>1.2 m to the ground floor along Regional Road 7</p>
f.	Location of Loading Area	Loading Areas permitted between a Building and rear lot line	Permit a loading Area located in a side yard
g.	Minimum Landscape Strip Abutting a Street Line	6 m along Regional Road 7	1.2 m along Regional Road 7
h.	Minimum Front Yard Setback to the Underground Parking Garage along Regional Road 7	1.8 m	0 m

The conceptual site plan and building elevations submitted in support of the Applications are shown on Attachments 2 to 5. Additional zoning exceptions may be identified through the detailed review of the Applications and will be considered in a technical report to a future Committee of the Whole meeting.

Through a preliminary review of the Applications, the Development Planning Department has identified a number of matters to be reviewed in further detail

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Conformity and Consistency with Provincial Policies / Plans, and York Region and Vaughan Official Plans	<ul style="list-style-type: none"> ▪ Based on the information reviewed to-date, the Applications are not considered to be consistent with the Provincial Policy Statement ('PPS') or conform to the Growth Plan for the Greater Golden Horseshoe 2019 (the 'Growth Plan'), the York Region Official Plan ('YROP'), and the City of Vaughan Official Plan 2010 ('VOP 2010').
b.	Appropriateness of the Official Plan Amendments and proposed Rezoning and Site-Specific Zoning Exceptions	<ul style="list-style-type: none"> ▪ The appropriateness of the proposed amendments to the Official Plan and Zoning By-law will be reviewed in consideration of the existing and planned surrounding land uses, with particular consideration given to proposed 16-storey residential building use and built form compatibility with the surrounding area. ▪ Consideration and review will be given to the proposed north/south connection as it relates to traffic and safety for Hawman Avenue.
c.	Studies and Reports	<ul style="list-style-type: none"> ▪ The following studies and reports were submitted in support of the Applications and must be approved to the satisfaction of the City and/or respective approval authority: <ul style="list-style-type: none"> – Planning Justification Report – Design and Sustainability Brief – Community Services and Facility Summary – Sun/Shadow Study – Arborist Report – Functional Servicing and Stormwater Management Report – Phase One and Two Environmental Site Assessment

	MATTERS TO BE REVIEWED	COMMENT(S)
		<ul style="list-style-type: none"> - Geotechnical Investigation - Environmental Soil and Ground Water Quality Investigation - Archaeological Assessment Stage I and II - Noise Impact and Feasibility Study - Pedestrian Wind Study - Traffic Impact Study <ul style="list-style-type: none"> ▪ Additional studies/reports may be required as part of the development application review process.
d.	York Region Community Planning and Development Services Department	<ul style="list-style-type: none"> ▪ The development proposes a right-in and right-out access driveway along Regional Road 7 and therefore, must be reviewed and approved by the York Region Community Planning and Development Services Department.
e.	Proximity to Canadian Pacific ("CP") Railway Line and Regional Road 7	<ul style="list-style-type: none"> ▪ The Development is in the vicinity of the CP Railway line and abuts Regional Road 7 and must be designed and constructed to mitigate potential road and railway noise. Should the Applications be approved the appropriate warning clauses must be included in all Offers of Purchase and Sale or Lease, and in the title deed or lease of each dwelling.
f.	Future Site Development and Draft Plan of Condominium Application	<ul style="list-style-type: none"> ▪ Should the Applications be approved a Site Development Application will be required and will be reviewed in consideration of but not limited to, appropriate building and site design, access pedestrian connectivity, vehicular access, and movement, internal traffic circulation, shadow and lighting spillage to neighbouring properties, stormwater management, and servicing and grading. ▪ If the Applications are approved the Owner will be required to submit a future Draft Plan of Condominium application to facilitate the proposed standard condominium tenure for the development.

	MATTERS TO BE REVIEWED	COMMENT(S)
g.	Infill Development in Established Low-Rise Residential Neighbourhoods	<ul style="list-style-type: none"> ▪ Vaughan Council adopted the Urban Design Guidelines ('Guidelines') for Infill Development in Established Low-Rise Residential Neighbourhoods on October 19, 2016 and the Community Area Policy Review for Low-Rise Residential Designations Study ("Study") on April 19, 2017 ▪ On September 27, 2018, Council adopted Official Plan Amendment ('OPA') Number 15 to implement the Study. OPA Number 15 has been forwarded to York Region for approval. ▪ The Guidelines and Study identify the Subject Lands as being within an "Established Low-Rise Residential Neighbourhood" in a "Stable Community Area", with a portion abutting an arterial road (Regional Road 7) ▪ As an infill development, the Applications will be reviewed in consideration of the Guidelines and Council adopted OPA Number 15.
h.	Urban Design Guidelines	<ul style="list-style-type: none"> ▪ The Development will be reviewed in consideration of the City of Vaughan City-Wide Urban Design Guidelines.
i.	Sustainable Development	<ul style="list-style-type: none"> ▪ Opportunities for sustainable design, including CPTED (Crime Prevention Through Environmental Design), LEED (Leadership in Energy and Environmental Design), permeable pavers, bioswales, drought tolerant landscaping, energy efficient lighting, reduction in pavement, bird-friendly treatments, etc., will be reviewed and implemented through the Site Development Application process, if the Applications are approved.
j.	Parkland Dedication	<ul style="list-style-type: none"> ▪ The Owner will be required to pay to the City of Vaughan a cash-in-lieu of the dedication of parkland dedication, prior to the issuance of a Building Permit, in accordance with the <i>Planning Act</i> and the City of Vaughan's Cash-in-Lieu of Parkland Policy should the Applications be

	MATTERS TO BE REVIEWED	COMMENT(S)
		approved. The final value of the cash-in-lieu of parkland dedication will be determined by the Vaughan Legal Department, Real Estate Division.
k.	Allocation and Servicing	<ul style="list-style-type: none"> The availability of water and sanitary servicing capacity for the Development must be identified and allocated by Vaughan Council, if the Applications are approved. If servicing allocation is unavailable, the Subject Lands will be zoned with a Holding Symbol “(H)”, which will be removed once Vaughan Council identifies and allocates servicing capacity for the Subject Lands.
l.	Section 37 (Density Bonusing)	<ul style="list-style-type: none"> The proposed development exceeds the maximum permitted building height and density identified in VOP 2010. The <i>Planning Act</i>, the policies in VOP 2010 and the City of Vaughan Implementation Guidelines for Section 37 permit an increase in building height and density in exchange for community benefits. The request for increased building height and density will be reviewed in accordance with the City’s Section 37 policies and Implementation Guidelines. Should the Applications be approved, the implementing Zoning By-law shall include provisions regarding a density bonusing Agreement, to the satisfaction of the City of Vaughan.

Financial Impact

Not Applicable

Broader Regional Impacts/Considerations

The Applications have been circulated to the York Region Community Planning and Development Services Department for review and comment. Any issues or comments received from the Region will be addressed through the technical report to Council. The Owner has not submitted a request for exemption of Regional approval of the Official Plan Amendment Application.

Conclusion

The preliminary issues identified in this report and any other issues identified through the processing of the Applications will be considered in the technical review of the Applications, together with comments from the public and Vaughan Council expressed at the Public Hearing or in writing, and will be addressed in a comprehensive report to a future Committee of the Whole meeting.

For more information, please contact: Eugene Fera, Senior Planner, Development Planning Department, ext. 8003.

Attachments

1. Location Map
2. Conceptual Site Plan and Zoning
3. Landscape Plan
4. Elevation Plan: North and South
5. Elevation Plan: East and West

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