

Committee of the Whole (2) Report

DATE: Tuesday, December 08, 2020

WARD(S): 2

**TITLE: CITY PARK (WOODBRIAGE GATES NORTH) INC.
OFFICIAL PLAN AMENDMENT FILE OP.17.015
ZONING BY-LAW AMENDMENT FILE Z.17.041
SITE DEVELOPMENT FILE DA.17.108
248, 252, 256, and 260 WOODBRIAGE AVENUE
VICINITY OF KIPLING AVENUE AND WOODBRIAGE AVENUE**

FROM:

Nick Spensieri, Deputy City Manager, Infrastructure Development

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Official Plan and Zoning By-law Amendment and Site Development Files OP.17.015, Z.17.041 and DA.17.108 for the subject lands shown on Attachment 2. The Owner proposes to redesignate and rezone the subject lands to permit a 7-storey residential apartment building containing 93 units with a Floor Space Index of 2.51 times the area of the lot and 114 below grade and 6 surface parking spaces as shown on Attachments 3 to 6.

Report Highlights

- The Owner proposes to redesignate and rezone the subject lands and requests site plan approval to permit a 7-storey residential building with 93 units
- The Owner proposes to increase the maximum permitted building height and density in return for a monetary contribution of \$210,000 to secure community benefits as determined by the City pursuant to Section 37 of the *Planning Act*, the policies of Vaughan Official Plan 2010 and the City's Guidelines for the Implementation of Section 37
- The Development Planning Department supports the approval of the Official Plan Amendment and Zoning By-law Amendment Applications as the development is consistent with the Provincial Policy Statement 2020, conforms to the Growth Plan 2019, as amended, the York Region Official Plan 2010, meets the intent of Vaughan Official Plan 2010, the City's Guidelines for the Implementation of Section 37 and is compatible with the existing and planned land uses in the surrounding area

Recommendations

1. THAT Official Plan Amendment File OP.17.015 (City Park (Woodbridge Gates North) Inc.) BE APPROVED, to amend City of Vaughan Official Plan 2010, Volume 2, Section 11.11 - Woodbridge Centre Secondary Plan as follows:
 - a) Redesignate the Subject Lands from "Low-Rise Mixed Use" to "Mid-Rise Residential" to permit a residential apartment building, with no at-grade commercial component;
 - b) Amend Sections 4.2.2.3 a), d) and e) to:
 - i) increase the maximum permitted Floor Space Index from 2.0 to 2.51 times the area of the lot
 - ii) increase the maximum permitted building height from 6-storeys (19m) to 7-storeys (23.9 m to top of roof)
 - iii) increase the permitted lot coverage from 50% to 65%
2. THAT the implementing Official Plan and Zoning By-law Amendments include the provision for a monetary contribution of \$210,000 pursuant to Section 37 of the *Planning Act* towards the following potential community benefits to be finalized and implemented through a Section 37 Density Bonus Agreement executed between the Owner and the City of Vaughan in return for the increase in the maximum permitted building height and density for the development to the satisfaction of the City:

- Fitness equipment – potential locations Veterans Park and Nort Johnson District Park
 - Woodbridge Library - improvement works
 - Pollinator Gardens for either Old Fire Hall and Fred Armstrong Parkettes or Veterans Park within the Woodbridge Core Area
3. THAT prior to the enactment of the implementing Zoning By-law the Owner shall enter into and execute a Section 37 Bonus Agreement with the City of Vaughan to secure the contribution(s) identified in this report and pay to the City the Section 37 Agreement surcharge fee in accordance with the in-effect Tariff of Fees for Planning Applications.
 4. THAT Zoning By-law Amendment File Z.17.041 (City Park (Woodbridge Gates North) Inc.) BE APPROVED, to amend Zoning By-law 1-88 to rezone the Subject Lands from “R3 Residential Zone” to “RA3 Apartment Residential Zone” in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 2 of this report.
 5. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the City of Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands came into effect, to permit minor adjustments to the implementing Zoning By-law.
 6. THAT Site Development File DA.17.108 (City Park (Woodbridge Gates North) Inc.) BE DRAFT APPROVED SUBJECT TO THE CONDITIONS and warning clauses included on Attachment 1, to the satisfaction of the Development Planning Department, to permit the development of a 7-storey residential apartment building containing 93 units as shown on Attachments 3 to 6.
 7. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage servicing capacity:

“THAT Site Development File DA.17.108 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 93 residential apartment units (206 persons equivalent). The allocation of said capacity may be redistributed (at the discretion of the City) in accordance with the City’s Servicing Capacity Allocation Policy if the development does not proceed to registration and/or building permit issuance within 36 months.”

Background

The subject lands (‘Subject Lands’), are municipally known as 248, 252, 256, and 260 Woodbridge Avenue and are located on the north side of Woodbridge Avenue, east of

Kipling Avenue as shown on Attachment 2. The surrounding land uses are shown on Attachment 2.

The original development proposal has been revised

The Owner submitted the original development proposal in December 2017 for a 9-storey (25 m) building with 101 units, a Floor Space Index ('FSI') of 3.2 times the lot area and 122 parking spaces. The Owner in November 2019 revised the development to include a 7-storey (25 m) building, with 86 units and an FSI of 3.0 times the lot area with 121 parking spaces. The development has been further revised to reflect the current proposal for a 7-storey building with 93 units, an FSI of 2.51 times the area of the lot and 120 parking spaces.

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

The City on November 8, 2019 circulated a Notice of Public Meeting (the 'Notice') for the Official Plan and Zoning By-law Amendment Applications to all property owners within 150m of the Subject Lands and to the Village of Woodbridge Ratepayer's Association. A copy of the Notice was also posted on the City's website at www.vaughan.ca and a Notice Sign was installed on the Subject Lands in accordance with the City's Notice Signs Procedures and Protocols.

A Committee of the Whole (Public Meeting) was held December 3, 2019 to receive comments from the public and the Committee of the Whole. Vaughan Council on December 17, 2019 ratified the recommendations of the Committee of the Whole to receive the Public Meeting Report of December 3, 2019 and to forward a comprehensive technical report to a future Committee of the Whole meeting.

The following deputations and written communication items were received by the Committee of the Whole at the December 3, 2019 meeting:

Deputations

- Mr. John Zipay, John Zipay and Associates, Gilbert Court, Burlington
- Ms. Maria Verna, Village of Woodbridge Ratepayers Association, Woodbridge Avenue, Woodbridge
- Mr. Jamie Maynard, Village of Woodbridge Ratepayers Association, William Street, Woodbridge
- Mr. Edward Uchimaru, James Street, Woodbridge
- Ms. Bettina Palmieri, William Street, Woodbridge
- Mr. Yan De Thieulloy, James Street, Woodbridge
- Mr. Stephen Lecuyer, William Street, Woodbridge
- Mr. Alfredo Zelaya, William Street, Woodbridge

Written Submissions

- Ms. Pina Sacco, Amos Maynard Circle, Woodbridge, Communication C1 dated December 2, 2019
- Tonia and Alfreda, William Street, Woodbridge, Communication C1 dated December 3, 2019

The following is a summary of the comments presented at the Public Meeting and provided in the written correspondence received to date. The comments have been organized below by theme and responses to the comments are provided in the relevant sections of this report:

Traffic and Access

- the development will increase traffic in the area and on Woodbridge Avenue
- the traffic study should consider all new and proposed development in the core area and should be peer reviewed by an independent traffic consultant
- the drop-off access design on Woodbridge Avenue should be reviewed by City Staff

Density and Height

- the proposed building is too high and dense for the site and the area
- no / insufficient setbacks are proposed to the residential properties to the north and to the Donald Grant House to the west
- not opposed to development, but development should be sympathetic to neighbouring properties
- the Owner should work with the residents to achieve a good sustainable development, similar to the York Region Housing project
- the sun shadow study should be reviewed by qualified staff

Proximity to Canadian Pacific Railway ('CP Rail')

- the CP Rail and its restriction existed on the site when the property was purchased and should not be used as a reason to increase the building height and density
- the proposed crash wall is unsightly and the combination crash wall and 20 m setback must be approved by CP Rail
- the crash wall will impact wildlife and an environmental impact study should be required in support of the applications
- CP Rail must confirm if crash wall is required

Conformity to the Woodbridge Heritage Conservation District ('WHCD') Plan

- new development should conform to the WHCD Plan and be respectful and sympathetic of the heritage character of the area
- the development would block views to the Donald Grant House and should be setback consistent with the Donald Grant House and respect the contributing building to the north on William Street

Other

- the service and loading areas directly back onto the residential properties to the north and will adversely impact the enjoyment of the backyards
- the plans should show all venting and exhaust fans
- glare and lighting should be directed away from residential homes
- a noise report is required

An Information Meeting was held to discuss the development

The Owner on January 27, 2020 held an information meeting with the Village of Woodbridge Ratepayers Association and area residents to discuss the proposed development and obtain community comments.

The Development Planning Department on November 25 2020, mailed a non-statutory courtesy notice of this Committee of the Whole meeting to all individuals who made a deputation at the Committee of the Whole or submitted written and email correspondence to the City regarding the applications, and to those individuals who attended the January 27, 2020 information meeting.

Official Plan and Zoning By-law Amendment and Site Development Applications have been submitted to permit the development

City Park (Woodbridge Gates North) Inc. (the ‘Owner’) has submitted the following applications (the ‘Applications’) for the Subject Lands to permit a 7-storey, (23.9 m, excluding mechanical level) residential apartment building containing 93 units (including 14 barrier free units), an FSI of 2.51 times the area of the lot and 120 parking spaces (the ‘Development’), as shown on Attachments 3 to 6:

1. Official Plan Amendment File OP.17.015 to amend Vaughan Official Plan 2010 (‘VOP 2010’), specifically Volume 2, Section 11.11 - Woodbridge Centre Secondary Plan, (the ‘WCSP’) to redesignate the Subject lands from “Low-Rise Mixed-Use” to “Mid-Rise Residential” to permit a residential building with no at-grade commercial uses and to amend the “Mid-Rise Residential” policies as follows:

Table 1

Policy	“Mid-Rise Residential” Designation Requirements	Proposed Amendments to the "Mid-Rise Residential" Designation
Maximum Building Height	6-storeys (19 m)	7-storeys (23.9 m to top of roof)
Maximum FSI	2 .0 FSI	2.51 FSI
Maximum Lot Coverage	50%	65%

2. Zoning By-law Amendment File Z.17.041 to amend Zoning By-law 1-88 to rezone the Subject Lands from “R3 Residential Zone” to “RA3 Apartment Residential Zone” in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 2 of this report.
3. Site Development File DA.17.108 to permit the proposed Development as shown on Attachments 3 to 6.

Previous Reports/Authority

The following is a link to the Public Meeting report regarding the Applications:

[December 17, 2019, Committee of the Whole \(Public Hearing \(Item 1, Report 40 \)](#)

Analysis and Options

The Development is consistent with the Provincial Policy Statement, 2020

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario “shall be consistent” with the Provincial Policy Statement, 2020 (the ‘PPS’). The PPS provides policy direction on matters of provincial interest related to land use planning and development. The PPS is applied province-wide and provides direction to support strong and healthy communities, enhancing the quality of life, a strong economy and protecting public health and safety.

The PPS recognizes the local context and character is important. Policies are outcome oriented, and some policies provide flexibility in their implementation provided Provincial interests are upheld. The *Planning Act* requires that Vaughan Council’s planning decisions be consistent with the PPS. The Development Planning Department has reviewed the Development in consideration of the policies of the PPS and is of the opinion the Development is consistent with the PPS and specifically following provincial policies:

- Section 1.1.3 - settlement areas being the focus of development based on densities and land uses which efficiently use land resources
- Section 1.4.1 and 1.4.3 - to provide for an appropriate range of housing options and densities and to meet requirements and market-based and affordable needs of current and future residents
- Section 1.4.3 b) permitting and facilitating all housing options required to meet the social, health, economic and well-being requirements of residents including special needs requirements
- Section 1.4.3 f) - establishing development standards for residential intensification to facilitate compact form
- Section 1.6.9.1 - planning for land uses in the vicinity of rail facilities to ensure their long-term operation and economic role and to ensure that these facilities and sensitive lands uses are appropriately designed and buffered from each other
- Section 1.7 d) - maintaining and enhancing the vitality and viability of downtowns and main streets

The Subject Lands are located within the Woodbridge Core Area and identified as a Local Centre and a Settlement Area. The Subject Lands are partially vacant, underutilized and abut a rail corridor. The proposed Development shown on Attachments 3 to 6 is for a 7-storey residential building including 93 units, with 15% of these units designed to be barrier free to meet special needs requirements.

The Development would facilitate intensification by replacing an unoccupied former sales office with a residential apartment building appropriately setback (20 m) from the rail line and including a crash wall to make a more efficient use of the Subject Lands and support the commercial uses within the Woodbridge Core Area. On this basis, the Development is consistent with the PPS.

The Development conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019, as amended

The Growth Plan is intended to guide decision making on the development of land by encouraging a compact built-form, transit supportive communities, diverse land uses, and a range of mix of housing types. The Growth Plan encourages the concentration of population and employment growth within the settlement areas and promotes the development of complete communities offering a mix of housing types, access to local amenities and connections to municipal water and wastewater systems.

Section 2.2.1 Managing Growth directs growth to built-up areas and locations with existing or planned transit to achieve complete communities to provide a diverse range and mix of housing options, to accommodate the needs of all household sizes and incomes, and to improve social equity and overall quality of life, including human health, for people of all ages, abilities and incomes.

a) Section 2.2.6 Housing and specifically, Section 2.2.6.1 a) states (in part) municipalities, the Province, and other appropriate stakeholders, will each develop a housing strategy that support housing choice through the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan by:

- identifying a diverse range and mix of housing options and densities, including second units and affordable housing to meet projected needs of current and future residents

Section 2.2.6.3 states to support the achievement of complete communities, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes and types to accommodate a diverse range of household sizes and incomes.

The Growth Plan promotes redevelopment through intensification generally throughout the built-up area and specifically recognizes the need for more efficient utilization of lands.

The Development conforms to the Growth Plan as it utilizes a compact building form within a built-up area, utilizes the Subject Lands more efficiently, is located approximately 600 m north of existing and planned transit facilities on Highway 7 and includes a range and mix of housing types and unit sizes including barrier free units to diversify housing options to achieve a complete community.

The Development conforms to the York Region Official Plan 2010 ('YROP')

The Subject Lands are designated "Urban Area" on Map 1 - Regional Structure by the YROP. This land use designation permits a range of residential, industrial, commercial and institutional uses. The YROP encourages intensification within the Urban Area and throughout York Region and encourages a mix and range of housing types, lot sizes, unit sizes and types within each community.

Section 3.0 (in part) refers to *Healthy Communities*, containing specific Council policies 3.5.4, 3.5.9, 3.5.14 and 3.5.15 to:

- to require local municipal official plan and zoning by-law amendments permit a mix and range of housing types, lot and unit sizes, types, and functions, within each community
- encourage special needs housing, emergency, affordable, and seniors housing be located in proximity to rapid transit and other human services
- encourage local municipalities to adopt policies for an equitable distribution of social housing types, including special needs housing

Sections 5.0 *Building Cities and Complete Communities* states intensification within the Urban Area will accommodate a significant portion of planned growth in the Region and more specifically Section 5.3 *Intensification*, requires intensification to occur in strategic locations in built-up areas to maximize efficiencies in infrastructure delivery, human services provision and transit ridership in accordance with York Region's intensification framework.

The Development is located within the Woodbridge Centre Secondary Plan ('WCSP'), being a built-up area contributing to achieving the growth and intensification strategies of the Region of York by proposing higher density within recognized intensification areas with available municipal and human services. The Development also includes barrier free units, as an additional housing option, is supportive of transit investments and is important in achieving a complete community. The Development conforms to YROP.

Amendments to the Vaughan Official Plan 2010 are required to permit the Development

The Subject Lands are located within a "Local Centre" as identified on Schedule 1 - Urban Structure of Volume 1 of Vaughan Official Plan 2010 ('VOP 2010') and

designated “Low-Rise Mixed Use” by VOP 2010, Volume 2, Section 11.11 - Woodbridge Centre Secondary Plan (the ‘WCSP’)

The “Low-Rise Mixed Use” land use designation does not permit the Development including the proposed building height, density and lot coverage and therefore, Official Plan amendments are required as discussed below.

a) Vaughan Official Plan Amendment 2010 (VOP 2010)

VOP 2010, Schedule 1 - Urban Structure, identifies the planned Urban Structure of the City of Vaughan and establishes a hierarchy of Intensification Areas, including Local Centres. Intensification areas have been established to make efficient use of underutilized sites with high level of existing or planned transit and will be developed with a mix of uses and appropriate densities to support transit use and promote walking and cycling.

Section 2.2.5.7 in VOP 2010 (Volume 1) states (in part) Local Centres shall be planned to:

- a) develop with a mix of housing types and tenures, including housing suitable for seniors and families with children and affordable housing;
- b) be predominantly residential in character but include a mix of uses including retail office and community facilities intended to serve the local population and attract activity throughout the day; and
- c) develop at densities supportive of planned or potential public transit, taking into account the local urban fabric of each Local Centre.

VOP 2010, Section 7.5 Housing Options, specifically Section 7.5.1, (in part) encourages and supports the provision of a full range of housing options including accessible housing to meet the needs of people with disabilities and other types of housing that increase housing choices for Vaughan’s diverse population.

The Development is located within a Local Centre being an intensification area planned to: provide a mix of housing types and tenures; support the existing and planned public transit facilities and Rapid Transit Corridor located approximately 600 m to the south of the Subject Lands on Highway 7; support the commercial viability of the Local Centre; and, includes an accessible housing option to meet the needs of people with disabilities in the community.

b) VOP 2010, Volume 2, Section 11.11 - Woodbridge Centre Secondary Plan

The Subject Lands are designated “Low-Rise Mixed Use” by VOP 2010, Volume 2, Section 11.11- Woodbridge Centre Secondary Plan (the ‘WCSP’). This land use

designation permits an integrated commercial and residential buildings with commercial uses located at grade level, having a maximum building height between 4-6 storeys (19m), a maximum FSI of 1.0 times the area of the lot and a lot coverage of 50% on the Subject Lands. The Owner proposes to amend the WCSP to redesignate the Subject Lands to "Mid-Rise Residential", to permit a residential building without at-grade commercial uses, together with the amendments to the "Mid-Rise Residential" policies of the WCSP identified in Table 1:

The primary focus of the WCSP (in part) is to provide guidance for development in the Woodbridge Core Area and includes policies to direct modest intensification along Woodbridge Avenue. The Subject Lands are located on Woodbridge Avenue within the Woodbridge Commercial Core Area, a Local Centre as identified in the Secondary Plan, intended to provide business and commercial services to the surrounding community and identified as an area of intensification.

The vision of the WCSP is to develop an enhanced local centre through residential intensification, a strong animated commercial avenue, and designated public square to support the commercial viability of the Woodbridge Core Area, while adding to the diversity of housing types.

The WCSP sets out principles and objectives for the Woodbridge Core Area including (in part) the following:

- Provide a Mix of Uses: A mix of uses shall be accommodated and encouraged in the Woodbridge Core Area to support a vibrant community and healthy economy
- To Foster a Sense of Place: Development shall contribute to a defined identity and a "sense of place" for the Woodbridge Core Area and shall be planned as a destination in its own right defined by a strong pedestrian realm and healthy mix of uses
- Protect Heritage Resources: All new development shall respect the areas natural and cultural heritage assets and shall contribute to its heritage character, including its landscapes, streetscapes and its buildings and structures
- Achieve a Critical Mass: Woodbridge Avenue should provide the opportunity for residential and employment intensification where appropriate and support its role and function as a vibrant neighbourhood
- Achieve a High Quality Built Form: New development shall contribute to the defined identity of the area and ensure high quality design of architecture and built form

The proposed Development responds to the principles and objectives of the WCSP as it provides new residential apartment units to support and maintain the mixed-use character of the Woodbridge Core Area; protects the heritage resources by respecting

the setback and angular plane to surrounding contributing buildings as required by Woodbridge Heritage Conservation District ('WHCD'); Plan and, provides a range of housing types and sizes in a compact built form using building materiality consistent with the character of the Woodbridge Core Area.

The surrounding land uses in the Woodbridge Core Area is characterized by a mid-rise, mixed-use built form

The Woodbridge Core Area has experienced intensification in the form of mid-rise, /mixed-use residential and commercial development. The surrounding land uses within the Woodbridge Core Area is characterized as mid-rise, mixed-use built forms ranging in heights from 4 to 7-storeys and densities/FSI from 1.8 to 3.0 times the area of the lot. Existing and planned development in the vicinity of the Subject Lands includes:

- Southeast corner of Kipling Avenue and Woodbridge Avenue: existing 6/7- storey mixed-use building with a maximum building height of 24 m (at the northeast portion) along Woodbridge Avenue; this building is also approximately 68 m in length along Woodbridge Avenue
- Woodbridge Avenue directly across the street from the Subject Lands: a 6-storey (19.5 m) mixed-use building with an FSI of 1.78
- Within the Market Lane Complex: Existing 7-storey building with a building height of 21.45 m
- Southwest corner of Woodbridge Avenue and Wallace Street: The Local Planning Appeal Tribunal (the 'LPAT') formerly the Ontario Municipal Board (the 'OMB') recently approved a 6-storey (20 m) mixed-use building with an FSI of 3.0 times the area of the lot

The Donald Grant House, a contributing heritage building, is located on the property immediately west of the Subject Lands and is currently being used as a lawyer's office. The proposed Development is setback 11 m from the Donald Grant House and respects the 45 degree angular plane required by the WHCD Plan. Similarly, 69 William Street located immediately north of the Subject Lands is a contributing heritage building. The Development is tiered and stepped back from 69 William Street to maintain and respect a 45 degree angular plane in the WHCD Plan. The Development also has a total length of 40 m along Woodbridge Avenue, approximately 28 m less than the building at the southeast corner of Woodbridge Avenue and Kipling Avenue.

The Canadian Pacific Rail ('CP') right-of-way abuts the east side of the Subject Lands and runs in a north/south direction over Woodbridge Avenue. The building must be setback a minimum of 20 m from the right-of-way, thereby limiting development to the western two-thirds of the Subject Lands. In order to achieve the 20 m setback, a crash wall must be constructed along the CP right-of-way otherwise the building setback would be greater than 20m. The combination of the crash wall and 20 m setback is required to

separate and mitigate the residential use from the rail noise and to provide a safety buffer for future residents.

The CP rail line creates a physical separation of the Subject Lands and other lands located west of the rail line from the balance of the Woodbridge Core area east with the main commercial function including the Market Lane commercial complex at its' centre. The proposed residential uses will provide additional support to the existing commercial uses within the Woodbridge Core.

The Development Planning Department can support the Development as it is consistent with the objectives of the WCSP and Woodbridge Core Area policies of VOP 2010 to provide a mix of housing options and unit types and sizes at density supportive of the existing and planned public transit located approximately 600 m south on Highway 7, being a Regional arterial road and Regional Rapid Transit Corridor.

The Development is also compatible with the building height and density of other existing and proposed mid-rise buildings within the Woodbridge Core Area. The Development is consistent with the vision of the WCSP to direct intensification along Woodbridge Avenue within the Woodbridge Commercial Core to support its viability while respecting adjacent heritage buildings and with minimal impact on the surrounding community.

The Development conforms to and is consistent with the general intent and vision of the Woodbridge Heritage Conservation District Plan

The Development Planning Department, Urban Design and Cultural Services Staff ('Heritage Staff') have indicated the Development conforms to and is consistent with the general intent and vision of the policies and guidelines within the WHCD Plan. The Development will complement the existing mid-rise development in the surrounding area and provide appropriate transitions to the adjacent heritage resources (e.g. 45-degree angular plane) to the west and north.

Heritage Staff supports the Development and recommended the Heritage Vaughan Committee approve the proposed demolition of the existing building at 256 Woodbridge Avenue and approve the 7-storey residential building, subject to the podium level of the proposed building be revised to provide additional transparency, articulation and screening for the at-grade parking area.

Vaughan Council approved the recommendation of Cultural Heritage Staff to approve the Development

The Heritage Vaughan Committee ('HVC') on September 16, 2020, considered a report from Heritage Staff including recommendations to approve the Development to Vaughan Council. The HVC did not support the recommendation however, Vaughan Council on October 14th approved the Staff recommendations as follows:

“THAT Heritage Vaughan Committee recommend Council approve the proposed demolition of the existing building at 256 Woodbridge Avenue and the construction of a 7-storey residential building located at 248-260 Woodbridge Avenue under Section 42 of *Ontario Heritage Act*, subject to the following conditions

- a) That the podium level of the proposed building be revised to provide additional transparency and articulation and the screening for the at-grade parking area be enhanced.
- b) That any significant changes to the proposal by the Owner may require reconsideration by the Heritage Vaughan Committee, determined at the discretion of the Acting Deputy City Manager, Planning & Growth Management.
- c) That Heritage Vaughan Committee recommendations to Council do not constitute specific support for any Development Application under the *Ontario Planning Act* or permits currently under review or to be submitted in the future by the Owner as it relates to the subject application.
- d) That the Owner submit at the Building Permit stage architectural drawings and building material specifications to the satisfaction of the Chief Building Official.”

The Owner is required to enter into a Section 37 Bonusing Agreement for the proposed increase in building height and density in exchange for community benefits

Vaughan Council has the authority under Section 37(1) of the *Planning Act*, in a By-law enacted under Section 34 of the *Planning Act*, to authorize an increase to the building height and density of development above what is otherwise permitted in return for the provision of community benefits.

To determine the uplift value and the Section 37 contribution the Owner retained Approved Appraisal Services to provide an appraisal report for the uplift value of the Subject Lands resulting from the increased building height and density. The Owner on October 29, 2020 submitted the appraisal to the City for review and approval. The appraisal report identifies the uplift value of the Subject Lands as of the effective date of October 8, 2020 to be \$1,050,000. The Infrastructure Development Department, Real Estate Division reviewed and accepted the appraisal report.

Based on the policies in VOP 2010 and the City’s Guidelines for the Implementation of Section 37 Benefits the Owner and the City have agreed to a monetary contribution of \$210,000. This contribution will be included in the implementing Zoning By-law and secured through a Section 37 Density Bonusing Agreement executed between the Owner

and the City prior to the enactment of the Zoning By-law, to the satisfaction of the City. The contribution will be directed towards one or a combination of the following to be finalized prior to the execution of the Density Bonussing Agreement:

- Fitness equipment – potential locations Veterans Park and Nort Johnson District Park
- Woodbridge Library - improvement works
- Pollinator Gardens for either Old Fire Hall and Fred Armstrong Parkettes or Veteran’s Park within the Woodbridge Core Area

The Owner will be required to pay the Section 37 Bonusing Agreement Surcharge Fee in accordance with the “Tariff of Fees By-law for Planning Applications”, in effect at the time of the execution of the Agreement to prepare the Section 37 Agreement. Conditions to this effect are included in the Recommendations of this report.

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

The Subject Lands are zoned “R3 Residential Zone” by Zoning By-law 1-88 and does not permit the proposed Development. The Owner is proposing to amend Zoning By-law 1-88, to rezone the Subject Lands from “R3 Residential Zone” to “RA3 Apartment Residential Zone”, as shown on Attachment 3, together with the following site-specific zoning exceptions:

Table 2

	Zoning By-law 1-88 Standard	RA3 Residential Zone Requirements	Proposed Exceptions to RA3 Residential Zone Requirements
a.	Minimum Rear Yard	7.5 m	1.4 m to (1-storey portion) 3.7 m and 10.5m to (7-storey portion (Attachment 3)
b.	Minimum Front Yard	7.5 m	3.4 m (to 2-storey podium)
c.	Minimum Front Yard Setback to an Underground Garage	1.8 m	0.8 m (Woodbridge Avenue)
d.	Minimum Lot Area/Unit	67 m ² /unit (Lot area of 6231 m ²)	29.9 m ² / unit (Lot area of 2780 m ²)
e.	Maximum Encroachment into an	0.3 m (West)	1.05 m (West)

	Zoning By-law 1-88 Standard	RA3 Residential Zone Requirements	Proposed Exceptions to RA3 Residential Zone Requirements
	Interior Side Yard for Balconies		
f.	Minimum Interior Side Yard Setback	12.00 m	4 m (West lot line)
g.	Minimum Amenity Area	38 units - 1 Bdrm. @ 20m ² / unit = 760 m ² 55 units - 2 Bdrm. @ 55m ² / unit = 3025 m ² Total Amenity Area Required = 3,785 m ²	38 units -1 Bdrm. @11.35m ² /unit = 431 m ² 55 units - 2 Bdrm. @ 20.5m ² = / unit = 1128 m ² Total Amenity Area Proposed = 1,559 m ²
h.	Minimum Parking Required	93 units @1.5 spaces/unit = 140 spaces + 93 units @.25 spaces/unit for visitor parking = 24 spaces Total Parking Required = 164 spaces	93 units @ 1.06 spaces/unit = 99 spaces + 93 units @ 0.225 visitor parking spaces/unit = 21 spaces Total Parking Proposed = 120 spaces
i.	Room Below Grade	Not permitted	Permit a portion of residential dwellings to be located below grade
j.	Surface of Loading Area and Related Driveways	Hot mix asphalt or concrete	Heavy duty unit pavers and concrete
k.	Minimum Landscape Strip abutting a Property Line (Woodbridge Avenue)	6 m	1.6 m Woodbridge Avenue

	Zoning By-law 1-88 Standard	RA3 Residential Zone Requirements	Proposed Exceptions to RA3 Residential Zone Requirements
I.	Maximum Height and Setback of a Retaining Wall along rear lot line	1.0 m , unless it exceeds the maximum height then it must be setback a distance equal to it	Maximum height 5.0 m and setback 0 m from rear lot line

The Development Planning Department can support the zoning exceptions in Table 2 as they will facilitate a built-form consistent with the existing WSCP. The proposed development standards are consistent with those for similar developments within the Core Area and the Development will maintain the 45-degree angular plane as required by the WHCD Guidelines. The grade change along Woodbridge Avenue requires a portion of some residential units to be below grade to avoid the use of solid retaining wall features along Woodbridge Avenue and provide a better streetscape interface. The reduced landscape strip along Woodbridge Avenue is consistent with other approved development within the Woodbridge Core Area. In addition, the Woodbridge Core Area provides both passive and recreational and entertainment amenities within walking distance of the Development.

The proposed parking supply is supported by a Transportation Mobility Plan ('TMP') prepared by Cole Engineering, dated October 30, 2017, and an addendum/reliance letter dated November 11, 2020. The Development Engineering ('DE') Department concurs with the conclusions of the TMP and addendum/reliance letter as discussed in this report.

The implementing Zoning by-law will also include an exception to restrict the maximum building height and FSI to 7-storeys (23.9 m to top of roof plus .83 m to top of decorative parapet (24.73 m) measured at average grade) and an FSI of 2.51 times the area of the lot to implement the Development.

The Planning Act permits Vaughan Council to pass a resolution to permit the Owner to apply for a Minor Variance application, if required, within 2 years of a Zoning By-law coming into full force and effect

Section 45 (1.3) of the *Planning Act* restricts a landowner from applying for a Minor Variance Application to the Committee of Adjustment within two years of the day on which a Zoning By-law was amended. The *Planning Act* also permits Council to pass a resolution to allow an Owner to apply for a Minor Variance application(s) within 2 years of the passing of the zoning by-law amendment.

Should Council approve Zoning By-Law Amendment File Z.17.041 the Development Planning Department has included a Recommendation to permit the Owner to apply for Minor Variance application(s), if required, in advance of the two-year moratorium in order to address minor zoning deficiencies that may arise through the finalization and construction of the Development

The Owner has addressed the Vaughan Design Review Panel's comments

The Design Review Panel (the 'Panel'), considered the original Development on March 29, 2018 (9-storey building). The Panel commented about the interface of the Development to Woodbridge Avenue, its massing and scale, the location of the building services and activating the required 20 m CP rail setback area.

The current Development responds to the Panel's comments. The building height and scale has been reduced (from 9 to 7-storeys), the setbacks increased to allow for additional at-grade landscaping along Woodbridge Avenue and a more robust planting design is proposed to soften the crash wall appearance and screen the at-grade parking. The location of the loading area and underground ramp have been redesigned to provide a lateral entrance/exit to the underground parking away from direct view of Woodbridge Avenue in response to the Panel's comments.

The Development Planning Department is satisfied the Development responds to the Panel's comments, subject to the comments and recommendations in this report.

The Development Planning Department supports the Development, subject to the comments and Recommendations of this report

Site Plan

The proposed site plan is shown on Attachments 3. The Subject Lands are at a lower grade than the surrounding properties and as a result the Development appears as a 6-storey building along the west elevation increasing to 7-storeys towards the east reflecting the slope of the site and of Woodbridge Avenue similar to the existing building at the southeast corner of Woodbridge Avenue and Kipling Avenue. The Development is setback 20 m from the CP Rail right-of-way. The 20 m setback area is proposed to be used for the building's services, parking, loading and landscaping as shown on Attachments 3 and 4. The loading and service area is located away from view on Woodbridge Avenue and is fully enclosed to lessen any potential noise impact to the properties to the north. A crash wall for safety and noise mitigation purposes is proposed along the east and north property lines. The Owner is required to provide the final crash wall design details.

Two levels of underground parking with 114 parking spaces and 6 surface spaces are proposed. Urban Design Staff requires the surface parking to be well screened using hard and soft scaping and the paved area in the north-east corner area of the Subject Lands used for truck maneuvering should be minimized.

Building Elevations

The proposed building elevations shown on Attachment 5 and 6 consist of brown brick and clear glazing as the main cladding materials. Balconies with clear railings and dark bands of molded flashing provide additional architectural elements. The south elevation facing Woodbridge Avenue (Attachment 5) contains the main entrance to the building and at-grade residential units with landscape treatments along Woodbridge Avenue. This elevation is designed as a 2-storey podium along Woodbridge Avenue through the use of a second storey masonry parapet stack to maintain the intent of the WHCD Plan. The upper storeys are setback 7.1 m from the podium. The proposed rooftop mechanical penthouse shown on the elevations should be reduced in size to the satisfaction of the Development Planning Department.

Urban Design Staff recommend the podium of the building be more transparent and articulated, incorporating different material and/or colour, a cornice and other architectural features such as secondary materials (i.e. wood or bronze) , window detailing and etc. to separate the first two levels visually and architecturally from the levels above. This is consistent with Council's approval of staff's recommendation in the Heritage Vaughan report requiring:

“That the podium level of the proposed building be revised to provide additional transparency and articulation and the screening for the at-grade parking area be enhanced.”

A condition of approval is included to require the final building elevations to be to the satisfaction of the Development Planning Department.

Landscape Plan

The landscape plan shown on Attachment 4 includes soft and hard landscape treatments comprised of shrubs, trees and decorative paving material along the Woodbridge Avenue frontage and within the 20 m CP Rail setback. The landscape treatment along Woodbridge Avenue defines the private residential amenity area and the outdoor lighting should match street lighting along Woodbridge Avenue. A landscape treatment including coniferous and deciduous trees and shrubs is proposed to soften the appearance of the crash wall. Landscape islands are proposed throughout the Subject Lands and around the base of the building.

Urban Design Staff have reviewed the Arborist Report, the Tree Inventory and Protection Plan ('TIPP') and landscape plan submitted in support the Applications to identify trees to be removed. The final Arborist report, including adequate tree protection measures to protect the trees to be preserved must be to the satisfaction of the City.

Any changes to the proposed landscaping, and to tree preservation for the Subject Lands must be accompanied by an updated landscape plan, cost estimate and revised tree protection plan and an addendum to the Arborist Report.

Prior to the execution of the Site Plan Agreement the Owner will also be required to enter into a Tree Protection Agreement with the City in accordance with the City of Vaughan tree By-law 052-2018. A condition to this effect has been included in Attachment 1.

The Subject Lands are located in an area identified as having some archaeological potential

The Subject Lands are located in an area identified as being of some archaeological potential and consideration for the archaeological potential shall be maintained. The standard clauses regarding archaeological potential are to be included in the Site Plan Agreement and are included in Attachment 1.

All waste collection services shall be privately administered and the responsibility of the Owner

The Public Works, Solid Waste Management Division has no objection to the Development, however, requires a letter from a qualified Engineer indicating the property and any structure can safely support a fully loaded collection vehicle weighing 35,000 kilograms and detailed information on the building's multi-sort system. A condition to this effect is included in Attachment 1.

The Development Engineering Department has no objection to the Development, subject to the Recommendations of this report

The Development Engineering ('DE') Department has no objection to the Development, subject to the conditions in the Recommendations of this report. The DE Department has provided the following comments:

Water Supply Network

The Subject Lands are located within Pressure District 4 ('PD4'). The Development is proposed to connect to the existing watermain on Woodbridge Avenue. The Functional Servicing Report demonstrates the existing watermain can provide adequate service to the Development.

Sanitary Sewer and Storm Sewer Network and Stormwater Management Measures

The Development is proposed to connect to a municipal sanitary sewer and storm sewer on Woodbridge Avenue. There is an active Area Specific Development Charge ('ASDC') for a sanitary sewer upgrade along Woodbridge Avenue. The Owner will be required to contribute to the ASDC. On-site stormwater management facilities including an underground storm tank together with an orifice pipe and a filter-base treatment device, are proposed to achieve the required quality and quantity targets pursuant to the City of Vaughan and Toronto and Region Conservation Authority ('TRCA') design criteria.

Therefore, no upgrades will be required to the downstream storm sewer system to service the Development.

Environmental Site Assessment

The DE Department, Environmental Division has no objection to the environmental documents submitted to date and to the technical report for the Development proceeding to Committee of the Whole, subject to the Owner providing the City with a Record of Site Condition ('RSC') for the Subject lands prior to the execution of the Site Plan Agreement. A condition to this effect is included in Attachment 1.

Transportation

The DE Department supports a single access to Woodbridge Avenue being provided to enhance traffic safety to the Development. A revised site plan shall be provided prior to the execution of the Site Plan Agreement.

The Development is anticipated to introduce an acceptable transportation impact on the surrounding networks, however the DE Department requires the Owner to update the Transportation Mobility Plan to confirm the anticipated traffic impacts and to identify any potential mitigation measures.

In terms of active transportation, the Development will provide connectivity to the existing active transportation networks and bicycle parking opportunities. To ensure that sufficient opportunities are provided to encourage sustainable transportation, the Owner is required to revise the plan to address any outstanding active transportation comments to the satisfaction of the DE Department.

Prior to the execution of the Site Plan Agreement the Owner will be required to provide a revised Transportation Demand Management ('TDM') Plan to the City and bicycle parking plan to the satisfaction of the DE Department. Conditions regarding the above Transportation comments are included in Attachment 1.

Parking

The parking study and supporting Reliance Letter dated November 11, 2020 indicate the Development includes 120 spaces (99 residential and 21 visitor parking spaces), exceeding the number of parking spaces (105 spaces) required in the "Review City of Vaughan's Parking Standard" study completed by IBI Group for the City. The DE Department concurs with the conclusions reached in the consultant's report and reliance letter regarding the proposed parking supply.

Preliminary Noise and Vibration Report

The Noise and Vibration Report submitted in support of the Applications concludes the applicable environmental noise and vibration criteria can be achieved through proper

noise mitigation measures and future occupants shall be advised of these measures through the use of warning clauses.

A detailed assessment of the vibration mitigation measures shall be prepared when the structural drawings for the Development and crash wall are finalized. The Owner shall update and finalize the report based on the final architectural and structural drawings and submit it to the City for approval.

Sewage and Water Allocation is available to the Subject Lands

Vaughan Council on December 17, 2019 endorsed its Allocation of Servicing Capacity Annual Distribution and Update and Allocation of Servicing Capacity Policy. Accordingly, servicing capacity to Site Plan Development File DA.17.108 is available and unrestricted. A resolution to this effect is included in the Recommendations.

Canada Post, Alectra Corporation, Enbridge Distribution Inc. and Bell Canada have no objection to the Development, subject to their conditions

The above noted utilities have no objection to the Development, subject to their conditions in Attachment 1.

The Toronto and Region Conservation Authority has no objection to the Development, subject to their conditions of approval

The Toronto and Region Conservation Authority ('TRCA') has no objection to the Development, subject to the Owner submitting a revised Stormwater Management Report and associated civil engineering drawings for their review and approval. A condition to this effect is included in Attachment 1.

The Financial Planning and Development Finance Department advises development charges are applicable

The Financial Planning and Development Finance Department has advised City of Vaughan, York Region Public and Separate School Boards of Education development charges are applicable. A condition to this effect is included in Attachment 1.

The Parks Planning Department have no objection to the Development, subject to their condition of approval

The Parks Planning Department have no objection to the Development and require the Owner to submit an updated Community Services and Facilities Impact Study ('CFIS') for review and approval. A condition to this effect is included in Attachment 1.

CP Rail has no objection to the Development

CP Rail has reviewed the Applications and the Noise Feasibility Study prepared by Jade Acoustics and have indicated the appropriate warning clauses for noise and vibration be included in all Offers of Purchase of Sale or Lease, in the Site Plan Agreement and in all

condominium documents. CP Rail has also indicated they have no objection to the use of the 7 m high crash wall and the 20 m setback subject to the final design of the crash wall meeting CP Rail's specifications and their conditions of approval in Attachment 1.

Cash-in-lieu of the dedication of Parkland is required for the Development

The Infrastructure Development Department, Real Estate Division advises the Owner shall dedicate land/or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at a rate of 1 ha. per 300 units and/or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at a rate of 1 ha per 500 units, or at a fixed unit rate, prior to the issuance of a Building Permit, in accordance with the *Planning Act* and the City's cash-in-lieu Policy. A condition to this effect is included in Attachment 1.

The Transportation Services, Parks and Forestry Operations has no objection to the Development, subject to their comments and conditions

The Transportation Services, Parks and Forestry Operations Department ('Vaughan Forestry') has no objection to the Development, subject to the following comments:

1. Vaughan Forestry advises the Owner is required to enter into a Tree Protection Agreement, with the Development Planning Department in accordance with the City of Vaughan Tree Protection Protocol and Tree By-law 052 2018. A condition to this effect is included in Attachment 1.
2. Vaughan Forestry has indicated approximately 24 replacement trees are required to be replanted on the Subject Lands and they shall be a minimum of 50 mm (2 in.) in caliper for deciduous trees and 200 cm (6.5 ft) tall for coniferous trees. In instances where more replacement trees are required than can reasonably be accommodated on the Subject Lands, a 'cash-in-lieu' payment may be made to fund tree planting on city owned properties in the same community.

The Policy Planning and Environmental Sustainability Department has no objection to the Development

The Policy Planning and Environmental Sustainability Department has no objection to the Development, however advise the City of Vaughan has Species at Risk within its jurisdiction protected under the *Endangered Species Act, 2007, S.O.2007* (the "Act"). It is the responsibility of the Owner to ensure the provisions of the Act are not contravened and the Owner comply with any Ministry of Environment, Conservation and Parks ('MECP') regulations and guidelines to protect Species at Risk and their habitat.

Financial Impact.

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

Broader Regional Impacts/Considerations

York Region has no objection to the Development subject to their condition on Attachment 1. York Region on November 20, 2020, exempted Official Plan Amendment

File OP.17.015 (City Park (Woodbridge Gates North) Inc.) from Regional approval on the basis that this Development does not adversely affect Regional planning policies or interests and is of local significance.

Conclusion

The Development Planning Department has reviewed Official Plan and Zoning By-law Amendment Files OP.17.015, Z.17.041 and Site Development File DA.17.108 in consideration of the Provincial Policies, Regional and City Official Plan policies, the Woodbridge Heritage Conservation District Plan policies, the requirements of Zoning By-law 1-88, the comments received from the City Departments and external public agencies and the surrounding area context.

The Development Planning Department is satisfied the proposed Development for a mid-rise residential apartment building is consistent with the policies of the PPS, conforms to the Growth Plan and the York Region Official Plan and the Woodbridge Heritage Conservation Plan. The Development utilizes a compact built form compatible with the surrounding area and is located within a built-up area identified for intensification and in close proximity to existing and planned transit facilities and human services. The Development also includes barrier-free apartment units adding to the mix of unit types available in the area. On this basis, the Development Planning Department can support the approval of the Applications, subject to the Recommendations of this report.

For more information, please contact Eugene Fera Senior Planner, Extension 8003.

Attachments

1. Conditions of Site Plan Approval
2. Context and Location Map
3. Site Plan and Proposed Zoning
4. Landscape Plan
5. South and East Elevations
6. North and West Elevations

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Approved by

A handwritten signature in black ink, appearing to read 'Nick Spensieri', with a long horizontal line extending to the right.

Nick Spensieri, Deputy City
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Development

Reviewed by

A handwritten signature in black ink, appearing to read 'Jim Harnum', with a long horizontal line extending to the right.

Jim Harnum, City Manager