



## MEMORANDUM

TO: Chair and Members of Development Services Committee

FROM: Biju Karumanchery, Director of Planning & Urban Design B.K.

PREPARED BY: Sabrina Bordone, Senior Planner, Central District  
Michael Srage, Streetscape Co-ordinator

REVIEWED BY: Richard Kendall, Development Manager, Central District

DATE: November 30, 2015

RE: Tribute (Unionville) Limited  
Site plan application to permit a mixed-use, commercial-residential  
building at 20 Fred Varley Drive  
File No. SC 13 109695

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### RECOMMENDATION:

1. That the Memorandum dated November 30, 2015 titled "Tribute (Unionville) Limited, site plan application to permit a mixed-use, commercial-residential building at 20 Fred Varley Drive, File No. SC 13 109695", be received;

### PURPOSE:

The purpose of this memorandum is to provide an update on concerns expressed by residents at the November 16, 2015 Development Services Committee (DSC) meeting, regarding tree issues relating to a proposed mixed-use, commercial-residential building at 20 Fred Varley Drive.

### BACKGROUND:

The subject property is situated on the south side of Fred Varley Drive, west of Main Street Unionville (Figure 1). The subject property has an area of 0.76 ha (1.87 ac) and contains a 3,000 m<sup>2</sup> (32,300 ft<sup>2</sup>) linear commercial plaza with seventeen (17) residential apartments on the second floor, with at-grade parking located in the front and rear yards (Figure 2).

In February, 2013, the Ontario Municipal Board (OMB) allowed an appeal by Tribute (Unionville) Limited to rezone the subject lands to permit the development of a 4-storey mixed-use, commercial-residential building comprising 113 residential units and ground floor commercial uses on the subject lands. Shortly thereafter, in May 2013, Tribute (Unionville) Limited made an application for site plan approval. In June 2014, in response to comments expressed by the Toronto and Region Conservation Authority (TRCA), Tribute (Unionville) Limited revised the plans eliminating a second level of underground parking. This revision resulted in forty-six (46) parking spaces being proposed internal to the building at grade level, with a landscaped

courtyard amenity space being provided at the second level above, on slab. The one-level underground parking structure was also expanded to within 0.8 metres of the south property line.

On June 2, 2015, Planning staff brought forward a report recommending endorsement in principle of the proposed mixed-use, commercial-residential building, subject to conditions (Figure 3). DSC concurred with staff's recommendation and delegated site plan approval to the Director of Planning and Urban Design to be issued following execution of a site plan agreement. Site plan approval has not yet been granted.

## **DISCUSSION:**

### *Deputation made by Unionville Villagers Association and Unionville Ratepayers Association on November 16, 2015*

On November 16, 2015 a deputation was made by the President of the Unionville Villagers Association (UVA) on behalf of both the UVA and the Unionville Ratepayers Association (URA). The deputation summarized concerns with the proposed mixed-use, commercial-residential building including but not limited to: the loss of trees on Tribute's property abutting the residences on Station Lane, the potential for root damage to existing private trees located within close proximity to the south property line on neighboring properties, construction excavation as it relates to the underground garage and the south property line, and access for maintenance of the underground garage given its proximity to the south property line.

### *Site Specific Zoning By-law Amendment Approved by the Ontario Municipal Board*

The site specific Zoning By-law approved by the Ontario Municipal Board (OMB) for this development requires a rear yard setback of 9.0 metres for above-grade building elements, which the proposed development complies with. It should be noted, however, that the By-law also contains a provision that the minimum yard setbacks do not apply to below grade structures with the exception of the (east) side yard setback, adjacent to the park and valleyland.

### *Applicant has submitted an Arborist Report*

Prior to the DSC meeting in June 2015, Tribute (Unionville) Limited submitted an arborist report (dated September 11, 2012), which identified and evaluated trees on the subject lands. The arborist report indicates that vegetation within the rear yard of the subject lands are to be removed and that most of the species are in fair to very poor condition. It should be noted that, notwithstanding the reconfiguration of the underground parking garage, the trees within this location were required to be removed as a result of re-engineering the drainage swale along the south property line. While trees cannot be accommodated within this swale, as they impede overland flows, shrubs and ground covers are acceptable and are proposed as new plantings by the applicant.

In response to a staff request, Tribute (Unionville) Limited also submitted an arborist report (dated September 21, 2015) which identifies and evaluates trees on adjacent properties that are located within 6 metres of the mutually shared property line. This report indicates that the neighbouring trees are in fair to very poor condition. Staff have reviewed the arborist report and have requested that Tribute (Unionville) Limited submit a "Tree Impact Report" to the City for review prior to the endorsement of the site plan application. The applicant is not amenable to this request and has instead offered to hydrovac around the tree base while pruning the root system of the affected trees. For clarity, hydrovac is an excavation process that incorporates

pressurized water and a powerful vacuum to safely liquefy and remove soil cover from around buried infrastructure, or tree roots in this instance.

*Applicant to provide replacement landscaping within rear yard*

Figure 4 illustrates the rear yard environment proposed for the subject development and its general relationship to the rear yards of the Station Lane properties. The applicant is proposing to construct a raised, continuous planter running the full length of the building. Fully situated on top of the below-grade parking structure, it will be approximately 3 metres wide and accommodate a soil depth of 1.5 metres. It is the opinion of City staff that the volume of soil to be provided will be sufficient to support substantive tree plantings. The applicant is proposing to plant groupings of Canadian Hemlock and Sugar Maples within this zone. At the time of their planting these trees will likely be approximately 2.4 metres in height. Over the next 10 years these species can be expected to reach a height of approximately 10 to 15 metres.

*Maintenance of Underground Garage Wall*

A concern expressed by the residents at the November 16, 2015 Development Services Committee (DSC) meeting related to the future maintenance of the underground garage wall given its proximity to the south lot line. Underground garages built next to property lines are a common occurrence in urban sites. The foundation supporting the concrete underground garage wall has a drainage system which collects any external water via a drainage layer and connects it to the sewer system. This construction method has proven successful over many decades and removes the need for repairs of the wall from the outside, i.e. requiring access from neighbouring properties.

*Parking Surplus*

The total number of parking spaces required for the proposed development is approximately 193 spaces in accordance with the site specific zoning by-law 2013-22, as approved by the OMB. The applicant is providing a total of 239 parking spaces, representing a surplus of approximately 46 spaces. Staff have asked the Applicant if modifications can be made to the underground structure to provide protection for the trees along the south property line. This would result in the loss of approximately 12 surplus parking spaces. The applicant has advised that from a marketing perspective these parking spaces are required and that permit drawings cannot be changed at this time.

*Fence to be constructed along south property line*

On July 23, 2015, City staff, Councillor Hamilton and representatives from Tribute (Unionville) Limited met with residents who reside on Station Lane and share a mutual property line with the subject lands. The purpose of this meeting was to discuss the details of a proposed fence that is to be installed along the south property line. At this meeting, the residents expressed a desire to have Tribute construct a 10-foot (3.1-metre) high wood fence in this location. Tribute (Unionville) Limited has submitted an application for variance of the City's Fence By-law to allow for an increased fence height as per the residents' request. Staff note that privacy fences ranging in height between 1.8 and 2.4 metres presently exist along much of the common property line and that a fence of similar scale and residential character would be more appropriate. Further, staff are of the opinion that any new fence should only go up if the existing fences are removed, as leaves (and other debris) would pile up between the fences and lead to maintenance issues.

*Meeting held on November 23, 2015*

On November 23, 2015, a meeting was held with Deputy Mayor Jack Heath, local ward Councillor Don Hamilton, representatives from Tribute (Unionville) Limited and City staff. At this

meeting, the concerns expressed by the UVA and URA were discussed, particularly as it relates to the potential impact to the root system of existing private trees on adjacent properties. The applicant stated that Tribute (Unionville) Limited was amenable to minimizing root damage by pruning tree roots and using hydrovac excavation prior to general site excavation. Alternatively, Tribute (Unionville) Limited also offered to remove the private trees in question at their expense as well as provide replacement tree planting.

**Meeting held on November 26, 2015 with Area Representatives**

On November 26, 2015, a meeting was held with Deputy Mayor Jack Heath, local Councillor Don Hamilton, four area representatives (including two residents of Station Lane), Tribute (Unionville) Limited's Planner, Ms. Maria Gatzios, and City staff. At this meeting several site plan details were discussed including the options proposed by Tribute (Unionville) Limited for private trees on adjacent properties, as previously noted. A follow-up meeting to discuss the details pertaining to the removal of the private trees in question and replacement tree planting was offered. The area representatives agreed to advise Tribute (Unionville) Limited by November 30, 2015 if they were amenable to this follow-up meeting.

**CONCLUSION:**

Staff will continue to work with the City's Arborist, Tribute (Unionville) Limited, and applicable Station Lane residents to minimize impacts on neighbouring trees.

**ATTACHMENTS:**

Figure 1: Location Map

Figure 2: Air Photo

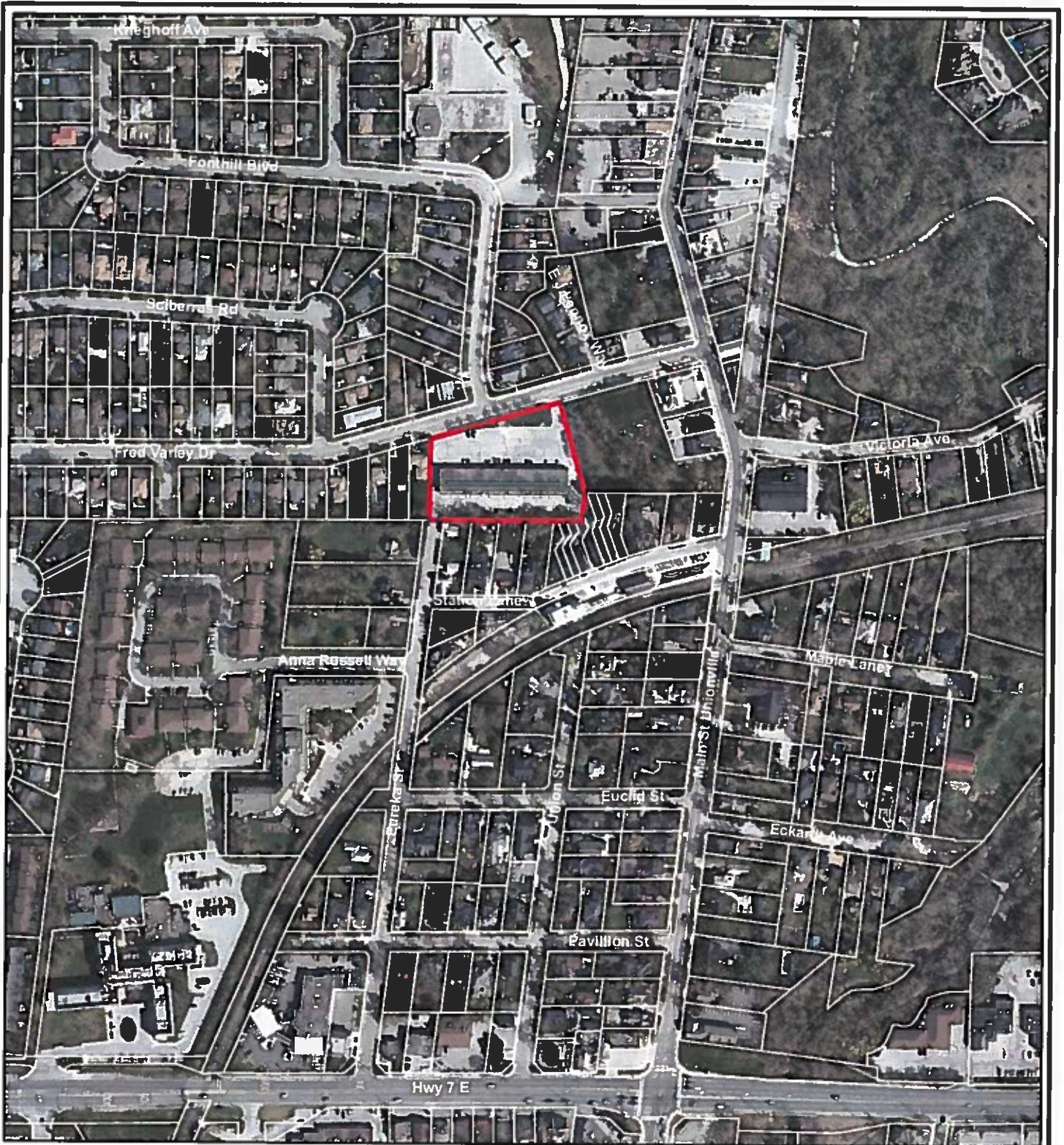
Figure 3: Site Plan

Figure 4: Section through Building (south) and Station Lane Rear Yard

AMANDA FILE NO.: SC 13 109695







# AIR PHOTO

APPLICANT: TRIBUTE (UNIONVILLE) LIMITED  
20 FRED VARLEY DRIVE



FILE No. SC. 13109695 (SB)

 SUBJECT LANDS

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DATE: 14/05/2015

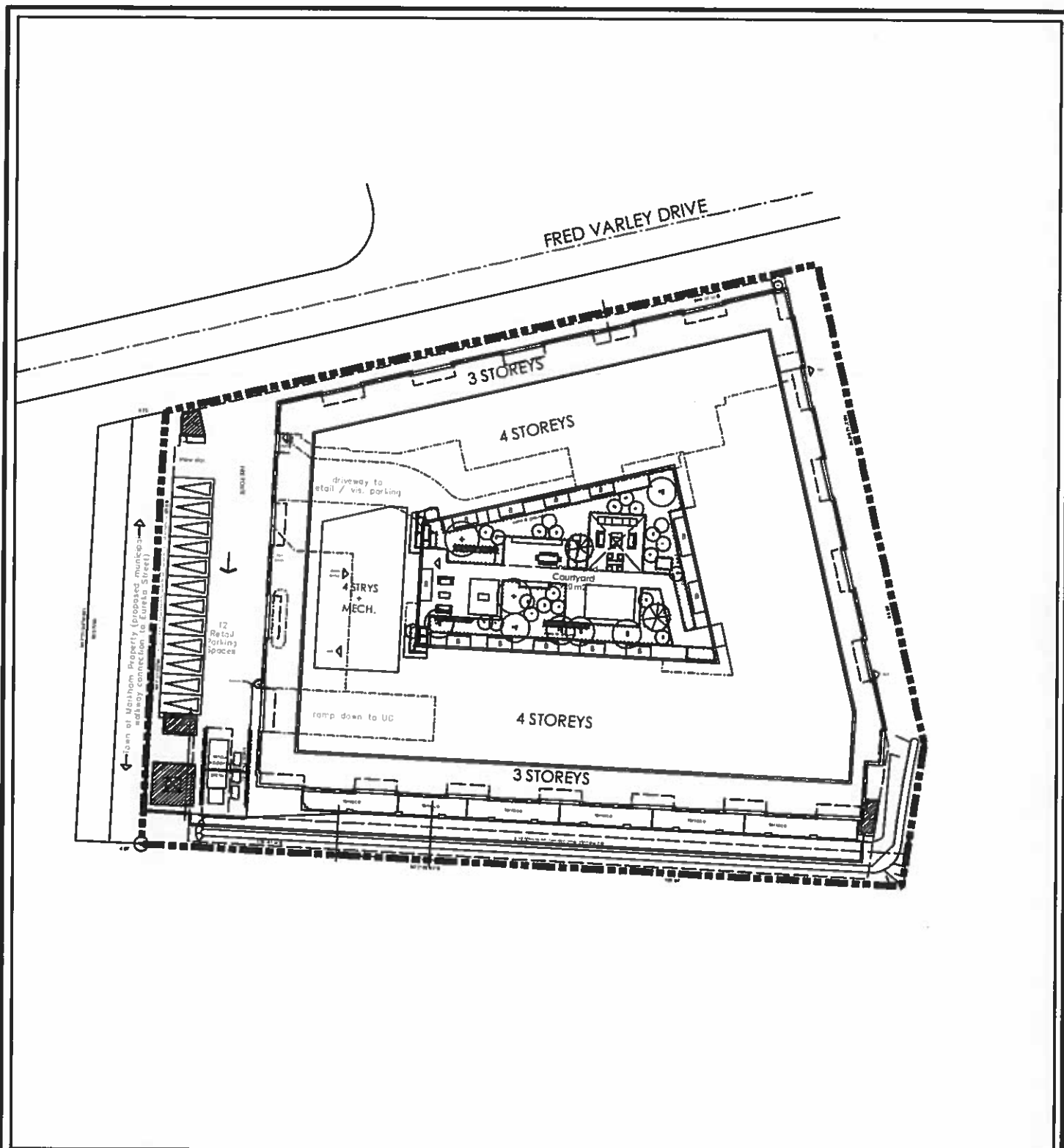


DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: SB

**FIGURE No. 2**



# SITE PLAN

APPLICANT: TRIBUTE (UNIONVILLE) LIMITED  
20 FRED VARLEY DRIVE

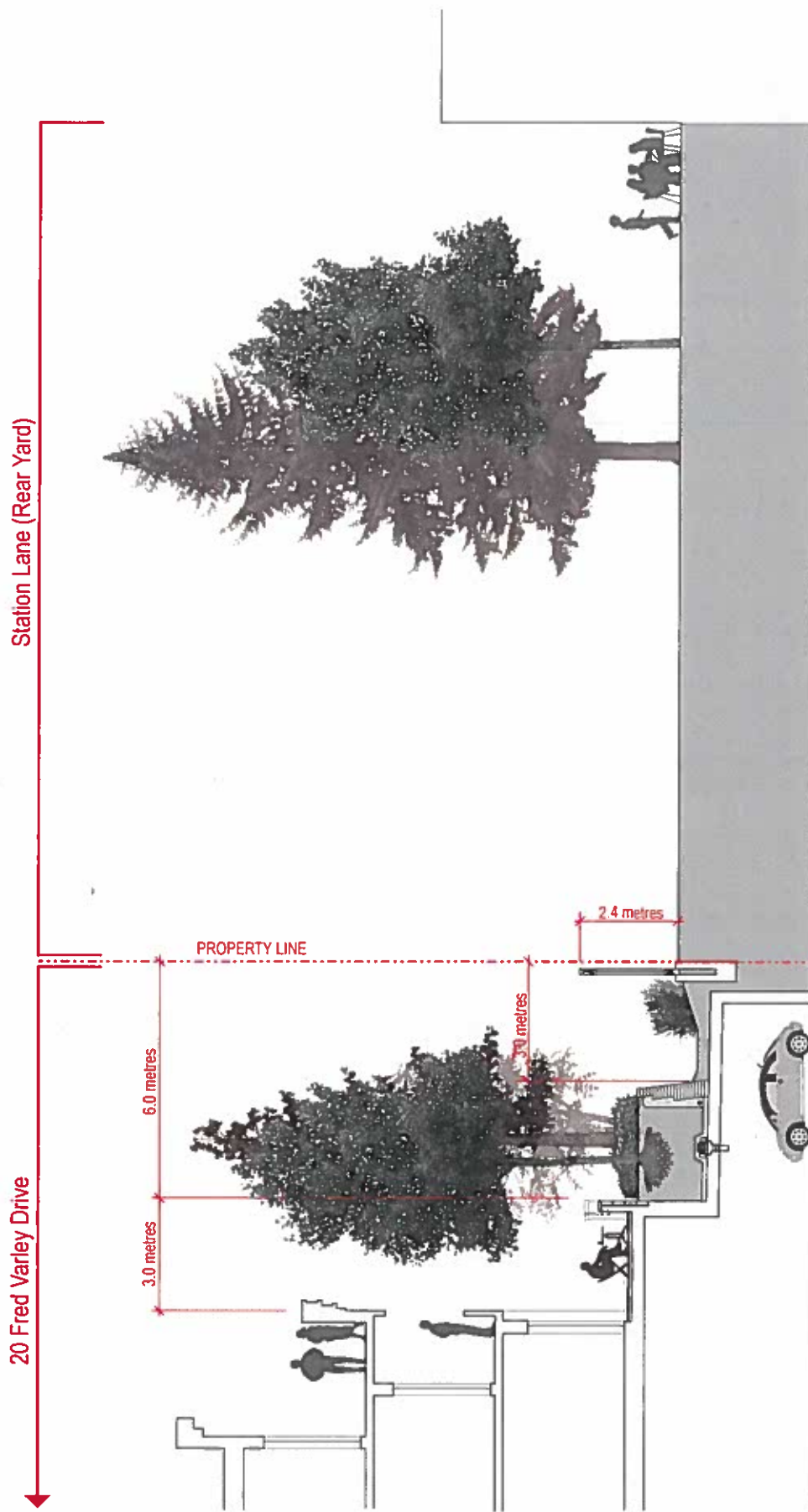
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20 Fred Varley Drive

# Section through Building (south) and Station Lane Rear Yard

November 26, 2015



Figure 4