

COMMITTEE OF THE WHOLE JUNE 16, 2003

SITE DEVELOPMENT FILE DA.02.050
RUTHERFORD COMMERCIAL HOLDINGS LTD.

Recommendation

The Commissioner of Planning recommends:

That the Ontario Municipal Board be advised that Council endorses Site Development Application DA.02.050 (Rutherford Commercial Holdings Ltd.) subject to the following conditions:

1. THAT prior to the execution of the site plan agreement:
 - a) the final site plan be revised to reflect the reorientation of the drive-through to the east side of Building "A";
 - b) the elevation plans be revised in accordance with the requirements of this staff report;
 - c) the final landscape plan and landscape cost estimate shall be approved by the Urban Design Department;
 - d) the final site grading and servicing plan, stormwater management report, noise report, access and traffic impact study shall be approved by the Engineering Department;
 - e) all requirements of the Region of York shall be satisfied; and
 - f) that any necessary zoning exceptions to implement the approved site plan be approved.
2. THAT the site plan agreement contain the following provision:
 - a) The Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with the Planning Act. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.

Purpose

On August 16, 2002, the Applicant submitted a Site Development application to permit the development of a neighbourhood commercial site.

Background - Analysis and Options

The subject lands are located at the northeast corner of Rutherford Road and Weston Road, being Block 137 on Plan 65M-3373, in Part of Lot 16, Concession 5, City of Vaughan. The L-shaped property has frontage on both Weston Road and Rutherford Road, with a lot area of 2.65 ha. There is currently a new home sales office located on the site. The surrounding land uses are:

- North - Hawkview Boulevard; detached residential, stormwater management pond (RVM1(WS-B) Residential Urban Village Multiple Zone One (WS-B), OS1 Open Space Conservation Zone)

South - Rutherford Road; gas station, future commercial (C4 Neighbourhood Commercial Zone, A Agricultural Zone)
East - vacant (A Agricultural Zone)
West - Weston Road; commercial (C4 Neighbourhood Commercial Zone)

The lands are designated "Neighbourhood Commercial Centre" by OPA #600. The zoning is C4 Neighbourhood Commercial Zone by By-law 1-88, subject to Exception 9(1019).

Ontario Municipal Board

On April 25, 2003, the Applicant filed an appeal to the Ontario Municipal Board with respect to this site development application, as the application was not considered by Council within the time frames stipulated under the Act. The Committee of Adjustment decision to refuse Minor Variance application A142/03 may also be appealed.

A date for the hearing has not been scheduled. Staff are requesting direction for attendance at the hearing.

Official Plan

The lands are designated "Neighbourhood Commercial Centre" by OPA #600. This designation permits the following uses: retail stores, food store, drug store/pharmacy, banks/financial institutions, business/professional offices, personal services, restaurants and service stations/gas bars. The proposed development conforms to the Official Plan.

Zoning

The lands are zoned C4 Neighbourhood Commercial Zone by By-law 1-88, subject to Exception 9(1019). The C4 Zone provides for a wide range of commercial uses, including: banks/financial institutions, business/professional offices, eating establishments, personal service shops, retail stores and supermarkets. In addition, Exception 9(1019) adds the following permitted uses: automobile gas bar, automobile service station and eating establishment, convenience with drive through.

The proposed drive-through associated with a bank is not a permitted use. The applicant submitted a minor variance application (File A142/03) to seek permission for a drive-through associated with a bank, in addition to parking reductions and a loading space between a building and a street. The Committee of Adjustment refused the variance on May 29, 2003.

Site Design

The 2.65 ha site, with frontage along both Weston Road and Rutherford Road, is proposed to be developed with four commercial buildings, as follows:

Gross Floor Area -	
Building "A" -	106m ²
Building "B" -	799m ²
Building "B1" -	910m ²
Building "C" -	3441m ²
Total -	5856m ²
Parking Required -	379 spaces
Parking Provided -	<u>364 spaces</u>
Parking Deficiency -	15 spaces

Access and Parking

Three access points are proposed for the site; two from Rutherford Road and one from Hawkview Boulevard. One of the entrances on Rutherford Road is a right-in/right-out and will primarily serve trucks making deliveries to the supermarket (Building "C"). To the west of the supermarket is a full-movement access to Rutherford Road, opposite an existing driveway on the south side of Rutherford Road. Both of these accesses must be approved by the Region of York.

The third full movement access from Hawkview Boulevard provides the connection to Weston Road for this site. The Engineering Department has requested a Traffic Impact Study to ensure that this access functions properly, and Region of York approval will be required.

The site plan proposes 364 parking spaces, whereas 379 spaces are required, resulting in a deficiency of 15 parking spaces. The Committee of Adjustment application (File A142/03) to permit a variance to the parking required, was refused on May 29, 2003. A variance for the parking deficiency must be obtained or the site plan must be revised to provide the required parking.

Engineering

The Engineering Department has requested a traffic impact study and noise report which must be reviewed and approved. This Department has also noted a number of minor revisions to both the site servicing and grading plan and the site plan, that are required before final approval.

Landscaping

Landscaping will be provided throughout the site and around the perimeter. Landscaping at the corner of Weston Road and Rutherford Road must be developed in co-ordination with the other corners of the intersection, and the parking areas must be screened.

The Urban Design Department has commented that additional landscape islands must be provided within the parking lot to reduce the amount of hard surfaces throughout the area. A pedestrian system has been established to link the buildings on the site. Pedestrian crossing points between landscape islands must be clearly delineated as pathways, using paving materials that are different from the asphalt paving.

The area along the stormwater management pond requires additional landscaping consisting of native plant material with groupings of deciduous, flowering and coniferous shrubs and deciduous and coniferous trees. A walkway along the west and south side of the stormwater management pond is required to provide a pedestrian connection from Hawkview Boulevard to the supermarket.

In-ground trees and pedestrian scale lighting should be provided along the walkways to each building, and bicycle racks should be provided adjacent to or near the store entrances and in the corner plaza space. These trees should be integrated with the walkway surface using tree grates and have appropriate irrigation and drainage.

Urban Design

The proposed development must be in compliance with the Vellore Woods Community Architectural Design Guidelines. The smaller buildings on the site (Buildings A, B & B1) have a pleasing contemporary expression. The buildings have shed roofs, with the higher portion of the roof and a high wall of glazing facing the parking lot, instead of the arterial roads. This design will need to be revised so that the buildings address both the streets and parking area. In addition, mechanical units for the buildings must be contained within the roof space and vented discreetly.

The Urban Design Department has identified the corner window treatment of Building B as not presenting a positive commercial frontage to the street. Extending the vertical dimension of the window, or adding architectural treatment to the entrance and horizontal increase in the area of the windows, would address this concern.

To create more positive building face that addresses Rutherford Road, the exterior wall of Building B1 could be modulated along its length, incorporating a slight recess for a large center window. Additionally, a street-related entrance at the southwest corner of the building is required.

The initial design for Building C (supermarket), was not compatible with the Urban Design Guidelines. The Urban Design Department recommended the use of brick for the exterior, incorporation of a similar style of fenestration on the principle facades of the store, and the addition of clerestory windows along the south elevation. The principle facades require some modulation to soften the box-like appearance of the store, and rooftop equipment must be adequately screened. Some revisions have been made, including the exterior wall materials and adding the windows along the Rutherford Road elevation.

In addition to the building elevations, the Urban Design Department will be reviewing the specific details and design of signage for each of the buildings.

With respect to site design, the drive-through for Building A should be located internally to the site rather than adjacent to Weston Road. Although the applicant has agreed, it has not been reflected on the latest drawings submitted.

The entrances facing onto Weston Road and Rutherford Road should be related to the grade of the public sidewalk. A generous pedestrian walkway should be provided connecting each entrance to the public sidewalk. Additionally, walkways leading from the sides of each building should also be provided linking the public sidewalk to the parking lot.

Conclusion

The site plan conforms to the policies of the Official Plan and is generally in compliance with the Zoning By-law. Exceptions to the zoning standards are required and must be approved prior to finalization of the site plan. There continues to be meetings between Staff and the applicant to resolve outstanding urban design issues related to site and building design.

Staff can recommend approval of the site plan, subject to the revisions noted in this report. Staff are also requesting Council's direction for the OMB hearing on the appeal of the Site Development application. Should Committee concur, the "Recommendation" can be adopted.

Attachments

1. Location Map
2. Site Plan
3. Landscape Plan
- 3A. Landscape Layout and details
4. Elevations – Building A
- 4A. Elevations – Building B1
- 4B. Elevations – Building B1
- 4C. Elevations – Building C

Report prepared by:

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Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

JOANNE R. ARBOUR
Director of Community Planning

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Attachment 1

FILE No.:
DA.02.050
December 20, 2002
Not to Scale

City of Vaughan
Community Planning Department

Location Map
Lot 16,
Concession 5
APPLICANT:
RUTHERFORD COMMERCIAL
HOLDINGS LIMITED

VAUGHAN ATTACHMENTS \DA\02.0500

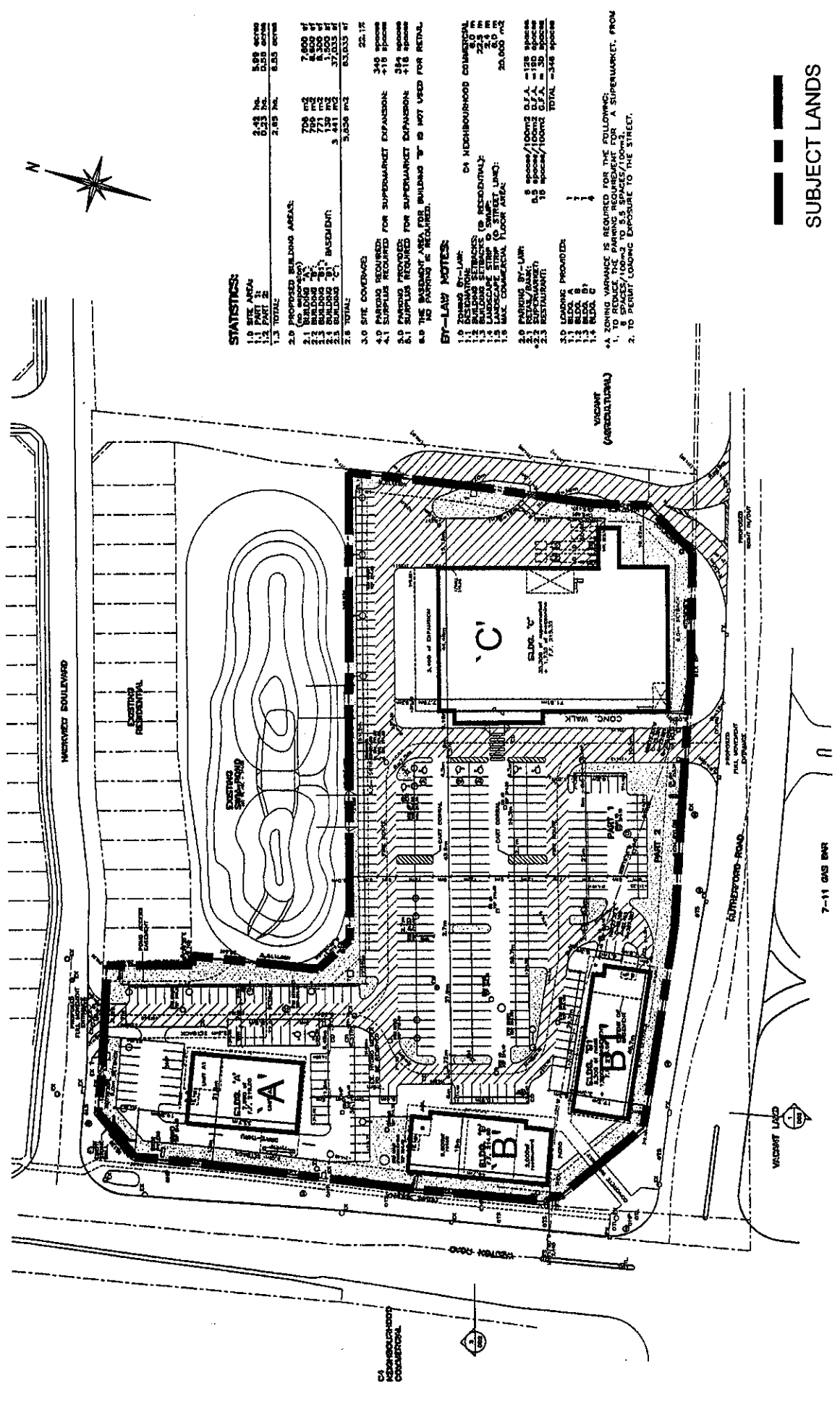
Attachment 2

FILE No.: DA-02.050
 December 20, 2002
 Not to Scale

City of **Vaughan**
 Community Planning Department

Site Plan
 Lot 16,
 Concession 5
 APPLICANT:
RUTHERFORD COMMERCIAL HOLDINGS LIMITED

NA\02\1 ATTACHMENTS\VA da-02.050a



STATISTICS:

1.0 SITE AREA	6.88 HA.	16.88 ACRES
1.1 PART 1	0.33 HA.	0.82 ACRES
1.2 PART 2	6.55 HA.	16.06 ACRES
1.3 TOTAL	6.88 HA.	16.88 ACRES

2.0 PROPOSED BUILDING AREAS:

2.1 BUILDING A	708 SQ. FT.	7,800 SQ. FT.
2.2 BUILDING B	771 SQ. FT.	8,300 SQ. FT.
2.3 BUILDING C	139 SQ. FT.	1,500 SQ. FT.
2.4 BUILDING BT	3,354 SQ. FT.	37,000 SQ. FT.
2.5 TOTAL	3,852 SQ. FT.	43,600 SQ. FT.

3.0 SITE COVERAGE: 22.1%

4.0 PARKING PROVIDED: 348 SPACES

4.1 SURPLUS REQUIRED FOR SUPERMARKET EXPANSION: +18 SPACES

5.0 PARKING PROVIDED: 314 SPACES

5.1 SURPLUS REQUIRED FOR SUPERMARKET EXPANSION: +16 SPACES

6.0 THE SURPLUS AREA FOR BUILDING "B" IS NOT USED FOR RETAIL. NO PARKING IS REQUIRED.

BT-LAW NOTES:

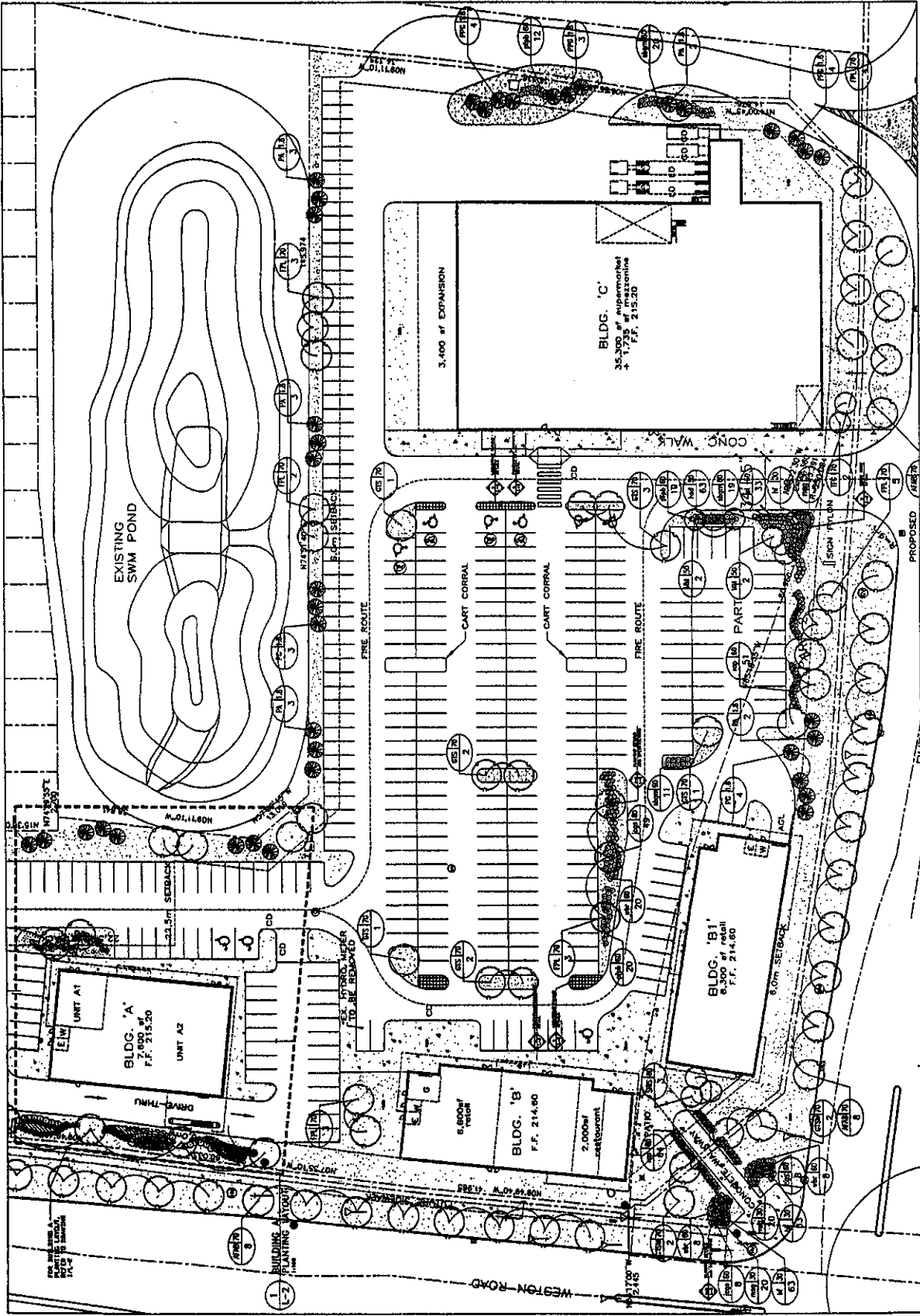
- 1.0 TOWNING BY-LAW: 8.0
- 1.1 ZONING: D4 NEIGHBOURHOOD COMMERCIAL
- 1.2 BUILDING SETBACKS: 22.5 M
- 1.3 BUILDING SETBACKS: 22.5 M
- 1.4 LANDSCAPE STRIP (TO STREET LINE): 6.0 M
- 1.5 MAX. COMMERCIAL FLOOR AREA: 20,000 SQ. FT.

3.0 LOADING PROVIDED:

3.1 RETAIL/WARE:	5 SPACES/100SQ. D.F.A. = 128 SPACES
3.2 SUPERMARKET:	15 SPACES/100SQ. D.F.A. = 330 SPACES
3.3 RESTAURANT:	15 SPACES/100SQ. D.F.A. = 330 SPACES
3.4 TOTAL:	513 SPACES

***A ZONING VARIANCE IS REQUIRED FOR THE FOLLOWING:**

1. TO PERMIT LOADING EXPOSURE TO THE STREET.
2. TO PERMIT LOADING EXPOSURE TO THE STREET.



Attachment 3

FILE No.: DA.02.050
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City of Vaughan

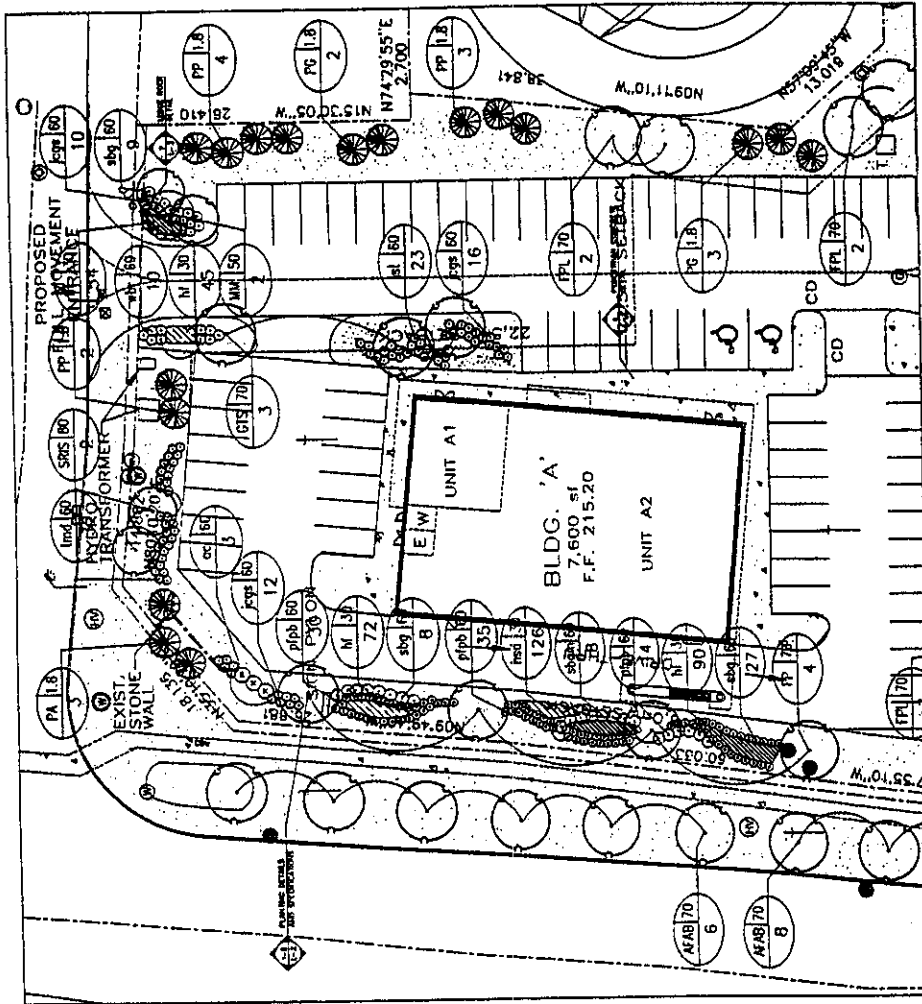
Community Planning Department

Landscape Plan

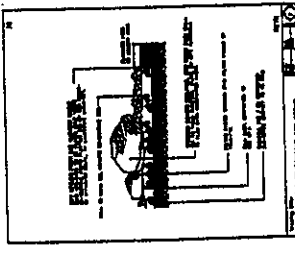
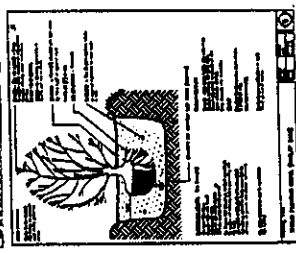
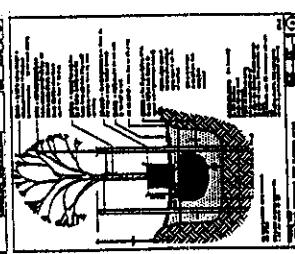
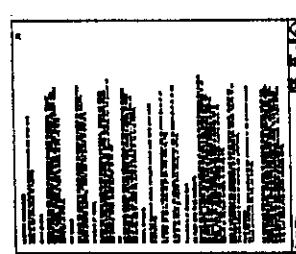
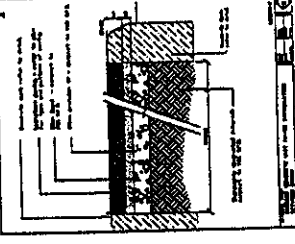
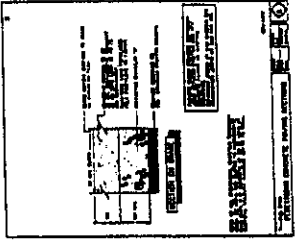
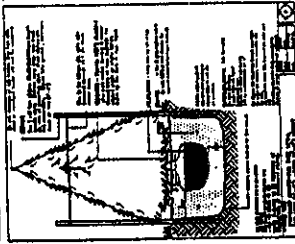
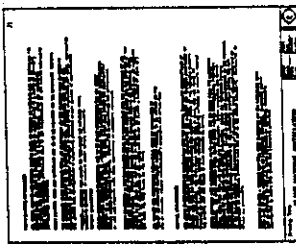
Lot 16,
 Concession 5

APPLICANT:
 RUTHERFORD COMMERCIAL
 HOLDINGS LIMITED

NA\DT\1 ATTACHMENTS\DA\VA.02.0500



1 BUILDING 'A'
1-2 PLANTING LAYOUT
1:100



Attachment 3A

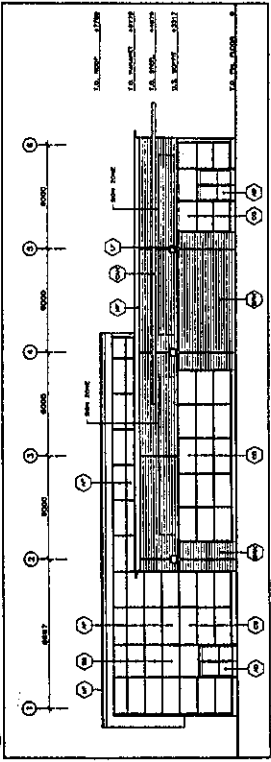
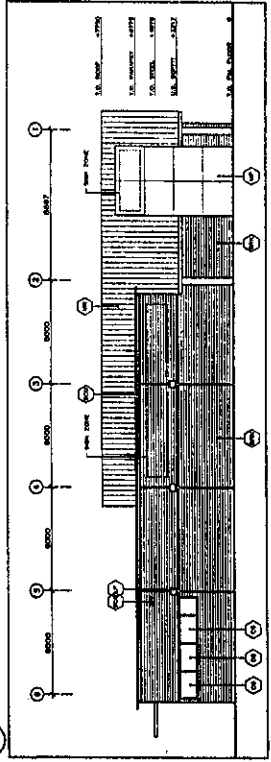
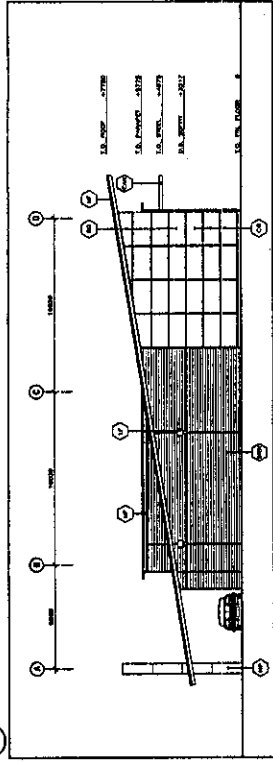
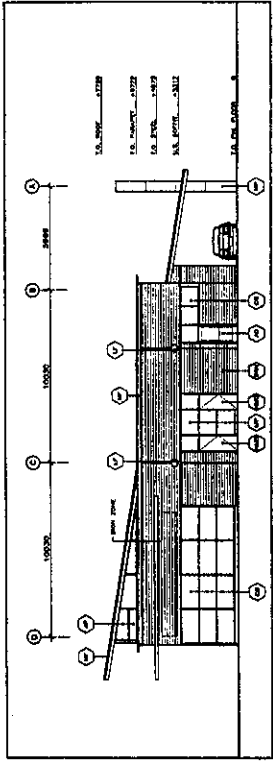
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City of
Vaughan
Community Planning Department

Landscape Layout & Details

Lot 16,
Concession 5
APPLICANT:
RUTHERFORD COMMERCIAL
HOLDINGS LIMITED

REVISION ATTACHMENT DA.02.050



Elevations - Building A

Lot 16,
Concession 5

APPLICANT:
RUTHERFORD COMMERCIAL
HOLDINGS LIMITED

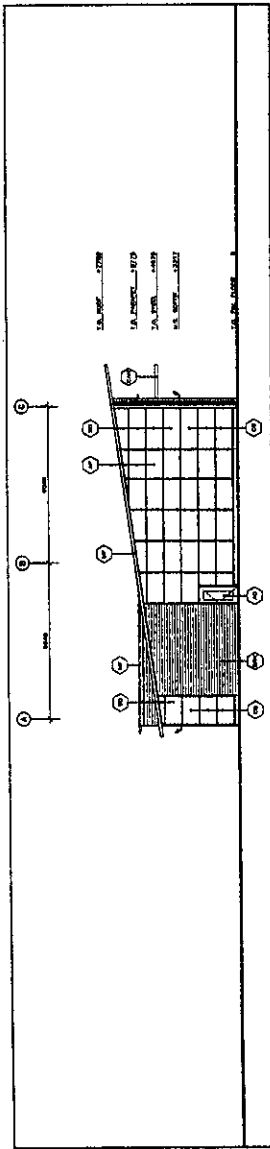
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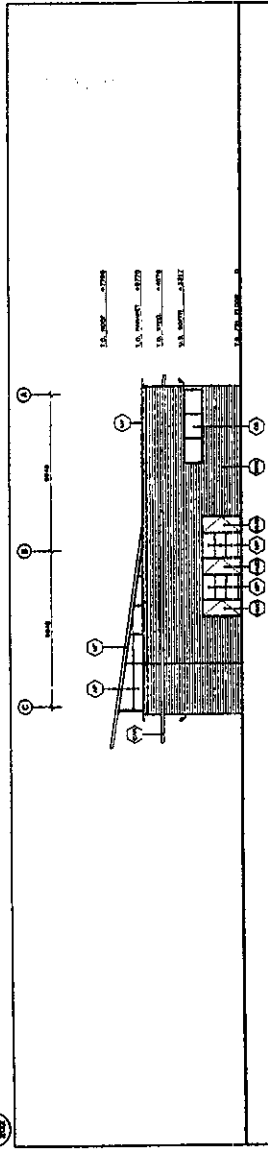
Community Planning Department

Attachment 4

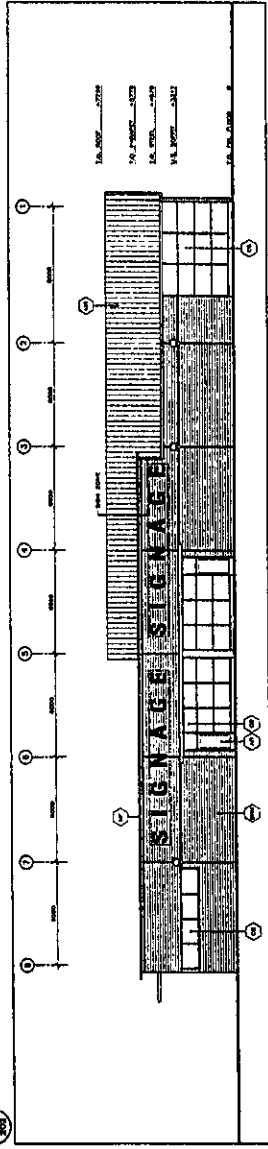
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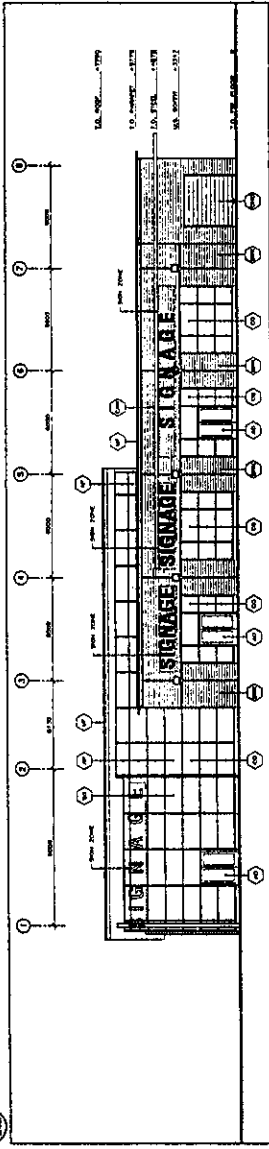
4 SOUTH ELEVATION



3 NORTH ELEVATION



2 STREET (WEST) ELEVATION



1 STREET (EAST) ELEVATION

Elevations - Building B

Lot 16,
Concession 5

APPLICANT:
RUTHERFORD COMMERCIAL
HOLDINGS LIMITED



Community Planning Department

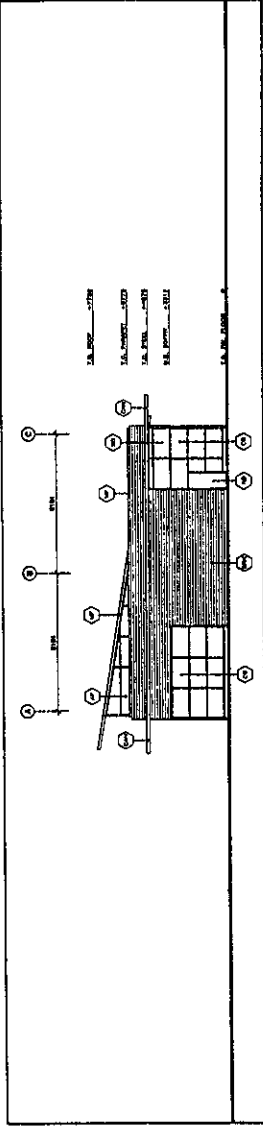
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4A

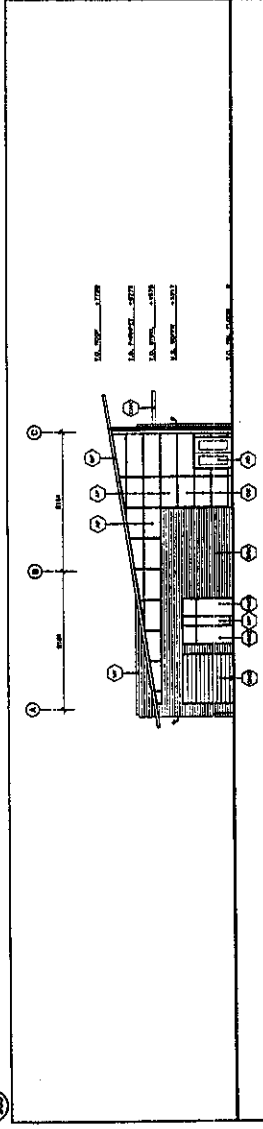
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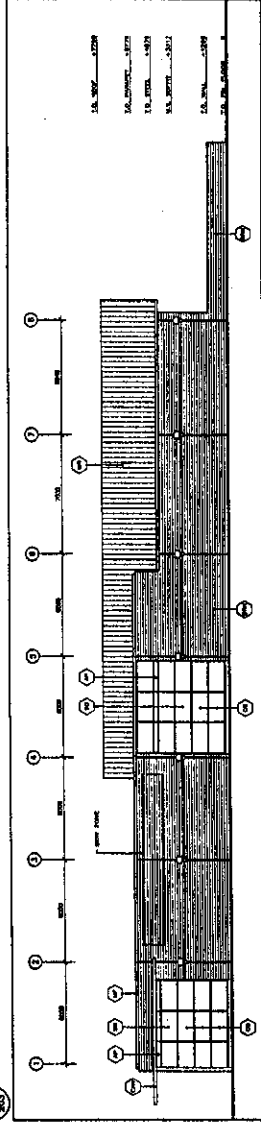
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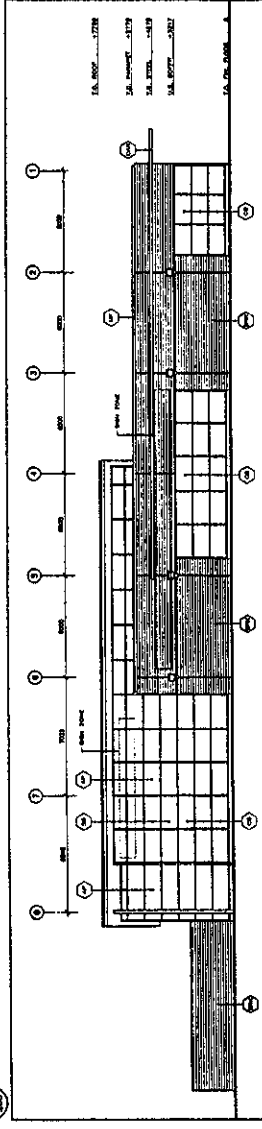
WEST ELEVATION
 1002



EAST ELEVATION
 1003



STREET (SOUTH) ELEVATION
 1004



STREET (NORTH) ELEVATION
 1005

Elevations - Building B1

Lot 16,
 Concession 5

APPLICANT:
 RUTHERFORD COMMERCIAL
 HOLDINGS LIMITED



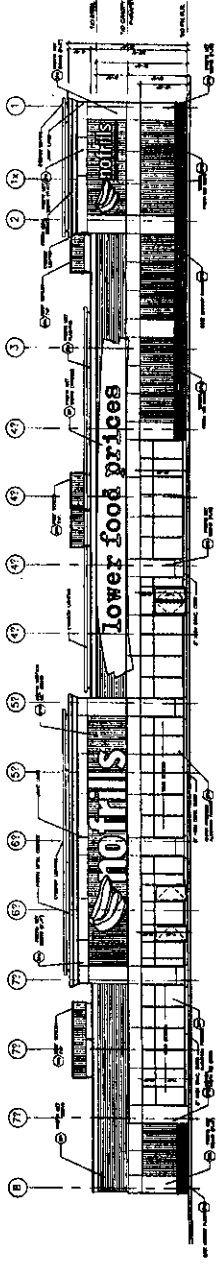
Community Planning Department

Attachment 4B

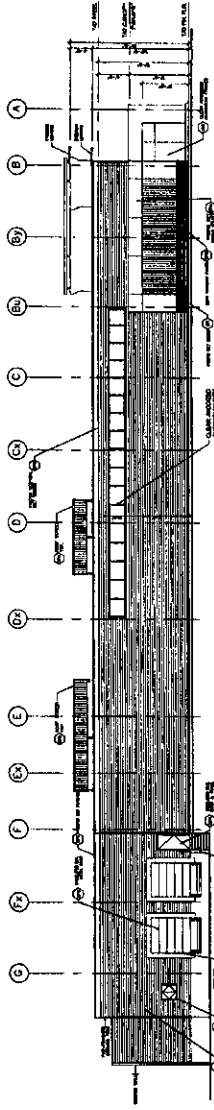
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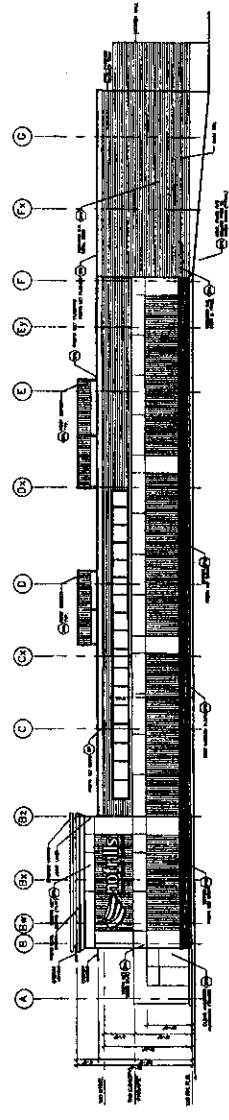
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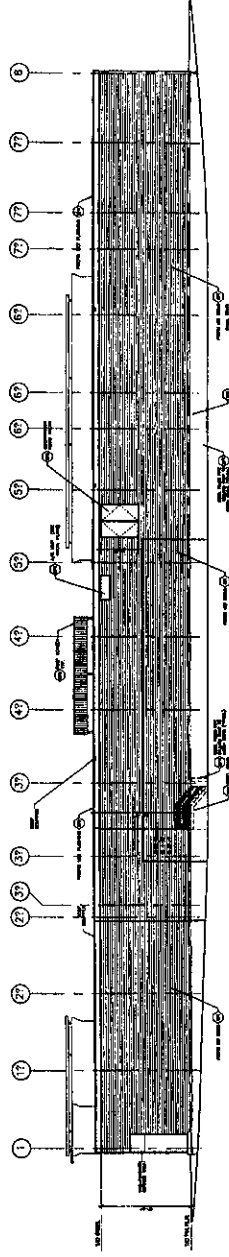
WEST ELEVATION



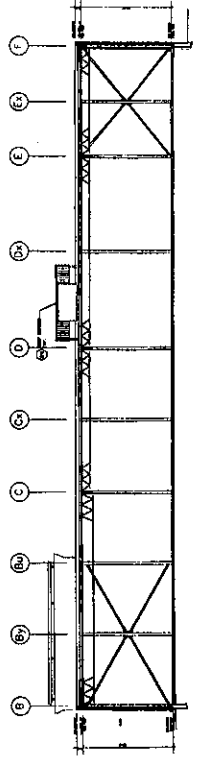
NORTH ELEVATION



SOUTH ELEVATION



EAST ELEVATION



BUILDING SECTION

Elevations - Building C

Lot 16,
Concession 5
APPLICANT:
RUTHERFORD COMMERCIAL
HOLDINGS LIMITED



Community Planning Department

Attachment 4C

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