

COMMITTEE OF THE WHOLE OCTOBER 24, 2005

**ZONING BY-LAW AMENDMENT FILE Z.04.070
SITE DEVELOPMENT FILE DA.05.006
VALLEY MILL DEVELOPMENTS INC.**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.04.070 (Valley Mill Developments Ltd.) BE APPROVED, to rezone the subject lands (Phase 2) shown on Attachment #2 from A Agricultural Zone to C4 Neighbourhood Commercial Zone consistent with the Phase 1 commercial lands to the north, with the following exceptions:
 - permit a maximum building height for Building "C" (Office Portion) of 13.5m whereas 11m is permitted;
 - permit a drive-through accessory to a bank;
 - exempt Building "B" from the loading space requirement; and
 - permit a minimum of 355 parking spaces on the site whereas 390 are required.

2. THAT Site Development File DA.05.006 (Valley Mill Developments Ltd.) BE APPROVED to permit the development of a Neighbourhood Commercial Centre for the subject lands (Phase 2) as shown on Attachment #2, subject to the following conditions:
 - a) That prior to the registration of the site development agreement:
 - i) the final site plan, elevations, landscape plan, and landscape cost estimate shall be approved by the Development Planning Department;
 - ii) the final elevations for Building "B" shall be approved by the Development Planning Department;
 - iii) the final site servicing and grading plans, stormwater management report, and on-site vehicular circulation shall be approved by the Engineering Department;
 - iv) all required road widenings and access onto Regional Roads shall be approved to the satisfaction of the Region of York Transportation and Works Department;
 - v) the Owner shall satisfy all hydro requirements of PowerStream Inc.;
 - vi) the implementing zoning by-law be enacted by Council and be in full force and effect; and
 - vii) the final plan shall be approved by the Toronto and Region Conservation Authority and that a permit in accordance with Ontario Regulation 158 be obtained.

3. THAT the site development agreement contain the following provisions:
 - i) garbage shall be stored indoors until ready to be picked-up;

- ii) the Owner shall agree to obtain and provide any necessary easements (vehicular, pedestrian, maintenance, etc) as may be required for the adjacent lands to the satisfaction of the City;
- iii) the Owner shall pay to the City of 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 issuance of a Building permit, in accordance with Section 42 of 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; and
- iv) all Canada Post requirements and warning clauses, if required, shall be incorporated in the site plan agreement.

Economic Impact

There are no requirements for new funding associated with this report. The development will add new assessment to the local tax base.

Purpose

The Owner has submitted the following applications:

1. A Zoning By-law Amendment Application to rezone the subject lands shown on Attachment #1 from A Agricultural Zone to C4 Neighbourhood Commercial Zone and permit the following zoning exceptions:
 - permit a maximum building height for Building "C" (Office Portion) of 13.5m whereas 11m is permitted;
 - permit a drive-through accessory to a bank;
 - exempt Building "B" from the loading space requirement; and
 - permit a minimum of 355 parking spaces on the site whereas 390 are required.
2. A Site Development Application to facilitate the completion of a Neighbourhood Commercial Centre comprised of two free-standing commercial buildings and one multi-unit commercial building with a second storey office portion as shown on Attachment #2.

Pertinent Site Statistics are as follows:

Site Area (Phase 1 and 2) =	2.62 ha
Site Area (Phase 2) =	1.77 ha
Total Gross Floor Area (Phase 1) =	672 sq.m
Total Gross Floor Area Proposed (Phase 2) =	5,812 sq.m
Parking Required (Entire Site) =	390 parking spaces
Parking Provided (Entire Site) =	355 parking spaces

Background – Analysis and Options

The subject lands (Phase 2) shown on Attachment #1 are located on the east side of Weston Road, south of Rutherford Road, in Lot 15, Concession 5, City of Vaughan. The site is relatively flat and is currently being used as a garden centre with temporary trailers and weigh scales.

The subject lands are designated “Neighbourhood Commercial Centre” by OPA #240 (Woodbridge Community Plan) as amended by OPA #345 (Woodbridge Commercial Structure Policy), which permits the proposed commercial plaza use. The lands are zoned A Agricultural Zone by By-law 1-88, which does not permit the proposed commercial and office uses. The surrounding land uses are:

- North - Swiss Chalet/Harvey’s building – (Phase 1 - C4 Neighbourhood Commercial Zone)
- South - vacant land/future employment area – approved Draft Plan of Subdivision 19T-87014 (A Agricultural Zone)
- East - vacant/future employment area (A Agricultural Zone)
- West - Weston Road; existing commercial plaza (C4 Neighbourhood Commercial Zone) and a residential subdivision (R1 Residential Zone)

History

On January 24, 2005 Council approved a Zoning Amendment Application (File Z.02.049) to rezone lands north of the subject lands (Phase 1) from A Agricultural Zone to C4 Neighbourhood Commercial Zone and to permit an eating establishment with a drive-through.

The rezoning facilitated Site Development Application DA.02.052 to permit Phase 1 of the lands to be developed with an eating establishment as shown on Attachment #2. The current Zoning Amendment Applications proposes to rezone the subject lands (Phase 2) from A Agricultural Zone to C4 Neighbourhood Commercial Zone to facilitate the completion of the neighbourhood commercial centre.

Public Hearing

On December 23, 2004, a Notice of Public Hearing was mailed to all property Owners within 120m of the subject lands, to the Weston Downs Ratepayers Association, the Vellore Woods and Vellore Village Ratepayers Associations and to several individuals requesting notification. To date, one comment from the Owners of 9200 Weston Road (Neighbourhood Plaza at the northwest corner) requested that a supermarket use be omitted from the list of permitted uses on the subject land. This matter is discussed later in this report.

Official Plan

The subject lands are designated “Neighbourhood Commercial Centre” by OPA #240 (Woodbridge Community Plan) as amended by site-specific OPA #345, and subject to Section 4.6f), which states the following:

“The lands are located at the southeast corner of Rutherford Road and Weston Road may be developed as a Neighbourhood Commercial centre. The maximum area of the centre shall be 4.0 ha. The maximum gross floor area shall be established in the implementing by-law. A 9m landscape strip shall be provided adjacent to arterial road. The site plan shall allow for the functional integration of individual properties within the designation”.

A “Neighbourhood Commercial Centre” designation permits supermarkets or major warehouse drug store, retail stores, pharmacies, banks and financial institutions, business and professional

offices, personal services, and restaurants. The proposed development for Phase 2 conforms to the policies of the Official Plan and is designed in a manner which would eventually form an integrated commercial centre with the lands to the north. A 9m landscape strip is provided along Weston Road with buildings located close to the street edge consistent with Phase 1.

The site plan application does not indicate a supermarket use, and is not designed with a free-standing anchor building that typically accommodates a supermarket. The proposed rezoning to C4 Neighbourhood Commercial Zone is consistent with the Neighbourhood Commercial Centre designation of OPA #345, which permits a supermarket use. In consideration of the above, the supermarket use should remain as a permitted use.

The Zoning Amendment Application conforms to the Official Plan.

Zoning

The lands are currently zoned A Agricultural Zone by By-law 1-88 as shown on Attachment #1. To facilitate the proposed commercial development shown on Attachment #2, a zoning by-law amendment is required to rezone the subject lands (Phase 2) from A Agricultural Zone to C4 Neighbourhood Commercial Zone, which implements the Official Plan and is consistent with the zoning for the Phase 1 lands to the immediate north. Accordingly, the proposed rezoning can be supported.

The following zoning exceptions are required to facilitate the development of the proposed commercial plaza:

- permit a minimum of 355 parking spaces for the entire development (Phase 1 and 2), whereas the By-law requires 390 parking spaces;
- permit a drive-through accessory to a bank;
- permit a maximum building height of 13.5m for the second storey office portion of Building "C", whereas the by-law permits a maximum building height of 11m; and
- exempt Building "B" (Bank Building) from the loading space requirements of By-law 1-88.

With respect to the proposed zoning exceptions, the parking reduction represents a parking shortfall of 8.5% which the Engineering Department has advised is acceptable. The proposed building height of 13.5m is for the office portion of Building "C", which abuts a future employment area and which would permit a 15m building height for the corresponding Employment Area Zones. A drive-through facility is commonly associated with a bank and has been designed so it is not between the bank building and Weston Road. In view of the above, the Development Planning Department can support the zoning exceptions required to implement the proposed site plan.

Site Design

The site plan for Phase 2 is comprised of three commercial buildings, including two free standing buildings and one multi-unit retail building with a second storey office component as shown on Attachment #2. A drive-through facility is planned and designed for Building "B", which is expected to house a financial institution. The two free-standing buildings are located close to Weston Road and the larger multi-unit building anchors the rear portion of the site.

One full movement and one right-in/right-out driveway from Weston Road and Rutherford (Phase 1) respectively are proposed for this development, and require Region of York approval. The site has been designed in a manner which easily integrates with the existing development on the lands to the north. A landscape strip along Weston Road and wrapping around Rutherford Road defines the site and helps conceal the parking for the development.

The necessary easements are required to ensure appropriate servicing, vehicular and pedestrian connectivity of the subject lands with the adjacent lands. The site development agreement will contain, if required, the appropriate clauses requiring the Owner to provide the necessary servicing easements and cross-easements to ensure connectivity with the adjacent lands.

Parking and Access

The proposed site plan includes 355 parking spaces for the entire commercial centre (Phase 1 and 2). Based on the commercial shopping centre parking standards in By-law 1-88, the required parking is calculated as follows:

Commercial Gross Floor Area (incl. office area) – 6,484 sq.m x 6 spaces/100 sq.m = 390 spaces

In consideration of the above, the site is deficient 35 parking spaces, which represents an 8.5% shortfall in the required parking. The Engineering Department has advised that the parking shortfall of 35 spaces is acceptable.

The subject lands (Phase 1 and 2) are currently accessed by two full movement driveways, one from Rutherford Road, and the other from Weston Road, which is functioning on a temporary basis and will be closed and shifted to the south as part of the Phase 2 development.

Upon development of Phase 2 the overall site will continue to provide two full movement access points, one each on Rutherford Road and Weston Road. The Rutherford Road access point is a shared driveway with the existing gas station to the east and has been approved by the Regional Municipality of York. The second access along Weston Road functions as the main driveway access to Phase 2, but also connects to the Phase 1 development and will require Region of York approval. The driveways have been designed to incorporate of the necessary fire routes.

The Weston Road access should also provide the opportunity to connect with the adjacent landholdings to the south. A condition should be included in the site plan agreement to provide, if required the necessary easement over the driveway for access purposes for the lands to the south. The industrial subdivision (19T-87014) to the south and east has been approved for future employment uses and with a road network system that includes an access point from Weston Road. The Region of York must approve the final location and design of the access points onto Weston Road.

Elevations

The proposed building elevations are shown on Attachments #4, #5 and #6. The three buildings proposed for the site are finished using the same materials and similar architectural details. The proposed colour scheme is comprised of light browns (brick) and beige tone/stucco with darker accents used for bordering and detailing.

Building "A"

Building "A" is a free-standing building and been designed with four main elevations allowing the possibility of multiple tenants as shown on Attachment #4. Although the main entrance is indicated as being on the east elevation facing the parking lot, each elevations has been treated in an identical manner as far as construction, colour scheme and design. The elevations are relatively flat with the exception of the centre element, which extends beyond the main roofline and façade providing a portico, which highlights the main entrance(s) to the building. A decorative display wall book-ended by brick/stucco pillars extends beyond the roofline and is apportioned into equally sized squares adding a decorative element to the facades while reinforcing the main double door entries. The use of large lower level glazing surrounds the main entrance(s) and is complimented above by smaller windows crowned with banding providing interest to the facades. A large entablature capped by a dark brown metal flashing trim caps the perimeter of the building.

The proposed elevations are generally acceptable however, additional architectural elements such as carrying the banding design around the entire perimeter of the building will add to the overall character of the building.

Buildings "B" and "C"

The proposed elevations for Buildings "B" and "C" are shown on Attachments #5 and #6. These buildings are constructed in a similar manner with a combination of clay brick and stucco as the predominant wall cladding material and elements of masonry and metal detailing. The roofline is relatively flat with a variation of design elements in the form of peaks, towers and arched parapet walls each lending to the character of the buildings. The parapets play a dual role, both as a design element and as concealment to the roof top mechanical units.

Building "B", is free-standing building expected to house a Royal Bank Financial Institution. The north and south elevations are treated with additional architectural elements in the form of glazing and feature display walls displaying the company logo and brand name. A tower like feature extending beyond the roofline provides some interest to the building. The roofline is relative level with the exception of the tower and two large wall displays. The west elevation facing Weston Road is comprised of a brick and stucco combination finish and is book-ended by the tower feature that incorporates the bank logo. The east elevation is simple in appearance and could be improved with the addition of architectural detailing such a banding and colour tone. The drive-through facility is located along this elevation.

Glazing along the west and north elevations for Building "C" interrupts the façade and provides additional architectural elements and adds to the overall detailing of the building. However the south and east elevations are simple in appearance, with brick as the main construction material and minimal architectural detail. Additional treatments to these elevation will assist in the enhancement of these elevations.

All buildings are capped with a matching dual brown asphalt shingle and with a roof parapet running the perimeter of the buildings concealing the roof top mechanical units.

It is noted that the applicant has on October 5, 2005 submitted revised elevations for Building "B" (Royal Bank) to reflect the bank's new corporate image. The plans were a last minute alteration and submission to the site plan and Development Planning Staff have not had the opportunity to review the plans. However, a specific condition of site plan approval has been included requiring the Development Planning Department to approve the final plans for Building "B".

The final elevations for Buildings "A" and "C" shall be approved by the Development Planning Department.

Landscaping

The proposed landscape plan shown on Attachment #3 consists of an abundance of landscaping material comprised of a mixture of deciduous and coniferous trees, and ornamental trees and shrubbery. The periphery of the site along Weston Road within the 9m landscape strip comprises the majority of the landscaping treatment and provides the dual role of enhancing the streetscape and concealing the parking area.

Small landscape islands are provided throughout the site in a random manner in order to provide a break and greening to the paved asphalt parking area. The final landscape plan and cost estimate must be approved to the satisfaction of the Development Planning Department.

Servicing

The Vaughan Engineering Department has reviewed the first site plan submission and have indicated that the stormwater management report, and site servicing and grading plans must be revised to their satisfaction. Comments and red-lined plans have been forwarded to the applicant. The final stormwater management report and grading plans must be approved to the satisfaction of the Vaughan Engineering Department.

Transportation

Vaughan Engineering Department Transportation Section has reviewed the plans and has indicated that further design work to the drive through facility is required. Additional red-lined comments have been provided on the plan and forwarded to the applicant. The Transportation Division shall approve the final site design for circulation purposes.

Utilities

All hydro requirements must be approved to the satisfaction of PowerStream Inc. Snow removal and garbage pick-up will be privately administered.

Parkland

The parkland dedication requirement under the Planning Act will be satisfied through cash-in-lieu to be paid through the registration of the site development agreement.

Region of York

The Owner is required to satisfy all requirements of the Region of York Transportation and Works Department, including access and road widenings on Weston Road, prior to the execution of the site development agreement.

Toronto and Region Conservation Authority (TRCA)

The Toronto and Region Conservation Authority (TRCA) has no objection to the rezoning of the subject lands to C4 Neighbourhood Commercial Zone to permit the commercial development, provided the comprehensive stormwater management report for the Weston/400 Industrial Park be approved to the satisfaction of Authority Staff, and that a TRCA building permit be obtained.

Canada Post

Canada Post Staff has reviewed the proposed development and have provided comments and requirements dealing with warning clauses and mail box design and location, which must be incorporated in the site development agreement.

Relationship to Vaughan Vision 2007

This staff report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'A-5', "Plan and Manage Growth".

Conclusion

The Development Planning Department has reviewed the Zoning Amendment and Site Development Applications in accordance with the policies of the Official Plan (OPA #345), which permits the proposed commercial development. The proposal to rezone the subject lands from A Agricultural Zone to C4 Neighbourhood Zone, is consistent with the policies of the Official Plan and the C4 Neighbourhood Commercial Zone on the adjoining lands to the north (Phase 1). The

proposed zoning exceptions are also considered appropriate for the development of the subject lands. The proposed building elevations and site plan layout are generally satisfactory, subject to the comments in this report. For these reasons, the Development Planning Department can support the approval of the site plan application, subject to the conditions contained in this report.

Attachments

1. Location Map
2. Site Plan
3. Landscape Plan
4. Elevations "Building A "
5. Elevations "Building B"
6. Elevations "Building C"

Report prepared by:

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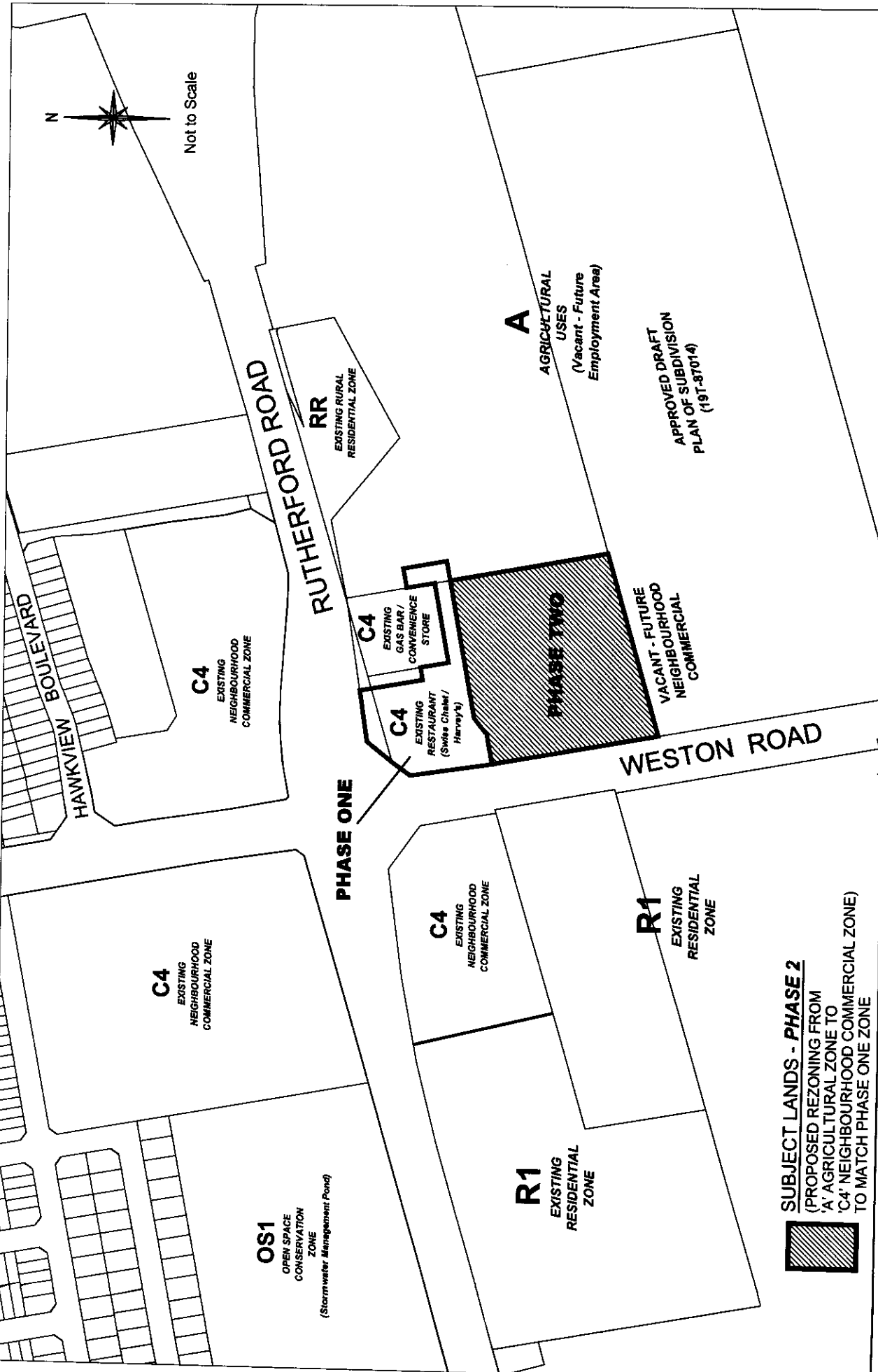
Respectfully submitted,

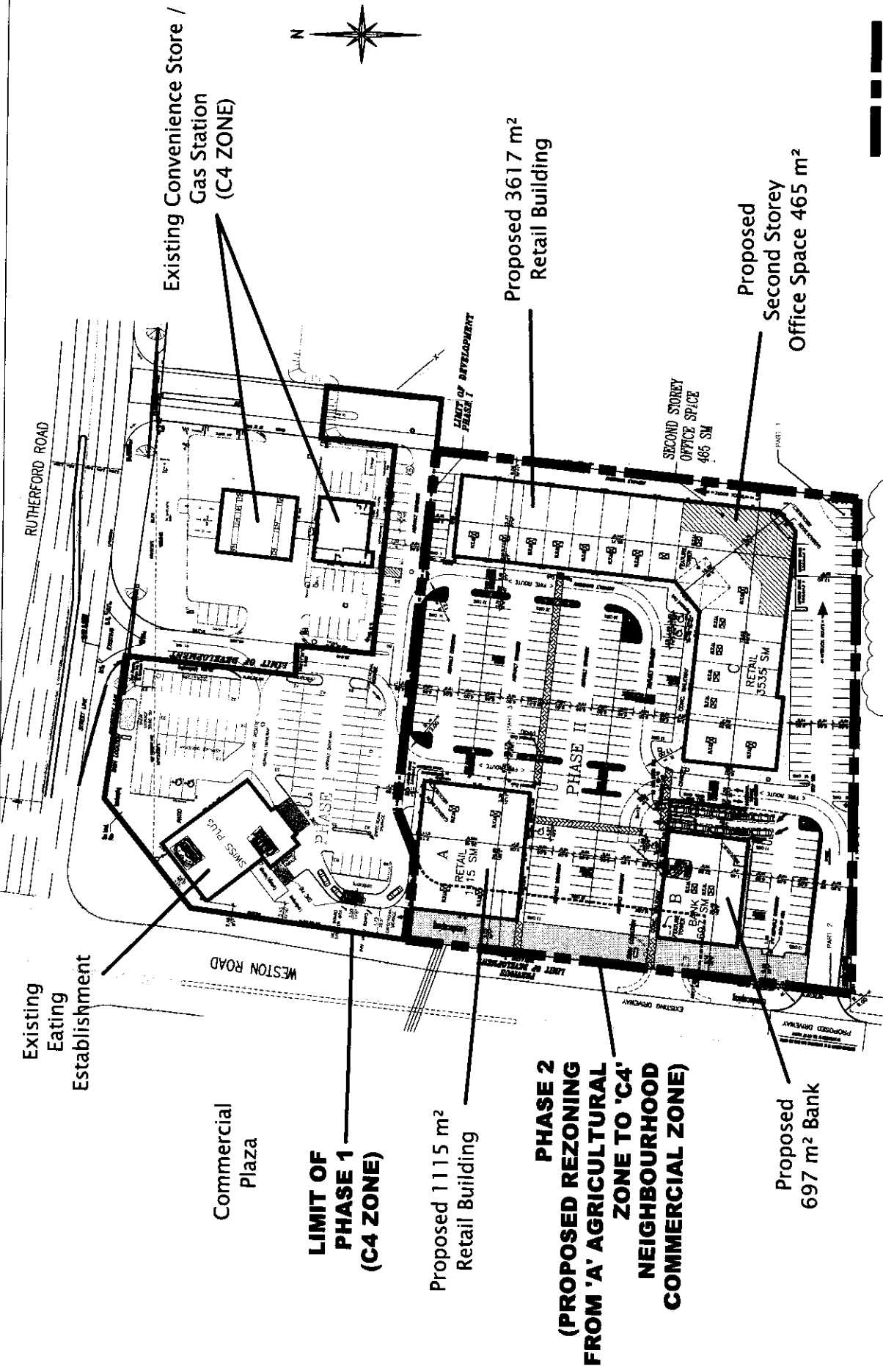
JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

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NOTE: SNOW REMOVAL OFF SITE

SUBJECT LANDS

Site Plan (Phase 2)

Part Lot 15,
Concession 5
APPLICANT:
VALLEY MILL DEVELOPMENTS LTD.
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Development Planning Department

Attachment 2

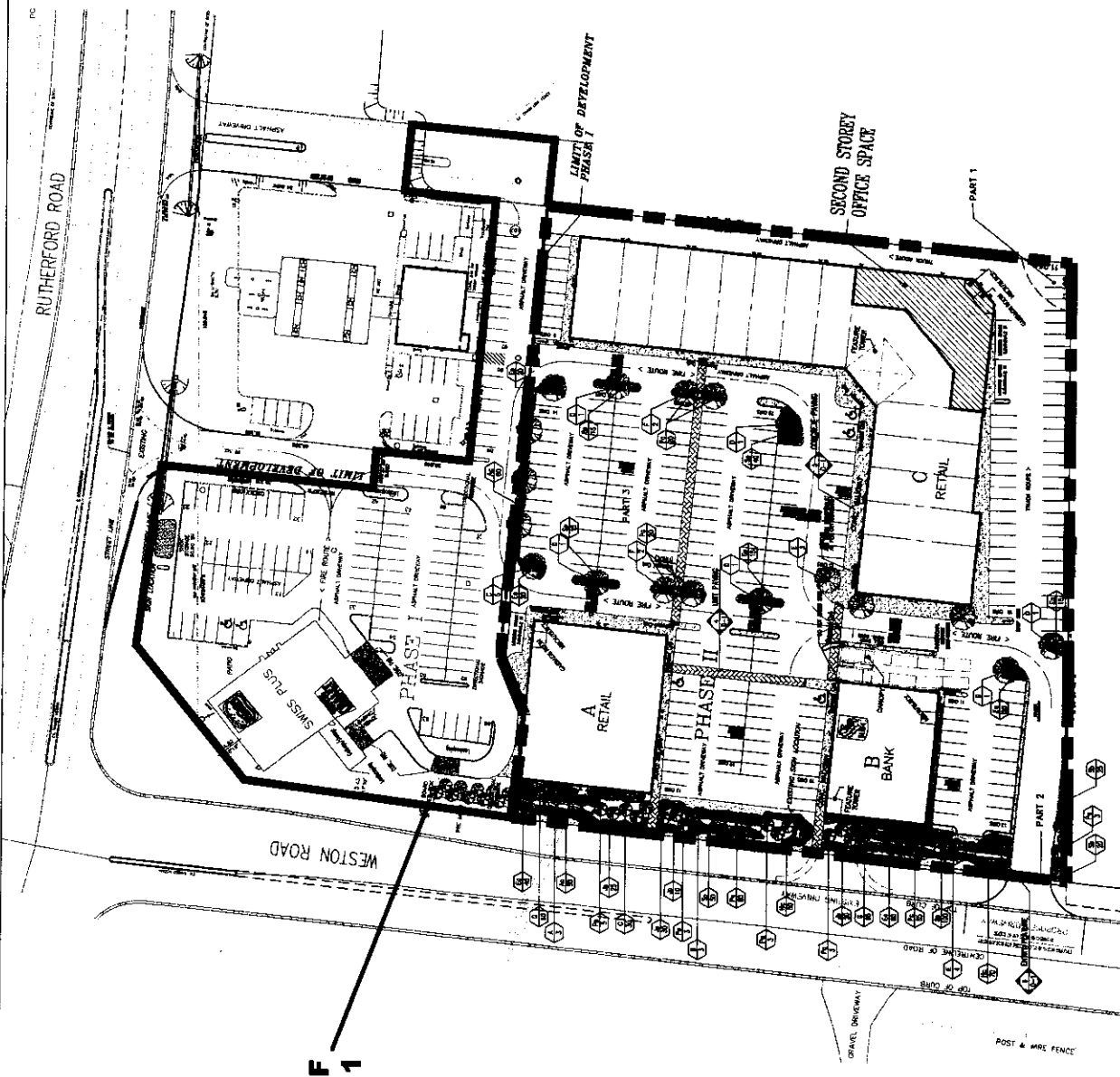
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Z.04.070
September 30, 2005



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**SUBJECT LANDS
(PHASE 2)**

Attachment 3
FILE No.:
DA.05.006 &
Z.04.070
September 30, 2005



**LIMIT OF
PHASE 1**

Landscape Plan

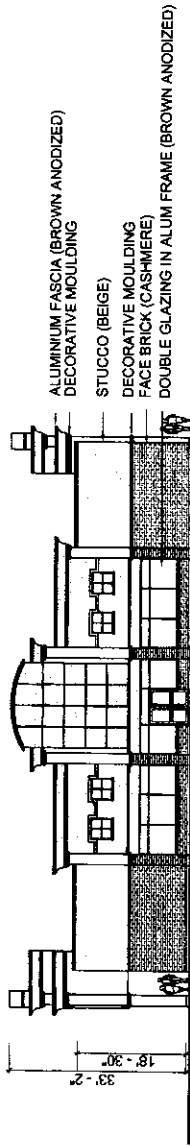
**City of
Vaughan**

Development Planning Department

Part Lot 15,
Concession 5

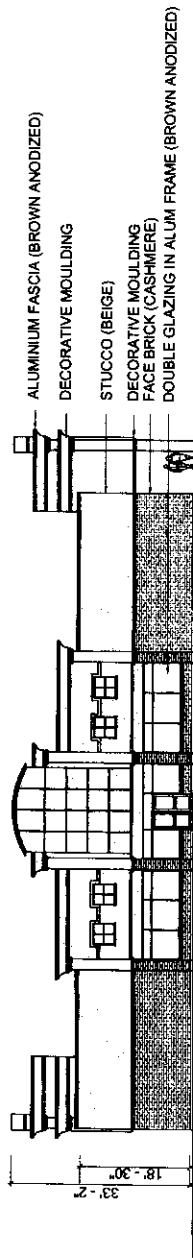
APPLICANT:
VALLEY MILL DEVELOPMENTS LTD.

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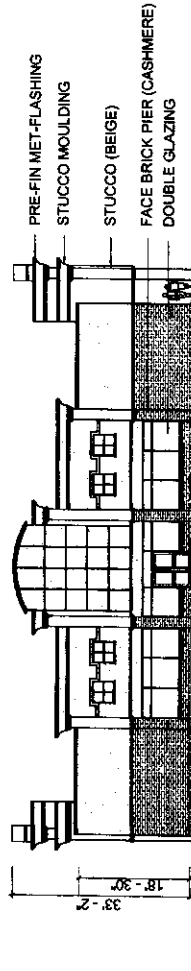
WEST ELEVATION

ALUMINIUM FASCIA (BROWN ANODIZED)
 DECORATIVE MOULDING
 STUCCO (BEIGE)
 DECORATIVE MOULDING
 FACE BRICK (CASHMERE)
 DOUBLE GLAZING IN ALUM FRAME (BROWN ANODIZED)



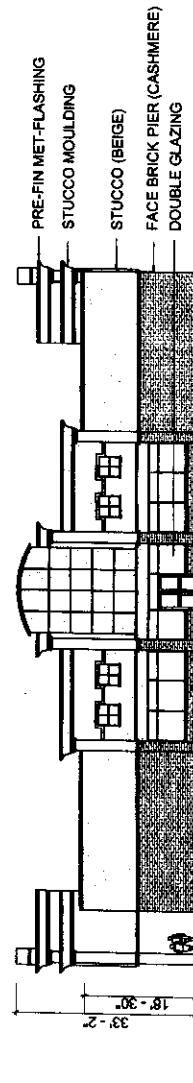
SOUTH ELEVATION

ALUMINIUM FASCIA (BROWN ANODIZED)
 DECORATIVE MOULDING
 STUCCO (BEIGE)
 DECORATIVE MOULDING
 FACE BRICK (CASHMERE)
 DOUBLE GLAZING IN ALUM FRAME (BROWN ANODIZED)



EAST ELEVATION

PRE-FIN MET-FLASHING
 STUCCO MOULDING
 STUCCO (BEIGE)
 FACE BRICK PIER (CASHMERE)
 DOUBLE GLAZING



NORTH ELEVATION

PRE-FIN MET-FLASHING
 STUCCO MOULDING
 STUCCO (BEIGE)
 FACE BRICK PIER (CASHMERE)
 DOUBLE GLAZING

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Elevations - Building "A"

Part Lot 15,
 Concession 5

APPLICANT:
 VALLEY MILL DEVELOPMENTS LTD.

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City of
Vaughan

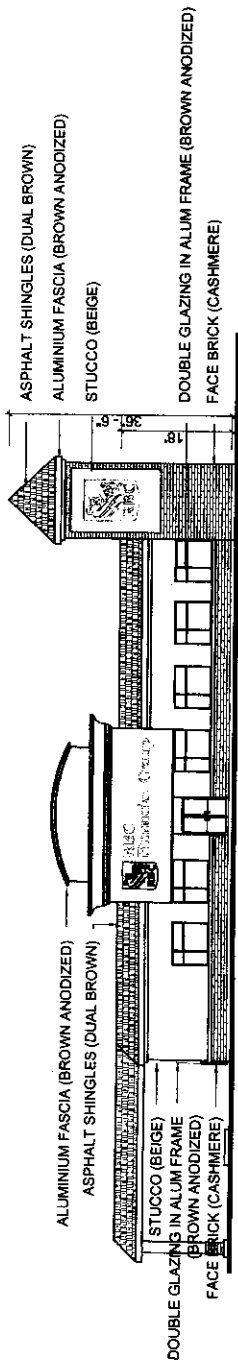
Development Planning Department

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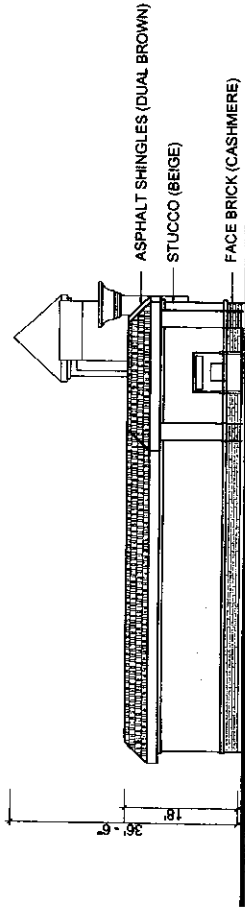
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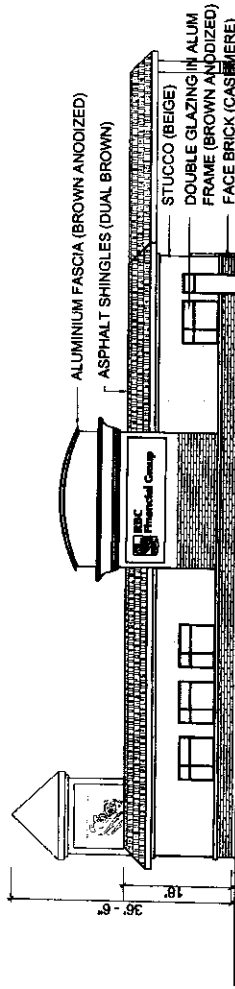
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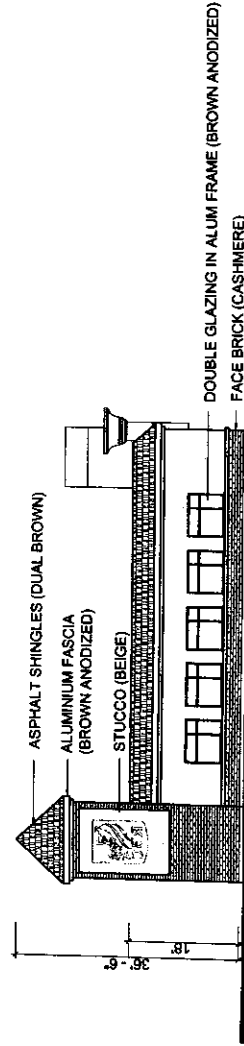
NORTH ELEVATION



EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION

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Elevations - Building "B"

Part Lot 15,
 Concession 5

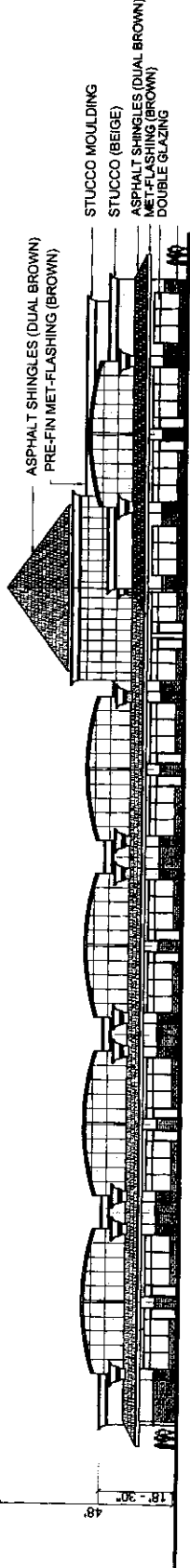
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 VALLEY MILL DEVELOPMENTS LTD.
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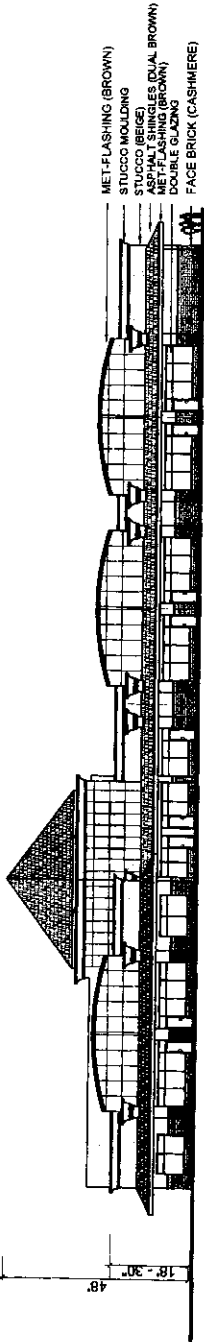
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Attachment 5

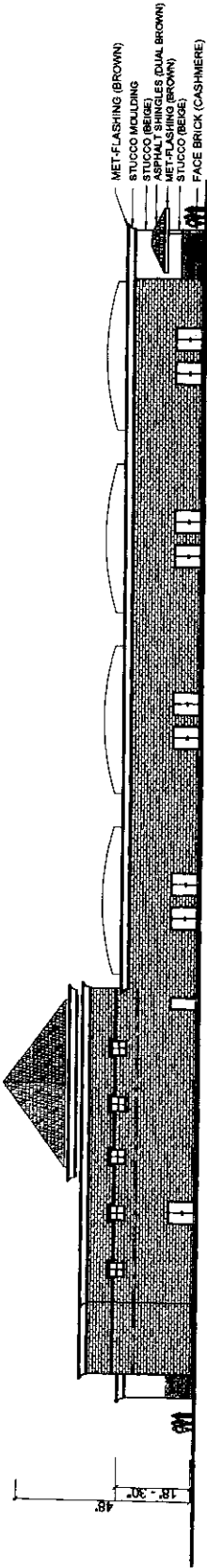
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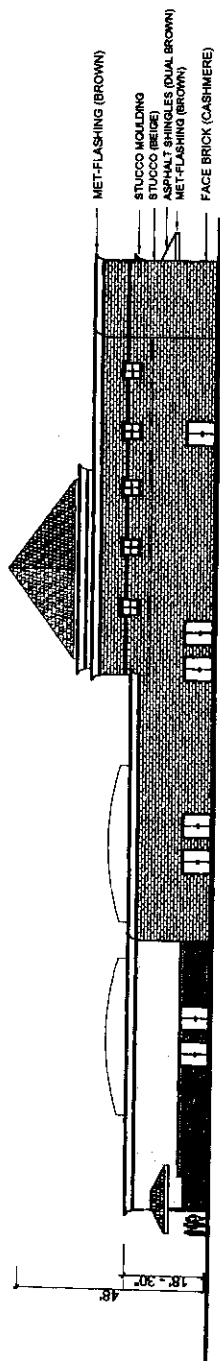
WEST ELEVATION



NORTH ELEVATION



EAST ELEVATION



SOUTH ELEVATION

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Elevations - Building "C"

Part Lot 15,
Concession 5

APPLICANT:
VALLEY MILL DEVELOPMENTS LTD.

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Development Planning Department

Attachment

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FILE No.:
DA.05.006 &
Z.04.070

October 6, 2005