

**COMMITTEE OF THE WHOLE    JUNE 19, 2006**

**ZONING BY-LAW AMENDMENT FILE Z.06.044  
SITE DEVELOPMENT FILE DA.06.010  
BAIF DEVELOPMENTS LIMITED**

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.06.044 (Baif Developments Limited) BE APPROVED, to remove the Holding Symbol "H" on the subject lands shown on Attachment #1, to permit a multi-building commercial development, as shown on Attachment #2.
  - a) that the subject lands shown on Attachment #1 be rezoned from RA2 Apartment Residential Zone to RA2(H) Apartment Residential Zone with the Holding Symbol "H"; with Residential Zone
  
2. THAT Site Development File DA.06.010 (Baif Developments Limited) BE APPROVED, to permit a multi-building commercial development shown on Attachment #2, subject to the following conditions:
  - a) that prior to the execution of a site plan agreement:
    - i) the final site plan, landscape plan and building elevations, shall be approved to the satisfaction of the Development Planning Department;
    - ii) the final site grading and servicing plan, storm water management report, access and on site circulation, shall be approved to the satisfaction of the Engineering Department;
    - iii) all hydro requirements of PowerStream Inc. shall be satisfied;
    - iv) the Owner shall satisfy all requirements of the Region of York, Transportation and Works Department;
    - v) the Owner shall satisfy the requirements of the Toronto Region Conservation Authority;
    - vi) the Engineering Department shall have reviewed and approved a noise study, prepared by a qualified acoustical engineer;
    - vii) the required variances shall be approved by the Committee of Adjustment, and shall be final and binding; and
  - b) that the site plan agreement contain the following provision:
    - i) the Owner shall pay to the City by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands in accordance with the Planning Act, and the City's Cash-in-Lieu Policy. 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 cash-in-lieu payment.

## **Economic Impact**

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

## **Purpose**

The Owner has submitted the following applications:

1. A Zoning By-law Amendment Application to remove the Holding "H" provision on the subject lands shown on Attachment #1, and currently zoned C4(H) Neighbourhood Commercial Zone by By-law 1-88. The Holding provision can be removed upon Council's approval of the Site Plan Application.
2. A Site Development Application on the subject lands shown on Attachment #1, to permit the construction of a 4,761m<sup>2</sup> commercial plaza development consisting of 3 one-storey multi-unit buildings on a 1.869 ha site, as shown on Attachment #2. The proposed development will include a Shoppers Drug Mart, Blockbuster Video, Starbucks with a 46.45m outdoor patio, and retail store/office uses.

## **Background - Analysis and Options**

The subject lands shown on Attachment #1 are located at the southwest corner of Bathurst Street and New Westminster Drive (8000 Bathurst Street), in Part of Lot 7, Concession 2, City of Vaughan. The site has 131.48m frontage on Bathurst Street, and 141.46m flankage along New Westminster Drive. The site is currently vacant. The surrounding land uses are as follows:

- North - New Westminster Drive; high school (OS2 Open Space Park Zone)
- South - vacant, future high rise residential (RA3(H) Apartment Residential Zone with Holding Symbol)
- East - Bathurst Street; existing residential (R4 Residential Zone)
- West - existing townhouses (RM1 Multiple Residential Zone)

## **Official Plan**

The subject lands are designated "Neighbourhood Commercial" by OPA #210 (Thornhill-Vaughan Community Plan), which provides commercial opportunities for uses which serve the needs of the surrounding neighbourhood. Permitted uses include retail stores, business and professional offices and personal service shops. The commercial buildings proposed by this application conform to the Official Plan.

## **Zoning**

The subject lands are zoned C4(H) Neighbourhood Commercial Zone with a Holding provision by By-law 1-88, subject to Exception 9(1034). The removal of the Holding provision is subject to Council's approval of a site plan application. The Development Planning Department is satisfied with the site plan shown on Attachment #2, and can recommend approval of the Zoning By-law Amendment application (File Z.06.044) to remove the Holding "H" Symbol on the subject lands shown on Attachment #1.

However, the proposed site plan layout does not meet all of the C4 Neighbourhood Commercial Zone provisions of By-law 1-88. The applicant has filed an application for Minor Variance with the Committee of Adjustment (File A074/06) for the required variances to the C4 Zone standards as follows:

- reduction in the minimum required parking from 289 spaces to 259 spaces (30 space deficiency or 8.96%);

- reduction in the minimum required setback for a commercial building from an "R" Residential Zone from 22.5m to 3m to the south property line, and 8m to the west property line;
- reduction in the minimum required front yard setback (east) from 11m to 6m;
- reduction in the minimum required rear yard setback (west) from 15m to 8m
- reduction in the minimum required interior sideyard setback (south) from 11m to 3m;
- reduction in the minimum required exterior side yard setback (north) from 11m to 6m;
- reduction in the minimum required landscape strip width along a street from 6m to 4.98m along New Westminster Drive and from 6m to 5m along Bathurst Street.

The Development Planning Department has no objections to the proposed variances, which will facilitate the 3 multi-unit commercial buildings close to the street line, and facilitate development that is compatible with the existing development in the surrounding area, and will enhance the range of uses to better serve the community. Should Council approve the site plan application, the Owner will be required to proceed with their Variance application and obtain approval for the above-noted variances from the Committee of Adjustment, which shall be final and binding, prior to the registration of the implementing site plan agreement.

#### Site Design

The site plan is shown on Attachment #2, and proposes a campus-style development consisting of 3 multi-unit commercial buildings located close to the north, south and west property lines, with the majority of the parking provided in the centre of the site. The location of the proposed commercial buildings are in context with the existing commercial development at the northeast corner of the intersection of Bathurst Street and New Westminster/Atkinson. The subject lands will have access by way of a right-in/right-out access on Bathurst Street, and a full movement access on New Westminster Drive.

The site plan also proposes an outdoor patio on the east side of Building "C", which will be accessory to the proposed Starbucks. The loading areas for the respective buildings will be screened from the adjacent street and residential area, and the garbage storage is internal to the buildings.

The final site plan will be approved to the satisfaction of the development Planning Department.

#### Parking

The site plan proposes a total of 259 parking spaces, whereas 289 spaces are required by By-law 1-88, based on the "shopping centre" standard of 6 spaces/100m<sup>2</sup> GFA, as follows:

4,761m <sup>2</sup> building GFA x 6 spaces/100m <sup>2</sup> =	286 spaces
46m <sup>2</sup> patio area x 6 spaces/100m <sup>2</sup> =	<u>3 spaces</u>
	289 spaces

The proposed development will result in a parking deficiency of 30 spaces (10.3%). The Engineering Department has reviewed a parking study and has advised that the parking supply is acceptable.

#### Landscaping

The landscaping plan is shown on Attachment #3. Enhanced planting consisting of mature coniferous trees will be provided in the 8.0m wide landscape strip at the rear of the plaza to screen the adjacent residential uses from the proposed commercial buildings. An enhanced landscape treatment is also being provided along the Bathurst Street and New Westminster Drive frontages to screen the parking area from street view. Planting is also proposed along the south property line, and in the landscaped islands located within the parking area.

The final plan will be approved to the satisfaction of the Development Planning Department.

#### Building Elevations

The proposed building elevations are shown on Attachments #4, #5 and #6. The proposed building materials include pre-finished panels in varying colours. Building "C" is being finished in a combination of brick masonry and prefinished panels. All of the buildings are finished in similar and complimentary building materials.

The Development Planning Department will work with the applicant to confirm that all roof-top mechanical units will be adequately screened. The final building elevations will be approved to the satisfaction of the Development Planning Department.

#### Region of York

The Region of York Transportation and works Department has provided comments indicating that the Bathurst Street access will be restricted to right-in, right-out movements only. The Region also advised that it is protecting for a 45m right-of-way along this section of Bathurst Street. The setback to the Regional right-of-way will be measured 22.5m from the centreline of Bathurst Street, and the right-of-way is to be conveyed to the Region free of costs and encumbrances. The Region has no objections to the development concept in principle, provided that the Owner acknowledges that the proposed Bathurst Street access shall be restricted to right-in and right-out movements only. The applicant must address the requirements of the Region of York, prior to final approval of the site plan.

#### Services

The Owner has submitted a site grading and servicing plan and a stormwater management report, which must be approved to the satisfaction of the Engineering Department, and the Region of York Transportation and Works Department.

All hydro requirements must be addressed by the Owner, to the satisfaction of PowerStream Inc.

#### Toronto and Region Conservation Authority (TRCA)

The TRCA has advised the proposed development does not meet the TRCA stormwater management criteria and has requested the applicant revise the site plan to address stormwater management and sediment control concerns. The Owner will be required to satisfy the requirements of the TRCA, prior to the execution of the implementing site plan agreement.

#### Parkland Dedication

The Owner will be required to pay to the City, 2% cash-in-lieu of parkland dedication, prior to the issuance of a Building Permit, in accordance with the Planning Act, to the satisfaction of the Legal Department, Real Estate Division.

#### Relationship to Vaughan Vision 2007

This 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 proposed Site Development Application in accordance with the policies of the Official Plan, the requirements of the Zoning By-law, and the area context, and satisfied that the proposed commercial plaza development will facilitate an appropriate development of the site, subject to the conditions of approval identified in this report, including obtaining the required variances from the Committee of Adjustment. On this basis, the Development Planning Department can recommend approval of the Site Development Application.

## **Attachments**

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

## **Report prepared by:**

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Grant Uyeyama, Manager of Development Planning, ext. 8635

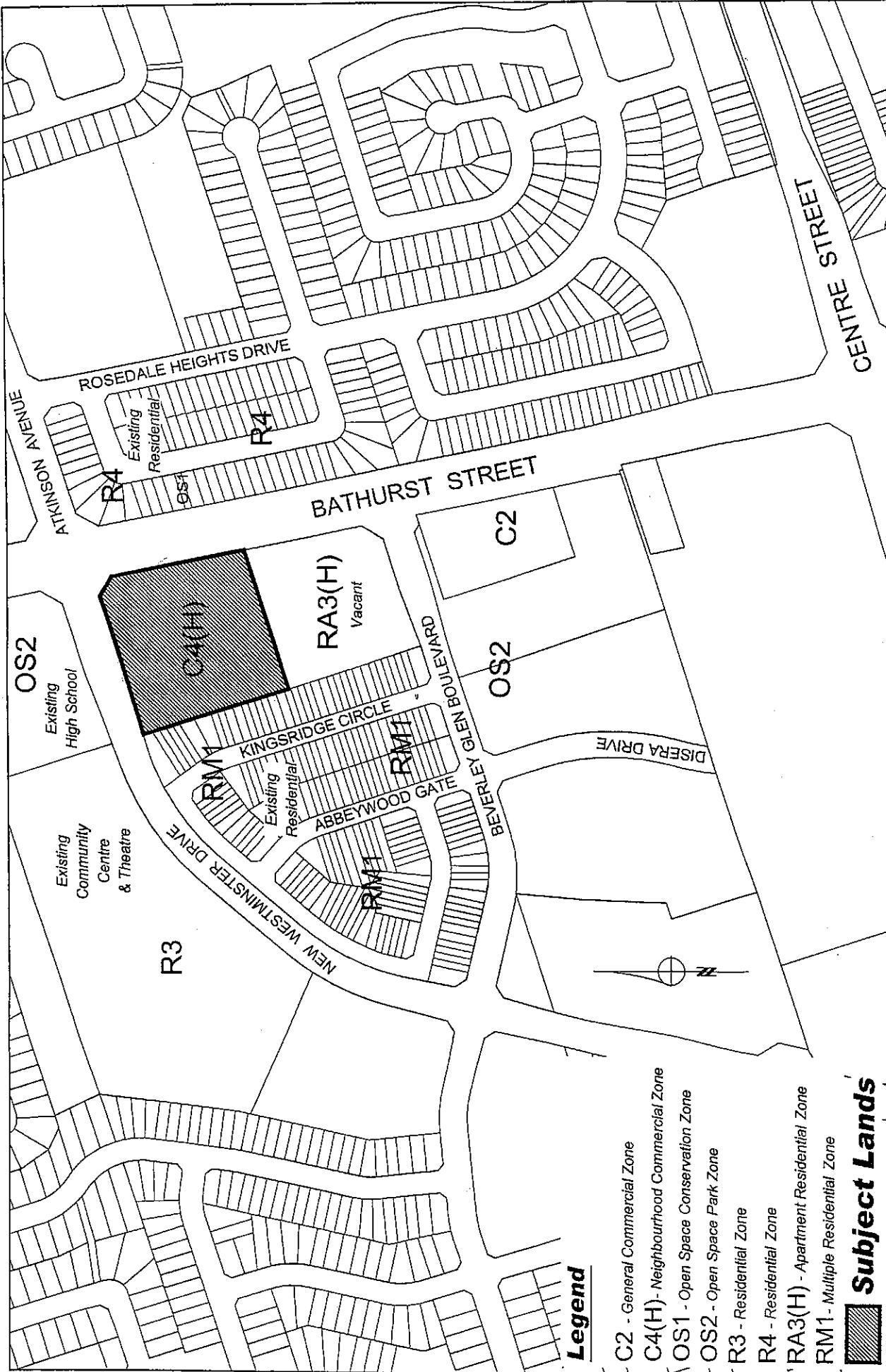
Respectfully submitted,

JOHN ZIPAY  
Commissioner of Planning

MARCO RAMUNNO  
Director of Development Planning

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**Legend**

- C2 - General Commercial Zone
- C4(H) - Neighbourhood Commercial Zone
- OS1 - Open Space Conservation Zone
- OS2 - Open Space Park Zone
- R3 - Residential Zone
- R4 - Residential Zone
- RA3(H) - Apartment Residential Zone
- RM1 - Multiple Residential Zone
-  **Subject Lands**

**Attachment** 

FILE No.:  
DA.06.010  
Not to Scale  
May 18, 2006



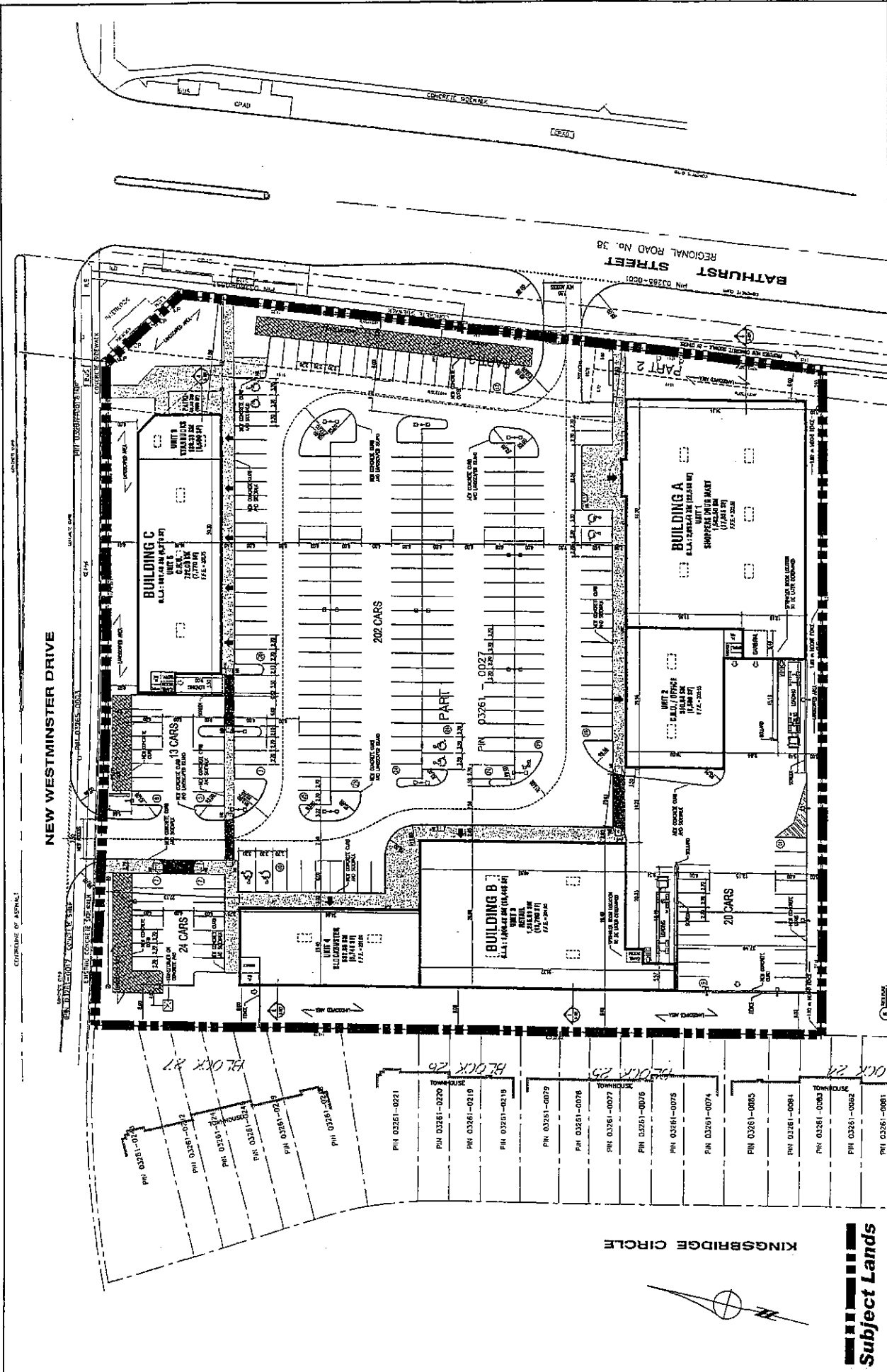
Development Planning Department

**Location Map**

Part of Lot 7,  
Concession 2

APPLICANT:  
BAIF DEVELOPMENTS LIMITED

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Development Planning Department

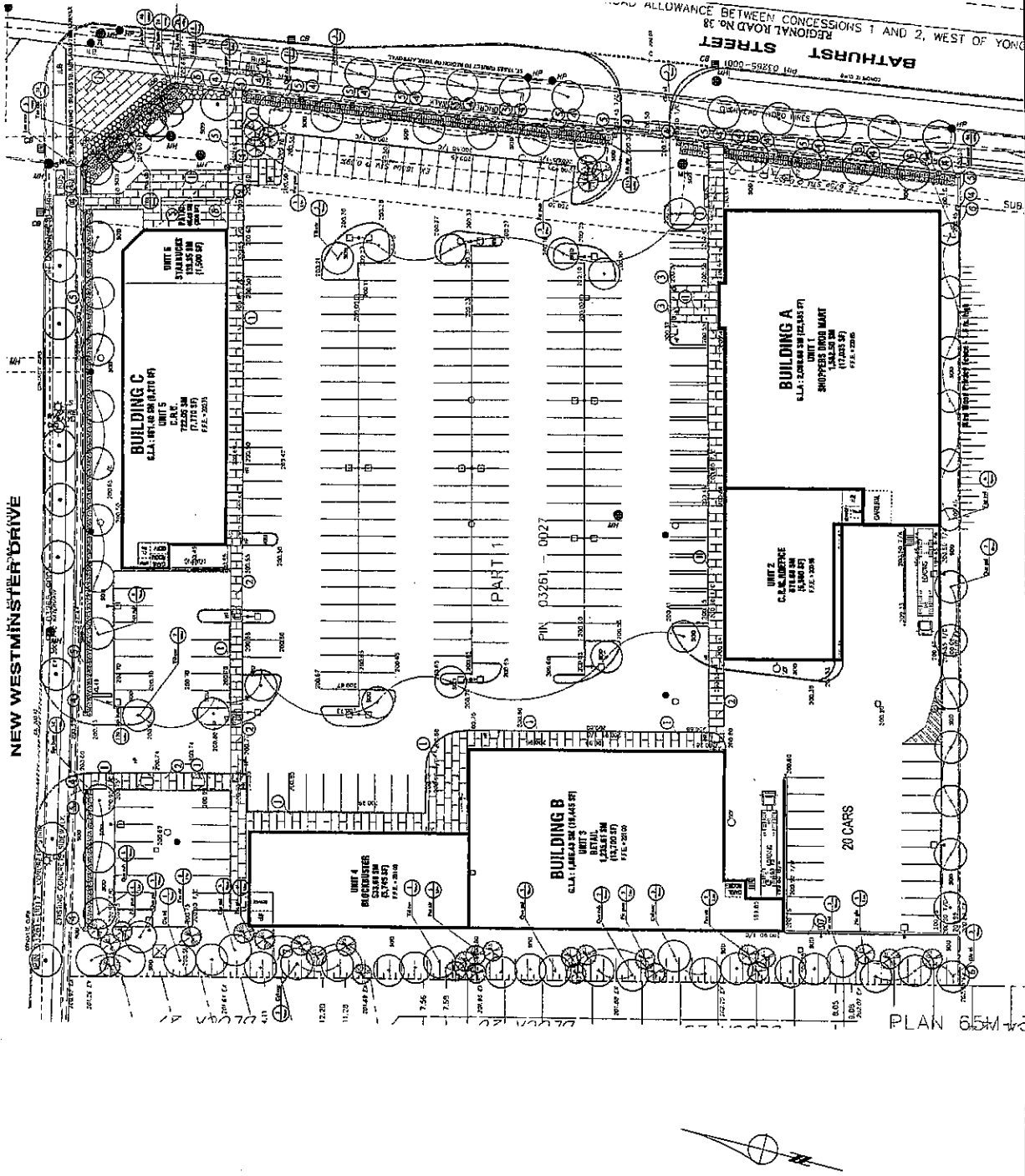
**Site Plan**  
 Part of Lot 7,  
 Concession 2

APPLICANT:  
 BAIF DEVELOPMENTS LIMITED

BY UTILIZING THESE SERVICES

**Subject Lands**





# Landscape Plan

Part of Lot 7,  
Concession 2

APPLICANT:  
BAIF DEVELOPMENTS LIMITED

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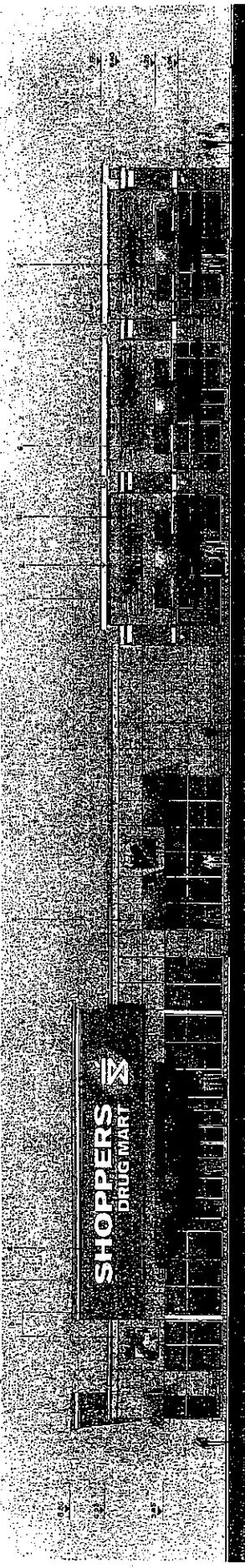
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# Attachment 3

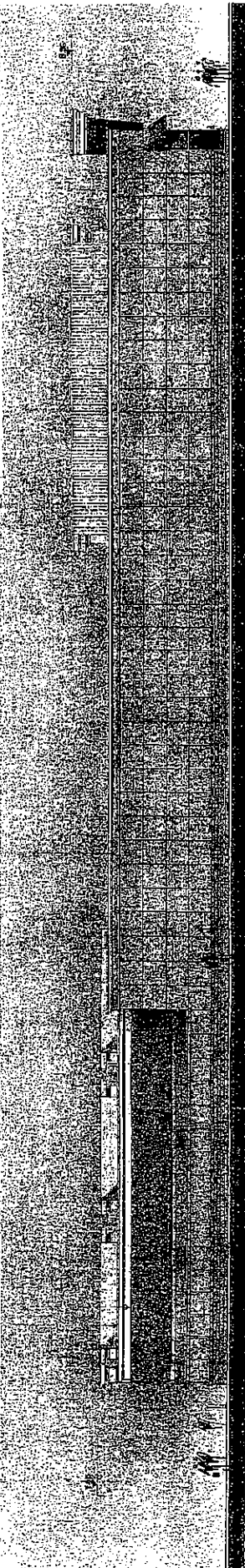
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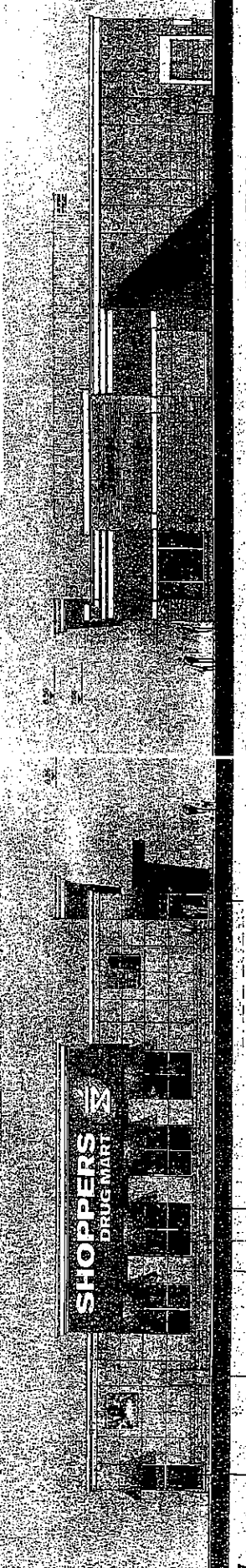




3 NORTH ELEVATION BUILDING 'A'



5 SOUTH ELEVATION BUILDING 'A'



7 EAST ELEVATION BUILDING 'A'

8 WEST ELEVATION BUILDING 'A'

# Building 'A' Elevations

APPLICANT:  
BAIF DEVELOPMENTS LIMITED

11/07/11 ATTACHMENTS/06/05/09.dwg

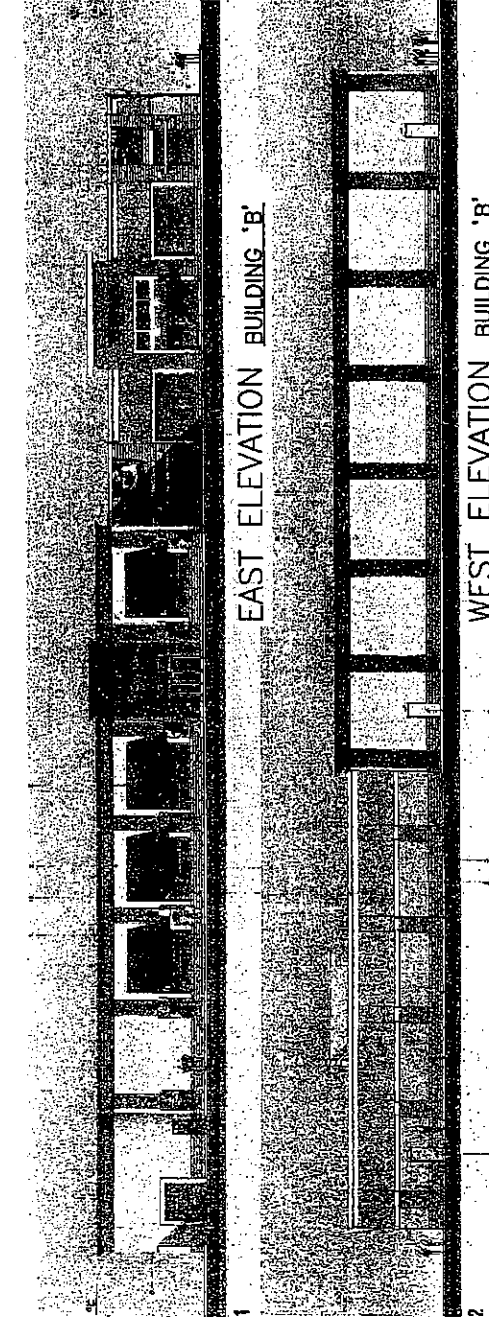


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# Attachment 4

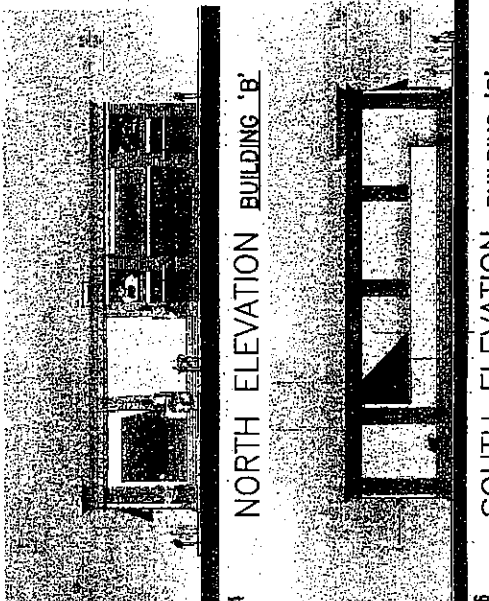
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EAST ELEVATION BUILDING 'B'

WEST ELEVATION BUILDING 'B'



NORTH ELEVATION BUILDING 'B'

SOUTH ELEVATION BUILDING 'B'

**Building 'B'  
Elevations**

APPLICANT:  
BAIF DEVELOPMENTS LIMITED

(SOUTH ATTACHMENT) 05.05.06

Part of Lot 7,  
Concession 2



Development Planning Department

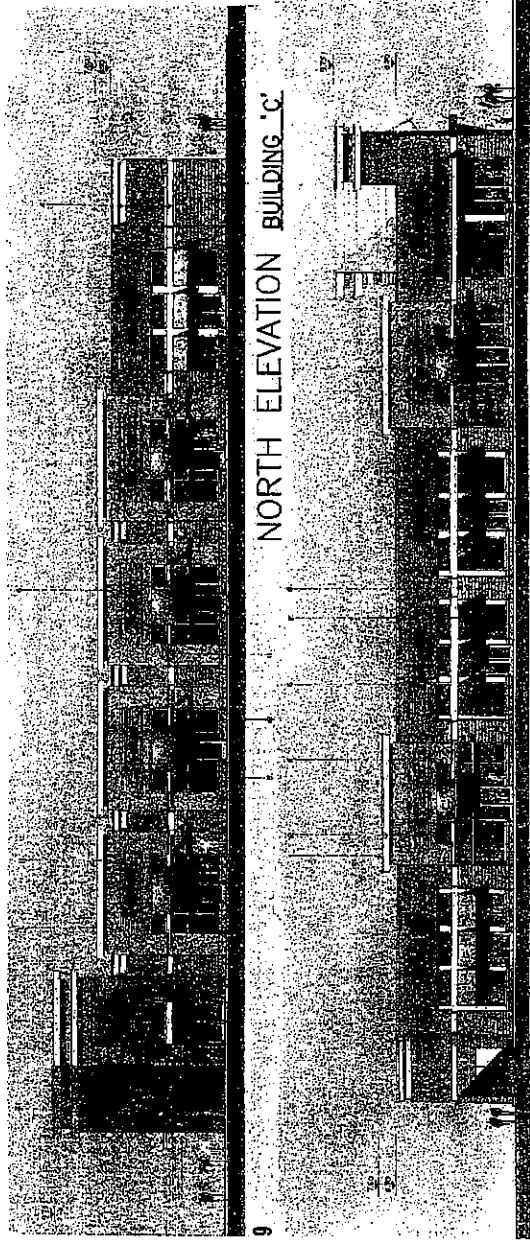
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10 EAST ELEVATION BUILDING 'C'



NORTH ELEVATION BUILDING 'C'

SOUTH ELEVATION BUILDING 'C'



12 WEST ELEVATION BUILDING 'C'

# Building 'C' Elevations

APPLICANT:  
BAIF DEVELOPMENTS LIMITED

Part of Lot 7,  
Concession 2

REF: ATTACHMENTS 06 00.dwg



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**Attachment**  
**6**

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