

**COMMITTEE OF THE WHOLE DECEMBER 3, 2007**

**ZONING BY-LAW AMENDMENT FILE Z.07.013**

**SITE DEVELOPMENT FILE DA.07.039**

**611248 ONTARIO LIMITED (C/O TRINITY DEVELOPMENT GROUP)**

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.07.013 (611248 Ontario Limited c/o Trinity Development Group) BE APPROVED, as follows:
  - i) rezone the subject lands to C2 General Commercial Zone with additional uses including retail warehousing, supermarket, LCBO, beer store, clinic, financial institution with drive-through and department store;
  - ii) a department store shall be defined as:

“a retail commercial establishment where a wide range of uses and merchandise is sold and services offered, including but not limited to: retail store; pharmacy; food sales; LCBO outlet limited to the sale of wine; retail nursery; photographic studio; eating establishment, convenience; health professional, regulated; office, business and professional; bank or financial institution; car rental service; garage, public with no outside storage; children’s amusement facility; and personal service shop. For the purposes of this definition, a department store shall have a minimum 50 percent of the gross floor area devoted to retail store and food sale uses.”
  - iii) permit a reduced “shopping centre” parking standard of 5.5 spaces /100 m<sup>2</sup> GFA on the entire site;
  - iv) the subject lands must be developed with an office building with a minimum G.F.A. of 1371.25 m<sup>2</sup>;
  - v) the minimum front yard setback shall be 9.0m;
  - vi) a shared access shall be provided with the lands to the north.
2. THAT Site Development File DA.07.039 (611428 Ontario Limited c/o Trinity Development Group) BE APPROVED, subject to the following conditions:
  - a) that prior to the execution of the site plan agreement:
    - i) the final site plan, building elevations, landscaping plan and signage plan shall be approved by the Development Planning Department;
    - ii) the final site servicing and grading plans, stormwater management report, access, parking and on-site vehicular circulation shall be approved by the Engineering Department and the Toronto and Region Conservation Authority;
    - vii) all requirements of the Region of York Transportation and Works Department shall be satisfied;

- viii) all requirements of the Toronto and Region Conservation Authority shall be satisfied;
  - ix) all hydro requirements shall be fulfilled to the satisfaction of PowerStream Inc.;
  - x) all requirements of Hydro One Networks shall be satisfied;
  - xi) the implementing zoning by-law shall be in full force and effect;
  - xii) the required consent for shared access with the land owner to the north shall be finalized.
- b) that the site plan agreement include the following provision:
- i) 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 the 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.

#### **Economic Impact**

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

#### **Communications Plan**

N/A

#### **Purpose**

The Owner has submitted an application to amend the Zoning By-law on the subject lands shown on Attachment #1, specifically to amend the C2 General Commercial Zone provisions of By-law 1-88, in order to facilitate the following amendments:

- a) permit the additional use of a drive-through with a permitted bank use (Building 'D');
- b) permit a reduced "shopping centre" parking standard of 5.5 spaces/100m<sup>2</sup> GFA for the entire site, whereas the By-law requires a minimum standard of 6 spaces/100m<sup>2</sup> GFA;
- c) permit a minimum front yard setback of 9.0 m;
- d) permit a shared access with the lands to the north; and,
- e) provide a new site-specific definition for a "Department Store" use (ie. to facilitate Walmart in Building 'A'), as follows:

"A Department Store shall mean a retail commercial establishment where a wide range of uses and merchandise is sold and services offered, including but not limited to: retail store; pharmacy; food sales; LCBO outlet; retail nursery; photographic studio; eating establishment, convenience; health professional, regulated; office, business and professional; bank or financial institution; car rental service; garage, public; children's amusement facility; and personal service shop. For the purposes of this definition, a

department store shall have a minimum 50 percent of the gross floor area devoted to retail store and food sale uses."

The proposed zoning by-law amendment, together with the approvals granted by Vaughan Council on August 27, 2001 (File Z.23.90), to rezone the subject lands from A Agricultural Zone and C2 General Commercial Zone to entirely C2 Zone with the additional uses of retail warehousing, supermarket, L.C.B.O. Outlet, beer store and clinic, will facilitate the development of a commercial complex consisting of five buildings – a retail/department store (Building 'A'), a multi-unit commercial building (Building 'B'), a free-standing commercial building (Building 'C'), a financial institution (Building 'D') and a 2-storey office building (Buildings 'E'), as shown on Attachment #2.

A by-law to implement the rezoning of the subject lands to C2 Zone is subject to Council's approval of a site plan. The Owner has submitted a related Site Development Application (File DA.07.039), which has been reviewed concurrently with the subject zoning amendment application.

### **Background - Analysis and Options**

The vacant, 12.82 ha site is located on the northwest corner of Regional Road #27 and Milani Boulevard, being Block 1 on Registered Plan 65M-3966, City of Vaughan, as shown on Attachment #1.

The subject lands are designated "General Commercial" by OPA #451 and zoned A Agricultural Zone and C2 General Commercial Zone by By-law 1-88, subject to site-specific Exception 9(343). The surrounding land uses are:

- North - vacant (A Agricultural Zone; C7 Service Commercial Zone; EM1 Prestige Employment Area Zone; OS1 Open Space Conservation Zone)
- South - vacant (A Agricultural Zone)
- East - commercial (C6 Highway Commercial Zone); vacant (A Agricultural Zone); Regional Road #27; residential (R4 Residential Zone)
- West - stormwater management pond (OS1 Open Space Conservation Zone); vacant (EM2 and EM2 (H) General Employment Area Zone with and without a Holding provision)

On May 25, 2007, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to the West Woodbridge Homeowner's Association. To date, the following comment was expressed at the Public Hearing Meeting by Nick Pinto, West Woodbridge Homeowners Association regarding the concern with the sale of alcohol within the department store (Walmart). The Owner has agreed to eliminate the sale of liquor and beer from the definition.

The recommendation of the Committee of the Whole on June 18, 2007 to receive the Public Hearing Report and to forward a technical report to a future Committee of the Whole meeting was ratified by Council on June 25, 2008.

### **Official Plan**

The subject lands are designated "General Commercial" by OPA #451. The proposed amendments to the Zoning By-law 1-88 and the proposed Site Development Plan conform to the Official Plan.

## Zoning

The subject lands are zoned A Agricultural Zone and C2 General Commercial Zone under By-law 1-88, as amended. Council previously granted approval on August 27, 2001 (Z.23.90) to rezone the lands from A Agricultural Zone and C2 General Commercial Zone to a full C2 General Commercial Zone with additional uses including retail warehouse, supermarket, LCBO outlet, beer store and clinic, subject to the approval of a site development application. The owner is also proposing a drive-through associated with a financial institution and a department store.

The Development Planning Department has been working with the applicant to accommodate the concern raised at the Public Hearing, to discuss the appropriate uses and the definition for the Walmart store as requested by the applicant. The revised definition the Owner provided for consideration was as follows: "a retail commercial establishment where a wide range of uses and merchandise is sold and services offered, including but not limited to: retail store; pharmacy; food sales; LCBO outlet; retail nursery; photographic studio; eating establishment, convenience; health professional, regulated; office, business and professional; bank or financial institution; car rental service; garage, public; children's amusement facility; and personal service shop. For the purposes of this definition, a department store shall have a minimum 50 percent of the gross floor area devoted to retail store and food sale uses." The Development Planning Department concur with this definition with the exception of LCBO outlet which for clarification purposes should be limited to the sale of wine only, as agreed to by the Owner, and the public garage use which must be internal to the building. The reduced parking standard for this site accommodates of the staff and visitor parking only and not outside storage of vehicles.

The Owner has also requested a reduced "shopping centre" parking standard of 5.5 spaces/100m<sup>2</sup> GFA for the entire site, whereas the by-law required 6.0 spaces/100 m<sup>2</sup> GFA. The City's Engineering Department has reviewed the Traffic Study prepared by Itrans Consulting dated August 2007 and has no objections to the reduced parking standard.

Based on the definition of front yard as per By-law 1-88, Milani Boulevard would be considered the front yard. However, from a functioning standpoint Milani Boulevard will act as the interior street and in turn, interior lot line. In turn, Staff can support a reduction in the front yard setback (from Milani Boulevard) from the required 15.0 m to 9.0 m, which is consistent with a standard C2 interior side yard setback.

To help with circulation on the site, the City's Engineering Department requested a connection to the lands to the north which will ultimately filter some of the traffic off of Milani Boulevard to Innovation Drive. In turn, an exception is required to allow for shared access and movement off-site. Consent for cross-easements will have to be obtained through the Committee of Adjustment.

OPA #451 contains a provision which required a pre-determined percentage for an office component prior to the occupancy of the commercial component. In turn, the Development Planning Department is recommending that the proposed GFA of the 2-storey office, 1371.25 m<sup>2</sup>, be incorporated into the Zoning By-law as a minimum in order to ensure the requirement is met.

The Development Planning Department can support Zoning Amendment File Z.07.013, as amended.

## Site Design

The proposed site plan (Attachment #2) shows the two-storey office, financial institution and LCBO at the front of the site abutting Highway #27. The multi-unit building is situated behind the bank and the department store (Walmart) is in the northeast corner of the site. Parking is located throughout the site however the majority is located on the rear half due to the Hydro Corridor. Two access points are being proposed – one on Regional Road #27 and one on Milani

Boulevard. The Development Planning Department will continue to work with the Owner to finalize the details of the site plan shown on Attachment #2. The final site plan shall be approved to the satisfaction of the Development Planning Department.

#### Building "A" Elevations

The proposed building elevations for the department store (Walmart) are shown on Attachment #4a. The department store will be constructed to a maximum height of 10.0 m. Roof lines vary in the area of the signage and main entrance for architectural enhancement. The building material consist of camel and light brown stucco with light brown architectural block along the bottom of the facades. Clear glazed windows and sliding doors are located by the main entrance points. Decorative fencing will be used to screen the garden centre. Corporate signage will consist of blue, white and black colours. The Development Planning Department is satisfied with the elevation plan shown on Attachment #4a.

#### Building "B" Elevations

The proposed building elevations for the multi-unit building are shown on Attachment #4b. The multi-unit commercial building will be constructed to a height of 7.06 m increasing to 9.86 m in the area of the entrance ways. The building material consists of a variety of tan & beige tone stucco and clear windows. A band of tan concrete block spans along the bottom of the building. A metal canopy is located above clear spandrel glass windows along the south, north and east elevations. Tan concrete block will span along the bottom of the building and above the signage. The Development Planning Department is satisfied with the elevation plan shown on Attachment #4b.

#### Building "C" Elevations

The proposed LCBO as shown on Attachment #4c will be constructed to a height of 7.16 m. The building material will consist of a sandstone colour brick and clear anodized metal flashing along the top of the building. Signage blocks in green and white will be located above vision glass windows on the north, south and east elevations. Charcoal coloured concrete block spans along the bottom of the building and above the signage. The east and north elevations have display banners/motifs in the vicinity of the entrance ways. The Development Planning Department is satisfied with the elevation plan shown on Attachment #4c.

#### Building "D" Elevations

The proposed TD Bank as shown on Attachment #4d will be built to a height of 6.86 m, increasing to a height of 8.1 m in the vicinity of the rooftop mechanical equipment. The TD signage tower will be constructed to a height of 9.62 m. The building material will be a mix of various beige brick and precast finishes. A precast green banding will span around the entire building approximately ¼ of the way down from the top. Clear glazed window will be located on the north and east elevation. The sign tower will be a lien colour to be consistent with the metal flashing on the roof. Development Planning Department is satisfied with the elevation plan shown on Attachment #4d.

#### Building "E" Elevations

The proposed two-storey office building as shown on Attachment #4e will be constructed to a height of 10.5 m. The elevation material will be consistent in material and colour as Building "B" described above.

#### Landscaping

The proposed landscape plan (Attachment #3) shows a variety of deciduous and coniferous trees and shrubs around the proposed buildings and within the parking boulevards. The Owner will be providing a minimum 9.0 m landscape strip along Highway #27 and Milani Boulevard. The final

landscape plan, including detail drawings and a landscape cost estimate shall be approved to the satisfaction of the Development Planning Department.

#### Services/Utilities

The Owner has submitted a site grading and servicing plan and a stormwater management report, which will be approved to the satisfaction of the Engineering Department and the Toronto and Region Conservation Authority.

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

#### Hydro One

Hydro One has confirmed in their letter dated October 30, 2007 that they have no outstanding issues with the proposed site plan application.

#### Region of York

The Regional Transportation and Works Department has no objection to the approval of the site plan, subject to the plan being revised to eliminate the dual left turn lanes at the intersection of Regional Road #27 and Milani Boulevard.

#### Toronto and Region Conservation Authority

The storm events used in the stormwater management report are the same as those approved by the Toronto and Region Conservation Authority (TRCA) in the overall stormwater management strategy for Registered Plan 65M-3966. As such, they consider the storm events that were utilized for this application to be appropriate. However, the Owner is required to continue to work with the TRCA and provide the appropriate material to determine compliance with the Erosion and Sediment Control Guidelines for Urban Construction.

#### 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".

#### Regional Implications

The final site plan must be reviewed and approved to the satisfaction of the Regional Transportation and Works Department, as the site has access onto Regional Road #27. The Region of York will be a signing party to the site plan agreement.

#### Conclusion

The proposed Site Development Application and Zoning By-law Amendment Application has been reviewed in accordance with the policies in OPA #450, the requirements of By-law 1-88, the comments received from City Departments and external public agencies, and the area context. The Development Planning Department is satisfied that the proposed applications on the subject lands to facilitate the development of a department store (Walmart), multi-unit retail building, free standing retail store (LCBO), financial institution (TD Bank) with drive-through and a 2-storey office building, is appropriate and compatible with the existing and permitted uses in the surrounding area. Accordingly, the Development Planning Department can support the approval of the Site Development Application and Zoning By-law Amendment Application, subject to the conditions contained in this report.

**Attachments**

1. Location Map
2. Site Plan
3. Landscape Plan
- 4a. Elevations – Building A
- 4b. Elevations – Building B
- 4c. Elevations – Building C
- 4d. Elevations – Building D
- 4e. Elevations – Building E

**Report prepared by:**

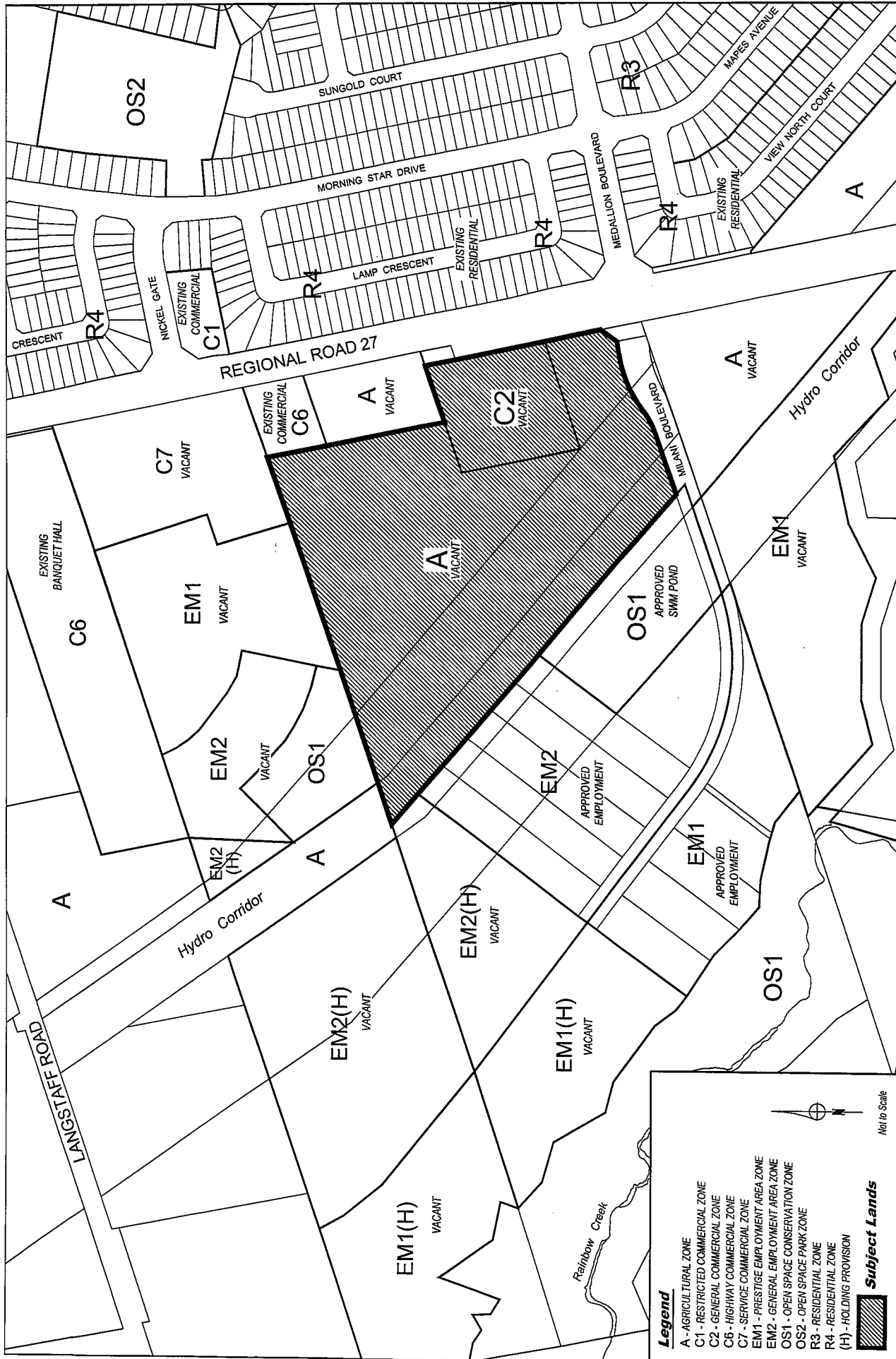
Andrea Seca, Planner, ext. 8215  
Arto Tikiryan, Senior Planner, ext. 8212  
Grant Uyeyama, Manager of Development Planning, ext. 8635

Respectfully submitted,

JOHN ZIPAY  
Commissioner of Planning

MARCO RAMUNNO  
Director of Development Planning

/CM



**Legend**

- A - AGRICULTURAL ZONE
- C1 - RESTRICTED COMMERCIAL ZONE
- C2 - GENERAL COMMERCIAL ZONE
- C6 - HIGHWAY COMMERCIAL ZONE
- C7 - SERVICE COMMERCIAL ZONE
- EM1 - PRESTIGE EMPLOYMENT AREA ZONE
- EM2 - GENERAL EMPLOYMENT AREA ZONE
- OS1 - OPEN SPACE CONSERVATION ZONE
- OS2 - OPEN SPACE PARK ZONE
- R3 - RESIDENTIAL ZONE
- R4 - RESIDENTIAL ZONE
- (H) - HOLDING PROVISION

**Subject Lands**

Not to Scale

# Location Map

Part of Lot 9,  
Concession 9

APPLICANT: 2107683 ONTARIO INC.,  
SRF VAUGHAN PROPERTY INC., RIIOCAN PS INC.

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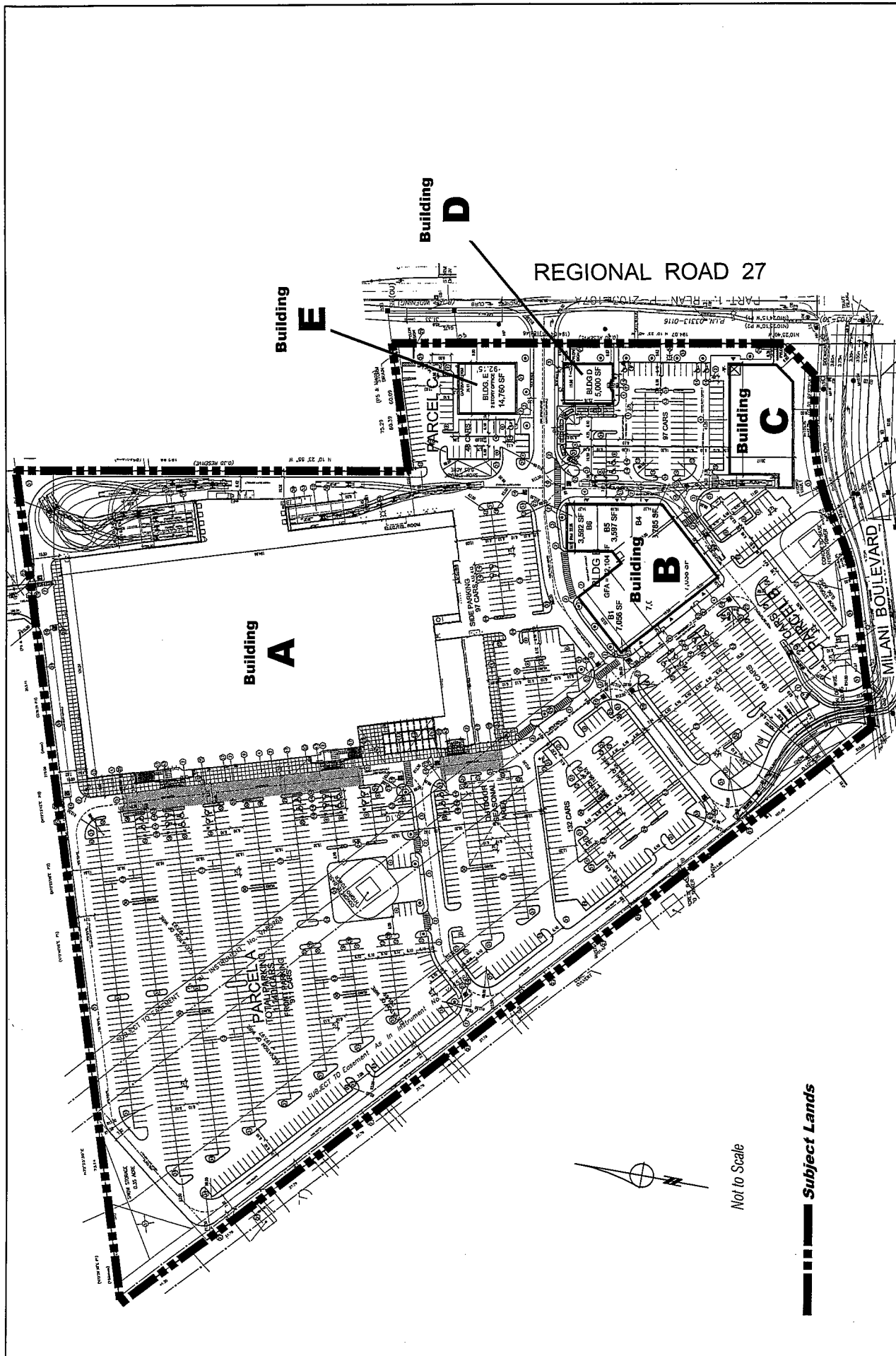
Development Planning Department

# Attachment 1

FILE No.: DA.07.039  
& Z.07.013

November 15, 2007





# Site Plan

Part of Lot 9,  
Concession 9

APPLICANT: 2107683 ONTARIO INC.,  
SRF VAUGHAN PROPERTY INC., RIOCAN PS INC.

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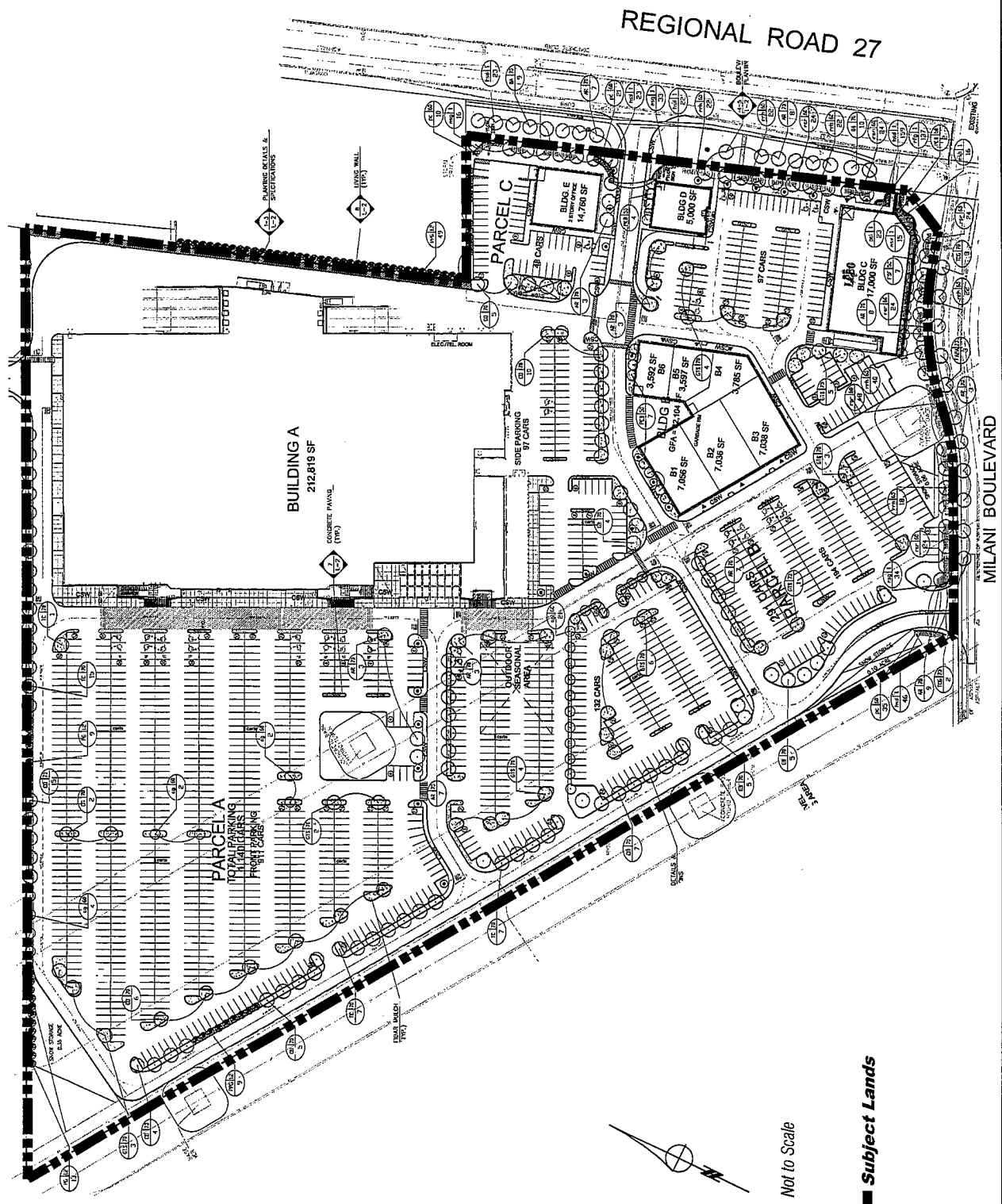
Development Planning Department

# Attachment

FILE No.: DA.07.039  
& Z.07.013

November 15, 2007

# 2



Not to Scale

Subject Lands

REGIONAL ROAD 27

MILANI BOULEVARD

# Landscape Plan

Part of Lot 9,  
Concession 9

APPLICANT: 2107683 ONTARIO INC.,  
SRF VAUGHAN PROPERTY INC., RIOCAN PS INC.

NORTH ATTACHMENT 04.07.036.07.013.dwg



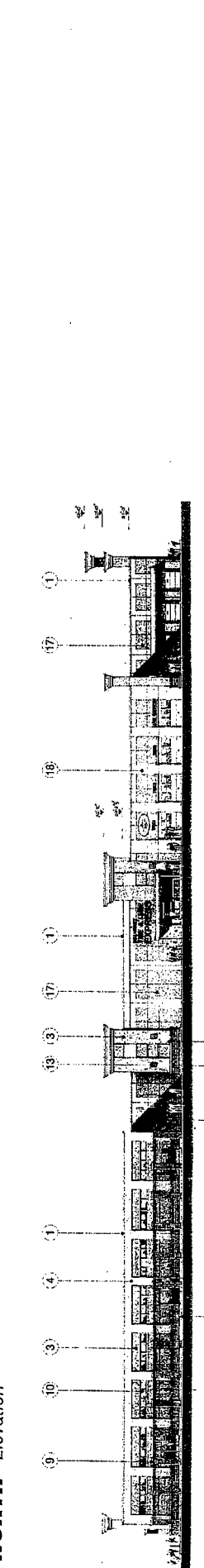
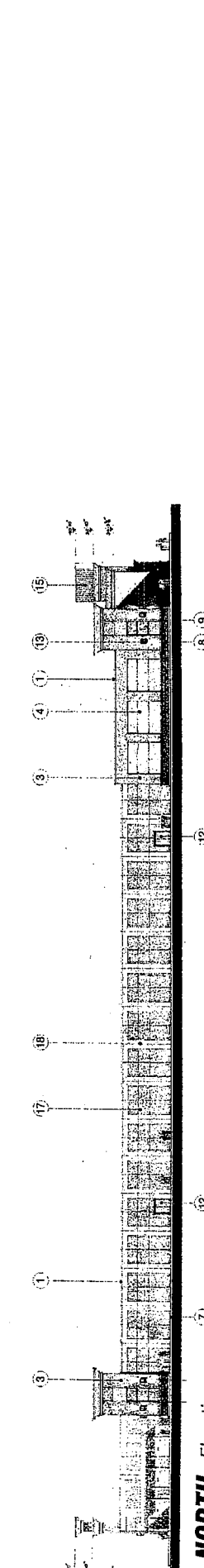
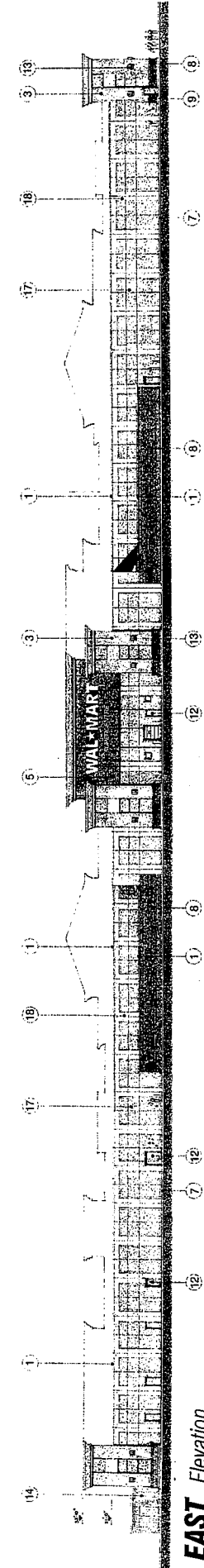
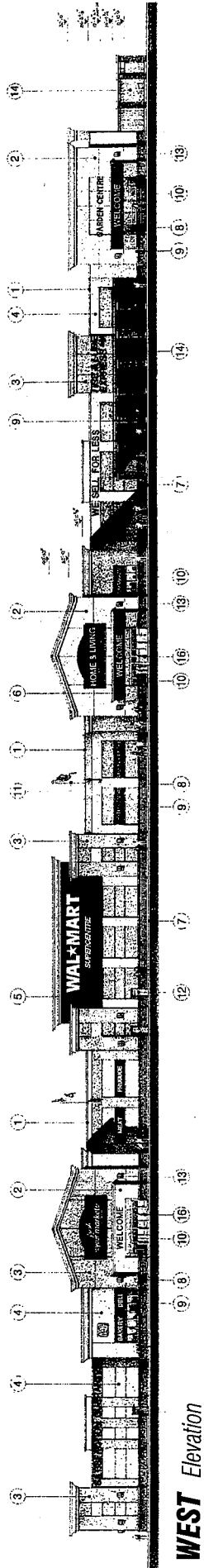
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# Attachment 3

FILE No.: DA.07.039  
& Z.07.013

November 15, 2007



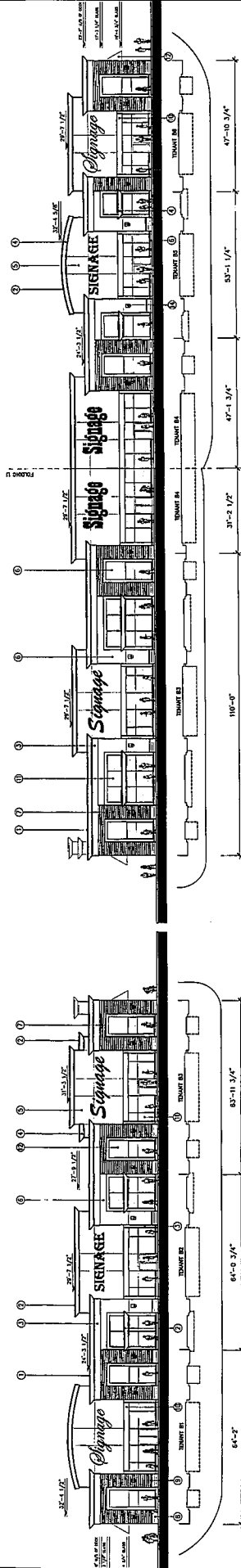
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**Elevations - Building 'A'**  
 Part of Lot 9,  
 Concession 9  
 APPLICANT: 2107683 ONTARIO INC.,  
 SRF VAUGHAN PROPERTY INC., RIÖCAN PS INC.  
 NORTH ATTACHMENT DA.07.013.dwg

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**Attachment 4a**  
 FILE No.: DA.07.039  
 & Z.07.013  
 November 15, 2007

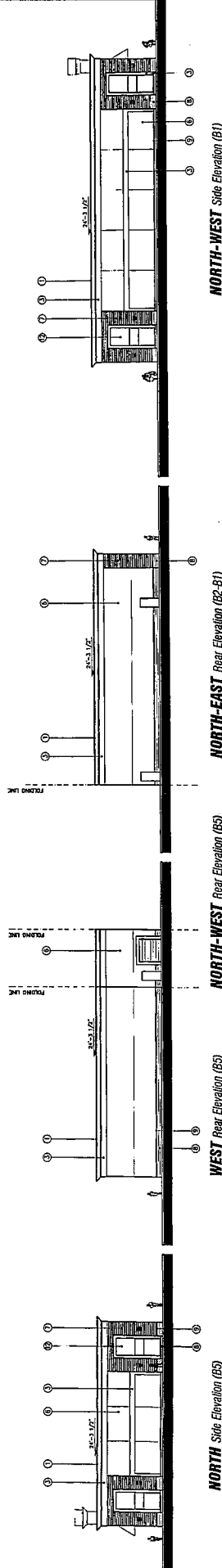
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SOUTH-WEST Front Elevation (B1-B4)

SOUTH-EAST Front Elevation (B4)

EAST Front Elevation (B4-B5)



NORTH Side Elevation (B5)

WEST Rear Elevation (B5)

NORTH-WEST Rear Elevation (B2-B1)

NORTH-WEST Side Elevation (B1)

Not to Scale

## Elevations - Building 'B'

Part of Lot 9,  
Concession 9

APPLICANT: 2107683 ONTARIO INC.,  
SRF VAUGHAN PROPERTY INC., RIOCAN PS INC.

10/27/11 ATTACHMENTS\DA\07.039\27.013.dwg

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**Vaughan**

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Development Planning Department

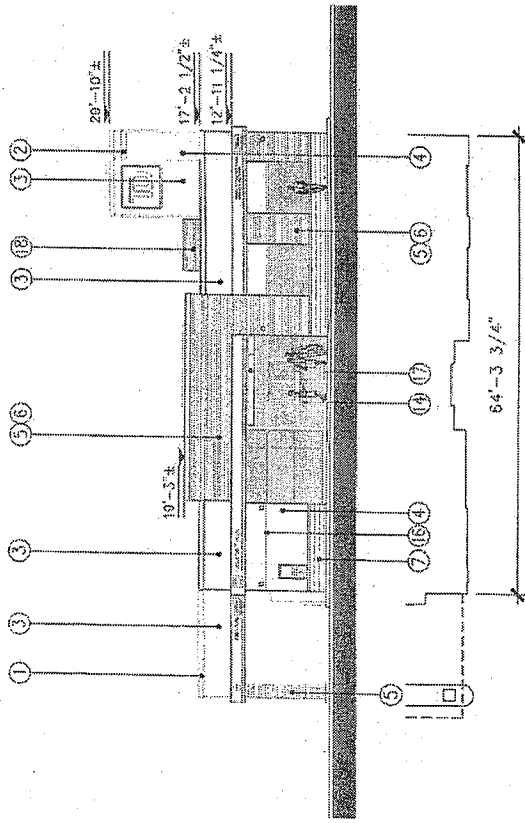
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& Z.07.013

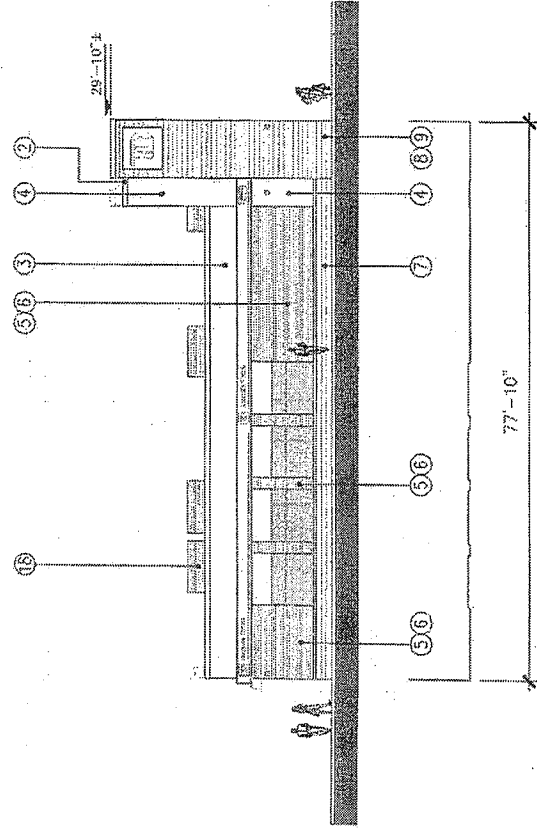
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November 15, 2007

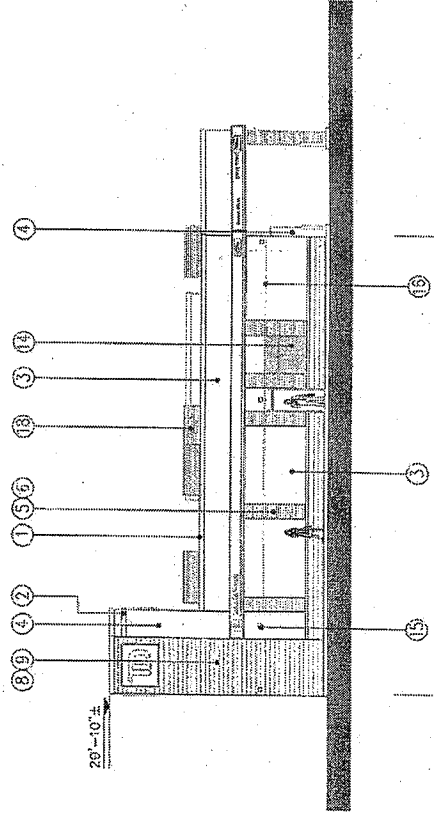




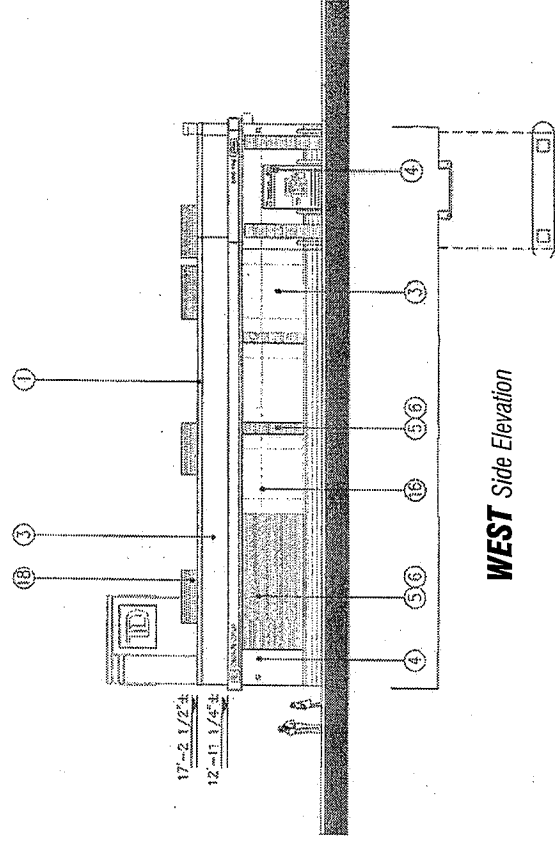
**SOUTH** Front Elevation



**EAST** Side Elevation



**NORTH** Rear Elevation



**WEST** Side Elevation

Not to Scale

## Elevations - Building 'D'

Part of Lot 9,  
Concession 9

APPLICANT: 2107683 ONTARIO INC.,  
SRF VAUGHAN PROPERTY INC., RIOCAN PS INC.

NOT FOR ATTACHMENT DA.07.039.013.dwg

**City of**  
**Vaughan**

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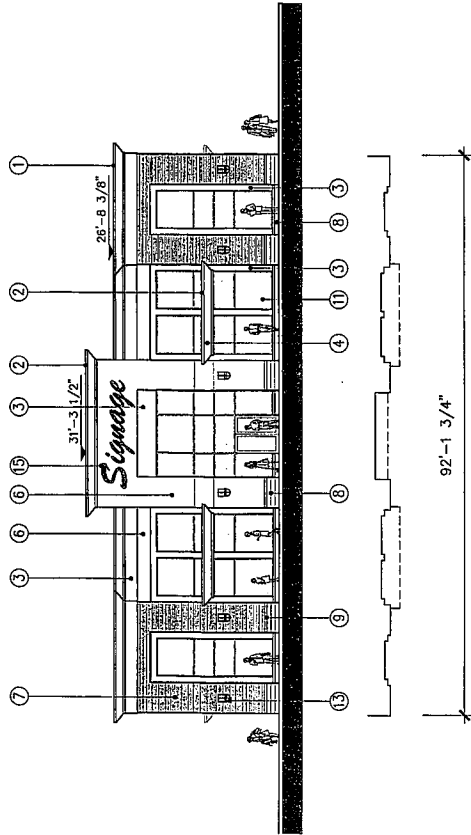
Development Planning Department

## Attachment

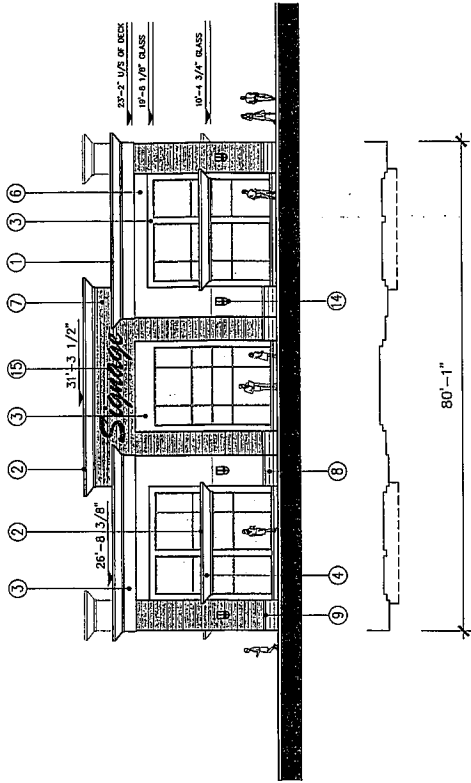
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November 15, 2007

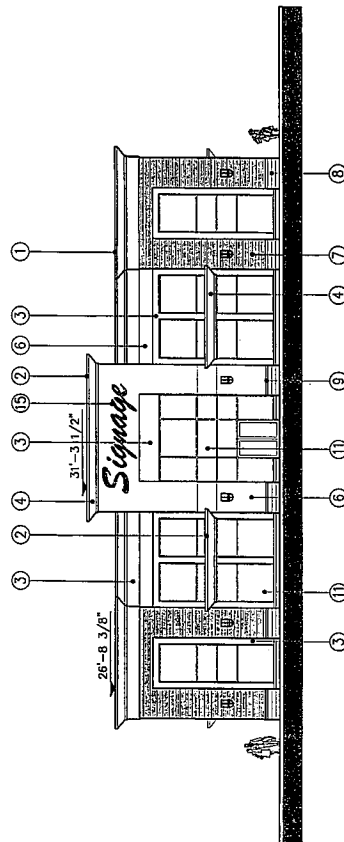
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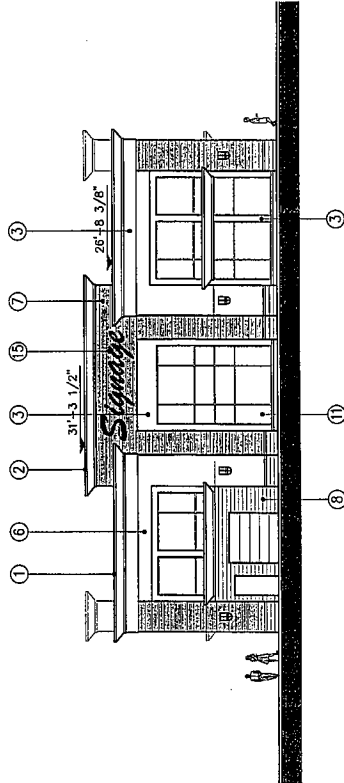
**WEST** Side Elevation



**SOUTH** Side Elevation



**EAST** Side Elevation



**NORTH** Side Elevation

Not to Scale

## Elevations - Building 'E'

Part of Lot 9,  
Concession 9

APPLICANT: 2107683 ONTARIO INC.,  
SRF VAUGHAN PROPERTY INC., RIOCAN PS INC.

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## Attachment

FILE No.: DA.07.039  
& Z.07.013

November 15, 2007

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