

COMMITTEE OF THE WHOLE MARCH 3, 2009

**ZONING BY-LAW AMENDMENT FILE Z.08.055
SITE DEVELOPMENT FILE DA.08.076
ROMDOR DEVELOPMENTS INC.
WARD 1**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.08.055 (Romdor Developments Inc.) BE APPROVED, specifically to amend By-law 1-88 to permit the following zoning exceptions to the C4 Neighbourhood Commercial Zone Standards on the subject lands shown on Attachment #1, to facilitate a commercial development consisting of a 3-storey office building, two-multi unit buildings and an eating establishment with a drive-through, as shown on Attachment #2:
 - i) a minimum 4.5m front yard setback to Building "D", whereas 11 m is required;
 - ii) a minimum 4.8m front yard setback to Building "C", whereas 11 m is required;
 - iii) a minimum 1.8 m setback to an exterior landing for Building "D", whereas the By-law requires that any structure with a foundation or on footings to provide the same setback as the building;
 - iv) a minimum 0.3 m setback to the exterior stairs attached to Building "D", whereas the By-law does not permit exterior stairways exceeding one-half storey (6 risers) in any yard;
 - v) a minimum 4.8m exterior side yard setback to Building "A", whereas 11 m is required;
 - vi) a minimum 0.3 m setback to the exterior stairs attached to Building "A", whereas the By-law does not permit exterior stairways exceeding one-half storey (6 risers) in any yard;
 - vii) a minimum setback of 3.0 m to the exterior stairs attached to Building "A", whereas a minimum setback of 9.2 m is required for exterior stairs less than one-half storey and not constructed on footings;
 - viii) a minimum 4.5 m exterior side yard setback to Building "B", whereas 11 m is required;
 - ix) a minimum 4.0 m exterior side yard setback to Building "D", whereas 11 m is required;
 - x) a minimum 1.0 m setback to the landing attached to Building "D", whereas the By-law requires any structure with a foundation or on footings to provide the same setback as the building;
 - xi) a minimum setback of 2.6 m for Building "D" to the daylight site triangle, whereas 11 m is required;
 - xii) a maximum gross floor area (GFA) of 7,658.48 m², whereas a maximum of GFA of 7,000 m² is permitted;

- xiii) a minimum landscape buffer of 4.5m with permitted yard encroachments along Ilan Ramon Boulevard, whereas the By-law requires a minimum landscape buffer width of 6.0m with no yard encroachments;
- xiv) a minimum landscape buffer width 4.8 m, 4.5 m and 4.0 m in front of Buildings "A", "B", and "D" respectively with permitted yard encroachments (landings and stairs) along Major Mackenzie Drive, whereas a minimum landscape buffer width of 6.0 m is required and no yard encroachments are permitted;
- xv) a minimum of 304 parking spaces, whereas 350 parking spaces are required;
- xvi) a maximum building height of 15.0 m (including the mechanical room) for Building "D", whereas 11.0 m is permitted;
- xvii) a maximum driveway access width of 11.9 m, whereas a maximum driveway access width for ingress and egress movement of 7.5 m is permitted;
- xviii) permit an office building in the C4 Neighbourhood Commercial Zone, whereas an office building is not permitted; and
- xix) permit a drive-through use accessory to a Convenience Eating Establishment, whereas a drive-through is not permitted.

2. THAT Site Development File DA.08.76 (Romdor Developments Inc.) BE APPROVED, subject to the following conditions:

- a) that prior to the execution of the Letter of Undertaking:
 - i) the final site plan, building elevations and landscape plans and landscape cost estimate shall be approved by the Vaughan Development Planning Department;
 - ii) the final site servicing and grading plans, stormwater management report, and functional servicing report shall be approved by the Vaughan Engineering Department;
 - ii) all requirements of the Region of York Transportation Services Department shall be satisfied;
 - iii) all requirements of PowerStream Inc. shall be satisfied;
 - iv) all requirements of the Toronto and Region Conservation Authority shall be satisfied;
 - v) all requirements of the Control Architect, being John G. Williams Limited Architect, shall be satisfied; and,

b) that the Letter of Undertaking contain the following provisions:

"Prior to final approval of the Plan, the Owner shall enter into a Developers' Group Agreement with the other participating landowners within Block 11 to the satisfaction of the City. The Agreement shall be regarding but not limited to all cost sharing for the provision of parks, cash-in-lieu of parkland, road and municipal services within Block 11. This Agreement shall also provide for

additional developers to participate with the Developers' Group Agreement when they wish to develop their lands."

and,

"The Owner acknowledges that cash-in-lieu of parkland shall be paid in accordance with Section 42 of the Planning Act and conform to the City's "Cash-In-Lieu of Parkland Policy."

Economic Impact

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

Communications Plan

On October 24, 2008, a Notice of a Public Meeting for the Zoning By-law Amendment Application (File Z.08.055) was circulated to all property owners within 120m of the subject lands. The Development Planning Department received a letter from KLM Planning Partners Inc., dated November 17, 2008, noting the following:

"Our client seeks to ensure that the proposed development and amendment to the zoning by-law with respect to the reduction in yards and landscape strips, additional permitted uses, including the addition of a drive-through with a convenience restaurant and office building, the reduction of parking and potential impacts such as traffic, lighting security, noise from such facilities as drive-through, roof-top mechanical, garbage bins, loading and design issues will have no adverse impact on the surrounding existing and planned uses. We wish to ensure that the density of proposed development can be accommodated by the roads and that sufficient parking exists to avoid undue congestion and overflow."

As of February 18, 2009, no additional written responses have been received by the Development Planning Department. The recommendation of the Committee of the Whole to receive the Public Hearing report of November 17, 2008, and forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Council on November 24, 2008.

Purpose

The Owner has submitted the following applications on the subject lands shown on Attachment #1:

1. A Zoning By-law Amendment Application File Z.08.055 (Romdor Developments Inc.) specifically to amend By-law 1-88 to permit the following zoning exceptions in order to facilitate the proposed site plan shown on Attachment #2:
 - i) a minimum 4.5m front yard setback to Building "D", whereas 11 m is required;
 - ii) a minimum 4.8m front yard setback to Building "C", whereas 11 m is required;
 - iii) a minimum 1.8 m setback to an exterior landing for Building "D", whereas the By-law requires that any structure with a foundation or on footings to provide the same setback as the building;
 - iv) a minimum 0.3 m setback to the exterior stairs attached to Building "D", whereas the By-law does not permit exterior stairways exceeding one-half storey (6 risers) in any yard;

- v) a minimum 4.8m exterior side yard setback to Building "A", whereas 11 m is required;
- vi) a minimum 0.3 m setback to the exterior stairs attached to Building "A", whereas the By-law does not permit exterior stairways exceeding one-half storey (6 risers) in any yard;
- vii) a minimum setback of 3.0 m to the exterior stairs attached to Building "A", whereas a minimum setback of 9.2 m is required for exterior stairs less than one-half storey and not constructed on footings;
- viii) a minimum 4.5 m exterior side yard setback to Building "B", whereas 11 m is required;
- ix) a minimum 4.0 m exterior side yard setback to Building "D", whereas 11 m is required;
- x) a minimum 1.0 m setback to the landing attached to Building "D", whereas the By-law requires any structure with a foundation or on footings to provide the same setback as the building;
- xi) a minimum setback of 2.6 m for Building "D" to the daylight site triangle, whereas 11 m is required;
- xii) a maximum gross floor area (GFA) of 7,658.48 m², whereas a maximum of GFA of 7,000 m² is permitted;
- xiii) a minimum landscape buffer of 4.5m with permitted yard encroachments along Ilan Ramon Boulevard, whereas the By-law requires a minimum landscape buffer width of 6.0m with no yard encroachments;
- xiv) a minimum landscape buffer width 4.8 m, 4.5 m and 4.0 m in front of Buildings "A", "B", and "D" respectively with permitted yard encroachments (landings and stairs) along Major Mackenzie Drive, whereas a minimum landscape buffer width of 6.0 m is required and no yard encroachments are permitted;
- xv) a minimum of 304 parking spaces, whereas 350 parking spaces are required;
- xvi) a maximum building height of 15.0 m (including the mechanical room) for Building "D", whereas 11.0 m is permitted;
- xvii) a maximum driveway access width of 11.9 m, whereas a maximum driveway access width for ingress and egress movement of 7.5 m is permitted;
- xviii) permit an office building in the C4 Neighbourhood Commercial Zone, whereas an office building is not permitted; and
- xix) permit a drive-through use accessory to a Convenience Eating Establishment, whereas a drive-through is not permitted.

2. A Site Development Application File DA.08.076 (Romdor Developments Inc.) to facilitate the Development of a commercial complex consisting of a 3-storey office building, 2 multi-unit buildings and an eating establishment with a drive through having a total gross floor area of 17, 505.95 m² and 304 parking spaces, as shown on Attachment #2.

Background - Analysis and Options

Location

The subject lands shown on Attachment #1 are located at southwest corner of Major Mackenzie Drive and Ilan Ramon Boulevard, municipally known as 955 Major Mackenzie Drive, in Part of Lot 20, Concession 2, City of Vaughan. The subject lands have a lot area of 17,505.95 m², 170.2m of frontage along Ilan Ramon Boulevard, and 185.7 m of flankage along Major Mackenzie Drive. The surrounding land uses are shown on Attachment #1.

Official Plan and Zoning

The subject lands are designated "Medium Density Residential/Commercial" by OPA #600, which permits small-scale retail and office commercial uses. The proposed development conforms to the Official Plan.

The subject lands are zoned C4 Neighbourhood Commercial Zone By-law 1-88. An amendment to By-law 1-88 is required to facilitate the development standards required to implement the proposed development and to permit an office building and a drive-through as additional permitted uses on the subject lands.

Site Plan and Zoning Review

The Development Planning Department is generally satisfied with the proposed commercial development, and will continue to work with the Owner to finalize the details of the proposed site plan, building elevations and landscape plan, shown on Attachments #2 to #8. The buildings are well sited and address both Major Mackenzie Drive and Ilan Ramon Boulevard and the street intersection. A mix of hard surface and soft landscaping has been provided around the periphery of the site and within the parking area in order to enhance its appearance and screen the loading areas. The final site plan, building elevations and landscape plan must be approved to the satisfaction of the Development Planning Department.

As noted above, a number of zoning exceptions are required to facilitate the proposed development. The Development Planning Department can support the proposed office building and drive-through accessory to an eating establishment as additional uses on the subject lands. The proposed office building provides an anchor for the site at the corner with a design that addresses the public streets. The proposed drive-through is located at the rear of Building "B" screened from view on Major Mackenzie Drive. The balance of the zoning exception primarily address the siting of the proposed buildings close to the street, which is encouraged from an urban design perspective.

The Vaughan Engineering Department has reviewed and provided comments with respect to the site servicing and grading plans, stormwater management report and noise report for the commercial development, and will continue to work with the Owner to finalize the details of the engineering drawings, which must be approved to the satisfaction of the Engineering Department.

The Vaughan Engineering Department has advised that the parking study provided in support of the parking reduction (from 350 to 304 parking spaces) and the Traffic Impact Study are acceptable, but note that final approval is required from the Region of York Transportation Services Department with respect to the findings of the Traffic Impact Study.

Sustainability

The Owner has advised that the following sustainable building and site development features will be incorporated into the development;

- outdoor lighting will be designed for safety and comfort and to reduce light pollution;
- an erosion and sedimentation control plan will be designed and implemented;
- recycled concrete material will be used for the stone base in the parking lot and pavement construction;
- bicycle racks will be provided on the site;
- permeable pavers will be utilized in the landscaped islands throughout site;
- plumbing fixtures which reduce water requirements will be utilized;
- roofing materials which have a high Solar Reflectance Index (typically referred to as a white roofs will be used;
- low emitting adhesives, sealants, paints and coatings will be utilized;
- an easily accessible area for the collection and storage of recyclables will be provided;
- and,
- landscape materials which minimize the use of water will be provided.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Vitality".

Regional Implications

The Region of York has reviewed and provided comments with respect to the applications. The Owner has provided revised plans to respond to the Regions comments, which are being reviewed by the Region of York. As a condition of approval, all requirements of the Region of York must be satisfied by the Owner.

Conclusion

The Zoning By-law Amendment and Site Development Applications have been reviewed in accordance with the policies of OPA #600, the requirements of By-law 1-88, comments from the City Departments and external public agencies, and the area land use context. The Development Planning Department is satisfied that the amendments required to By-law 1-88 to implement the proposed plan are appropriate for the development of the subject lands and that the commercial development consisting of a 3-storey office building with underground parking, a stand alone convenience eating establishment use with an accessory drive-through, and 2 multi-unit commercial buildings is compatible with the existing and planned land uses in the surrounding area. Accordingly, the Development Planning Department can support the approval of the Zoning By-law Amendment and Site Development Applications, subject to the comments and conditions set out in this report.

Attachments

1. Location Map
2. Site Plan
3. Landscape Plan
4. Building Elevation – Building "A"
5. North & East Elevations Building "B" (Tim Horton's)
6. South & West Elevations Building "B" (Tim Horton's)
7. Building Elevation – Building "C"
8. Building Elevation – Building "D"

Report prepared by:

Arminé Hassakourians, Planner, ext. 8368

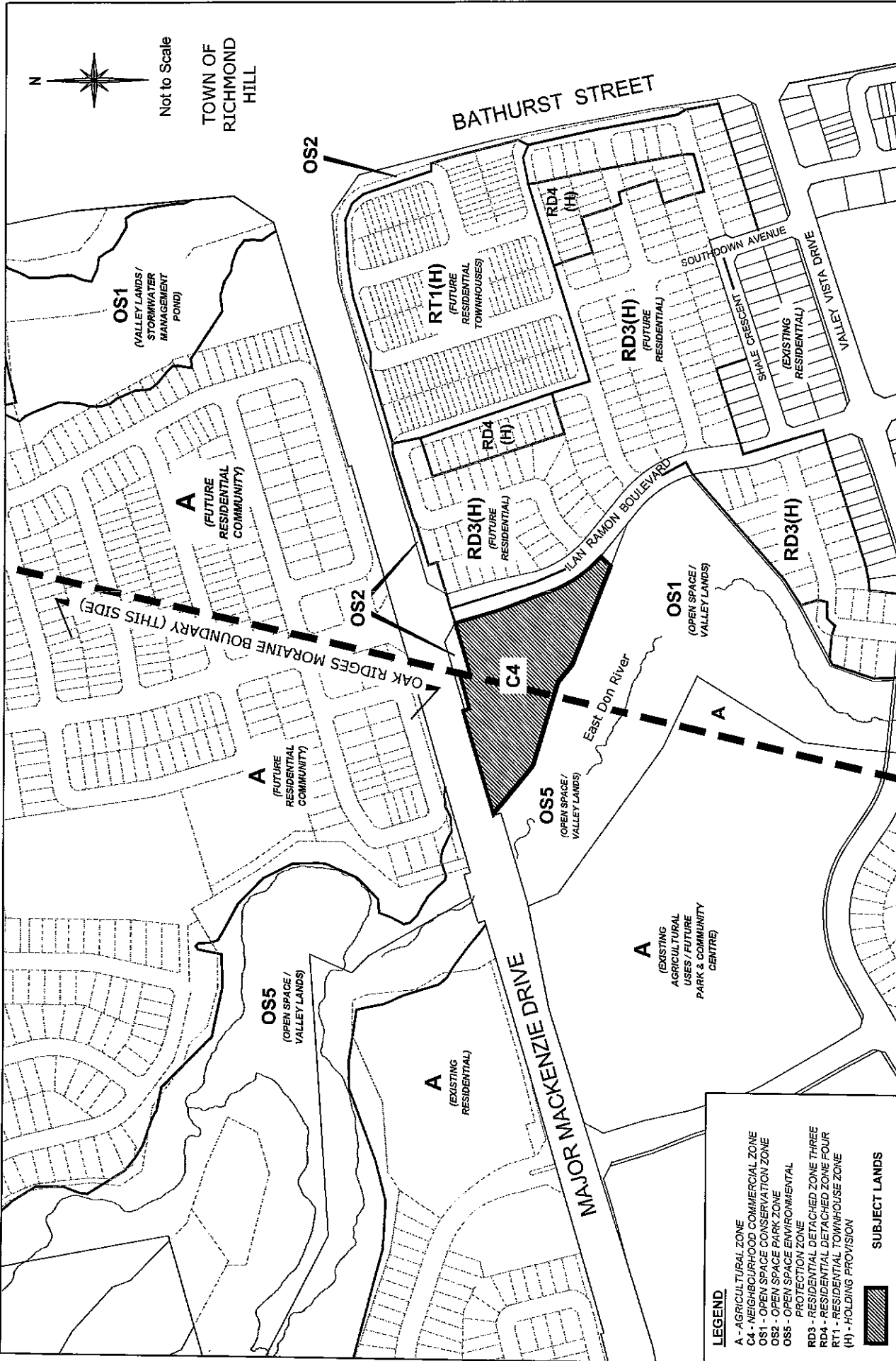
Mauro Peverini, Manager of Development Planning, ext.8407

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

GRANT UYEVAMA
Senior Manager of Development Planning

/LG



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TOWN OF RICHMOND HILL

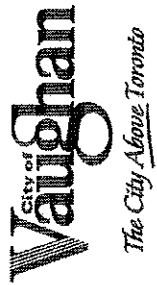
LEGEND

- A - AGRICULTURAL ZONE
- C4 - NEIGHBOURHOOD COMMERCIAL ZONE
- OS1 - OPEN SPACE CONSERVATION ZONE
- OS2 - OPEN SPACE PARK ZONE
- OS5 - OPEN SPACE ENVIRONMENTAL PROTECTION ZONE
- RD3 - RESIDENTIAL DETACHED ZONE THREE
- RD4 - RESIDENTIAL DETACHED ZONE FOUR
- RT1 - RESIDENTIAL TOWNHOUSE ZONE
- (H) - HOLDING PROVISION

SUBJECT LANDS

Location Map

Part of Lot 20
Concession 2
APPLICANT:
ROMDOR DEVELOPMENTS INC.
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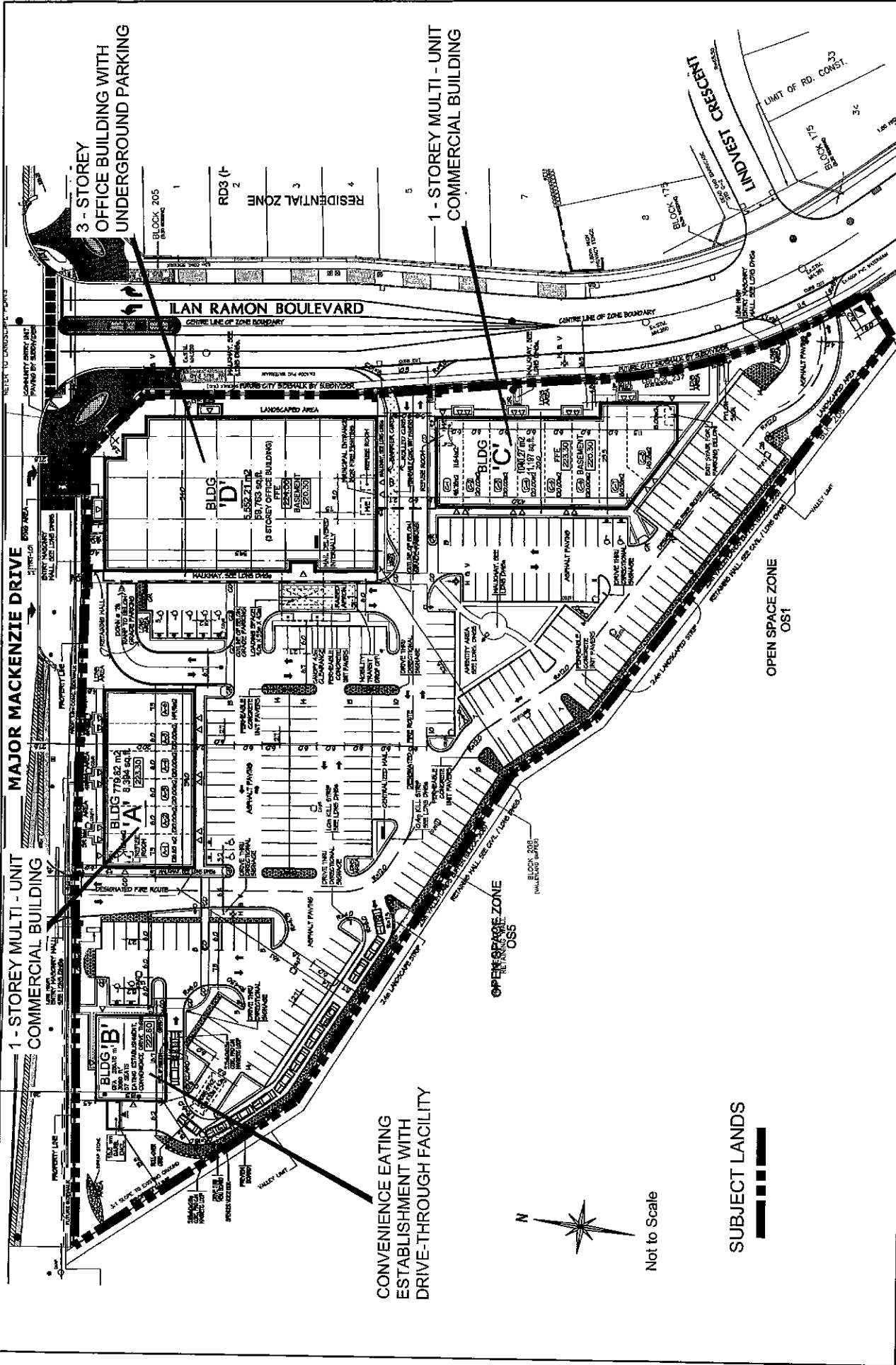


Development Planning Department

Attachment

FILE No(s):
Z.08.055 &
DA.08.076

February 12, 2009



Attachment 2

FILE No(s):
Z.08.055 &
DA.08.076

February 12, 2009



The City Above Toronto

Development Planning Department

Site Plan

Part of Lot 20,
Concession 2

APPLICANT:
ROMDOR DEVELOPMENTS INC.
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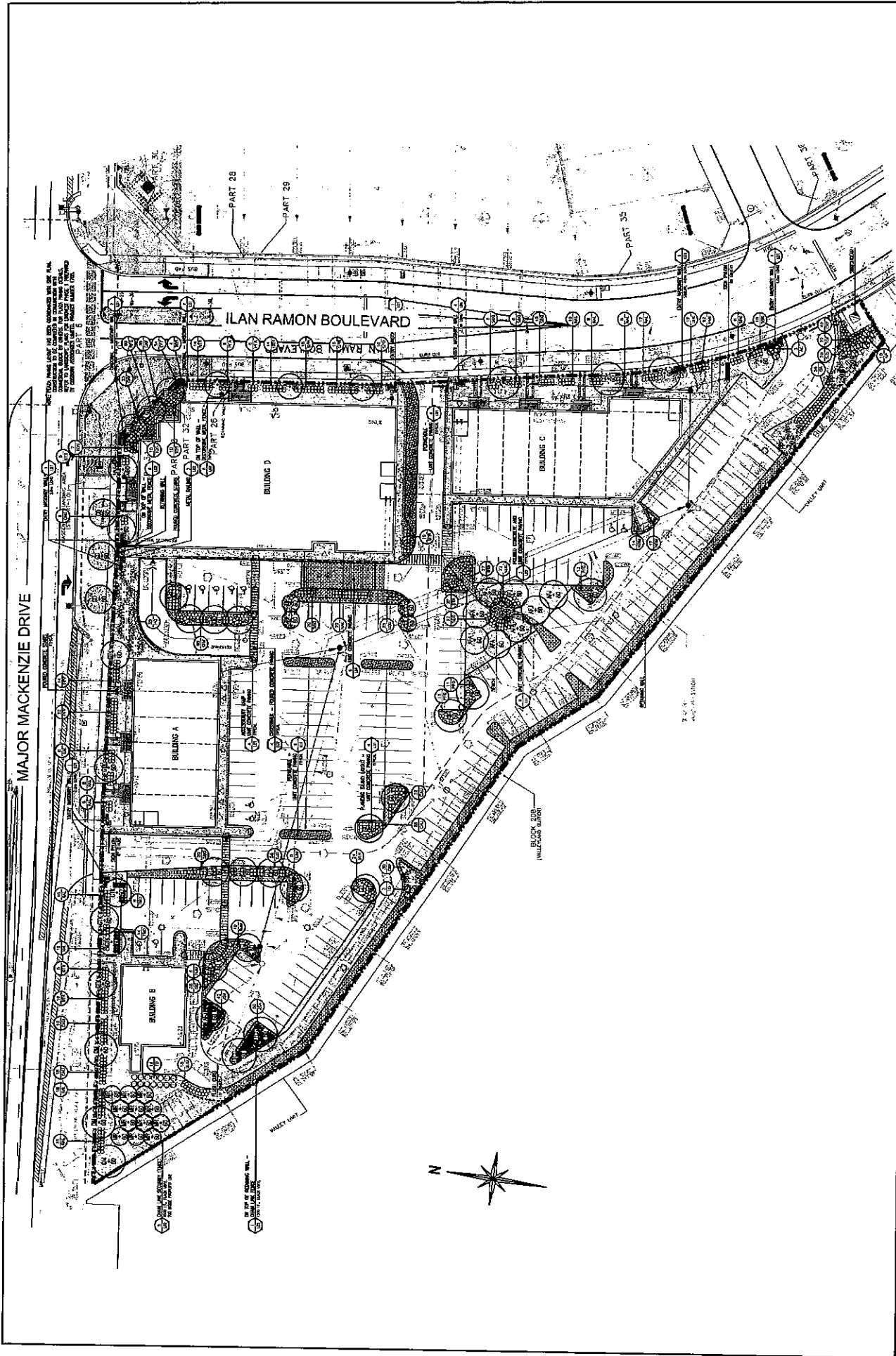
SUBJECT LANDS



Not to Scale



CONVENIENCE EATING
ESTABLISHMENT WITH
DRIVE-THROUGH FACILITY



Landscape Plan

Part of Lot 20,
Concession 2

APPLICANT:
ROMDOR DEVELOPMENTS INC.
NA\DF\1 ATTACHMENTS\DA 08.076 & Z.08.055.dwg



The City Above Toronto

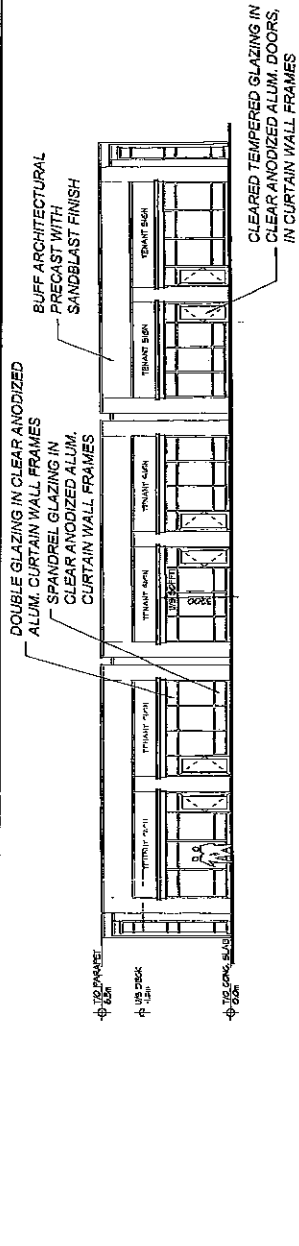
Development Planning Department

Attachment 3

FILE No(s):
DA.08.076 & Z.08.055

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February 12, 2009

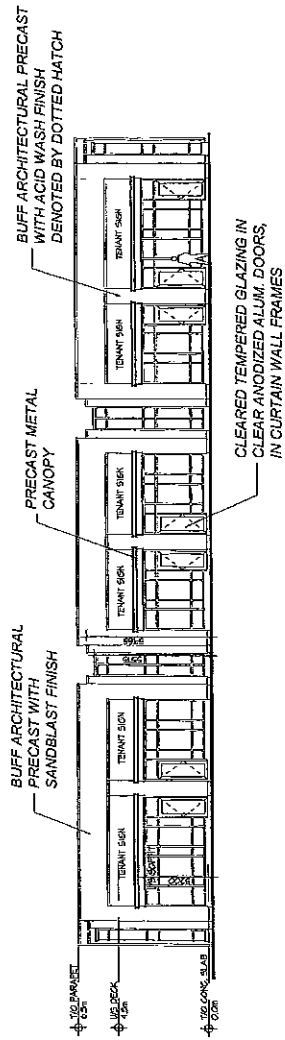


1 South Elevation
A-309 1/25



2 East Elevation
A-310 1/25

3 West Elevation
A-311 1/25



4 North Elevation
A-312 1/25

Elevations - Building "A"



The City Above Toronto

Development Planning Department

Attachment 4

FILE No(s):
DA.08.076 & Z.08.055

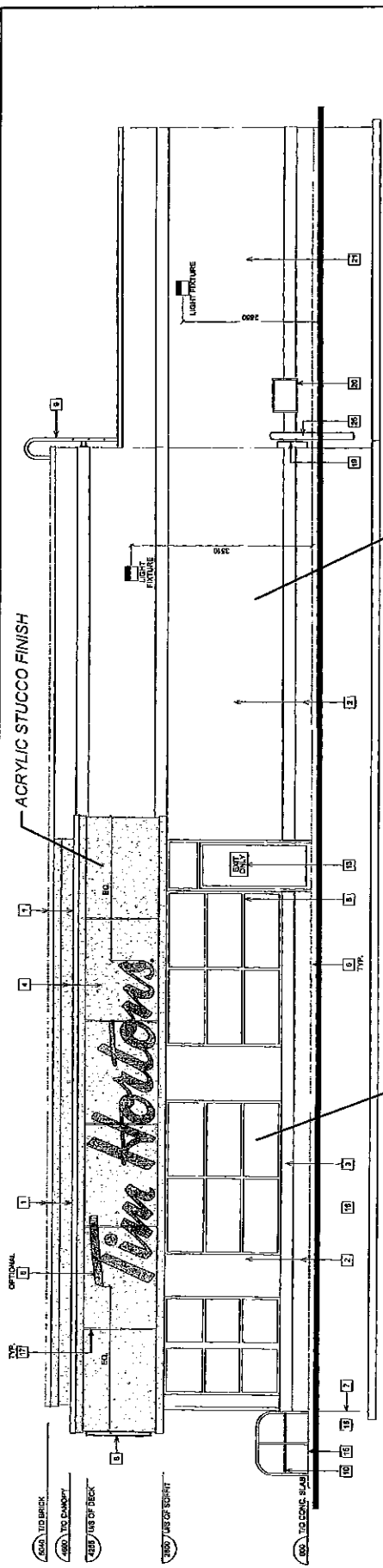
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February 12, 2009

Part of Lot 20,
Concession 2

APPLICANT:
ROMDOR DEVELOPMENTS INC.

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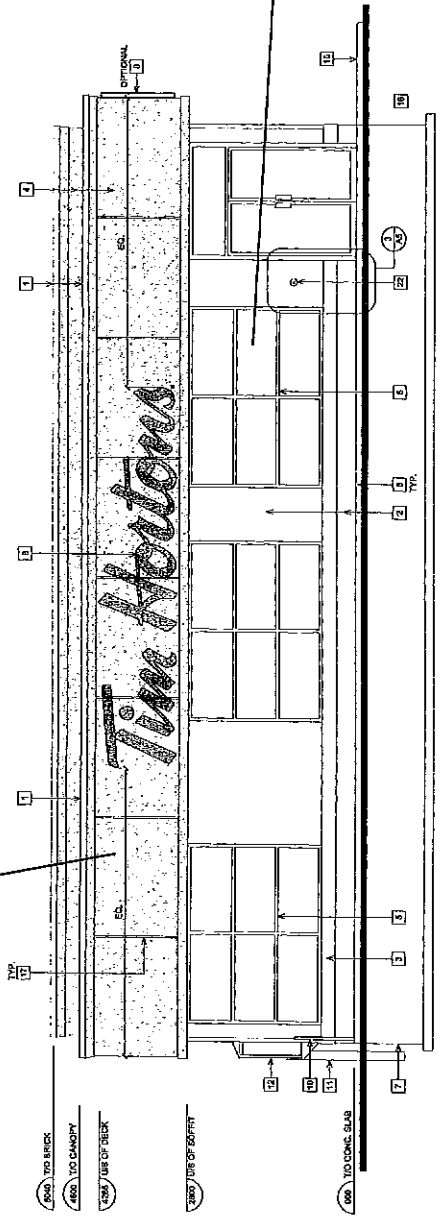


NORTH ELEVATION

WINDOWS WITH ANODIZED LIGHT BRONZE COLOURED ALUMINUM FRAMES

CLAY BRICK

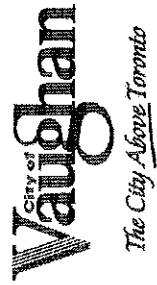
ACRYLIC STUCCO FINISH



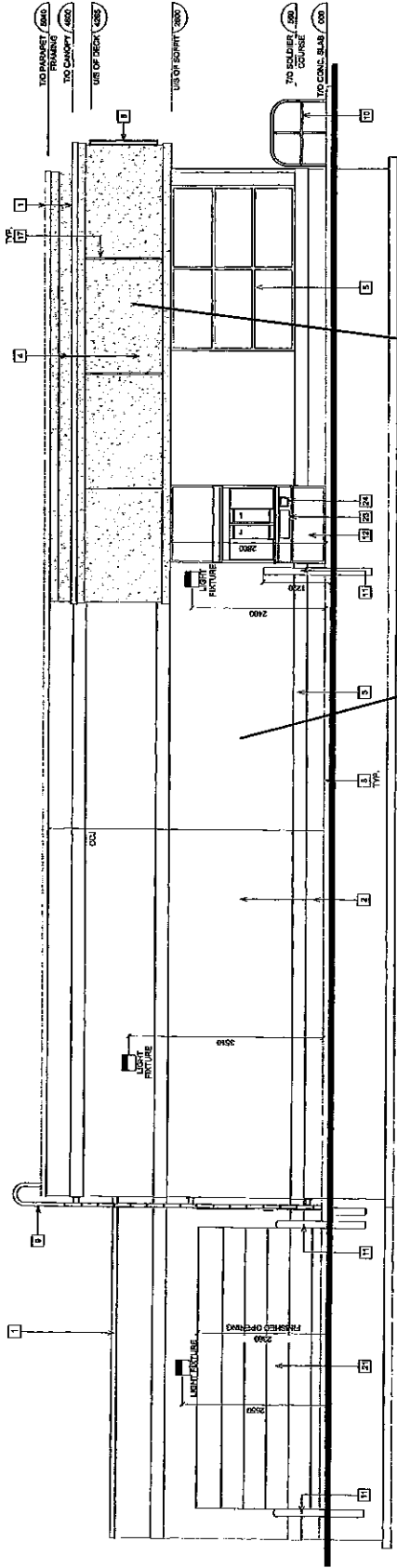
EAST ELEVATION

North & East Elevations - Building "B" (Tim Hortons's)

APPLICANT:
ROMDOR DEVELOPMENTS INC.
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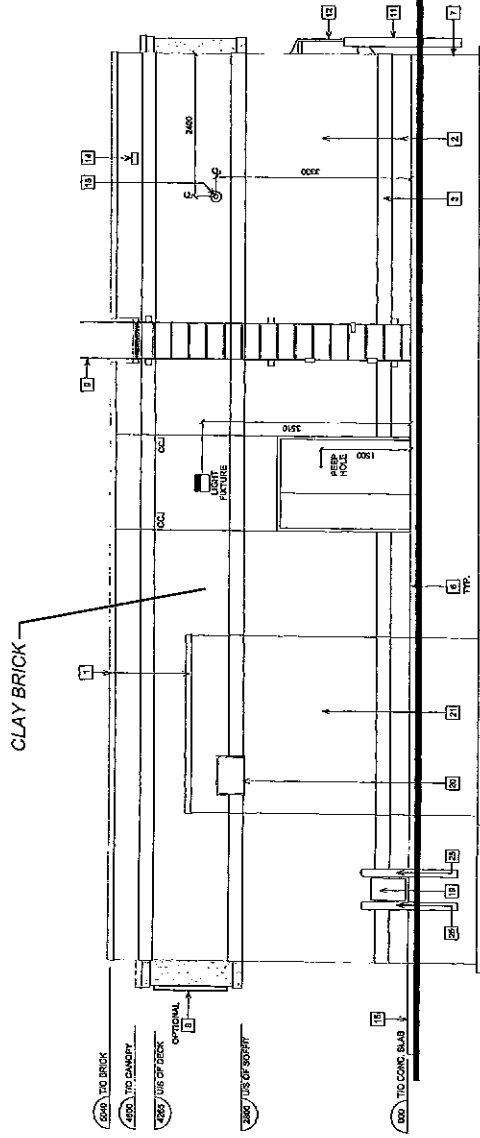


Development Planning Department



SOUTH ELEVATION

ACRYLIC STUCCO FINISH
CLAY BRICK

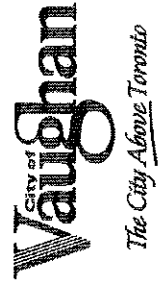


WEST ELEVATION

South & West Elevations - Building "B" (Tim Horton's)

APPLICANT:
ROMDOR DEVELOPMENTS INC.
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Part of Lot 20,
Concession 2



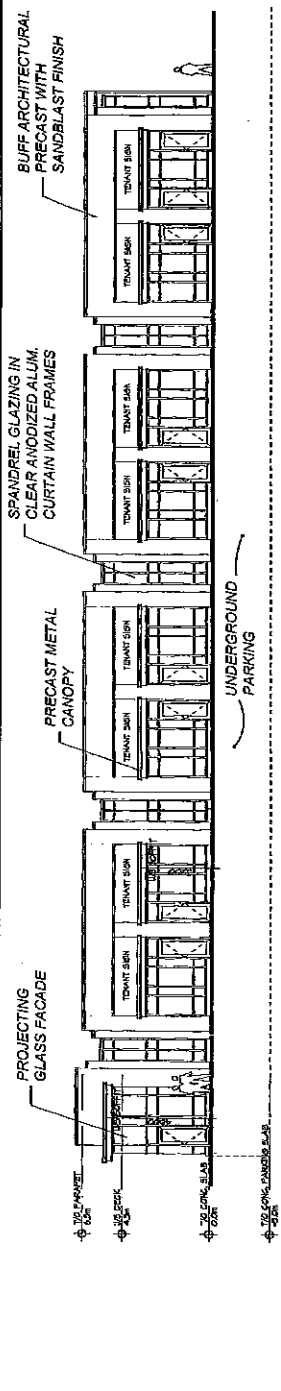
Development Planning Department

Attachment 6

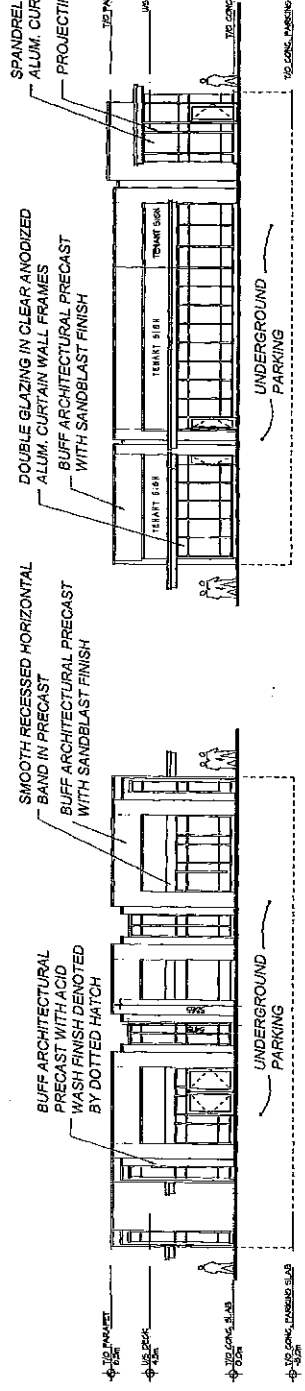
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DA.08.076 & Z.08.055

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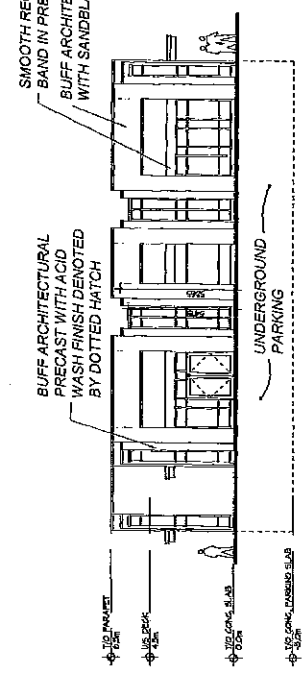
February 12, 2009



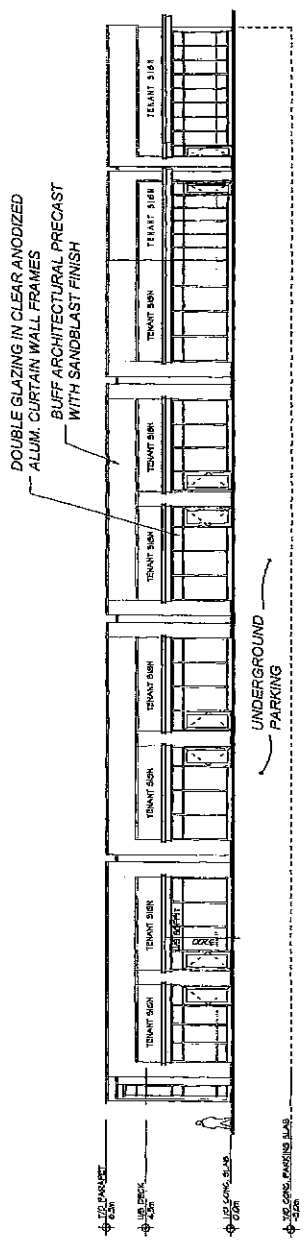
1 East Elevation
1/3.0 R125



2 South Elevation
1/3.0 R125

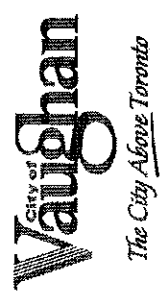


2 North Elevation
1/3.0 R125



4 West Elevation
1/3.0 R125

Elevations - Building "C"

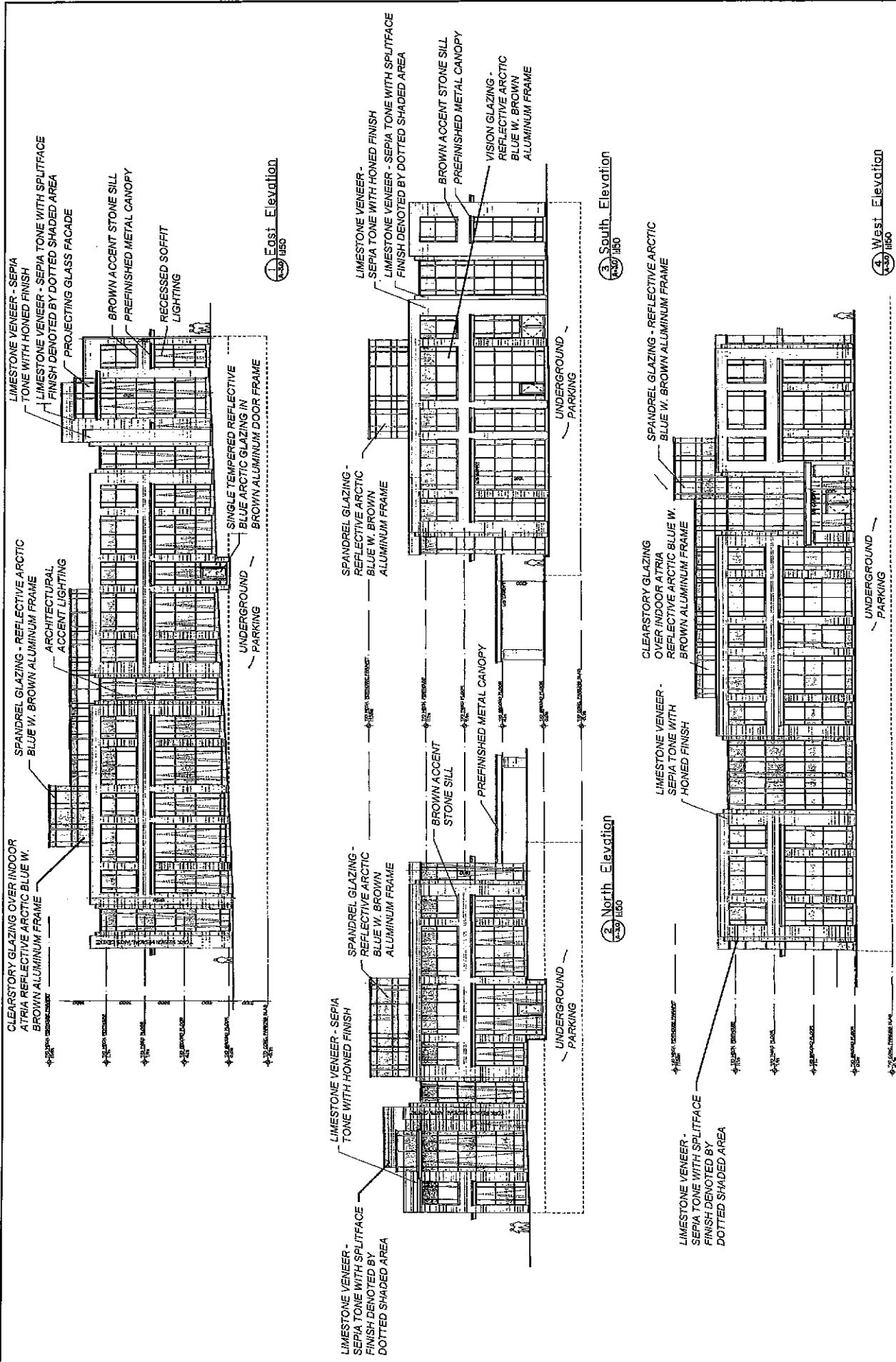


Development Planning Department

Attachment 7

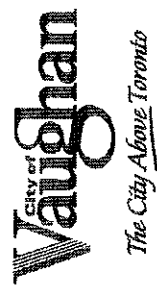
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DA.08.076 & Z.08.055
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February 12, 2009

Part of Lot 20,
Concession 2
APPLICANT:
ROMDOR DEVELOPMENTS INC.
NO. DPT. 1 ATTACHMENTS\DA\08.076 & Z.08.055.dwg



Elevations - Building "D"

Part of Lot 20,
Concession 2
 APPLICANT:
 ROMDOR DEVELOPMENTS INC.
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Development Planning Department

Attachment 8

FILE No(s):
 DA.08.076 & Z.08.055
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