

COMMITTEE OF THE WHOLE DECEMBER 3, 2001

**ZONING BY-LAW AMENDMENT FILE Z.98.021
SITE DEVELOPMENT FILE DA.98.020
791296 ONTARIO LIMITED
REPORT #P.98.110**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment Application Z.98.021 (791296 Ontario Limited) BE APPROVED, subject to the following:
 - a) That the implementing zoning by-law:
 - i) rezone the lands from OS1 Open Space Conservation Zone to C8 Office Commercial Zone;
 - ii) permit up to 600m²GFA for retail commercial uses; business or professional offices with up to 2 regulated health professionals; and a day nursery up to 700m² GFA, and,
 - iii) provide the necessary zoning exceptions to implement the approved site plan.
 - b) that prior to the enactment of the zoning by-law, the site plan application shall be modified in accordance with this report and approved to the satisfaction of the Community Planning and Urban Design Departments;
2. THAT Site Development Application DA.98.020 (791296 Ontario Limited) BE APPROVED, with revisions, subject to the following:
 - a) That the site plan be revised, as follows:
 - i) the building be reduced in gross floor area to provide for increased setbacks from the house and mature tree to the south, and a landscaping strip adjacent to the residential lots;
 - ii) the playground be extended northerly to the building and be separated from the parking lot with fencing and landscaping;
 - iii) the refuse enclosure be located within the building; and
 - iv) the parking layout be adjusted to accommodate the above.
 - b) That prior to the execution of the site plan agreement:
 - i) the final site plan, with revisions, and elevations shall be approved by the Community Planning and Urban Design Departments;
 - ii) the final site servicing plan shall be approved by the Engineering Department;

- iii) the final landscape plan, including a detailed landscape cost estimate, fencing details and elevations shall be approved by the Urban Design Department;
- iv) the requirements of the Region of York shall be satisfied; and,
- c) That 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, prior to the issuance of a building permit, in accordance with the Planning Act and City 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 the cash-in-lieu payment.

Purpose

On March 8, 2000, the Owner submitted a revised Zoning Amendment Application Z.98.021 to rezone the lands to C8 Office Commercial Zone, with exceptions to the zoning standards. The accompanying Site Plan Application DA.98.020 proposes a 1,988 m², 2-storey office/commercial building with commercial/retail uses on the first floor, office and day nursery uses on the second floor, and 69 parking spaces.

Background - Analysis and Options

The site is located at the southeast corner of Keele Street and Masters Avenue, being Block 124, Plan 65M-3113, in Part of Lot 21, Concession 3, City of Vaughan. The site consists of 0.374 ha with 50 m frontage onto Keele Street. The surrounding land uses are as follows:

- North - vacant commercial block (C8-H Office Commercial Zone)
- South - residential (R1 Residential Zone)
- West - residential vacant commercial (R1 Residential Zone, C1 Restricted Commercial Zone)
- East - residential (R4 Residential Zone)

The subject lands had been approved for a storm water management pond within Plan of Subdivision 19T-94014 (Graybank Limited Partnership and Maytree (Vaughan) Limited). In May 1997, it was determined that the subject lands were no longer required for a storm pond as the Owner had provided an alternative storm water arrangement to the satisfaction of the Toronto and Region Conservation Authority (TRCA) and City.

On March 2, 1998, the Owner submitted the subject applications to facilitate a 3,769.8m², 3-storey mixed-use building, with office/commercial uses on the first floor, 20 apartment units on the second floor and a third floor loft.

On May 19, 1998, the notice of the public hearing was circulated to all property owners and tenants within 120 m of the subject lands, and the Maple Ratepayers Association. To date, a letter dated May 27, 1998, from an adjacent landowner and a letter/petition dated September 29, 1999, from Denton Circle, Prestonwood Court and Stonebriar Drive residents have been received. The concerns expressed related to the protection of the tree at 10,137 Keele Street, increased traffic and access difficulty from Master Avenue onto Keele Street, reduced privacy, and decreased property values. The residents' petition indicated that a low-rise commercial retail building would be preferable.

On May 20, 1999, an information meeting was held between the Owner and area residents to discuss concerns arising out of the May 19, 1998 Public Hearing associated with the mixed use office/commercial and residential development of this report. The application has since been modified to eliminate the residential units.

The Urban Design and Planning Departments reviewed the proposal with respect to protecting the roots of tree near mutual property line from construction damage. It is recommended that the building setback be increased along the south lot line and that conditions be included in the site plan agreement for replacing the tree should it be damaged.

Between May 17, 2001 and November 17, 2001 this application was held in abeyance under the provisions of the Oak Ridges Moraine Act.

Official Plan

The subject lands are designated "Office Commercial" by OPA #350 (Maple Community Plan), as amended by OPA #533. On July 10, 2000, Council adopted OPA #533, which amends OPA #350 by including design objectives and criteria reflective of the Maple Streetscape and Urban Design Guidelines, to be used in evaluating development proposals.

The Maple Community Plan requires the submission of a traffic study prior to the approval of any zoning by-law amendment for a proposal on lands designated "Office Commercial". The traffic study is to identify, with respect to the proposal, the traffic generated, impact on the existing roads, and any transportation improvements which may be required. The "Office Commercial" designation allows low-rise office buildings, with limited ground floor retail, in a scale and form which is complementary and compatible with adjacent low-rise residential development. The proposed office development conforms to the Official Plan.

Zoning

The subject lands are zoned OS1 Open Space Conservation Zone by By-law 1-88, subject to Exception 9(913), permitting a storm water management pond.

The revised proposal for the 2-storey office/commercial building eliminates the apartment units and the third floor from the original proposal. The lands are proposed to be rezoned to C8 Office Commercial Zone to allow business or professional office uses/commercial. The application proposes the following uses;

- business or professional office;
- day nursery;
- eating establishment;
- retail store.

Exceptions to the zoning standards would also be required, including the following:

- lot frontage on Masters Ave. of 44m, rather than 65m;
- lot area of 3,735m², rather than 8,000m²;
- front setback of 1.9m, rather than 9m;
- rear setback of 1m, rather than 22m;
- exterior setback of 0m, rather than 9m;
- setback to a Residential Zone of 1m, rather than 20m;
- 69 parking spaces, rather than 92 spaces;
- 4m one-way aisle width for angle parking, rather than 5m;

- no loading spaces, rather than 1 loading space;
- landscaping abutting street of 0m, rather than 6m; and
- landscaping abutting a Residential Zone of 0m, rather than 2.4m.

Staff has reviewed the proposal, and can support most exceptions, particularly those required to address the Maple Community Plan and Streetscape Guidelines, and in recognition of the restricted site area. However, additional modifications required to the site plan will result in changes to some of the above exceptions, such as the rear setback, parking, landscaping and setback to the Residential Zone. Limits to the permitted uses and gross floor area for the commercial uses would be incorporated into the implementing by-law, once the site plan is finalized.

a) Land Uses

The Owner has requested an eating establishment as a permitted use. However, an eating establishment generates a high demand for parking, which will be difficult to provide on the site, given the building coverage and parking deficiency. As such, it is recommended that an eating establishment not be a permitted use.

b) Setbacks/Landscaping Standards

Some of the exceptions to the setbacks and landscaping are as a result of the irregular configuration of the site and building location, and the maximizing of parking spaces. Setbacks and landscaping widths of 0m and 1.9m are not continuous, but limited to small areas of the front and exterior yards. The front yard and landscaping ranges from 1.9m to 3.8m, and the exterior yard and landscaping ranges from 0m to 6m, with the average setback being approximately 3m. Hard and soft landscaping (i.e., interlocking pavement, trees, planters and street furniture) is shown from the building's edge to the street line, providing a large private/public landscape area. The setback reductions allow the building to be close to the street edge to encourage a pedestrian scale effect.

The building has a 1m setback and landscaping buffer along the south lot line, adjacent to an existing house and mature tree. There is no landscape buffer shown along the rear lot line noise fence abutting the rear yards of 8 dwelling units fronting onto Stonebriar Drive. These deficiencies are basically due to maximizing floor space at the expense of landscaping and parking. Staff has concerns with the setback and landscaping proposed, and finds that reducing the building footprint along the east and south elevations would enable a more appropriate landscaping buffer to both the existing house and mature tree to the south, and to the residences to the east.

c) Parking/Loading Standards

Given the on-site parking constraint and limited opportunity for on-street parking, restrictions on the Gross Floor Area (GFA) are recommended for the proposed uses, such as regulated health professionals, which generate a high demand for parking spaces. Approximately 92 spaces are required, whereas 69 are shown and site plan modifications may result in 57.

Notwithstanding the recommendations to not permit an eating establishment and to limit the size of the health and daycare uses, a further exception to the parking standard is required for this site as follows:

- business or professional office; ± with 2.8 spaces/100 m² GFA, rather than 3.5 spaces (may adjust under revised site plan).

The parking standards for the remaining uses would be in accordance with the By-law.

- day nursery is 1.5 parking spaces/employee;
- regulated health professionals is 5 parking spaces per practitioner; and,
- retail store is 6 parking spaces/100 m² GFA.

The by-law requires 1 loading space for this site development. Given the limited amount of commercial floor area, as well as a daycare playground on site, an exception to the zoning for no loading space can be supported.

Site Plan

The site plan proposes a 2-storey office/commercial building, with several enhanced building entrances facing Keele Street and Masters Avenue. There are also entrances at the back of the building. The exterior refuse enclosure is located at the south end of the site and a hydro transformer is at the southeast corner of the site. A 90m² enclosed playground area is located at the southwest corner of the parking area. There will be one egress/ingress driveway off of Masters Avenue. The site statistics are as follows:

Lot Area	0.37 ha
Gross Floor Area:	
- Ground Floor	616.7m ² Commercial <u>377.3m²</u> Office 994.0m ² Total
- Second Floor	717.06m ² Day Nursery <u>276.94m²</u> Office 994.0m ² Total
- Total Floor	1988.0m ²
Parking:	
- Required	92 spaces, includes 1 space for the physically challenged
- Provided	69 spaces, includes 1 space for the physically challenged

Recommended modifications to the site plan include reducing the gross floor area of the building to allow for an increased setback and privacy. The playground area is to include the 8 or 9 parking spaces to the north to provide direct access from the building into the playground for the children using the day nursery, rather than crossing through the parking area. The exterior refuse area should be located inside the building.

Elevation

The north and west facades facing Keele Street and Masters Avenue, incorporate architectural interest to enhance the building's street presence. These facades are symmetrical, with two design treatments being repeated three and four times in an alternating pattern.

The building material is to consist primarily of brick veneer with brick soldier course separating the ground and second floors, and brick quoining at the corners. The gable roof will be covered with asphalt shingles (wood-look) and includes a circular dormer window surrounded by 4 keystones.

The second storey features, under the circular window, include 2 sets of windows topped with a masonry sill with a center keystone. This center window is flanked by 2 sets of windows and a brick sill. The ground floor features 2 doors, with 3 sets of windows on one side of each door. A cloth canopy will cover the doors and windows. This treatment is repeated a total of three times in the north and west elevations.

The east and south elevations include 2 sets of windows and a brick sill on the second floor, and single door entrances on the ground floor.

Official Plan Design Criteria/Maple Streetscape Guidelines

The Maple Community Plan, and Maple Streetscape and Urban Design Guidelines include policies to guide development to be designed complementary to the adjacent land uses and architectural/historic buildings. There are detached dwellings to the east and heritage dwellings and place of worship to the south.

The site is within the Maple Streetscape Area which encourages a 2-storey building with a third storey in the roof. The proposed building is 2-stories in height and has a false third floor appearance with dormer windows in the roof. The building is close to the street edge, at a pedestrian scale. The building also aligns with the front facade of the adjacent building to the south to maintain a consistent streetscape.

The service and parking areas are behind the building, away from Keele Street. At the south end of the site, the elimination of two parking spaces would provide a driveway connection to the adjacent property, should a rear parking and laneway system occur in the future. The elevations incorporate design feature, that complement the heritage buildings in the Maple Streetscape Area.

Not all the design criteria outlined in the Maple Plan and Guidelines have been included. In particular, landscaping has not been shown along the east lot line, to screen the service and parking areas from adjacent residential dwellings. The existing fence is to be replaced with a noise abatement fence.

Maple Streetscape Community Advisory Committee

On June 28, 2000, the proposal went before the Maple Streetscape Committee for review. The Committee had concerns which included enhancement of the elevations, with the incorporation of additional windows and architectural details that emphasize a more historical design. Also, landscaping must be consistent with the Maple Streetscape Area.

On May 29, 2001, the revised proposal was reviewed and The Committee requested additional modifications including quoining, architectural details (such as peaks and gables on the second floor windows facing east), and increased planters. The Committee also requested samples of the roof material, and brick type and colour.

In a letter dated June 1, 2001, the Owner responded that roofing material and brick style would be submitted for approval prior to construction. Also, it was advised that brick quoining at the corners, a dormer window in the roof, and windows on the ground floor in the south elevation, would be included.

Circulation Comments

The Urban Design Department has no objections, provided their concerns related to the elevations, landscaping and lighting are addressed in accordance with the Streetscape Guidelines and City standards.

The Heritage Department advised that the Heritage Vaughan Committee at its August 16, 2000, meeting, have no objections to the revised elevations.

The Engineering Department advised that there are no objections, provided that the final site plan, which incorporates the storm water management, grading and servicing details, is approved to their satisfaction. The Engineering Department advised that the traffic analysis report was satisfactory.

The Region Transportation and Works Department advised that there are no objections, provided the Region's requirements are met and that the Region is a party to the City's site plan agreement.

Conclusion

The proposed 2-storey office/commercial development has been reviewed in accordance with the policies of the Official Plan, and has been found to conform. The proposal has also been reviewed in the context of the Maple Streetscape and Urban Design Guidelines, and generally meets the requirements of the Guidelines. The plan has been considered twice by the Maple Streetscape Community Advisory Committee and Heritage Vaughan, and their comments have been addressed.

Staff support the exceptions to the zoning standards which allow compliance with the Maple Guidelines, for a low-rise building close to the street that is compatible with the existing residential uses and heritage buildings. However, the site plan will need to be revised to reduce the floorplate of the building along the south and east side, to provide a landscape strip along the east lot line and additional setback from the house and mature tree to the south. Also, the playground needs to be enlarged to be directly accessible from the building, and also well protected by landscaping from the parking lot. The refuse container should be moved indoors. It is recommended that restrictions placed on the GFA of the permitted uses, in recognition of the on-site parking deficiency and limited opportunity for on-street parking.

Therefore, Staff, can support the zoning and site plan applications, subject to the revisions outlined in this report. Should Committee concur, Zoning By-law Amendment Application Z.98.021 (791296 Ontario Limited) and Site Development Application DA.98.020 (791296 Ontario Limited) can be approved, with the adoption of the "Recommendation" of this report.

Attachments

1. Location Map
2. Site Plan
3. Elevations
4. Landscaping

Report prepared by:

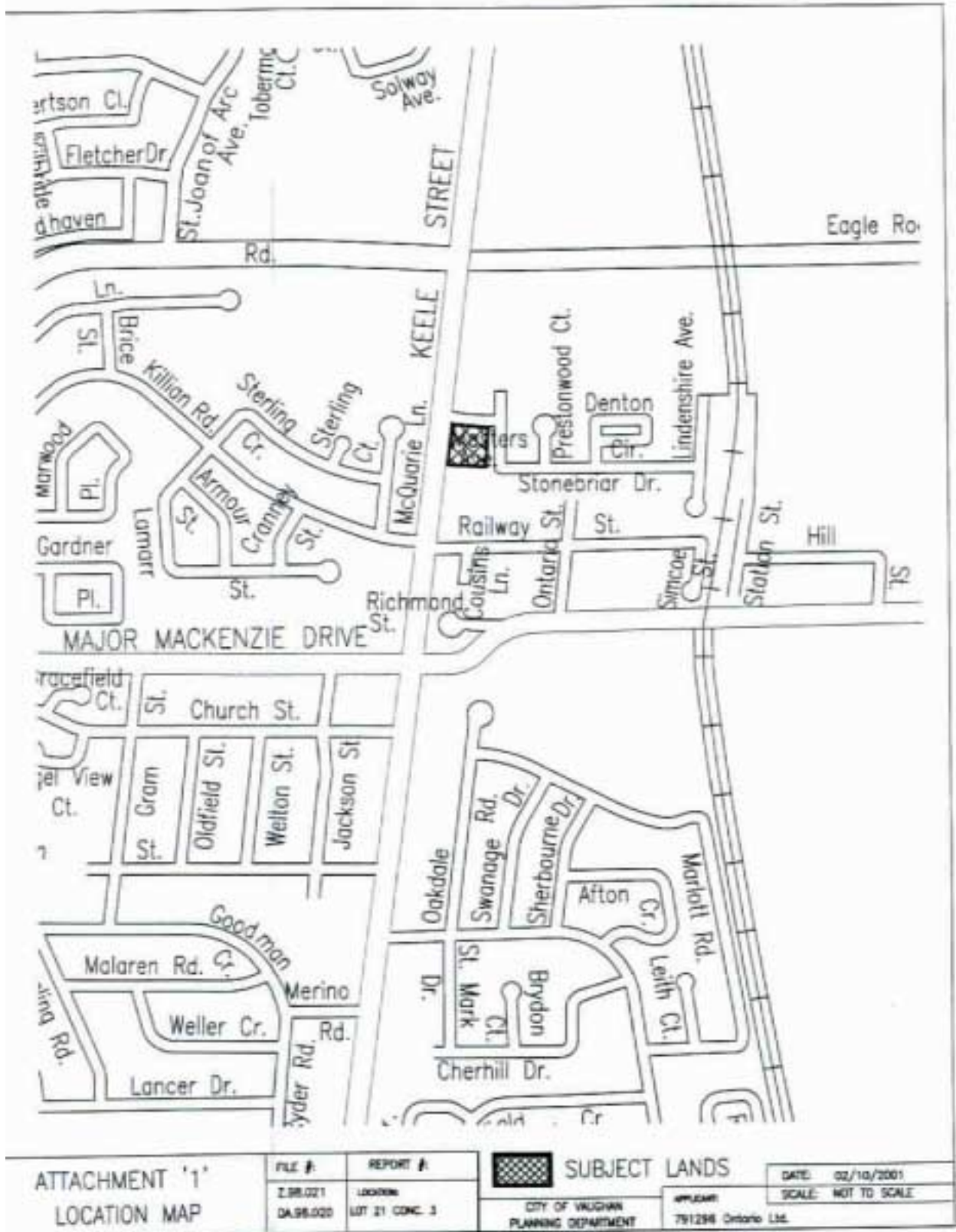
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Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning


JOANNE R. ARBOUR
Director of Community Planning

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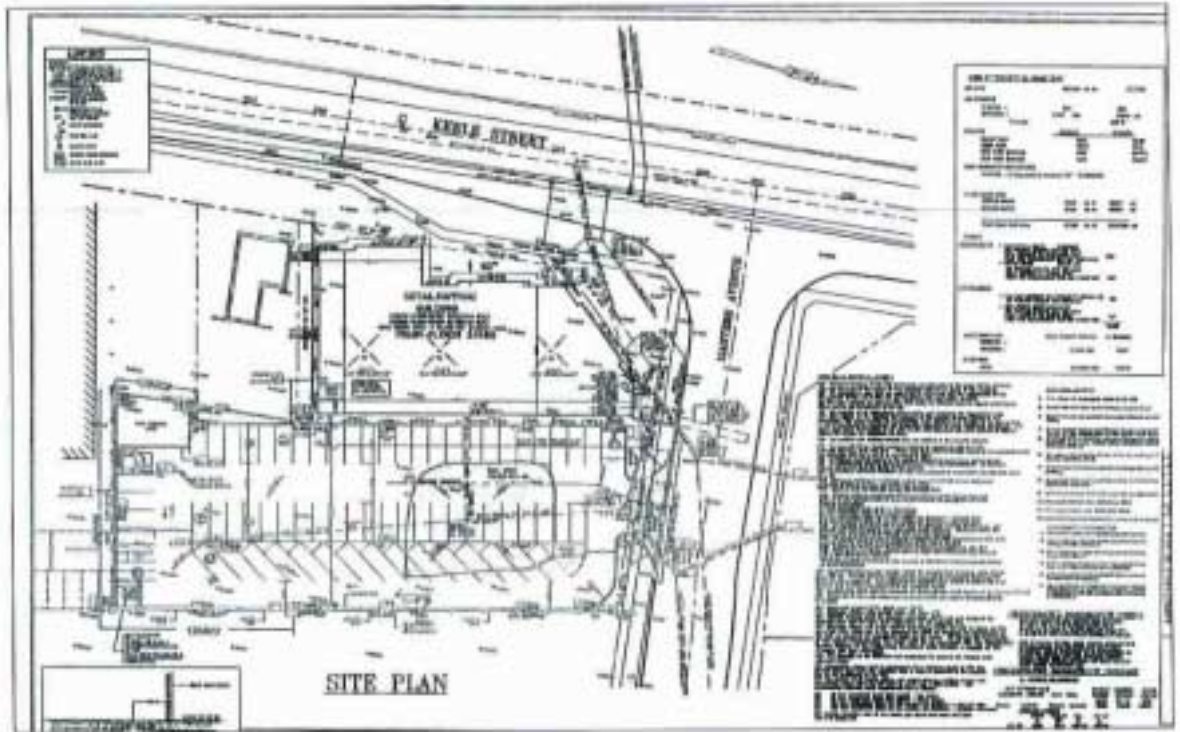
ATTACHMENT '1'
LOCATION MAP

FILE #	REPORT #
Z.98.021	LOCAL
DA.98.020	LOT 21 CONC. 3

 SUBJECT LANDS
CITY OF VAUGHAN
PLANNING DEPARTMENT

DATE:	02/10/2001
SCALE:	NOT TO SCALE

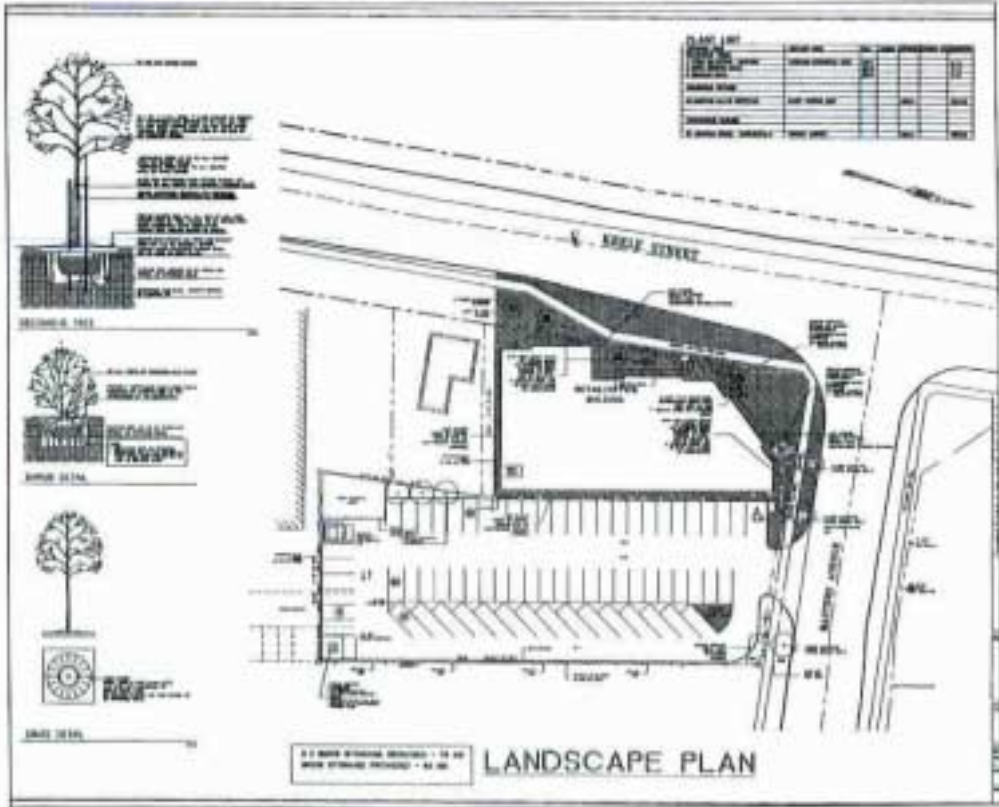
APPLICANT:
791296 Ontario Ltd.



ATTACHMENT '2' SITE PLAN	FILE #	REPORT #	DATE
	7-80-021	100000	02/16/2007
	06-08-000	02-21-2007-1	SCALE: NOT TO SCALE
		CITY OF SACRAMENTO PLANNING DEPARTMENT	APPROVED: TRACY S. SHERIDAN, III



ATTACHMENT ELEVATIONS '3'	FILE #	REPORT #	DATE
	2-08-01	10000	02/10/01
	04-02-03	04-21 CONC 1	SCALE: NOT TO SCALE
	CITY OF WILSON PLANNING DEPARTMENT	APPLICANT TRICOR GROUP LLC	



ATTACHMENT LANDSCAPE PLAN	4	FILE #	REPORT #	DATE: 02/14/2014 SCALE: NOT TO SCALE
		218021 0A-0000	100000 02-21-COND. 1	