

COMMITTEE OF THE WHOLE SEPTEMBER 15, 2003

**ZONING BY-LAW AMENDMENT FILE Z.01.074
SITE DEVELOPMENT FILE DA.01.083
NORTHWEST JANE RUTHERFORD REALTY LTD. (HIGHLAND FARMS)
REPORT #P.2001.79**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment Application Z.01.074 (Northwest Jane Rutherford Realty Ltd.) BE APPROVED subject to:
 - a) The implementing by-law not be enacted until the final site plan has been approved; and,
 - b) The implementing by-law provide the necessary by-law exceptions such as parking requirements and setback requirements to permit the approved site plan;
2. THAT Site Development Application DA.01.083 (Northwest Jane Rutherford Realty Ltd.) BE APPROVED, subject to the following conditions:
 - a) The final site plan, building elevations, rooftop mechanical screening and landscape plan be to the satisfaction of the Community Planning, Urban Design, and Engineering Departments;
 - a) The final grading and servicing plans, stormwater management report and Noise Impact Feasibility Study shall be approved by the Engineering Department, Region of York and the Ministry of Transportation;
 - b) Parking, access and on-site circulation shall be approved by the Engineering Department, Region of York and the Ministry of Transportation;
3. THAT prior to the execution of the Site Plan Agreement, the "H" Holding Symbol be lifted from the subject lands.

Purpose

On October 31, 2001, the Owner submitted an application for exceptions to the commercial zoning standards of By-law 1-88 to facilitate a commercial retail/supermarket proposal (related Site Plan Application DA.01.083). The proposed development consists of a supermarket building (Highland Farms), three multi-unit retail buildings, and one eating establishment with a retail portion on a 4.74 ha site. The pertinent site statistics follow:

Building Gross Floor Area (GFA)

Supermarket

Total Area	9,595.6m ²
Warehouse Area	3,417.0m ²
Retail Area	6,178.6m ²
Closed Mezzanine Area	*513.5m ² (not included in GFA)

Building "A" – Retail

Total Area	860.0m ²
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Building "B" – Retail	
Total Area	860.0m ²
Building "C" – Retail	
Total Area	1,120.0m ²
Building "D" – Retail & Restaurant	
Retail Area	531.0m ²
Restaurant Area	740.0m ²
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TOTAL PROPOSED GFA	13706.55m ²
Parking Provided	654 Spaces (including 9 spaces for physically challenged)
Parking Required	897 Spaces

The exceptions required are for a reduction in parking and yard requirements.

Background - Analysis and Options

The 4.78ha vacant site is located at the northwest corner of Rutherford Road and Sweetriver Boulevard (west of Jane Street), in Lot 16, Concession 5, City of Vaughan.

The lands are designated "High Density Residential/ Commercial", with a "District Commercial Centre" overlay, by OPA #600. The lands are zoned C5-H Community Commercial Zone with the Holding Symbol (H) by By-law 1-88, as amended by By-laws 399-98 and 56-2000 (Exception 9(1031A)). The surrounding land uses are:

- North - residential, (RV4, RVM1(A) and RVM1(B) Residential Urban Village Zones)
- South - vacant commercial, (C1 Restricted Commercial Zone, SCD Vaughan Centre Shopping Centre Zone)
- East - automotive/ retail store, service station/ carwash, residential (C5 Community Commercial Zone, RVM1(B) Residential Urban Village Zone)
- West - Canada's Wonderland entrance, Hwy #400 (TPC Theme Park Commercial Zone)

The subject lands were previously part of Site Plan Application DA.00.088 that was closed on March 26, 2001, at the request of the Owner.

On November 9, 2001, a notice of public hearing was circulated to all property owners within 120m of the subject lands. The recommendation of the Committee of the Whole on December 3, 2001, to receive the public hearing and forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Council on December 18, 2001.

The various departments completed preliminary review of the plans and deficiencies were noted to the agent. The agent awaited information from the proposed tenants and submitted revisions in May of this year, addressing some of the concerns noted by the various departments.

Official Plan

The subject lands are designated "High Density Residential/ Commercial", with a "District Commercial Centre" overlay, by OPA #483 (Vaughan Centre Secondary Plan), which accommodates uses that provide a focal point for the residential community and offer a range of goods and services appropriate to the size and character of its trade area. The proposed commercial retail development complies with the Official Plan.

Zoning

The subject lands are zoned C5-H Community Commercial Zone with a Holding Symbol by By-law 1-88, as amended by By-laws 399-98 and 56-2000 (Exception 9(1031A)). The provisions for the “H” Holding Symbol are as follows:

The lands are subject to an “H” Holding Symbol, which shall not be lifted until a site plan application has been approved which indicates an approved traffic control/ management plan that addresses the required measures to control traffic infiltration into the residential block from the commercial site where access from Komura Road (Condition 23, Plan 19T-95079 Conditions of Draft Approval).

The Traffic Control/ Management Plan has now been approved and the “H” Holding Symbol can now be lifted.

The C5 Community Commercial Zone permits any commercial use permitted in a C4 Neighbourhood Commercial Zone, along with uses such as office buildings, and within a shopping center, retail stores, eating establishments, bank/ financial institutions and club/ health center, with no open storage. The approved application will permit the following proposed uses:

- supermarket, which is permitted in the C4 Neighbourhood Commercial Zone,
- eating establishment, and
- commercial uses, including retail stores

Exceptions Required

The application proposes modifications to zoning standards, such as:

- a reduction in the parking requirement for the supermarket, the three retail buildings (A-C), and 531m² of the fourth building, from 6 spaces/100m² GFA (778 spaces) to 4.2 spaces/100m² GFA (522 spaces);
- a reduction in the parking requirement for the 740 m² eating establishment Building D from 16 spaces/100m² GFA (119 spaces) to 12.4 spaces/100m² GFA (92 spaces); and,
- a reduction in the building setback to a Residential Zone from 22.5m to 10m.

Site Plan

The site plan proposes a supermarket (Highland Farms) towards the west-end of the site. The front elevation will face Sweetriver Blvd. and the rear elevation and loading will abut the Paramount Canada’s Wonderland access road. The trucks delivering to the site will have a right-turn access from Rutherford Road.

The remaining four buildings are situated to create a defined ‘street edge’, minimizing the view of the parking lot. Three multi-unit retail buildings along the north end of the property abut Komura Road, with upgraded elevations and walkways facing the residential area to the north. The fifth building is a feature building at the southeast corner of the property, at the intersection of Sweetriver Blvd. and Rutherford Road, for an eating establishment and a retail store.

Building Design – Highland Farms

The supermarket building is 7.3m in height, to a flat roof, with raised architectural feature elevations of 10.1m and 11.0m. The raised elevations encompass the “Highland Farms” signage and logo on the centre front elevation. The front entrance is also monumented with an orange painted steel sign logo/clock tower, 24.4m in height.

The main building material is to be white patterned insulated precast panel for all façades, with intermittent white dolomite architectural smooth face block. The main entrance, on the east façade, includes green tinted glass with orange prefinished mullions, surrounded with white dolomite architectural split-face block, with the logo above the glassed entrance and the “Highland Farms” name located just south of the main entrance.

The ends of the building, facing Komura Road and Rutherford Road, are similar in treatment to the main entrance façade. The Rutherford Road façade includes the “Highland Farms” signage as well as the clock tower with the Highland Farm logo. The Komura Road façade incorporates more architectural features with an increase in spandrel back painted glass within the white dolomite architectural split face block, with no signage.

A screen wall is proposed to screen the trucks and loading spaces from the residential property to the north. In addition, a 52.0m acoustic fence will provide protection along the subject property and the proposed residential townhouses (shown on site plan as future street CC). As a result, the placement of the Highland Farms takes advantage of exposure to the majority of development to the east while at the same time downplays the loading as it backs onto an existing landscaped buffer area, namely the Canada’s Wonderland access road.

Building Design for Buildings A-D

The elevations for each of the buildings are of similar architectural style and materials. The buildings are rather low and small in scale, with articulated architectural surface treatment and varying rooflines, in keeping with adjacent developments.

Buildings A to C are of varying heights, adding to the architectural style of the buildings. Some portions of the corners of the building are higher to add a covered walkway connecting to the paved walkway extending to Komura Road. The exteriors are comprised of a combination of spandrel back painted glass, and varying colours of brick.

Building D, at the corner of Rutherford Road and Sweetwater Blvd., has its main entrance facing the parking lot. All elevations are upgraded with a brick and stone finish in keeping with the surrounding residential character. Building D proposes to occupy 740m² with an eating establishment and the other 531m² with a retail store. The corner portion of the predominantly single storey building, slightly more than double in height at 10.68m and located at the northwest corner of Rutherford Rd. and Sweetriver Blvd., adds this feature to the importance of the building.

Site sections depicting the site lines and the rooftop mechanical equipment has been provided, however, if it is determined that the rooftop mechanical equipment is visible, the Owner shall be responsible to mediate the situation at their cost by taking appropriate measures to screen the rooftop mechanical equipment to the satisfaction of the City.

Urban Design Guidelines

The prominent location of the combined restaurant/retail use building at the corner of Rutherford Rd. and Sweetriver Blvd. required the building to be sensitively designed and visually aesthetic, as the building functions as a gateway feature into the neighbourhood. The building’s elevations have been enhanced in accordance with the approved Urban Design and Architectural Guidelines.

The placement of the buildings complies with all zoning criteria, except for the required minimum setback from the residential zone. Care was taken to ensure that buildings were placed in a way that would adhere to the “Urban Design and Open Space Master Plan”, which encourages ‘community edges’ and ‘gateway’ features with the use of built architectural form and landscape treatment.

The 'street edge' is further articulated with the introduction of varied and extensive landscape treatments along Rutherford Rd., which incorporates varying hard and soft elements. Along Komura Rd. the use of bermed and landscaped elements help define as well as protect, the adjacent development to the north from noise and parking. Denser buffering treatment has been added along the west of the main anchor building, further buffing loading areas. As well, the introduction of paved walkways and internal landscaping has helped to reinforce the character of the development.

All the elevations for the proposal will need the Vaughan Centre control architect's stamp and signature, in accordance with the Urban Design and Architectural Guidelines.

Traffic Circulation

The proposed site plan shows three access locations, including one right-turn only from Rutherford Rd, Sweetriver Blvd. and Komura Road. The Ministry of Transportation, Region of York and City Engineering Department do not object to the right-in entrance off of Rutherford Rd. However, the Ministry of Transportation is in ownership of a strip of land on Rutherford Road. The transfer of property between the Ministry of Transportation and the Region of York is currently being reviewed. Final approval from both the Ministry of Transportation and Region of York is required.

Engineering Department

The City Engineering Department has reviewed the rear of the Highland Farms building in terms of the loading spaces, truck movement, screening and acoustic walls in order to shield the residential area to the north. Engineering Staff have advised that there are no objections provided that the final stormwater management, grading and servicing plan(s)/report(s) are approved to their satisfaction.

Conclusion

The retail development proposal has been reviewed in accordance with the Official Plan and Urban Design and Architectural Design Guidelines. The proposal generally meets the requirements of these and as such, can be supported by Staff, conditional upon the approval of the zoning by-law amendment to permit exceptions to By-law 1-88 for parking and yard requirements. Also approval is required for the final site plan, elevations, landscape plan, and stormwater management, grading and servicing plan(s)/report(s) by the City, Region of York and Ministry of Transportation.

Should Committee concur, Zoning By-law Amendment Z.03.019 and Site Plan Amendment DA.01.083 (Northwest Jane Rutherford Realty Ltd.) can be approved, subject to conditions contained in the "Recommendation" of this report.

Attachments

1. Location Map
2. Site Plan
3. Landscape Plan
4. Elevations
5. Elevations
6. Elevations
7. Elevations

Report prepared by:

Margaret Holyday, Planner 1, ext. 8216
Arto Tikiryan, Senior Planner, ext. 8212
Marco Ramunno, Manager of Development, ext. 8485

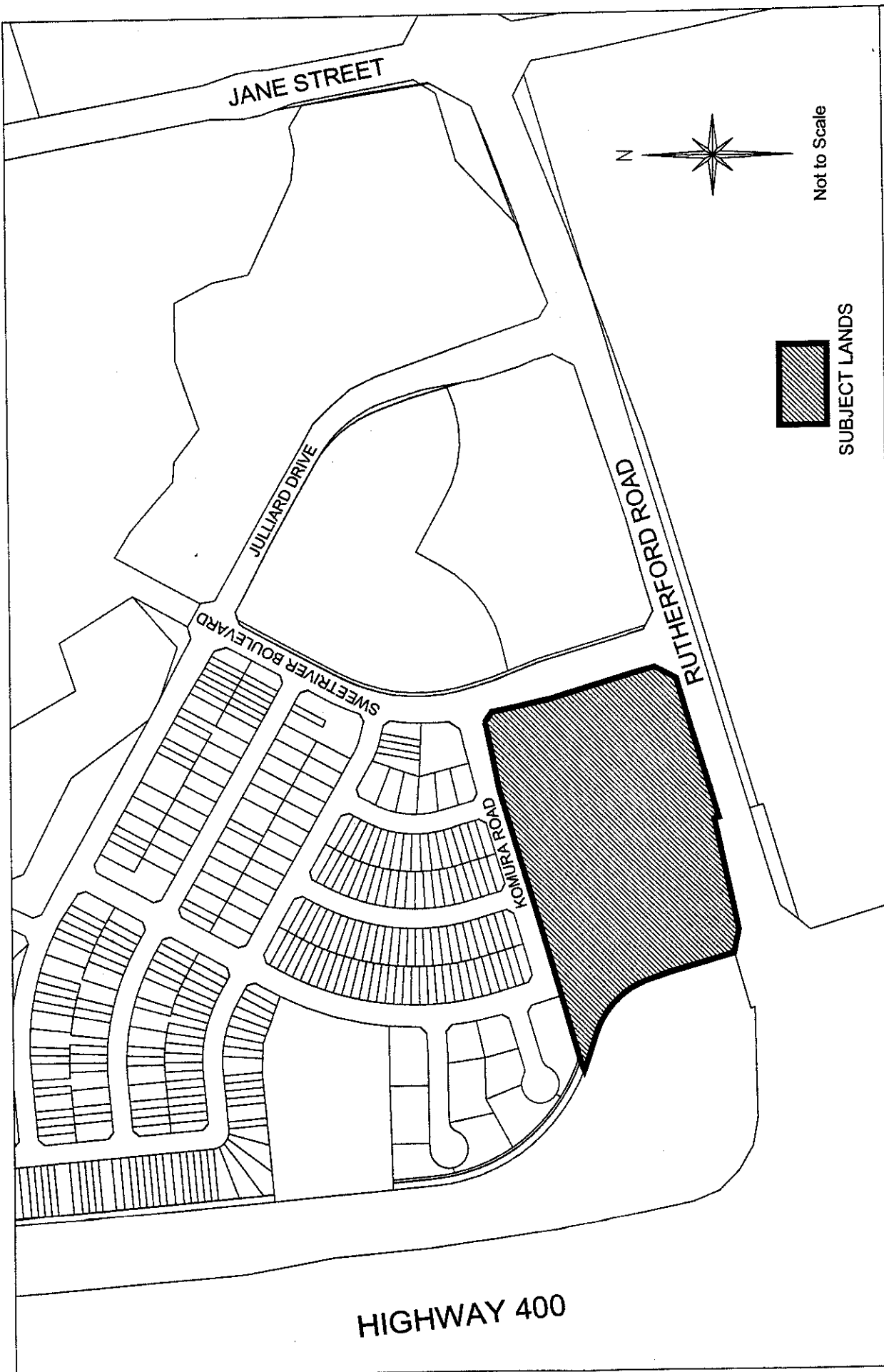
Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

JOANNE R. ARBOUR
Director of Community Planning

/CM

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Attachment **1**

FILE No.:
Z01.074 &
DA.01.083

August 22, 2003

City of Vaughan

Community Planning Department

Location Map

Lot 16,
Concession 5

APPLICANT:
NORTHWEST JANE RUTHERFORD REALTY LTD.

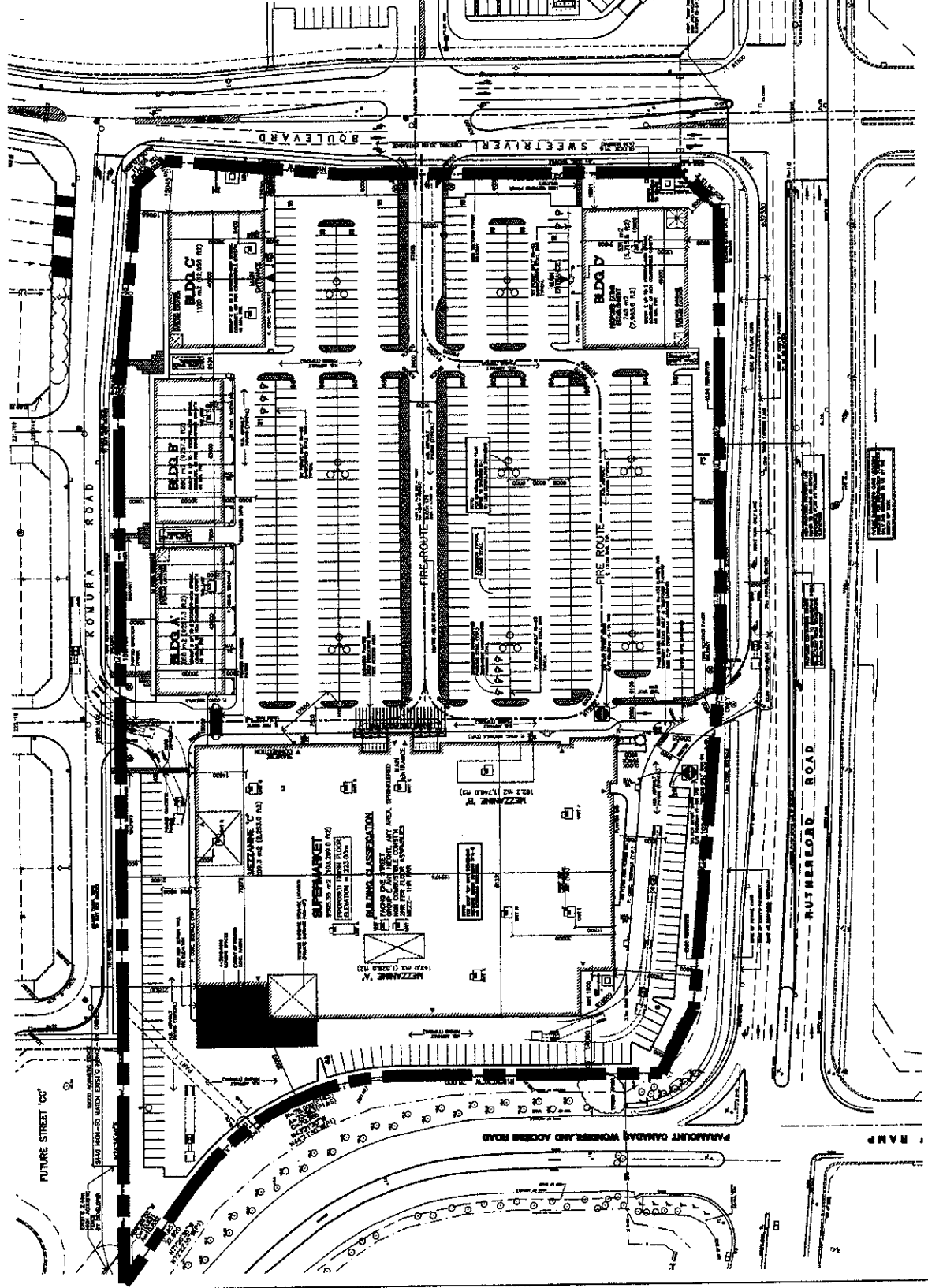
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Not to Scale

SITE STATISTICS

SITE AREA	= 12,284.00 SQ. FT. (0.28 AC.)
NET AREA	= 12,284.00 SQ. FT. (0.28 AC.)
NET AREA (EXCLUDING DRIVEWAYS)	= 11,800.00 SQ. FT. (0.27 AC.)
NET AREA (EXCLUDING DRIVEWAYS AND PARKING)	= 11,300.00 SQ. FT. (0.26 AC.)
NET AREA (EXCLUDING DRIVEWAYS, PARKING AND SUPERMARKET)	= 10,800.00 SQ. FT. (0.25 AC.)
NET AREA (EXCLUDING DRIVEWAYS, PARKING, SUPERMARKET AND BALCONY)	= 10,300.00 SQ. FT. (0.24 AC.)
NET AREA (EXCLUDING DRIVEWAYS, PARKING, SUPERMARKET, BALCONY AND MEZZANINE)	= 9,800.00 SQ. FT. (0.23 AC.)
NET AREA (EXCLUDING DRIVEWAYS, PARKING, SUPERMARKET, BALCONY, MEZZANINE AND STAIRS)	= 9,300.00 SQ. FT. (0.22 AC.)
NET AREA (EXCLUDING DRIVEWAYS, PARKING, SUPERMARKET, BALCONY, MEZZANINE, STAIRS AND LOBBY)	= 8,800.00 SQ. FT. (0.21 AC.)
NET AREA (EXCLUDING DRIVEWAYS, PARKING, SUPERMARKET, BALCONY, MEZZANINE, STAIRS, LOBBY AND ELEVATOR)	= 8,300.00 SQ. FT. (0.20 AC.)
NET AREA (EXCLUDING DRIVEWAYS, PARKING, SUPERMARKET, BALCONY, MEZZANINE, STAIRS, LOBBY, ELEVATOR AND SERVICE AREA)	= 7,800.00 SQ. FT. (0.19 AC.)
NET AREA (EXCLUDING DRIVEWAYS, PARKING, SUPERMARKET, BALCONY, MEZZANINE, STAIRS, LOBBY, ELEVATOR, SERVICE AREA AND MECHANICAL ROOMS)	= 7,300.00 SQ. FT. (0.18 AC.)
NET AREA (EXCLUDING DRIVEWAYS, PARKING, SUPERMARKET, BALCONY, MEZZANINE, STAIRS, LOBBY, ELEVATOR, SERVICE AREA, MECHANICAL ROOMS AND STAIRS)	= 6,800.00 SQ. FT. (0.17 AC.)
NET AREA (EXCLUDING DRIVEWAYS, PARKING, SUPERMARKET, BALCONY, MEZZANINE, STAIRS, LOBBY, ELEVATOR, SERVICE AREA, MECHANICAL ROOMS AND STAIRS)	= 6,300.00 SQ. FT. (0.16 AC.)
NET AREA (EXCLUDING DRIVEWAYS, PARKING, SUPERMARKET, BALCONY, MEZZANINE, STAIRS, LOBBY, ELEVATOR, SERVICE AREA, MECHANICAL ROOMS AND STAIRS)	= 5,800.00 SQ. FT. (0.15 AC.)
NET AREA (EXCLUDING DRIVEWAYS, PARKING, SUPERMARKET, BALCONY, MEZZANINE, STAIRS, LOBBY, ELEVATOR, SERVICE AREA, MECHANICAL ROOMS AND STAIRS)	= 5,300.00 SQ. FT. (0.14 AC.)
NET AREA (EXCLUDING DRIVEWAYS, PARKING, SUPERMARKET, BALCONY, MEZZANINE, STAIRS, LOBBY, ELEVATOR, SERVICE AREA, MECHANICAL ROOMS AND STAIRS)	= 4,800.00 SQ. FT. (0.13 AC.)
NET AREA (EXCLUDING DRIVEWAYS, PARKING, SUPERMARKET, BALCONY, MEZZANINE, STAIRS, LOBBY, ELEVATOR, SERVICE AREA, MECHANICAL ROOMS AND STAIRS)	= 4,300.00 SQ. FT. (0.12 AC.)
NET AREA (EXCLUDING DRIVEWAYS, PARKING, SUPERMARKET, BALCONY, MEZZANINE, STAIRS, LOBBY, ELEVATOR, SERVICE AREA, MECHANICAL ROOMS AND STAIRS)	= 3,800.00 SQ. FT. (0.11 AC.)
NET AREA (EXCLUDING DRIVEWAYS, PARKING, SUPERMARKET, BALCONY, MEZZANINE, STAIRS, LOBBY, ELEVATOR, SERVICE AREA, MECHANICAL ROOMS AND STAIRS)	= 3,300.00 SQ. FT. (0.10 AC.)
NET AREA (EXCLUDING DRIVEWAYS, PARKING, SUPERMARKET, BALCONY, MEZZANINE, STAIRS, LOBBY, ELEVATOR, SERVICE AREA, MECHANICAL ROOMS AND STAIRS)	= 2,800.00 SQ. FT. (0.09 AC.)
NET AREA (EXCLUDING DRIVEWAYS, PARKING, SUPERMARKET, BALCONY, MEZZANINE, STAIRS, LOBBY, ELEVATOR, SERVICE AREA, MECHANICAL ROOMS AND STAIRS)	= 2,300.00 SQ. FT. (0.08 AC.)
NET AREA (EXCLUDING DRIVEWAYS, PARKING, SUPERMARKET, BALCONY, MEZZANINE, STAIRS, LOBBY, ELEVATOR, SERVICE AREA, MECHANICAL ROOMS AND STAIRS)	= 1,800.00 SQ. FT. (0.07 AC.)
NET AREA (EXCLUDING DRIVEWAYS, PARKING, SUPERMARKET, BALCONY, MEZZANINE, STAIRS, LOBBY, ELEVATOR, SERVICE AREA, MECHANICAL ROOMS AND STAIRS)	= 1,300.00 SQ. FT. (0.06 AC.)
NET AREA (EXCLUDING DRIVEWAYS, PARKING, SUPERMARKET, BALCONY, MEZZANINE, STAIRS, LOBBY, ELEVATOR, SERVICE AREA, MECHANICAL ROOMS AND STAIRS)	= 800.00 SQ. FT. (0.04 AC.)
NET AREA (EXCLUDING DRIVEWAYS, PARKING, SUPERMARKET, BALCONY, MEZZANINE, STAIRS, LOBBY, ELEVATOR, SERVICE AREA, MECHANICAL ROOMS AND STAIRS)	= 300.00 SQ. FT. (0.01 AC.)
TOTAL COVERED AREA	= 12,284.00 SQ. FT. (0.28 AC.)
TOTAL PAVED AREA	= 12,284.00 SQ. FT. (0.28 AC.)
TOTAL LANDSCAPED AREA	= 771.00 SQ. FT. (0.02 AC.)
TOTAL AREA	= 13,055.00 SQ. FT. (0.30 AC.)
PARKING PROVIDED (MAX. Permitted (including setbacks))	225 = 225/000
PARKING PROVIDED (MAX. Permitted (including setbacks))	225 = 225/000
TOTAL PARKING PROVIDED	= 225 (100% OF REQUIRED)
IC. PARKING RATIO	= 7.00 PARKED / 1.00 UNPAVED
LOADING SPACES PROVIDED	= 7.00 PARKED / 1.00 UNPAVED
MAX. BLDG HEIGHT (FEET)	= 11m. PARKED = 11m. UNPAVED = 11m.



SUBJECT LANDS

Attachment 2

FILE No.: Z-01.074 & DA-01.083

August 22, 2003



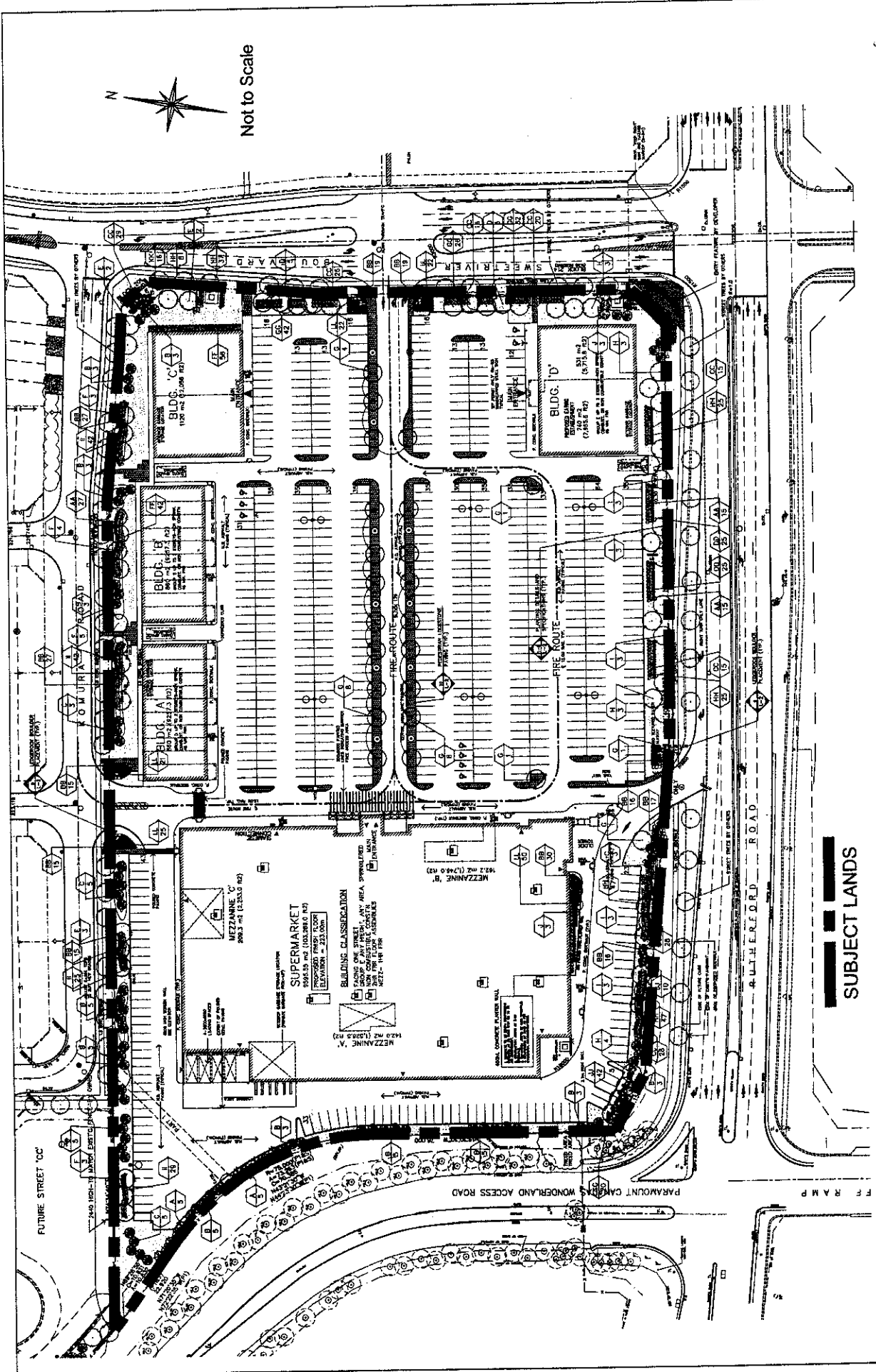
Community Planning Department

Site Plan

Lot 16, Concession 5

APPLICANT: NORTHWEST JANE RUTHERFORD REALTY LTD.

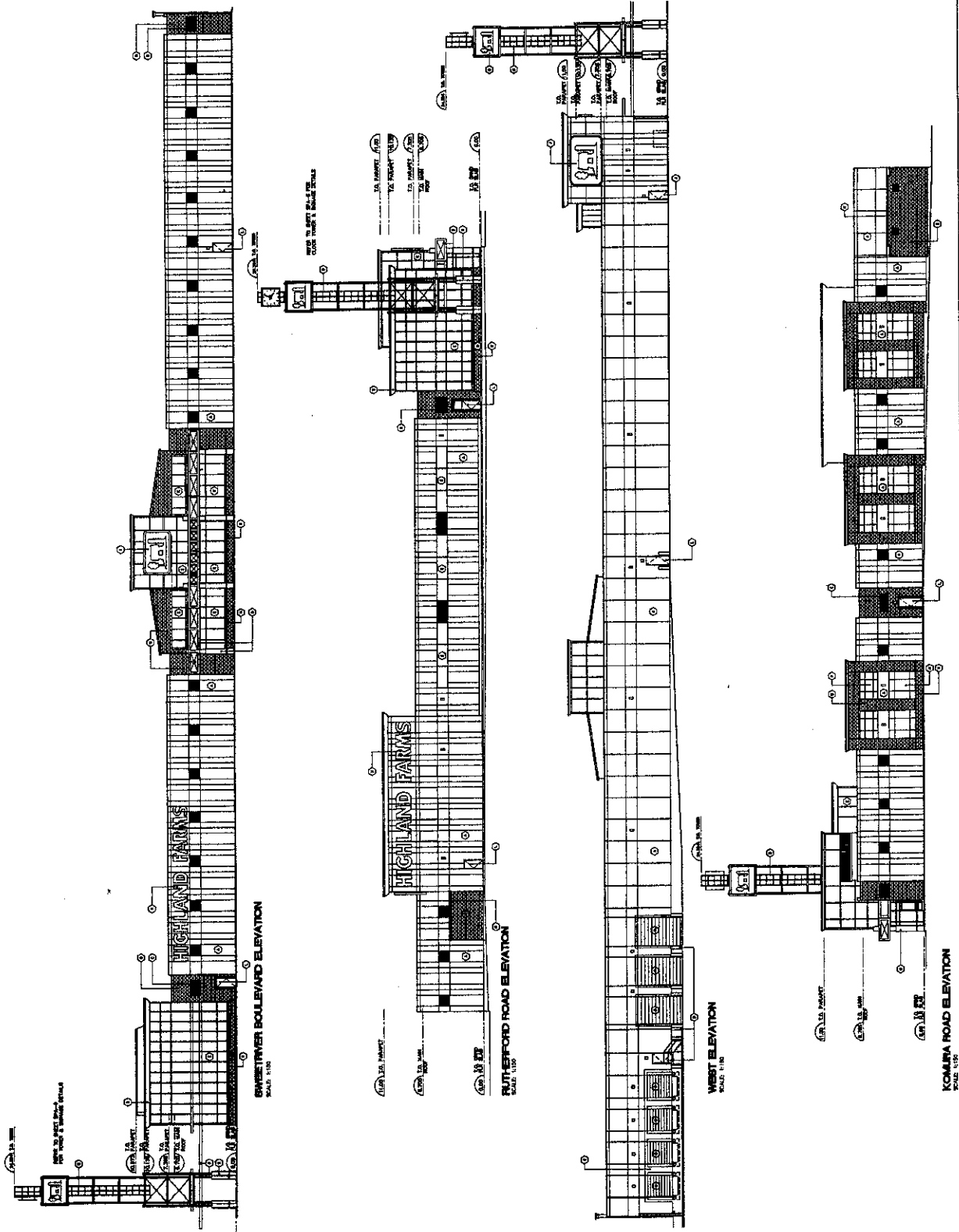
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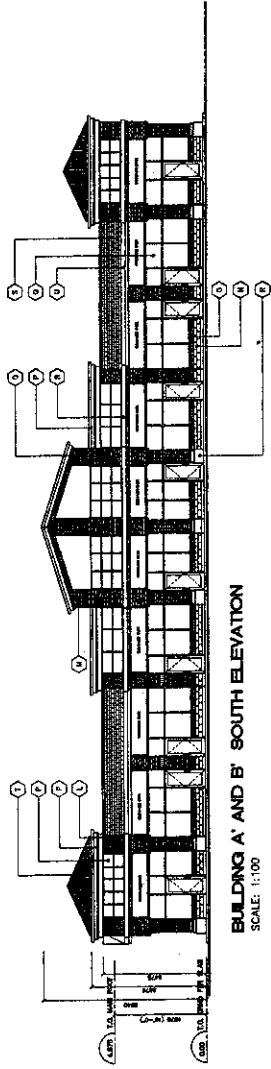
Attachment 3
 FILE No.: Z.01.074 & DA.01.083
 August 22, 2003

City of **Vaughan**
 Community Planning Department

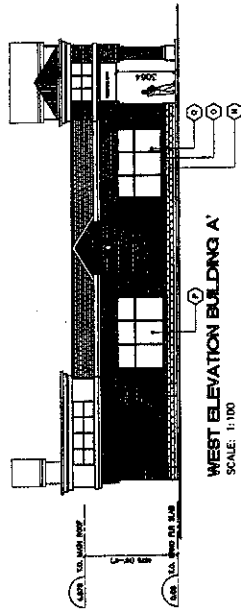
Landscape Plan
 Lot 16,
 Concession 5
 APPLICANT:
 NORTHWEST JANE RUTHERFORD REALTY LTD.
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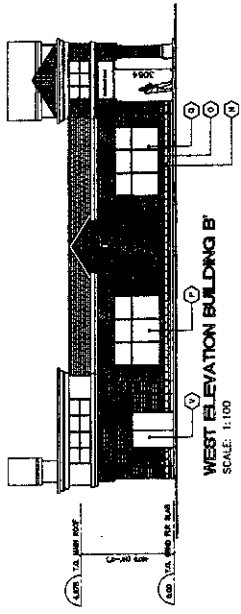
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August 22, 2003



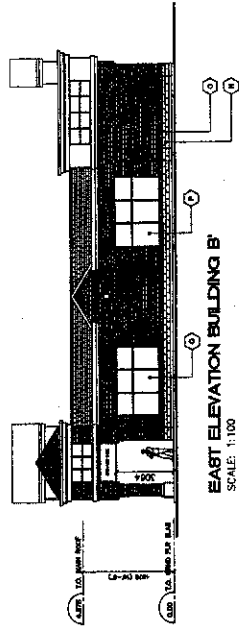
BUILDING A' AND B' SOUTH ELEVATION
SCALE: 1:100



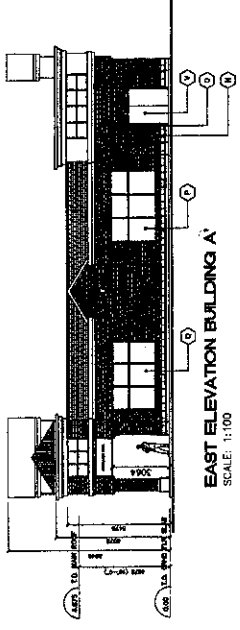
WEST ELEVATION BUILDING A'
SCALE: 1:100



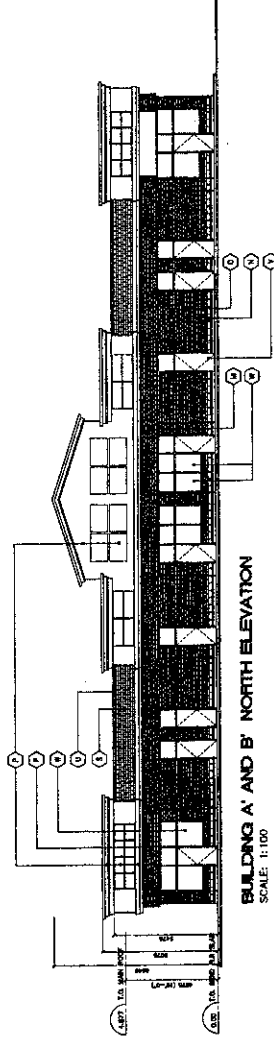
WEST ELEVATION BUILDING B'
SCALE: 1:100



EAST ELEVATION BUILDING B'
SCALE: 1:100



EAST ELEVATION BUILDING A'
SCALE: 1:100



BUILDING A' AND B' NORTH ELEVATION
SCALE: 1:100

Elevations

Lot 16,
Concession 5

APPLICANT:
NORTHWEST JANE RUTHERFORD REALTY LTD.

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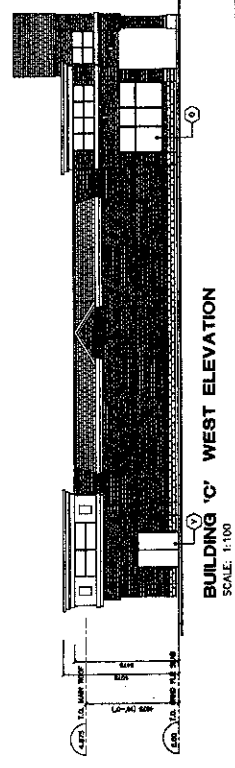
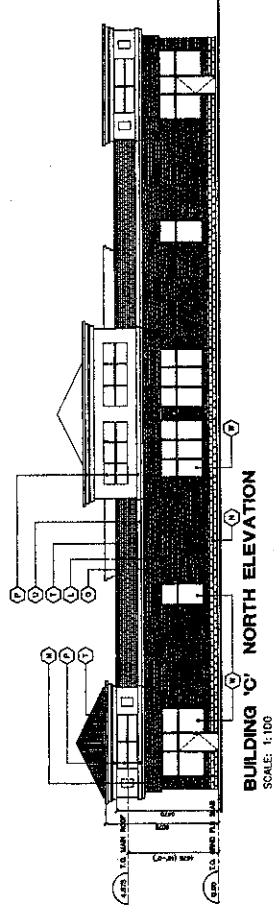
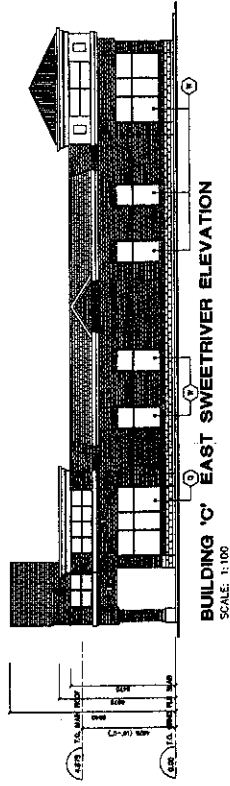
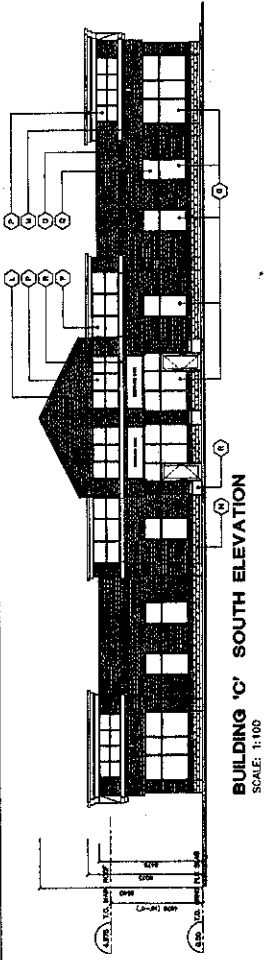
City of
Vaughan

Community Planning Department

Attachment 5

FILE No.:
Z.01.074 &
DA.01.083

August 22, 2003



Elevations

Lot 16,
Concession 5

APPLICANT:
NORTHWEST JANE RUTHERFORD REALTY LTD.

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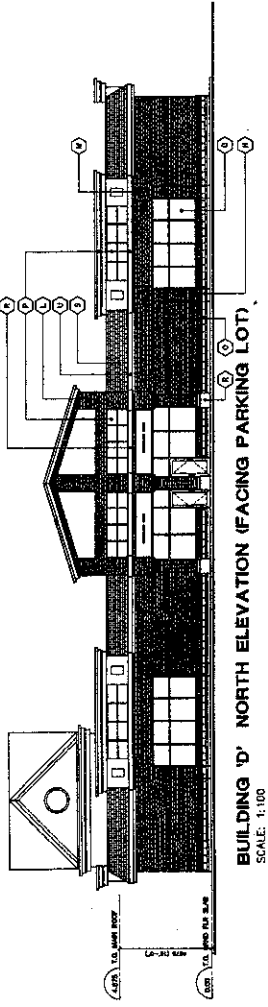
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Vaughan

Community Planning Department

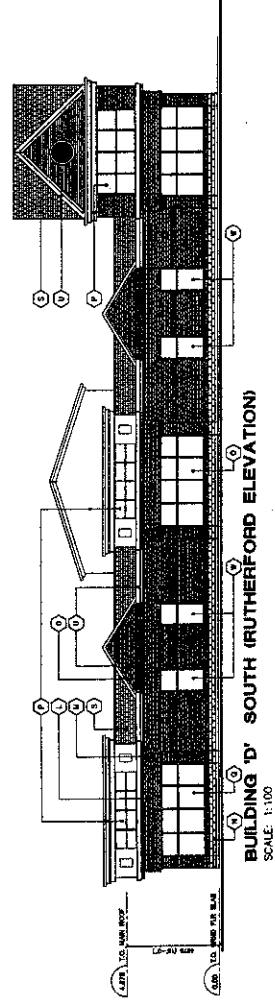
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FILE No.:
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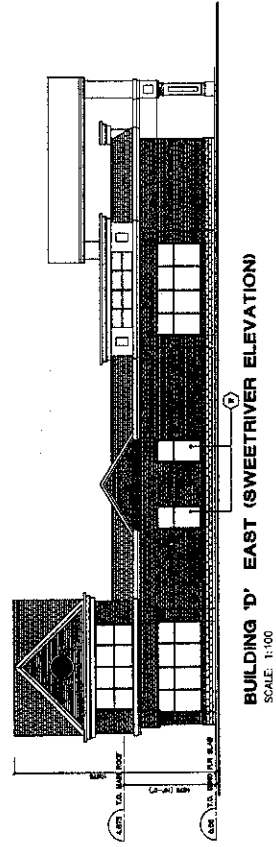
August 22, 2003



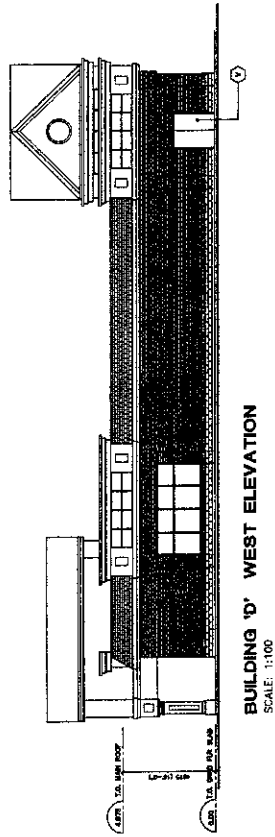
BUILDING 'D' NORTH ELEVATION (FACING PARKING LOT)
SCALE: 1:100



BUILDING 'D' SOUTH (RUTHERFORD ELEVATION)
SCALE: 1:100



BUILDING 'D' EAST (SWEETTRIVER ELEVATION)
SCALE: 1:100



BUILDING 'D' WEST ELEVATION
SCALE: 1:100

Elevations

Lot 16,
Concession 5

APPLICANT:
NORTHWEST JANE RUTHERFORD REALTY LTD.

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City of Vaughan

Community Planning Department

Attachment 7

FILE No.:
Z.01.074 &
DA.01.083

August 22, 2003