

COMMITTEE OF WHOLE APRIL 7, 2003

**ZONING BY-LAW AMENDMENT FILE Z.02.007
SITE DEVELOPMENT FILE DA.02.064
DELISLE PROPERTIES LIMITED
REPORT #P.2002.17**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment Application Z.02.007 (Delisle Properties Limited) BE APPROVED, subject to the following:
 - a) That the implementing zoning by-law:
 - i) rezone the tableland to EM1 Prestige Employment Area Zone and the valleyland to OS1 Open Space Conservation Zone;
 - ii) delete the required 7.5m wide landscape strip adjacent to an Open Space Zone;
 - iii) permit a maximum eating establishment size of 450m² (4,843.9 sq.ft) in Building "B";
 - iv) delete the required loading space for Building "A"; and,
 - v) include any necessary exceptions to implement the approved site plan.
2. THAT Site Development Application DA.02.064 (Delisle Properties Limited) BE APPROVED, subject to the following conditions:
 - a) That prior to the execution of the site plan agreement:
 - i) the final site plan and building elevations shall be approved by the Commissioner of Planning;
 - ii) the final landscape plan and detailed landscape cost estimate for the site shall be approved by the Urban Design Department;
 - iii) the final site servicing and grading plans and stormwater management report shall be approved by the Engineering Department, Region of York Transportation and Works Department, and the Toronto and Region Conservation Authority;
 - iv) access, traffic and external arterial road improvements, and on-site vehicular circulation shall be approved by the Engineering Department and the Region of York Transportation and Works Department;
 - v) all requirements of Hydro Vaughan Distribution Inc. shall be satisfied;
 - vi) all fire prevention requirements of the Fire Department, including a private fire hydrant, shall be satisfied;
 - vii) the Owner shall submit a detailed tree assessment and woodland edge management plan to the satisfaction of the Urban Design Department;

- viii) the Owner shall submit a detailed landscape plan and cost estimate, and required Letter of Credit for approval by the Urban Design Department and the Parks Department, and shall carry out at his cost, the required downstream vegetation enhancement;
 - ix) the Owner shall convey the valleylands to the City at no cost, free and clear of all charges and encumbrances, subject to approval of a Phase One Environmental Assessment Report by the Engineering Department;
 - x) the Owner shall convey to the Region of York a road widening along Jane Street, and 0.3 metre wide reserves along both Jane Street and Rutherford Road, free of all costs and encumbrances; and,
 - xi) the Owner shall pay their proportionate share of the storm sewers and stormwater management pond, as set out in the subdivision agreement for Plan 65M-3381.
- b) That the site plan agreement contain the following provision:
- i) If required, the Owner shall pay to 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 51 of the Planning Act and City of Vaughan 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. The cash-in-lieu payment, in accordance with Section 42 of the Planning Act, will not be required as long as the Council Policy waiving such payment remains in effect for industrial land.
 - ii) The Owner shall submit a Fire Safety Plan for Buildings “A” and “B” to the satisfaction of the Fire Department, prior to occupancy of these buildings.

Purpose

On January 24, 2002, the Owner submitted an application to amend the Zoning By-law to rezone the tableland to EM1 Prestige Employment Area Zone and the valleyland to OS1 Open Space Conservation Zone. The application also requests exceptions to the zoning standards, which include deleting the requirement for a 7.5m wide landscape strip abutting an Open Space Zone, no loading space requirement for the office building, and permitting up to 450m² for an eating establishment use in Building “B”. A related Site Plan application was submitted on September 26, 2002, to facilitate development of 5.58 ha of tableland for a 4-building, 22,489m² office and employment complex with 648 parking spaces, while maintaining the 1.74 ha valley lands in a natural state.

Background - Analysis and Options

The site is located on the southeast corner of Jane Street and Rutherford Road, in Part of Lot 15, Concession 4, City of Vaughan. The 7.32 ha rectangular lot has 211m frontage along Jane Street and 361.3m flankage on Rutherford Road. The site has a wooded area along the perimeter, which surrounds an open field in the central portion, and is developed with a detached dwelling. There is a valley and stream corridor in the east portion of the site.

The subject lands are designated "Prestige Area", "Employment Area General" and "Stream Corridor" by OPA #450 (Employment Area Plan). The site is zoned A Agricultural Zone by By-law 1-88. The surrounding land uses are as follows:

- North - Rutherford Road; residence (A Agricultural Zone)
- South - vacant/commercial (C7 Service Commercial Zone) and employment (EM2 General Employment Area Zone)
- East - vacant (A Agricultural Zone)
- West - Jane Street; vacant/commercial (C8 Office Commercial Zone)

On February 8, 2002, a notice of public hearing was circulated to all property owners within 120m of the subject lands. To date, two responses have been received in support of retaining the woodlot on the property. The recommendation of the Committee of the Whole on March 4, 2002, to receive the Public Hearing, and for the application to be held in abeyance pending the outcome of the City-wide Woodlot Functional Assessment Study, and upon its completion, any issues be addressed in a comprehensive report to the Committee of the Whole, was ratified by Council on March 18, 2002.

OMB Hearing

A recommendation on the Delisle woodland proceeded ahead of the final report for the City-wide Functional Woodlot Assessment Study, to receive direction from Council for the Ontario Municipal Board (OMB) hearing on October 28, 2002. The subject of the hearing was the appeal of a condition of approval of Consent Application B94/01 (Magna International) that Caldari Road extend northward from River Rock Gate to the Delisle property. Delisle also appealed the decision on the basis that, if the Magna consent application was approved by the OMB without the condition for the road extension, the Delisle lands would be effectively landlocked and their rezoning application for employment uses would be prejudiced.

Delisle's environmental consultant (Ecoplans Limited) completed an assessment of Woodlot 24-01 on the subject lands. Their recommendation included protecting all of the wooded area in the valley and within 10m of the top-of-bank, and also protecting the wooded area of approximately 25m width along a portion of the south property line to link with the woodlot on the Magna property to the south. The environmental consultants for the City and Delisle (AMEC Earth and Environmental Limited and Ecoplans respectively) agreed that the retained woodlot would continue to function at a "moderate" level. The City's consultant recommended that enhancement in the form of tree planting could be undertaken by Delisle in the grassland portion of the valley located downstream of the property, specifically within an open space block owned by the City. AMEC suggested a planting regime, with the types and amount of tree species to be approved by the Urban Design and Parks Departments, to be undertaken by Delisle at their cost, secured by a separate Letter of Credit, and initiated upon removal of the trees on the Delisle site.

On October 15, 2002, Council considered a staff report regarding the status of the woodland on the Delisle property and interim status of the Delisle zoning application, and resolved the following (in part):

"That the Ontario Municipal Board be advised that the City has no objection to the principle of development on the tableland portion of the Delisle property, subject to the retained woodland being consistent with the recommendations in the Ecoplans Limited report dated September 17, 2002, and the enhancement measures as set out in the AMEC Earth and Environmental Limited letter dated September 30, 2002, with opportunity to retain additional individual trees on the property upon review of the site plan."

Official Plan

The tableland abutting Jane Street and Rutherford Road is designated "Prestige Area" by OPA #450, and the tableland in the interior is designated "Employment Area General". The employment designations would permit a wide variety of industrial, office, business and civic uses, with outside storage permitted only in the interior of the site. The valley is designated "Stream Corridor", and must be protected for open space purposes. The proposed development conforms to the Official Plan.

Zoning

The subject lands are zoned A Agricultural Zone by By-law 1-88. The applicant is proposing to rezone the tableland, including the portion of the woodland to be retained in accordance with the Woodlot Study and the 10m wide tree preservation buffer adjacent to the top-of-bank, to EM1 Prestige Employment Area Zone and the valley to OS1 Open Space Conservation Zone. The proposed zoning would implement the designations of the Official Plan. The 10m wide tree preservation buffer, adjacent to the OS1 valley eliminates the need to provide an additional 7.5m wide landscaped buffer as currently required by the by-law. Therefore, the application to delete the 7.5m wide buffer can be supported.

The by-law restricts eating establishments to one per multi-unit industrial building, to a maximum gross floor area of 185m² (1,991.3 sq.ft). The application proposes a maximum eating establishment size of 450m² (4,843.9 sq.ft) in Building "B", which is an increase of 265m² (2,852.5 sq.ft). Staff can support the increase in the maximum size of the eating establishment, given the amount of office and employment development proposed on the site.

The by-law requires the office building (Building "A") to provide 2 loading spaces, whereas the application indicates that no loading spaces are needed. Staff can support an exception to delete the loading space requirement for the office building.

Site Design

The site plan shows the development of the 5.58 ha tableland for an office/employment campus consisting of 4 buildings, having a total gross floor area of 22,489m² (242,077.5 sq.ft) and 648 parking spaces, as follows:

- Building "A": 4-storey office building of 9,292m² (100,021.5 sq.ft)
- Building "B": 1-storey, 2,931m² (31,550 sq.ft) multi-unit building, with 2,481m² of office and 450m² of eating establishment space
- Building "C": 1-storey, 6,684m² (71,948.3 sq.ft) multi-unit building, with 2,228m² of office and 4,456m² of industrial space
- Building "D": 1-storey multi-unit industrial building of 3,582m² (38,557.5 sq.ft)

The site design establishes the buildings closer to the street to add architectural presence to the streetscape, and to screen the parking areas. The three buildings along Jane Street and Rutherford Road all propose a front elevation facing these streets, with pedestrian walkway connections to a future public sidewalk along the arterial roads. The development provides a generous amount of office/employment floor area and provides an intensification of higher order office and employment uses, consistent with the area context. The proposal includes 14,598m² (157,136.7 sq.ft) of office space, which comprises 65% of the total floor area of the development. The height, mass and scale of the 4-storey office building will provide a visually dominant landmark building at this high profile intersection of Jane Street and Rutherford Road.

The wooded tableland area at the southeast corner of the property and the 10m wide tree preservation buffer adjacent to the top-of-bank will be retained in accordance with the Woodlot Study. The lands that are located below the top-of-bank within the valley will be retained in a natural state. A 9m wide landscape strip will be provided along both arterial roads.

The following minor revisions must be incorporated into the final site plan drawings:

- introduce a landscaped traffic island adjacent to the parking row behind Building “D”;
- provide details of the light poles/lamps, benches, receptacles, and paver materials/colours;
- the concrete walkway connecting Buildings “B” and “C” is to be extended at each end to intersect with the walkways in front of each building;
- the site plan and building elevations for the southwest corner of Building “B”, the south elevation of Building “C” and the east elevation of Building “D” have minor differences and must be revised to be consistent;
- dimension the loading space locations for Buildings “C” and “D”; and,
- adjust the footprint of Building “C” and the curb and light pole locations adjacent to the drip line of the tree preservation and 10m buffer areas.

Access & Road Improvements

The site will be served by a full-movement access from Rutherford Road at the northeast corner of the property and a right-in/right-out access from Jane Street at the southwest corner. The two arterial roads are under the jurisdiction of the Region of York Transportation and Works Department.

The two accesses were supported by the applicant’s Traffic Impact Study prepared by Paul Hill Consulting, dated October 11, 2002, to the satisfaction of the Region. The raised centre median on Jane Street will be extended to ensure right-in/right movements. A 2m x 75m road widening along Jane Street will be conveyed to the Region of York, along with 0.3m wide reserves along both arterials, except at approved access locations. The applicant will also be responsible for other arterial road improvements, including a northbound right-turn lane and taper leading to the Jane Street access, and an eastbound right-turn lane and taper leading to the Rutherford Road access. The centre lane on Rutherford Road will be redesigned to provide an exclusive westbound left-turn lane and taper to the driveway. The Rutherford Road access may be signalized in the future, if warranted.

Parking

By-law 1-88 requires a total of 644 parking spaces to be provided for the complex, as follows:

- Building “A” - Office Building ($3.5 \text{ spaces}/100\text{m}^2 \times 9,292\text{m}^2$) = 325.22 spaces
- Building “B” - Business or Professional Office, including 185m^2 Eating Establishment ($3.5 \text{ spaces}/100\text{m}^2 \times 2,666\text{m}^2$) = 93.31 spaces
 - Eating Establishment over 185m^2 GFA ($16 \text{ spaces}/100\text{m}^2 \times 265\text{m}^2$)= 42.4 spaces
- Building “C” - Employment ($1.5 \text{ spaces}/100\text{m}^2 \times 4,456\text{m}^2$)= 66.84 spaces
 - Office ($2 \text{ spaces}/100\text{m}^2 \times 2,228\text{m}^2$) = 44.56 spaces
- Building “D” - Employment ($2 \text{ spaces}/100\text{m}^2 \times 3,582\text{m}^2$) = 71.64 spaces

The site plan shows 648 parking spaces, including 7 spaces for the physically challenged, resulting in a surplus of 4 spaces.

Servicing

The site has access to municipal water on Rutherford Road, and sanitary sewers on Jane Street. Stormwater is directed to a stormwater pond located southeast of the site, at Creditstone Road and Granite Ridge Drive in industrial subdivision 65M-3381. The functional servicing report, site servicing and grading plans, stormwater management report and other engineering plans, must be approved by the City, Region of York Transportation and Works Department, and the Toronto and Region Conservation Authority.

A fire safety plan is to be submitted for Buildings "A" and "B" for approval by the Fire Department prior to occupancy. Also, the site servicing plan must be revised to add a private fire hydrant southwest of Building "B".

On March 13, 2002, Realty Growth II Holdings Inc., being the developer of industrial subdivision 65M-3381, wrote to advise the City that in 1999, Realty Growth front-ended Delisle's share of the storm sewers and storm pond. Section 21.1.4 and Schedule "N" of their Subdivision Agreement sets out Delisle's costs that is owing at \$50,720.42/hectare, which includes a 3% City administration fee. The applicant will be required to submit their portion of the servicing costs as a condition of site plan approval.

Landscaping

On February 20, 2003, the applicant submitted a letter from Ecoplans Limited, which reviewed the feasibility of retaining individual trees along the frontages of Jane Street and Rutherford Road. Ecoplans concluded that the vegetation along Jane Street is of low quality and that tree retention value and potential is low. Along the northern edge, the analysis concluded that any residual trees would be at high risk and that the ecological significance of the narrow band of widely spaced trees is questionable. The provision of accesses, driveways, pedestrian walkways and buildings close to the street edge, although achieving a well-designed site, has reduced the opportunity to preserve individual trees. Any retention of trees would result in the buildings being setback and a significant parking shortage, which would have a negative impact upon the overall site development. The letter concluded that the introduction of new landscaping in these areas, together with the enhancement planting proposed adjacent to the valley, provides a more productive, environmental approach and a consistent landscape treatment. Staff is satisfied with Ecoplans assessment, and will work with the applicant in ensuring appropriate new planting along the arterial roads.

The site will be landscaped with a substantial amount of coniferous and deciduous tree and shrub planting along the perimeter of the site and the edges of each building, and within the internal parking area. Pedestrian walkways are provided around each building, with connections provided to the other buildings within the campus and to the public sidewalks along Jane Street and Rutherford Road. Benches and trash receptacles will also be provided within the landscaped front yard of the office building.

Environmental

The site is located within the Don River Watershed and includes a tributary of the West Don River. The Toronto and Region Conservation Authority (TRCA) has advised that the site plan accurately reflects the top-of-bank and 10m buffer area.

The valley will be zoned OS1 Zone and is to be conveyed to the City for protection in a natural state. Prior to the conveyance of the lands, a Phase One Environmental Assessment will be required for approval by the Engineering Department, to ensure the lands to be acquired are

environmentally acceptable. Also, the limits of the tableland tree preservation area and associated drip-line will need to be confirmed by the City. The applicant is retaining ownership of the 10 m wide tree preservation buffer zone and the portion of the woodlot to be protected in the southeast end of the site. The house that is located within the 10m buffer strip will be removed, and the area will be enhanced with a significant amount of tree and shrub planting.

Building Elevations

Building "A" is a 4-storey (21m high) office building, which will be constructed with a predominant amount of blue-tinted glass, framed by off-white precast panels. A metal canopy over the east and west entrances, and a metal rooftop screen, are both light brass in colour. A garbage/service room will be provided internal to the building.

Building "B" is a one-storey multi-unit office building, having blue-tinted glass and light beige-coloured precast panels along the lower and upper portions of the building, respectively. The individual units can be accessed from both the north and south elevations, which are framed by off-white precast panels, and a metal canopy over each entrance and a metal rooftop screen that are light brass in colour. Steps are provided up from Rutherford Road to each unit entrance to accommodate the grade difference. An internal garbage/service room will be provided at each end of the building.

Buildings "C" and "D" are both one-storey employment buildings that have similar facades consisting of a significant amount of blue-tinted glass around each front entrance, with the door areas framed by off-white precast panels and a light brass-coloured sign canopy. Light beige-coloured face brick separates the glass areas in between the units, and is also a significant material on the remaining facades. The side elevations for each building contain 3 vertical rows of windows. A light brass-coloured metal rooftop screen is also provided. The loading area is located at the rear of each building, which will not be visible to the arterial roads. An internal garbage/service room is also located at the rear of each unit.

Staff is satisfied with the elevations for all of the buildings. The final elevation plans must be to the satisfaction of the Commissioner of Planning.

Conclusion

Staff has reviewed the proposed amendments to the Zoning By-law and consider the rezoning of the tableland to EM1 Zone to permit employment uses, and the valley to OS1 Zone, appropriate to implement the Official Plan. The proposed increase to the maximum size of an eating establishment from 185m² to 450m² within Building "B" can also be supported, as it will serve the substantial amount of office and employment development on the site. The deletion of the required 7.5m wide landscape strip adjacent to an Open Space Zone can also be supported, as a 10m wide tree preservation buffer will be provided adjacent to the OS1 valley within the EM1 Zone. Staff can also support the deletion of the loading space requirement for the 4-storey office building.

The site design establishes the buildings closer to the street to add architectural presence to the streetscape, and to screen the parking areas. The three buildings along Jane Street and Rutherford Road all propose a front elevation facing these streets and in particular, the 4-storey office building will provide a landmark at the intersection. The proposed development provides a generous amount of office/employment floor area and provides an intensification of higher order office and employment uses, consistent with the area context. Staff can support the site plan elevations and landscaping plans with minor revisions to be addressed in the final plans.

For these reasons, Staff can recommend approval of the zoning by-law amendment and site plan applications, subject to the conditions identified in this report. Should the Committee concur, the recommendations in this report can be adopted.

Attachments

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

Report prepared by:

Grant A. Uyeyama, Senior Planner, Development, ext. 8635
Marco Ramunno, Manager of Development Planning, ext. 8485

Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

JOANNE R. ARBOUR
Director of Community Planning

/LG

R:\WORKING\UYEYAMAG\DELISLE.CW.DOC



RUTHERFORD ROAD

JANE STREET

WOODLOT

OPEN AREA
A

WOODLOT

EMI
9 (1032)

EM2
9 (1032)

WOODLOT

C7
9 (1032)

EM2
9 (1032)

OSI

RIVEROCK GATE

EMI
BLOCK 1

BLOCK 2

65M - 3381
EM2
BLOCK 3

BLOCK 4

BLOCK 5

GRANITERIDGE ROAD

BLOCK 2

SUBJECT LANDS

Location Map

Part Lot 15,
Concession 4

APPLICANT:
DELISLE PROPERTIES LIMITED



Community Planning Department

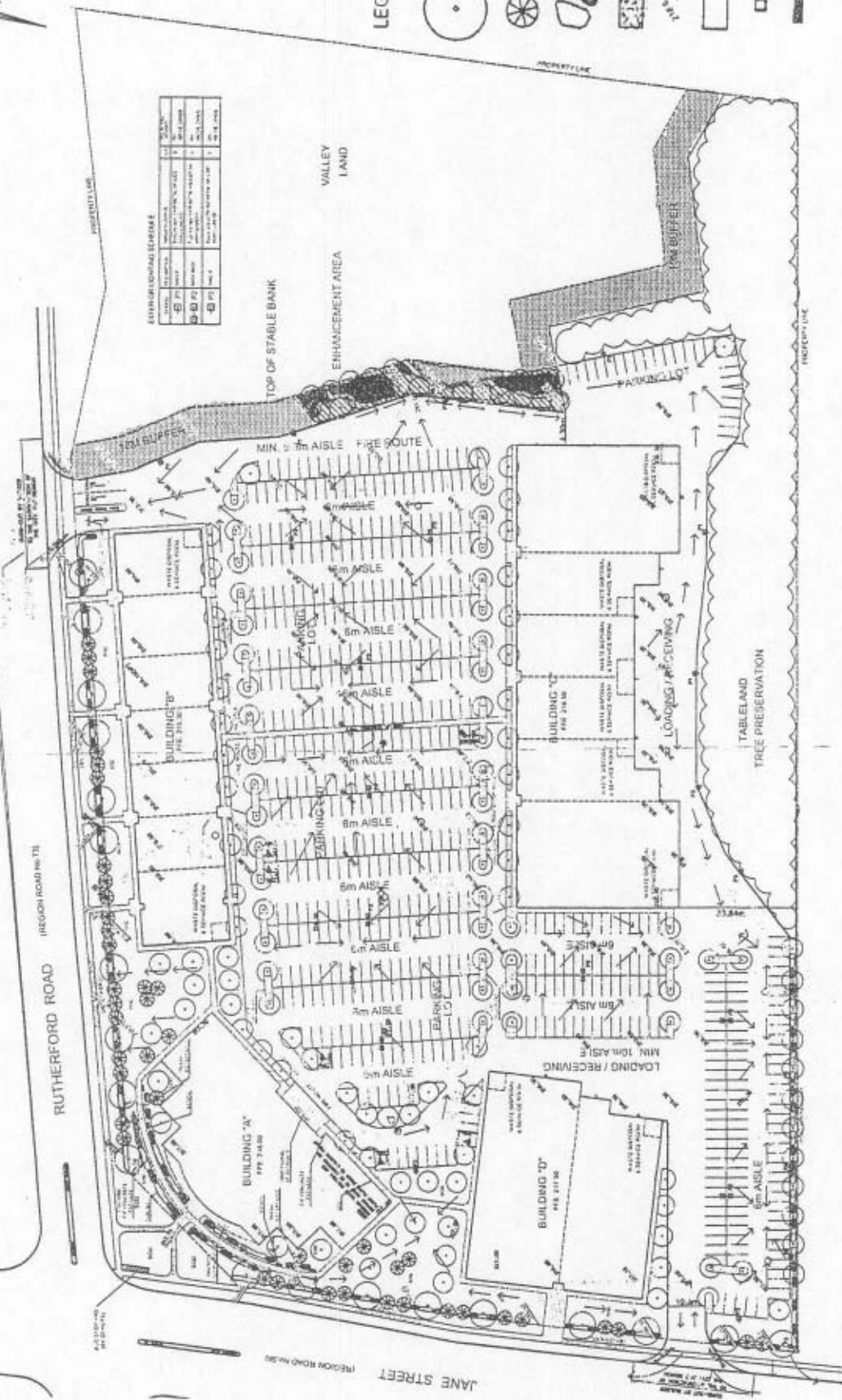
Attachment

FILE No.:
Z.02.007 & DA.02.064

February 19, 2003

Not to Scale

1



VEGETATION LIGHTING SCHEDULE

PLANT	HEIGHT	SPACING	PLANTING	PLANTING
DECIDUOUS TREES	10-15M	10M	10M	10M
CONIFEROUS TREES	10-15M	10M	10M	10M
SHRUBS	2-3M	2M	2M	2M
CONCRETE	1.5M	1.5M	1.5M	1.5M
FRAGILE PLANTS	1.5M	1.5M	1.5M	1.5M
TOP BUFFER	1.5M	1.5M	1.5M	1.5M
TRASH-RECEPTACLE	1.5M	1.5M	1.5M	1.5M
BENCH	1.5M	1.5M	1.5M	1.5M

- LEGEND**
- DECIDUOUS TREES
 - CONIFEROUS TREES
 - SHRUBS
 - CONCRETE
 - FRAGILE PLANTS
 - TOP BUFFER
 - TRASH-RECEPTACLE
 - BENCH

Landscape Plan

Part Lot 15,
Concession 4

APPLICANT:
DELISLE PROPERTIES LIMITED

City of Vaughan

Community Planning Department

Attachment

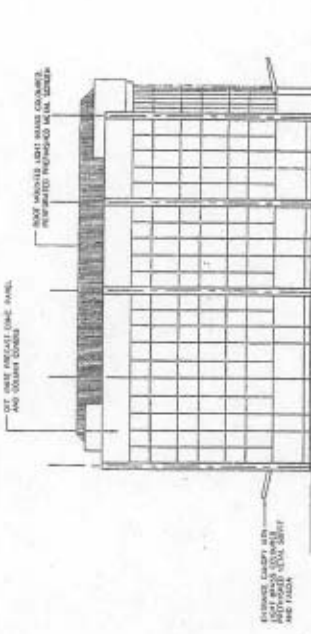
3

FILE No.:
Z.02.007 & DA.02.064

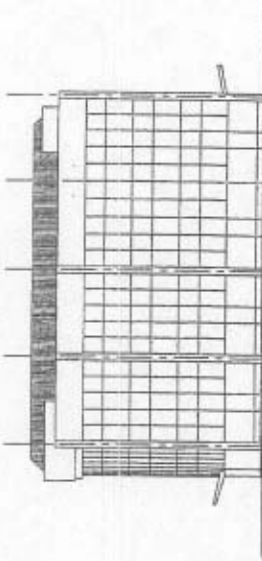
February 19, 2003

Not to Scale

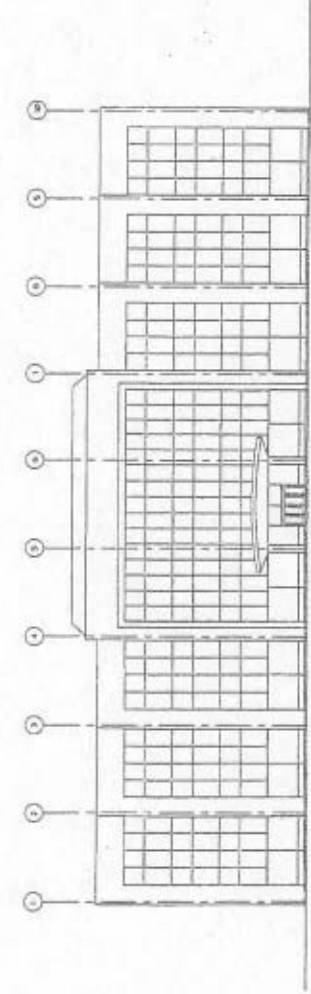
N:\007\1 ATTACHEMENTS\Z.02.007\66.02.064



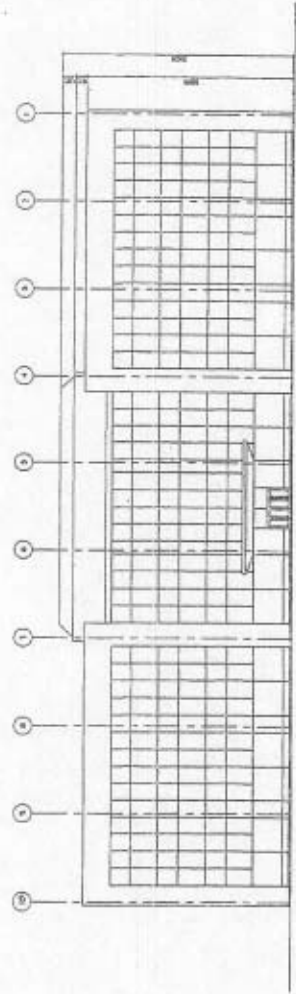
BUILDING X' - NORTH ELEVATION



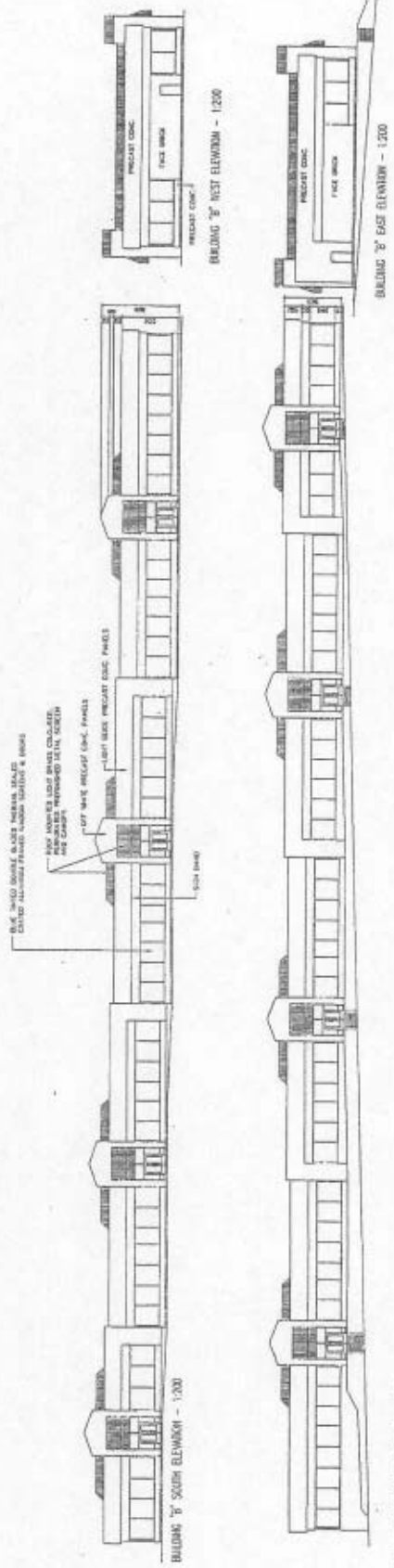
BUILDING X' - SOUTH ELEVATION



BUILDING X' - WEST ELEVATION



BUILDING X' - EAST ELEVATION



BUILDING Y' WEST ELEVATION - 1200

BUILDING Y' WEST ELEVATION - 1200

Attachment 4

FILE No.: Z.02.007 & DA.02.064
February 19, 2003
Not to Scale

City of **Vaughan**
Community Planning Department

Elevations
Part Lot 15,
Concession 4
APPLICANT:
DELISLE PROPERTIES LIMITED

