

COMMITTEE OF THE WHOLE NOVEMBER 29, 2004

**ZONING BY-LAW AMENDMENT FILE Z.04.052
SITE DEVELOPMENT FILE DA.03.019
RED BIRCH DEVELOPMENTS INC.
REPORT #P.2004.100**

Recommendation

The Commissioner of Planning recommends:

1. THAT ZONING By-law Amendment Application Z.04.052 (Red Birch Developments Inc.) BE APPROVED, to permit a Drive-Through use to operate in conjunction with a permitted Eating Establishment and Bank or Financial Institution use, in Building "B" as shown on Attachment #2; and to lift the Holding "H" Provision on the subject lands shown on Attachment #1.
2. THAT Council deems the following exception to Zoning By-law Amendment File Z.04.052 (Red Birch Developments Inc.), to permit an outdoor patio use to operate in conjunction with the permitted Eating Establishment use to be minor, and that a further Public Hearing is not required.
3. THAT the following exceptions to the C4 Neighbourhood Commercial Zone BE APPROVED, to facilitate the site development shown on Attachment #2:
 - i) require a minimum front yard of 6.1m to Building "C" and 3.0m to the patio proposed in conjunction with Building "C";
 - ii) require a minimum front yard of 8.0m to Building "B";
 - iii) require a minimum exterior side yard of 3.1m to Building "A";
 - iv) require a minimum exterior side yard of 3.6m to Buildings "F" and "G";
 - v) require a minimum easterly setback from a Residential Zone of 19.1m to Building "E";
 - vi) require a minimum interior side yard of 6.0m to Building "C";
 - vii) permit a maximum building height of 12.9m;
 - viii) require a minimum of 441 parking spaces;
 - ix) require a minimum driveway access access width of 8.2m;
 - x) require a minimum landscape buffer width abutting streets of 3.0m;
 - xi) no loading space requirement for Building "C"
4. THAT Site Development Application DA.03.065 (Red Birch Development Inc.) BE APPROVED, subject to the following conditions:
 - a) That prior to the execution of the site plan agreement:
 - i) the final site plan, landscape plan and building elevations shall be approved by the Development Planning Department;
 - ii) the final site servicing and grading plans stormwater management report shall be approved by the Engineering Department;
 - iii) all hydro requirements shall be fulfilled to the satisfaction of PowerStream Inc;
 - iv) all required approvals from the Region of York Transportation and Works Department shall be obtain; and,

- v) the implementing zoning by-law shall be in full force and effect.
- b) That the site plan agreement include the following provision:
 - i) 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 42 of the Planning Act. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division and the approved appraisal shall form the basis of the cash-in-lieu payment.

Purpose

The Owner has submitted applications to:

1. Amend Zoning By-law 1-88 to:
 - a) permit a Drive-through to be accessory to a permitted Eating Establishment and Bank or Financial Institution uses, in the C4 Neighbourhood Commercial Zone, specifically for Building "B" on the subject lands shown on Attachment #2;
 - b) permit an Outdoor Patio to be accessory to a permitted Eating Establishment use, in the C4 Neighbourhood Commercial Zone, specifically for Building "C" on the subject lands shown on Attachment #2;
 - c) lift the holding "H" provision from the subject lands shown and zoned C4-(H) Neighbourhood Commercial Zone; and
 - d) permit the following exceptions to the C4 Neighbourhood Commercial Zone:
 - a minimum front yard of 6.1m to the Building "C" and 3.1m to the patio, whereas 11.0m is required;
 - a minimum front yard of 8.0m to Building "B", whereas the 11.0m is required;
 - a minimum exterior side yard of 3.1m for Building "A", whereas 11.0m is required;
 - a minimum exterior side yard of 3.6m to Buildings "F" and "G", whereas 11.0m is required;
 - a minimum interior side yard of 6.0m to Building "C"; whereas 11.0m is required;
 - a minimum 19.1m setback from a Residential Zone for Building "E", whereas 22.5 m is required;
 - a maximum building height of 12.9m to the top of the tower, whereas 11.0 is the permitted maximum to the midpoint of the roof;
 - a minimum of 441 parking spaces, whereas 499 spaces is required;
 - no loading spaces have been proposed, whereas 1 space is required for a single use building (Building "C") over 500m² in GFA;
 - an 8.2m wide driveway access, whereas the By-law requires a 7.5m wide driveway access for ingress/egress; and

- a minimum 3.0m wide landscape buffer abutting a road, whereas 6.0 m is required.

The proposed exceptions would facilitate the Site Development Application (File DA.03.019) to permit the construction of 7 buildings within a commercial campus, with a total gross floor area of 8,269.47m², as shown on Attachment #2.

Background - Analysis and Options

The site is located at the southeast corner of Dufferin Street and Summeridge Drive, being Block 391 on Registered Plan 65M-3757, in Part of Lot 12, Concession 2, City of Vaughan. The 3.64 ha site has 105.0m frontage along Dufferin Street and 207.8 m flankage along Summeridge Drive.

The site is designated "Medium Density Residential/Commercial" by OPA No.600, and zoned C4-(H) Neighbourhood Commercial Zone with Holding "H" provision by By-law 1-88 subject to site-specific Exception 9(1063). The surrounding lands uses are:

- North - Summeridge Drive; vacant/future residential (RVM2 Residential Zone)
- South - woodlot (OS4 Open Space Woodlot Zone)
- East - residential (RVM1 Residential Zone)
- West - Dufferin Street; commercial (C7 Service Commercial Zone)

On September 24, 2004, a notice of Public Hearing was circulated to all property owners within 120 m of the subject lands. To date, no comments have been received. The recommendation of the Committee of the Whole on October 18, 2004, to receive the public hearing and forward a technical report to a future Committee meeting was ratified by Council on October 25, 2004.

Official Plan

The subject lands are designated "Medium Density Residential/Commercial" by OPA #600. This designation provides opportunities for a broad range of neighbourhood commercial uses, including retail banks and financial institutions, and eating establishments. The proposed commercial development, including the accessory drive-through and outdoor patio uses would be permitted by the Official Plan.

Zoning

The subject lands are zoned C4-(H) Neighbourhood Commercial Zone by By-law 1-88, subject to site-specific Exception 9(1063). The C4 Zone permits a variety of commercial/retail uses all to be carried on entirely within a shopping centre and with no outside storage.

The following exceptions are required to facilitate the development of the subject lands as shown on Attachment #2:

	<u>Required</u>	<u>Proposed</u>
Min. Front Yard	11m	6.1m (to Building "C")
Min. Front Yard	11m	3.0m (to porch - Building "C")
Min. Front Yard	11m	8.0m (to tower – Building "B")
Min. Exterior Side Yard	11m	3.1m (to Building "A")
Min. Exterior Side Yard	11m	3.6m (to Buildings "F" & "G")
Min. Interior Side Yard	11m	6.0m (to Building "C")
Min. Setback from Residential Zone	22.5m	19.1m (to Building "E")
Req. Number of Loading Spaces	1	0
Width of Driveway/Driveway Access	7.5m	8.2m

Min. Width of Landscape Strip		
Abutting a Street	6m	3 m
Max. Building Height	11 m (roof midpoint)	12.9m (top of tower)
Req. Number of Parking Spaces	497 spaces	441 spaces (11.3% deficiency)

The Holding Provision is to be lifted from the subject lands upon Council's approval of the Site Plan Application, file DA.03.065.

Site Design

The irregular-shaped lot is to be developed with 7 buildings located around the perimeter of the site, as shown on Attachment #2. Buildings "A", "F" and "G" and multi-unit commercial buildings located along Summeridge Drive Buildings "D" and "E" are also multi-unit buildings located along the south property line adjacent to the woodlot. Buildings "B" and "C", are two single use buildings located along Dufferin, Street with an outdoor patio proposed for Building "C" located at the southwest corner of the building creating a secluded and private outdoor eating area.

Pedestrian circulation throughout the site has been facilitated by an internal walkway system connecting to the public sidewalks along Dufferin Street and Summeridge Drive.

The main full-movement access has been provided from Summeridge Drive leading to a driveway aisle running north and south through the centre of the site, and creating a main street layout. The driveway aisle is lined on both sides by landscaping and a pedestrian walkway extending from the public sidewalk along Summeridge Drive. The driveway aisle terminates at the focal point of the site created by an enhanced landscape area between Buildings "D" and "E". Two additional accesses have been provided for the site, a second access from Summeridge Drive at the northeast corner of the site, and a right-in/right-out only access from Dufferin Street. Landscaping and pedestrian crossings have also been provided along the driveway aisle leading to and from the Dufferin Street access.

Parking has been provided internal to the site in order maximize the visibility of the proposed buildings. Driveway aisles and landscaping throughout the parking area create clusters of parking minimizing the visual impact of the parking spaces.

Building Elevations

All seven buildings are to be constructed with a brown brick veneer and accented with horizontal brick veneer depressed bands. The buildings have been proposed to a maximum height of 8.4 m in accordance with the C4 zone standards, and are to be constructed with asphalt shingled roofs. An exception is required only for the towers situated at the corners of the buildings, which are proposed to be a maximum 12.9 m in height.

The north elevations for Buildings "A", "F" and "G" fronting on Summeridge Drive propose more brick than the south elevations which contain the signage bands and four panels of double-glazed window units. Each unit has been provided with glass and aluminum doors encased at both the front and rear of the buildings. The north elevations also propose glass and aluminum doors, however only provide two panels of double-glazed window units. The tower feature with a star accent feature located on the north elevations of Buildings "A" and "F" create an entry feature to the site as they address both corners of the driveway from Summeridge Drive. Decorative dormers constructed of stucco and metal flashing have also been proposed as accents to enhance the roofline. Identical material and design is to be used on the north elevations of Buildings "D" and "E". The tower features for Buildings "D" and "E" are located along the north elevation; one at each corner of Building "D" and one at the northwest corner of building "E". The south elevations facing the woodlot, have typical rear elevations and will be used for service purposes, and includes insulated heavy metal man doors for Buildings "D" and "E".

Buildings "B" and "C", the two single use buildings have incorporated the same material and design elements. Towers have been located along the west elevation of both buildings, with a drive-through window along the north elevation of Building "B".

Drive-Through Facility

Building "B" includes a drive-through facility. It has not yet been confirmed whether the user of Building "B" will be a Bank or Financial Institution or an Eating Establishment. It is however, recommended that the drive-through facility be appropriately screened and buffered from Dufferin Street by tree and shrub landscaping and fencing with brick piers, and other measures deemed appropriate by Staff, upon finalizing the landscape plan.

Landscaping

The site will be landscaped with mix of deciduous and coniferous trees and shrubs, along Dufferin Street and Summeridge Drive, as well as, along the property lines abutting the woodlot to the south and the residential to the east. Specific attention has been given to the planting along the driveway aisles, the drive-through, and the parking islands. Focal points such as the patio use proposed for Building "C" and the area between Buildings "D" and "E" have been addressed with enhanced landscaping.

The final landscape plan and detailed cost estimate must be approved to the satisfaction of the Development Planning Department.

Access and Parking

The site plan (see Attachment #2) proposes 441 parking spaces, to be accessed by three driveways throughout the site. The two full movement driveways are from Summeridge Drive and the right-in/right-out driveway is from Dufferin Street. The final location and design of the driveway accesses will be subject to the approval of the Region of York Transportation and Works Department.

The required parking for the site is as follows:

- Shopping Centre: $8268.47\text{m}^2 \times 6 \text{ spaces}/100\text{m}^2 \text{ GFA} = 497 \text{ spaces}$

The site plan proposes 441 spaces, resulting in a deficiency of 56 spaces (11.3% deficiency), which is supported by the Engineering Department.

Servicing

The site has access to municipal services including sanitary and storm sewers and water. The final site plan is to be approved by the Engineering Department, and satisfy all engineering requirements.

Land Use/Compatibility

The zoning amendment application proposes to permit a drive-through use to operate in conjunction with permitted eating establishment and bank or financial institution uses and to permit a patio use to operate accessory to a permitted eating establishment use in Building "C". The introduction of both proposed accessory uses conforms to the Official Plan. Both the design of the drive-through and the location of the outdoor patio are appropriate and will not negatively impact pedestrian and vehicular site circulation. Buildings "B" and "C" with the proposed drive-through and patio uses are located along Dufferin Street and away from residential land uses to the east and north.

As noted earlier in the Zoning Section of this report, Staff can support the additional zoning exceptions to the C4 Zone standards, which will facilitate an appropriate street-related development on the site as shown on Attachment #2.

Relationship to Vaughan Vision 2007

This staff report is consistent with Vaughan Vision 2007, which encourages managed growth through the implementation of OPA No. 600.

Conclusion

Staff has reviewed the proposed applications to amend the Zoning By-law and for Site Development approval. Staff is of the opinion that the proposed zoning amendment to lift the Holding provision, and to permit a drive-through with an eating establishment and a bank or financial institution and patio uses accessory to an eating establishment and the associated exceptions to the C4 Zone to facilitate the site development are appropriate and compatible with the surrounding area and land uses. The proposal implements the policies of the Official Plan, and provides an appropriate commercial development for the community. For these reasons, Staff can support approval of the zoning amendment and site plan applications. Should the Committee concur, the recommendation in this report can be adopted.

Attachments

1. Location Map
2. Site Plan
3. Building Elevations, (Buildings "A" and "C")
4. Building Elevations, (Buildings "D" and "E")
5. Building Elevations, (Buildings "F" and "G")
6. Building Elevation, (Building "B")

Report prepared by:

Arminé Hassakourians, Planner, ext. 8368
Grant A. Uyeyama, Manager of Development Planning, ext. 8635

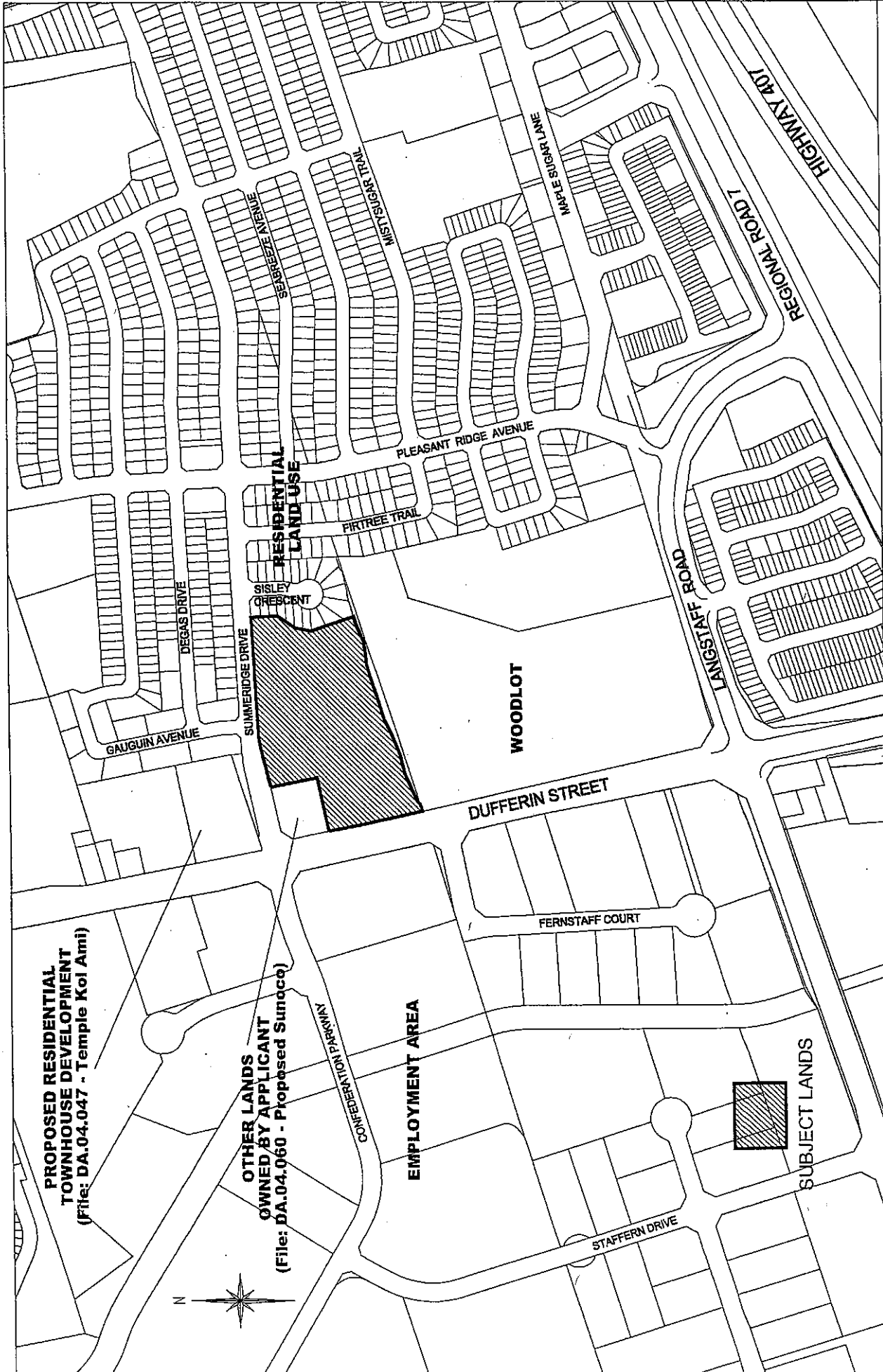
Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

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PROPOSED RESIDENTIAL TOWNHOUSE DEVELOPMENT
(File: DA.04.047 - Temple Koi Ami)

OTHER LANDS OWNED BY APPLICANT
(File: DA.04.060 - Proposed Sunoco)

RESIDENTIAL LAND USE

WOODLOT

EMPLOYMENT AREA

SUBJECT LANDS



Attachment 1

FILE No's:
Z.04.052 &
DA.03.065

Not to Scale
November 12, 2004

City of
Vaughan

Development Planning Department

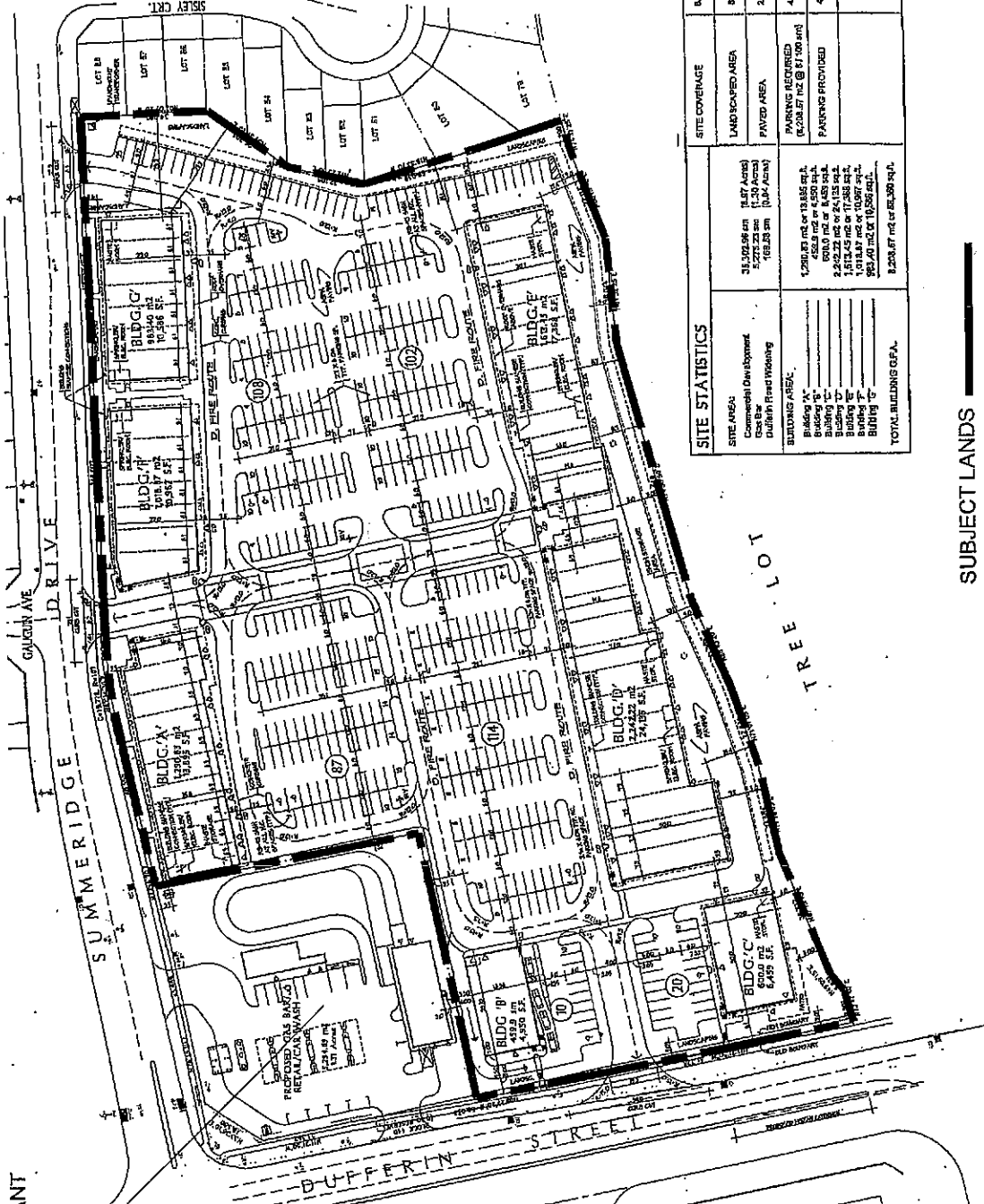
Location Map

Part of Lots 12 & 13,
Concession 2

APPLICANT:
RED BIRCH DEVELOPMENTS INC.

OTHER LANDS
OWNED BY APPLICANT
PROPOSED SUNOCO
FILE DA.04.060

CONCORDATION
PARKWAY



SITE STATISTICS		SITE COVERAGE	0.28157 m ² or 0.225%
SITE AREA: Commercial Development Use B-2 Public Front Working		LAND SERVED AREA	8,670.01 m ² or 22.2%
BUILDING AREA: Building "A" Building "B" Building "C" Building "D" Building "E" Building "F" Building "G"		PAVED AREA	28,102.25 m ² or 95.2%
TOTAL BUILDINGS GFA:		PARKING REQUIRED	483 spaces
		PARKING PROVIDED	441 spaces

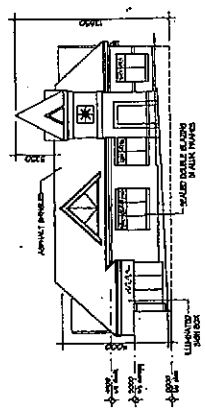
SUBJECT LANDS

Site Plan
Part of Lots 12 & 13,
Concession 2
APPLICANT:
RED BIRCH DEVELOPMENTS INC.

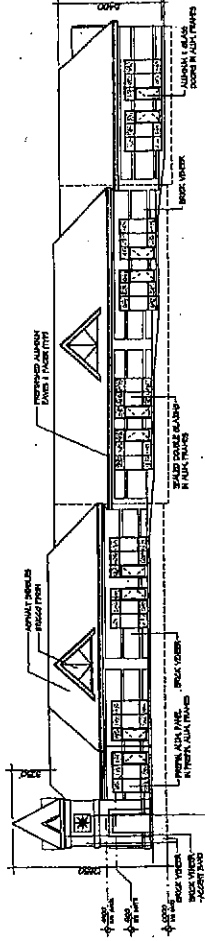
Attachment 2
FILE NO'S:
Z.04.052 &
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City of
Vaughan
Development Planning Department

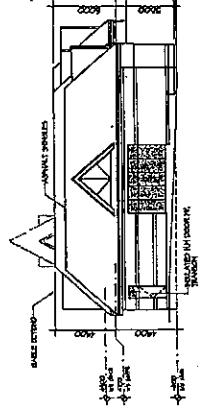
MA/097A1 ATTACHMENTS V.04.052



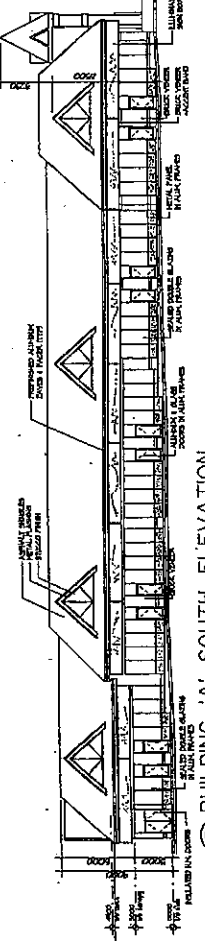
8 BUILDING 'A' EAST ELEVATION
1/8" = 1'-0"



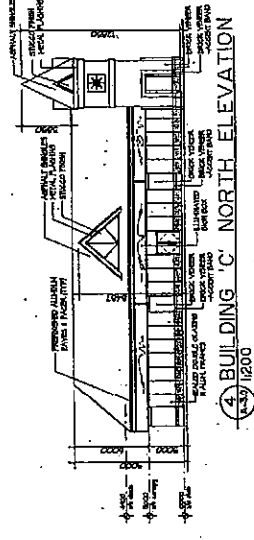
7 BUILDING 'A' NORTH ELEVATION
1/8" = 1'-0"



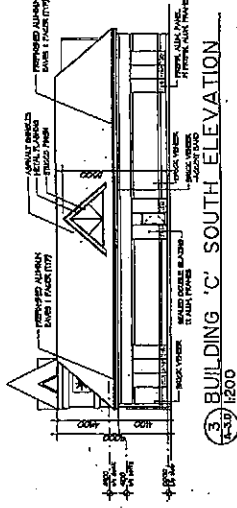
6 BUILDING 'A' WEST ELEVATION
1/8" = 1'-0"



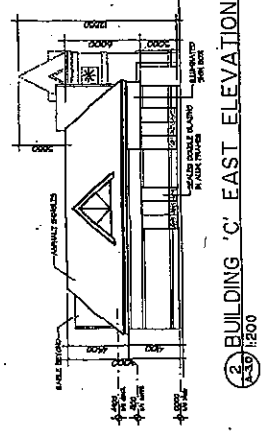
5 BUILDING 'A' SOUTH ELEVATION
1/8" = 1'-0"



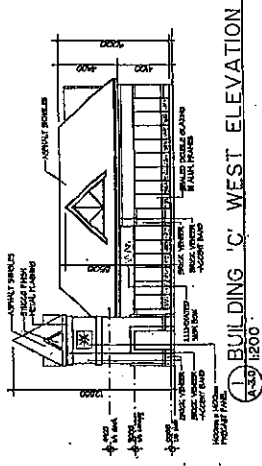
4 BUILDING 'C' NORTH ELEVATION
3/16" = 1'-0"



3 BUILDING 'C' SOUTH ELEVATION
3/16" = 1'-0"



2 BUILDING 'C' EAST ELEVATION
3/16" = 1'-0"



1 BUILDING 'C' WEST ELEVATION
3/16" = 1'-0"

Elevations - Buildings A & C

Part of Lots 12 & 13,
Concession 2

APPLICANT:
RED BIRCH DEVELOPMENTS INC.

HA:0FTV1 ATTACHMENTS 2.04.052

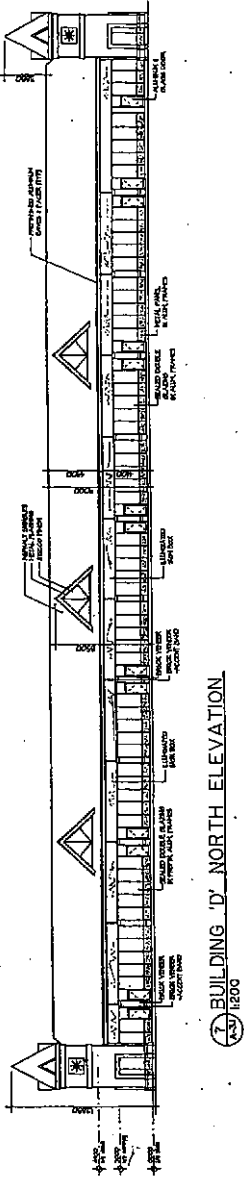


Development Planning Department

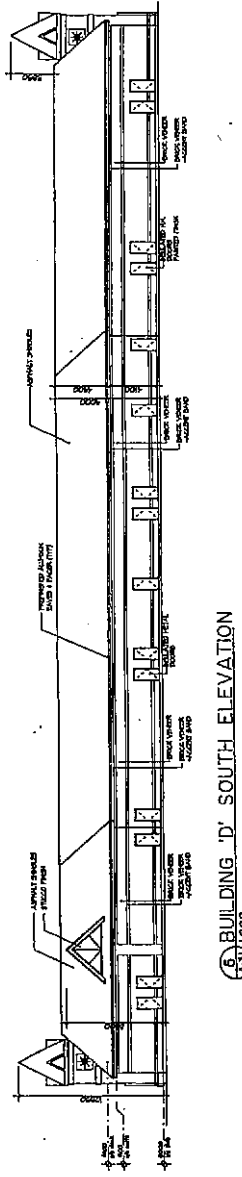
Attachment 3

FILE No's.:
Z.04.052 &
DA.03.065

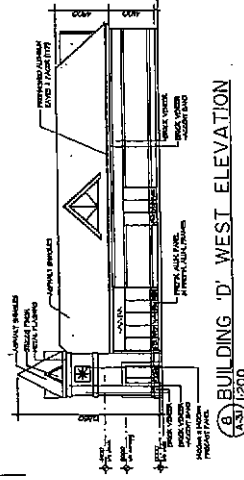
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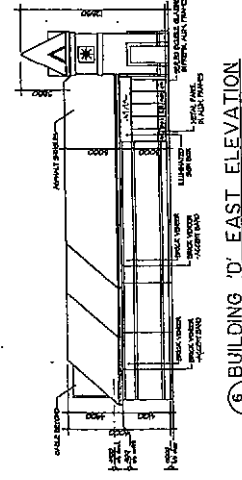
① BUILDING 'D' NORTH ELEVATION
A.S. 1/200



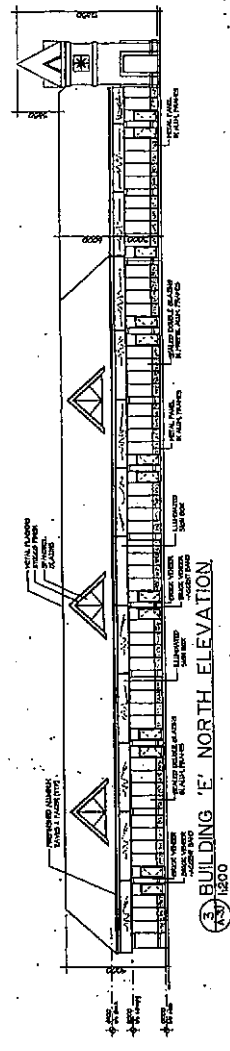
② BUILDING 'D' SOUTH ELEVATION
A.S. 1/200



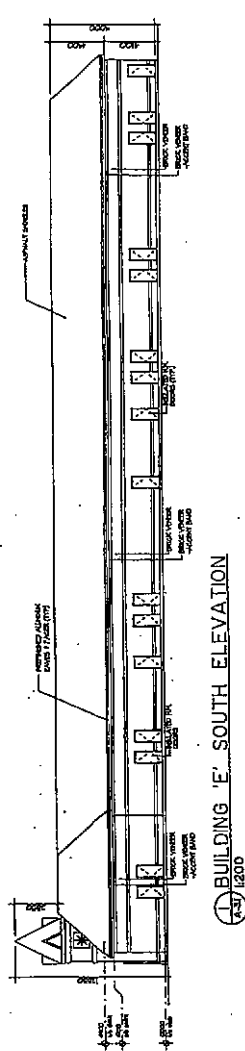
③ BUILDING 'D' WEST ELEVATION
A.S. 1/200



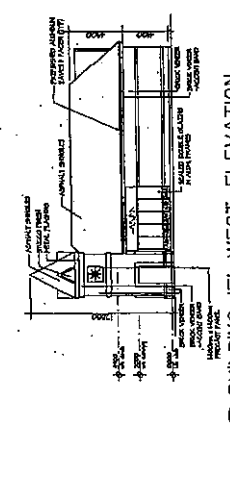
④ BUILDING 'D' EAST ELEVATION
A.S. 1/200



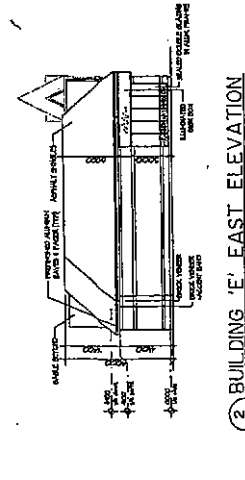
⑤ BUILDING 'E' NORTH ELEVATION
A.S. 1/200



⑥ BUILDING 'E' SOUTH ELEVATION
A.S. 1/200



⑦ BUILDING 'E' WEST ELEVATION
A.S. 1/200

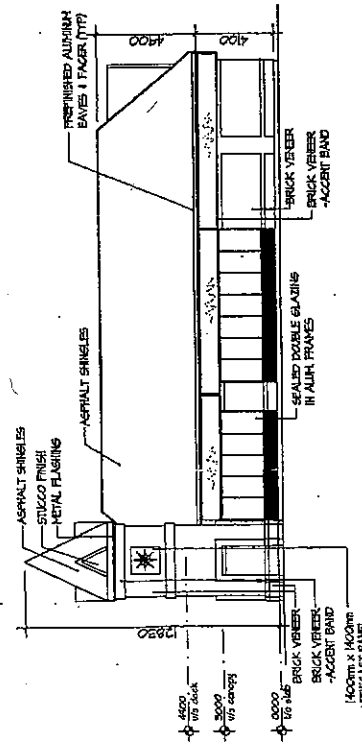


⑧ BUILDING 'E' EAST ELEVATION
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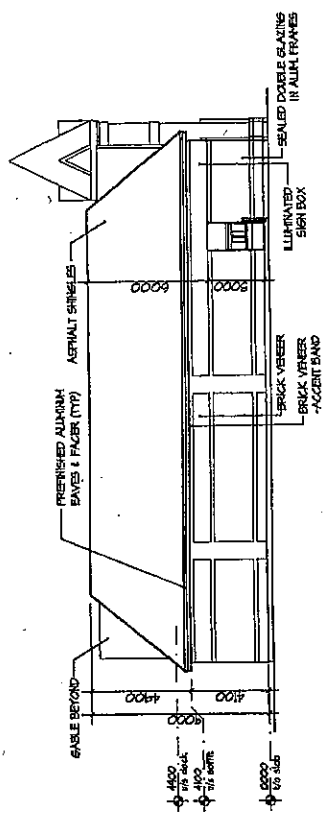
FILE No's:
Z.04.052 &
DA.03.065
Not to Scale
November 12, 2004

Elevations - Buildings D & E

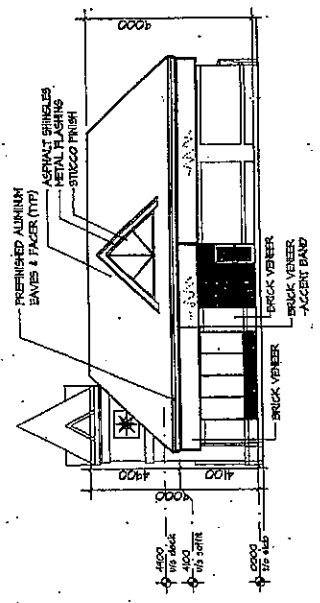
Part of Lots 12 & 13,
Concession 2
APPLICANT:
RED BIRCH DEVELOPMENTS INC.
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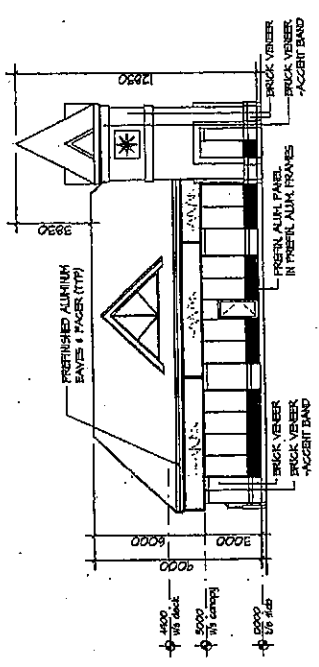
3 BUILDING 'B' SOUTH ELEVATION
A-30 1:200



3 BUILDING 'B' NORTH ELEVATION
A-30 1:200



4 BUILDING 'B' EAST ELEVATION
A-30 1:200



4 BUILDING 'B' WEST ELEVATION
A-30 1:200

Elevations - Building B

Part of Lots 12 & 13,
Concession 2

APPLICANT:
RED BIRCH DEVELOPMENTS INC.



Development Planning Department

FILE No's:
Z.04.052 &
DA.03.065

Not to Scale
November 12, 2004

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