

**COMMITTEE OF THE WHOLE    NOVEMBER 29, 2004**

**ZONING BY-LAW AMENDMENT FILE Z.04.037  
LORWOOD HOLDINGS INC.  
REPORT #P.2004.92**

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.04.034 (Lorwood Holdings Inc.) BE APPROVED subject to the following:
  - a) That By-law 1-88 be amended to permit the following additional uses in the C8 Office Commercial Zone, on the subject lands:
    - Bank and Financial Institution;
    - Club or Health Centre;
    - Eating Establishment, including an Outdoor Patio;
    - Eating Establishment, Convenience with Drive-Through, including an Outdoor Patio;
    - Education or Training Facility;
    - Hotel, Motel or Convention Centre;
    - Print Shop with accessory retail sales;
    - Personal Service Shop;
    - Retail Store;
    - Convenience Retail Store;
    - Service or Repair Shop; and,
    - Video Store
  - b) That the implementing by-law include the following zoning exceptions:
    - a minimum parking requirement of 5 spaces/100m<sup>2</sup> GFA for the retail/commercial uses;
    - limit the gross floor area devoted to eating establishment uses to a maximum of 20% of the total gross floor area of all buildings on the subject lands shown on Attachment #4;
    - permit commercial uses on the ground floor of a three-storey office building, limited to 15% of the total gross floor area of the building;
    - require a minimum rear yard of 9.2m;
    - require a minimum landscape strip width of 1.6m along the north property line; and,
    - designate Rutherford Road as the front lot line.
2. That the implementing by-law shall not be enacted until Council has approved a site plan application, and that the by-law include any other necessary exceptions, to implement the final approved site plan.
3. That the Holding (H) provision be lifted on the subject lands shown on Attachment #3, upon Council's approval of a site plan application.

**Purpose**

The Owner has submitted an application to amend the Zoning By-law to permit the following uses in the C8 Office Commercial Zone, on the subject lands (see Attachment #1): bank and financial

institution, club or health centre, eating establishment including an outdoor patio convenience, eating establishment with a drive-through and outdoor patio, education and training facility, hotel, motel, convention centre, print shop with accessory retail sales, personal service shop, retail store, convenience retail store, service or repair shop, and video store. The proposed office building use is permitted under the current C8 zoning. A conceptual site plan (Attachment #4) has been submitted in support of the zoning amendment application.

The zoning amendment proposes site-specific exceptions for reduced parking and setbacks, and a cap on the amount of gross floor area allocated to eating establishment uses on the site. To date, the Owner has provided a concept plan, which will be subsequently refined with a full site plan submission. The proposed development consists of the following:

<b>BUILDING</b>	<b>USE</b>	<b>GFA(m<sup>2</sup>)</b>
"A"	Retail/Commercial	2,787
"B"	Retail/ Commercial	2,648
"C"	Retail/Commercial	465
"D"	Office Commercial	2,787
"E"	Eating Establishment	839
"F"	Eating Establishment	286
<b>Total</b>		<b>9,812</b>
	Parking Provided	451 spaces

#### Background - Analysis and Options

The site is located on the northwest corner of Rutherford Road and Jane Street, being Part of Lot 16, Concession 5, City of Vaughan. The property is vacant and has 112.6m and 187.4m of frontage on Jane Street and Rutherford Road, respectively.

The subject lands are currently designated "High Density Residential/Commercial (Special Policy)" by OPA #600, and are part of the Vaughan Centre Secondary Plan Area. Existing Official Plan designations for the subject lands and the surrounding area are shown on Attachment #2. The lands are zoned C8 (H) Office Commercial Zone with the Holding Symbol "H" by By-law 1-88, shown on Attachment #3.

The surrounding land uses are:

- North - parking lot and Julliard Elementary School, open space, auto mall, and Paramount Canada's Wonderland (OS1 Open Space Conservation Zone, C1-H Restricted Commercial Zone with the Holding Symbol "H", and TPC Theme Park Commercial Zone)
- South -Rutherford Road, Vaughan Mills Shopping Centre and associated vacant outparcel sites, vacant land (C1-H Restricted Commercial Zone with the Holding Symbol "H", SCD Shopping Centre District Zone, EM1 Prestige Employment Area Zone)
- West - Julliard Drive, existing commercial and residential (C5 Community Commercial Zone and RVM1 Residential Urban Village Multiple Dwelling Zone One)
- East - Jane Street, existing dwelling and vacant land (A Agricultural Zone)

On August 27, 2004, a notice of Public Hearing was circulated to all property owners within 120m of the subject land, and to the Maple Landing Ratepayer Association and the Maple Sherwood Ratepayers Association. No comments have been received to date. The recommendation of the

Committee of the Whole on September 20, 2004, to receive the Public Hearing and forward a technical report to a future Committee meeting was ratified by Council on September 27, 2004.

#### Official Plan

The subject lands are designated "High Density Residential/Commercial (Special Policy)" by OPA #600 and are part of the Vaughan Centre Secondary Plan Area. The Official Plan permits a range of commercial/retail, office and restaurant uses on the subject property, and includes the following policies that are applicable to this site:

- the site shall be developed with a prestigious "landmark" development;
- the urban design objectives of the Official Plan shall be maintained; and,
- the site may incorporate a prestigious civic use; the City shall evaluate its need for a site within a time frame established in the implementing subdivision agreement.

The subject lands was once considered a potential Civic Centre site, which has now been confirmed to be built at the current Civic Centre site.

The proposed uses are consistent with the Official Plan and the evolving commercial land uses located within the Vaughan Centre Secondary Plan Area, west of Jane Street. Staff is satisfied that the proposed uses can be developed in a manner that is compatible with the existing and planned land uses in the surrounding area. Accordingly, subject to the recommendation, and comments in this report, Staff can support an amendment to the Zoning By-law to permit the proposed commercial uses in the C8 Zone, on the subject property.

#### Zoning

The subject lands are zoned C8 (H) Office Commercial Zone, with the Holding Symbol "H" by By-law 1-88, which permits only an office building and a parking garage accessory to an office building. The proposed commercial and retail uses are not permitted in this zone. The Owner has requested that the following additional uses be permitted on the property: bank and financial institution, club or health centre, eating establishment including an outdoor patio, convenience eating establishment with a drive-through and outdoor patio, education and training facility, hotel, motel, convention centre, print shop with accessory retail sales, personal service shop, retail store, convenience retail store, service or repair shop, and a video store.

The following exceptions to By-law 1-88 are proposed to implement the conceptual site plan shown on Attachment #4:

- A cap on the total gross floor area devoted to eating establishment uses on the site at 20% of the total combined gross floor area of all buildings on the subject lands shown on Attachment #4. This standard is typically imposed when eating establishments are developed in conjunction with other commercial uses in order to ensure adequate parking is available on the site. Staff supports this exception.
- An exception to permit commercial uses on the ground floor of a three-storey office building. An office building is a permitted use on the site, however where the height exceeds three-storeys, a maximum of 15% of the gross floor area of the building can be used for commercial uses on the ground floor (bank; eating establishment, including convenience and take-out; health centre; personal service shop; retail store; and variety store). This exception is considered to be minor in nature and can be supported by Staff.
- A minimum northerly rear yard of 9.2m and landscape strip width of 1.6m, whereas the By-law requires 20m and 2.4m respectively. The property abuts a school parking lot, and therefore, Staff can support the reduced setback, however the site plan application must

include planting that provides an adequate landscape screen along the north property line.

- That Rutherford Road be deemed as the front lot line for the purposes of applying setbacks which can be supported by Staff, as the site has frontage on three roads.

To date, a formal site development application has not been filed with the City, and therefore, additional zoning exceptions may be identified and assessed through the site plan approval process, which would include a technical report to Council. Staff recommends that the implementing zoning by-law not be enacted until Council has approved a site plan application. A recommendation has been included to this effect.

The lands are currently zoned with the Holding Symbol "H", which must be removed from the property prior to development taking place on the site. Staff recommends that the holding symbol be lifted upon Council's approval of a site development application. A recommendation has been included to this effect.

### Parking

By-law 1-88 requires that the minimum parking for the proposed development be calculated as follows:

Office - 2,647.65m <sup>2</sup> x 3.5 spaces/100m <sup>2</sup>	= 93 spaces
Commercial – 7,163.54m <sup>2</sup> x 6 spaces/100m <sup>2</sup>	= 430 spaces
Total Required Parking	523 spaces
Proposed Parking	= 451 spaces

A deficiency of 72 parking spaces (13.8%) is created by the proposed development. The applicant has submitted a parking study prepared by iTrans Consulting Inc. to support the proposed parking supply, which has been reviewed and approved by the Engineering Department. To achieve a minimum parking requirement of 451 spaces, the parking standard for commercial uses would need to be reduced to a minimum of 5 spaces/100m<sup>2</sup> GFA, while maintaining the current office standard of 3.5 spaces/100m<sup>2</sup> GFA. An exception to the parking standards for commercial uses is provided in the staff recommendation.

### Urban Design Guidelines

The property is subject to Urban Design Guidelines and an Open Space Master Plan, prepared by Terraplan Landscape Architects and Viljoen Architect Inc. The Guidelines establish principles for sites with multiple buildings. Specifically, the document proposes that smaller buildings be located along Rutherford Road with larger anchor buildings located along the northern boundary, with parking situated internally on the site. The conceptual site plan is consistent with the Guidelines with respect to the location of the commercial/retail buildings. The office building is also located close to the corner of Jane Street and Rutherford Road to create massing and a landmark building at this prominent intersection location. The Guideline also provide direction respecting the edge treatment along the perimeter of the site, which will be assessed in greater detail during the site plan review process.

### Site Plan

The following matters will be addressed upon the submission of a formal site development application respecting the subject lands:

- compliance with the applicable Urban Design Guidelines and Open Space Master Plan, and the Architectural Guidelines;

- the design of the office building and its' relationship to the street;
- the proposed drive-through for Building "F" should not be located between the building and the street, particularly at a prominent corner location;
- pedestrian connectivity within the site and to Jane Street, Rutherford Road, and transit stops must be identified;
- upgraded elevations for buildings facing Jane Street and Rutherford Road;
- outdoor patios should be identified on the site plan;
- parking adjacent to Rutherford Road and Jane Street shall be screened, in addition to the loading areas abutting the school property to the north;
- access to the site requires Region of York approval;
- landscape plans including all streetscape elements; and,
- City engineering requirements, including a stormwater management report, and site servicing and grading plans.

### **Relationship to Vaughan Vision 2007**

This staff report is consistent with Vaughan Vision 2007, which encourages managed growth through implementation of OPA #600.

### **Conclusion**

Staff has reviewed the application to amend the Zoning By-law to permit a range of commercial/retail uses on the subject lands. The proposal has been considered in light of the applicable Official Plan policies, the zoning requirements in By-law 1-88, and the technical requirements of City Departments and external agencies.

Staff is satisfied that the proposed application is consistent with the Official Plan and with the evolving nature of commercial development on the lands west of Jane Street within Vaughan Centre. The concept plan illustrates that the proposed uses can be developed in a manner that is compatible with existing development in the area, however a full site plan submission is required prior to the implementing by-law being enacted.

Staff can recommend approval of the proposed zoning amendment application, 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. Existing Official Plan Designations
3. Existing Zoning
4. Conceptual Site Plan

### **Report prepared by:**

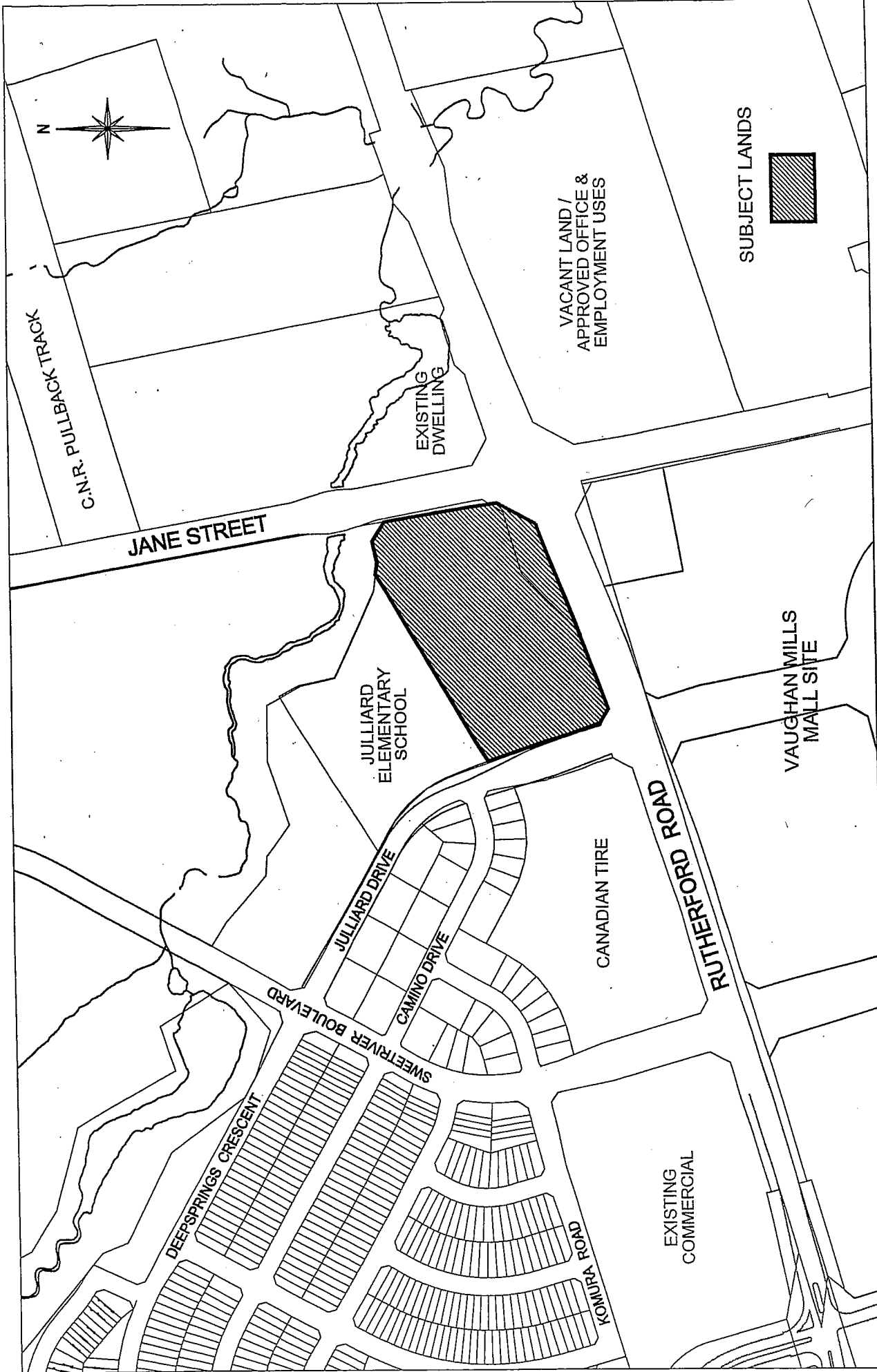
Mauro Peverini, Planner, ext. 8407  
 Arto Tikiryman, Senior Planner, ext. 8212  
 Grant Uyeyama, Manager of Development Planning, ext. 8635

Respectfully submitted,

JOHN ZIPAY  
 Commissioner of Planning

MARCO RAMUNNO  
 Director of Development Planning

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# Attachment 1

FILE No.:  
Z.04.037  
Not to Scale  
November 2, 2004

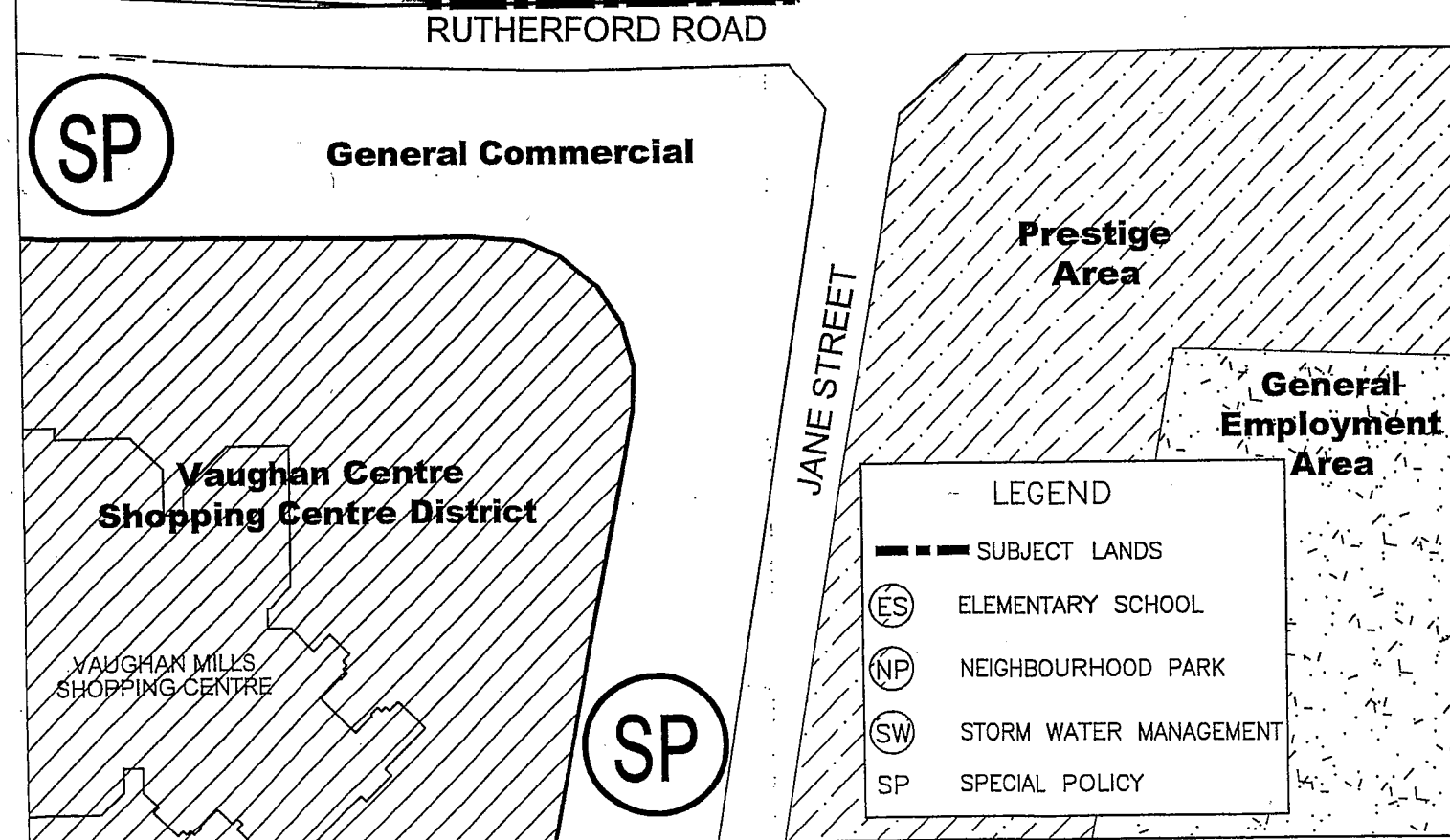
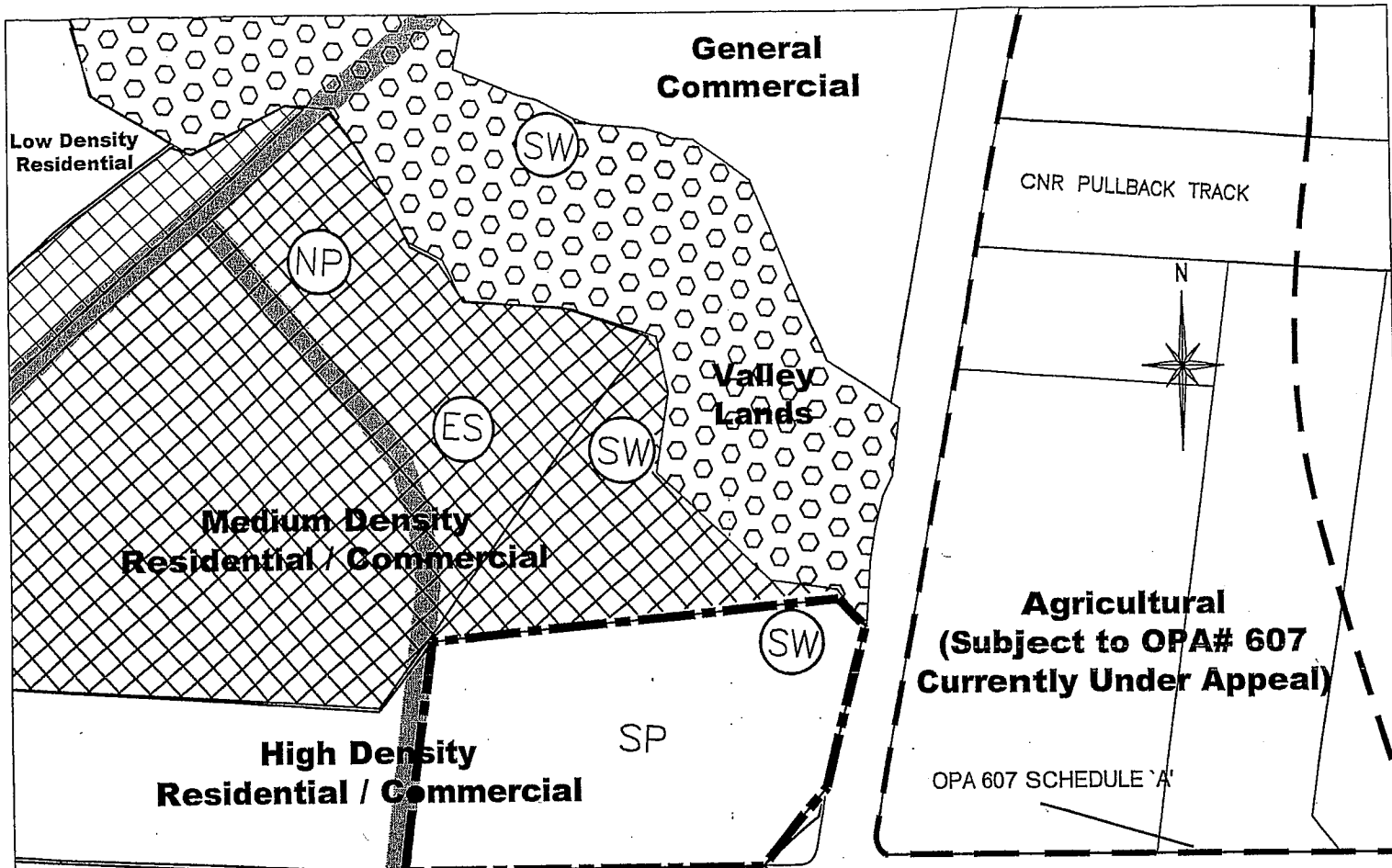
## CITY OF Vaughan

Development Planning Department

## Location Map

Lot 16,  
Concession 5  
APPLICANT:  
LORWOOD HOLDINGS INC.

NO. 04.037 ATTACHMENT 1



**Existing Official Plan Designations**

APPLICANT:  
LORWOOD HOLDINGS INC.

Lot 16,  
Concession 5



Development Planning Department

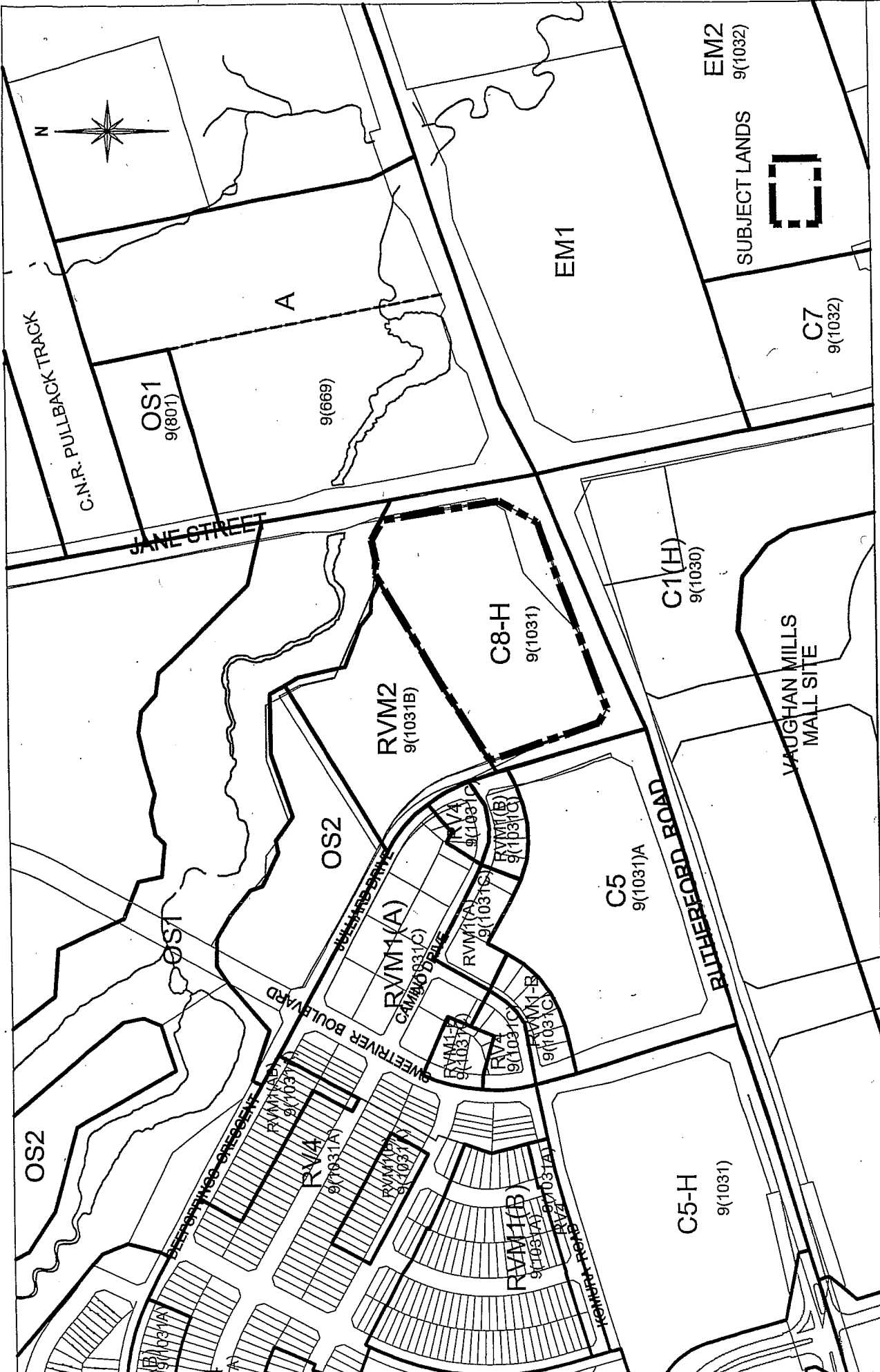
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# Attachment 3

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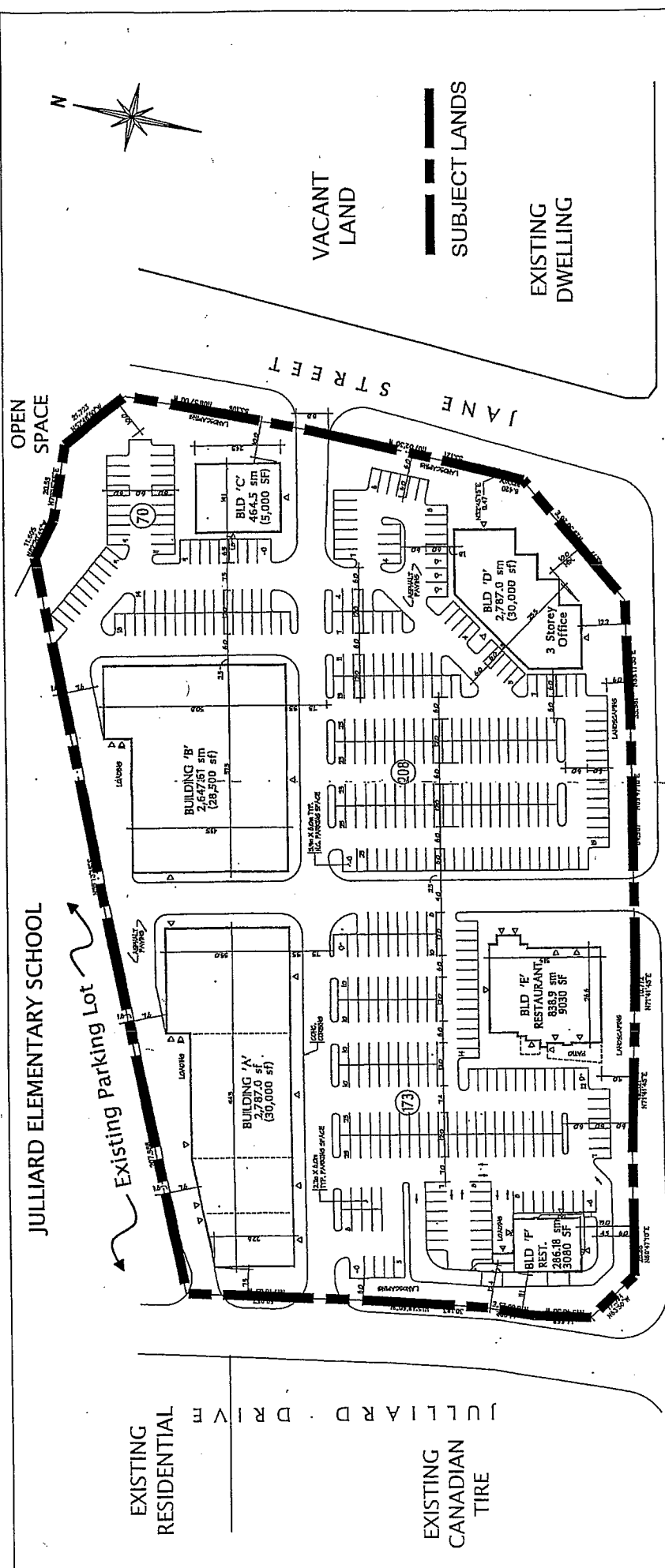


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## Existing Zoning

Lot 16,  
 Concession 5  
 APPLICANT:  
 LORWOOD HOLDINGS INC.  
 N:\DPT\1 ATTACHMENTS\Z\04.037





SITE STATISTICS	
SITE AREA	34,746.82 m <sup>2</sup> or 8.59 acres
BUILDING GFA	9,915.98 m <sup>2</sup>
SITE COVERAGE	7,953.19 m <sup>2</sup> or 22.9 %
LANDSCAPED AREA	8,455.88 m <sup>2</sup> or 24.3%
PAVED AREA	19,377.75 m <sup>2</sup> or 52.8%
PARKING PROVIDED:	451 Spaces
PARKING REQUIRED:	927
Office (8.5/100 sm)	(2,647.65 sm/83.5/100 sm)
Recall/Rest (5.0/100 sm)	358.2
	(7,953.14 sm/85.0/100 sm)
	451 Spaces

# Attachment 4

FILE No.: Z.04.037  
Not to Scale  
November 2, 2004



Development Planning Department

## Site Plan

Lot 16,  
Concession 5  
APPLICANT:  
LORWOOD HOLDINGS INC.