

## **COMMITTEE OF THE WHOLE JANUARY 17, 2005**

### **ZONING BY-LAW AMENDMENT FILE Z.04.035 SEVENBRIDGE DEVELOPMENTS LIMITED REPORT #P.2004.93**

#### **Recommendation**

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment Application Z.04.035 (Sevenbridge Developments Limited), BE APPROVED, subject to the following:
  - a) That the implementing zoning by-law:
    - i) Restrict the uses on two parcels of land in the C9 Corporate Centre Zone, shown on Attachment #1, to the following:
      - Office Building
      - Business and Professional Office
      - Hotel, including accessory convention facilities
      - Mixed Use Development, excluding Block Townhouses, but including retail uses permitted in the C9 Zone, provided such uses are on the ground floor of a mixed use building, and further restricted to a maximum of 30% of the total gross floor area of the building
      - Apartment Dwelling; and
      - Parking Garages accessory to Office Buildings
    - b) Remove the Holding (H) provision on the easterly parcel.

#### **Purpose**

The Owner has submitted an application to amend the Zoning By-law to restrict the uses on two parcels zoned C9 Corporate Centre Zone, and shown on Attachment #1, to the following:

- Office Building
- Business and Professional Office
- Hotel, including accessory convention facilities
- Mixed Use Development, excluding Block Townhouses, but including retail uses as permitted in the Zoning By-law on April 8, 2004 (provided such uses are on the ground floor)
- Apartment Dwelling
- Parking Garages accessory to Office Buildings

The intent of the proposal is to avoid single freestanding developments, such as restaurants, within the two subject parcels fronting onto Regional Road 7. The application also requests the lifting of the Holding (H) provision on the easterly parcel.

#### **Background - Analysis and Options**

The subject lands consists of two parcels within a larger landholding shown on Attachments #1, located at the northeast corners of Regional Road 7 and Edgeley Boulevard, and Regional Road 7 and Millway Avenue, in Lot 6, Concession 5, City of Vaughan. The westerly 0.7 ha parcel has 70.4 m frontage on Regional Road 7 and 100.5 m flankage on Edgeley Boulevard. The easterly

1.12 ha parcel has 81.6 m frontage on Millway Avenue and 136.5 m flankage on Regional Road 7. The surrounding land uses are:

North - vacant (C9-H Corporate Centre Node Zone)

South - Regional Road 7

East - westerly parcel: approved commercial under-construction (C9 Zone); easterly parcel: commercial plaza/gas station (C7 Service Commercial Zone)

West - westerly parcel: Edgeley Boulevard, office building (C8 Office Commercial Zone); easterly parcel: Millway Avenue; approved commercial under-construction (C9 Zone)

#### Agreement between Sevenbridge and Vaughan

The Owner entered into an Agreement with Vaughan in June 2004 regarding the development and zoning of the Owner's lands fronting onto Regional Road 7 within the Corporate Centre. The purpose of the Agreement was to allow the Future Shop/Home Outfitters development to proceed at the corner of Millway Avenue and Regional Road 7, on the basis that Sevenbridge would amend the Zoning By-law on the remaining vacant parcels of land fronting on Regional Road 7. The by-law amendment would result in a more restrictive list of uses that would encourage and permit mostly higher order uses that are more conducive to the Corporate Centre.

#### Public Hearing

On August 27, 2004, a notice of public hearing was circulated to all property owners within 120 m of the subject lands. To date, no responses have been received. The recommendation of the Committee of the Whole on September 20, 2004, to receive the Public Hearing report and to forward a technical report to a future Committee of the Whole meeting, was ratified by Council on September 27, 2004.

#### Official Plan

The subject lands are designated "Corporate Centre Node" by OPA #500 (Corporate Centre Plan), and are located within the Corporate Centre Secondary Plan Area, consisting of approximately 600 ha, and establishing a focal point of major commercial development within the City. This area is comprised of two main components: the "Corporate Centre Node", which includes lands east of Highway #400 and straddling the north and south sides of Regional Road 7, and the "Corporate Centre District", which surrounds the Node and includes lands east and west of Highway #400, and north and south of Regional Road 7. The area is one of four Regional Centres in the Region of York.

The "Corporate Centre Node" is intended to become the focus for high order land uses within the City of Vaughan. The Node encompasses an area of approximately 50 ha and can accommodate between 5.5 and 6.5 million square feet of gross floor area. This amount of development provides for the achievement of a substantive urban centre.

OPA #500 identifies the westerly parcel as a "Gateway Site", which is intended to demarcate the new centre of the City of Vaughan, whereby high-rise landmark buildings are encouraged with no maximum height limit.

The proposed uses are permitted in the "Corporate Centre Node" designation of OPA #500.

#### Zoning

Both parcels are zoned C9 Corporate Centre Zone by By-law 1-88, subject to Exception 9(959), with a Holding provision applying only to the easterly parcel. The C9 Zone has a broad range of permitted uses. The proposed amendment to the Zoning By-law would restrict the uses permitted

in the C9 Zone for the two parcels, and would remove the Holding provision for the easterly parcel. The permitted uses for the subject lands would be as follows:

- Office Building
- Business and Professional Office
- Hotel, including accessory convention facilities
- Mixed Use Development, excluding Block Townhouses, but including retail uses, provided such uses are on the ground floor, and further restricted to a maximum of 30% of the total gross floor area of the building
- Apartment Dwelling
- Parking Garages accessory to Office Buildings

The intent of the rezoning is to encourage development in a form that is more substantive, such as an office building, apartment dwelling or a mixed-use development format as opposed to a singular, free-standing development. For example, free-standing eating establishments and retail stores would not be permitted, but would be allowed in a mixed-use development format. Mixed-use development, offices and apartment dwellings, can have substantial presence in terms of height and form, which is conducive and appropriate for a Corporate Centre.

Uses currently permitted in the C9 Zone that would not be permitted on the subject parcels, are as follows:

- Banquet Hall
- Car Rental Service
- Club
- Tavern
- Photography Studio
- Print Shop
- Place of Entertainment including a multi-screen cinema complex
- Block Townhouse Dwelling
- Place of Amusement
- Technical School
- Video Store
- Veterinary Clinic
- Recreational Uses as defined
- Service or Repair Shop with a maximum gross floor area of 600 sq.m or less
- Office and Stationary Supply, Sales, Service and Rental
- Retail Warehouse

#### Holding (H) Provision

The subject lands are part of a larger land holding owned by Sevenbridge Developments Limited. The developed portion of the overall lands consists of the Walmart and Sam's Club sites located in the north end of the property, and a Future Shop/Home Outfitters building which is under construction at the northwest corner of Millway Avenue and Regional Road 7. With the exception of the westerly parcel, a Holding provision remains on the undeveloped parcels within the applicant's overall lands.

The application requests the lifting of the Holding (H) provision on the easterly parcel. The condition for removal of the (H) symbol on the lands zoned C9(H) Zone, is Council's approval of an urban design plan. On February 9, 1999, the Owner submitted an application to remove the (H) symbol on their entire land holding (File: Z.99.010), together with a concept plan and supporting studies relating to urban design and transportation. In light of the transportation planning studies that were being undertaken for the Corporate Centre at that time, the application was held in abeyance.

In July 2001, both the urban design guidelines and updated traffic study for the Sevenbridge lands within the Corporate Centre were approved. The Holding provision was removed from the westerly parcel shortly after the Ontario Municipal Board approved the site plan application for a Home Outfitters development. Sevenbridge abandoned the approved development proposal of the westerly parcel in favour of a new location for a combined, two-storey Home Outfitters/Future Shop and office development at the northwest corner of Millway Avenue and Regional Road 7 (Files: DA.02.077 & Z.03.092).

The condition for removing the Holding provision from the lands zoned C9(H) Zone has been satisfied, and therefore, the holding provision can be removed on the easterly parcel.

### Planning Analysis

The proposal would result in a restricted list of uses that are currently permitted in the C9 Corporate Centre Zone, with the intention of avoiding single free-standing development, such as restaurant pads. The uses selected would permit and encourage “higher order” uses/developed when compared to the remaining uses permitted in the C9 Zone, such as service or repair shop. The proposed uses would encourage development in a form that is more substantive, such as an office building, apartment dwelling or a mixed-use development format as opposed to a singular, free-standing development. For example, free-standing eating establishments and retail stores would not be permitted, but would be allowed in a mixed-use development format. Mixed-use development, offices and apartment dwellings, can have substantial presence in terms of height and form, which is conducive and appropriate for a Corporate Centre.

Staff has no objection to the removal of the Holding provision on the easterly parcel given that the condition of removing the (H) symbol has been satisfied in that the urban design guidelines for the overall landholding has been approved by Council.

### Relationship to Vaughan Vision 2007

This staff report is consistent with Vaughan Vision 2007, which encourages managed growth through the implementation of the Official Plan.

### Conclusion

Staff has reviewed the proposed Zoning Amendment Application in accordance with the policies of the Official Plan, and has no objection to restricting the uses permitted in the C9 Corporate Centre Zone for two parcels on Regional Road 7, and the removal of the Holding provision on the easterly parcel. The proposed uses have been selected out of the list of permitted uses in the C9 Zone that would encourage and permit mostly “higher order” uses. Furthermore, uses such as an office building, mixed-use development and apartment dwellings can have a substantial presence in height and form that is appropriate in a Corporate Centre setting. Singular, free-standing development would not be permitted. It is noted that the definitions for an office building and mixed-use development allows appropriate additional uses. Furthermore, parking garages in association with an office building would be maintained as a permitted use, in accordance with the existing zoning exception on the subject lands.

Therefore, Staff can support the approval of the proposed Zoning By-law Amendment. Should the Committee concur, the recommendation in this report can be adopted.

### Attachments

1. Location Map

**Report prepared by:**

Duncan MacAskill, Planner, ext. 8017  
Arto Tikiryan, Senior Planner, ext. 8212  
Grant A. Uyeyama, Development Manager, ext. 8635

Respectfully submitted,

JOHN ZIPAY  
Commissioner of Planning

MARCO RAMUNNO  
Director of Development Planning

/CM

R:\SERWORKING\MACASKID\Z.04.035.Jan17.05.CW.doc

