

COMMITTEE OF THE WHOLE NOVEMBER 21, 2005

SITE DEVELOPMENT FILE DA.05.026

1567855 ONTARIO LTD.

(Referred from the Council meeting of November 14, 2005)

Council, at its meeting of November 14, 2005, adopted the following:

That this matter be referred to the Committee of the Whole meeting of November 21, 2005.

Report of the Commissioner of Planning dated November 7, 2005

Recommendation

The Commissioner of Planning recommends:

THAT Site Development File DA.05.026 (1567855 Ontario Ltd.) BE APPROVED, to permit the development of a 2806m², multi-unit commercial building, subject to the following conditions:

- a) that prior to the registration of the site plan agreement:
 - i) the final site plan, building elevations, landscaping and signage plans shall be approved by the Development Planning Department;
 - ii) the final site grading and servicing plans, stormwater management report, access, parking and on-site vehicular circulation, shall be approved by the Engineering Department;
 - iii) all requirements of the Region of York Transportation and Works Department shall be satisfied;
 - iv) all hydro requirements of Power Stream Inc. shall be satisfied;
 - v) the Owner shall dedicate the lands designated and zoned Open Space into public ownership to the satisfaction of the Toronto and Region Conservation Authority;
 - vi) the Owner shall provide a trail corridor, within the subject open space lands, from the boulevard of Regional Road 7 to the satisfaction of the Parks Development Department. The said corridor shall be dedicated free and clear of all encumbrance and/or be in the form of an easement in favour of the City of Vaughan. The corridor shall be of sufficient area to implement a 5 metre wide level trail platform with a maximum fall of 8% on slope areas and be continuous through the subject open space lands; and,
 - vii) the required variances to implement the final site plan shall be approved by the Committee of Adjustment and such variances shall be final and binding; and,
- b) that the site plan agreement contain the following provision:
 - i) the Owner shall pay to the City of 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.

Economic Impact

There are no requirements for new funding associated with this report. The proposed development will add new assessment to the local tax base.

Purpose

The Owner has submitted a Site Development Application to permit the development of a 2,806.68m², two storey, multi-unit commercial building shown on Attachment #4, with the following site statistics:

Total Site Area:	1.09ha
Developable Site Area (tableland):	0.56ha
Remaining Site Area (valleyland):	0.53ha
GFA ground floor (retail):	1,810.00m ²
GFA second floor (office):	<u>996.68m²</u>
	2,806.68m ²
Parking Provided	115 spaces

Background - Analysis and Options

The 1.09ha site is located on the south side of Regional Road #7, east of Martin Grove Road, being Block 42 on Plan 65M-2464 (5451 Regional Road #7), in Part of Lot 5, Concession 8, City of Vaughan, as shown on Attachment #1.

The surrounding land uses are:

- North - Regional Road 7; Rainbow Creek Park (A Agricultural Zone and OS1 Open Space Conservation Zone)
- South - open space (PB1 Parkway Belt Open Space Zone) and existing employment (EM1 Prestige Employment Area Zone)
- East - open space (PB1 Parkway Belt Open Space Zone)
- West - existing commercial (C7 Service Commercial Zone)

Official Plan

The subject lands are designated "Service Commercial" (tableland) and "Open Space" (valleyland) by OPA #240 (Woodbridge Community Plan), subject to site-specific OPA #331, which was further amended by OPA #624, as shown on Attachment #2.

OPA #331 re-designated the subject lands (1.09ha) from "Public Open Space and Buffer Area" (Parkway Belt West Plan) to "Service Commercial"; provided development guidelines for the site; restricted development to a low-rise office building; and, restricted the permitted uses to: business and professional offices, day nurseries, parks and open space, and ancillary commercial uses to a maximum of 15% of the total gross floor area, with no outside storage.

The development guidelines in OPA #331 require the subject lands to be developed in accordance with a plan, which integrates the abutting lands to the west (25 Woodstream Boulevard), ensures the provision of proper access, internal traffic circulation and parking,

appropriate urban design characteristics and building massing that is complimentary to the adjacent open space system, and a pedestrian connection through the valley portion of the site linking Rainbow Creek Park to the north of Regional Road #7 with the Vaughan Grove Sports Park to the south of the subject lands.

OPA #624 further amended OPA #331 to re-designate the valleyland portion (0.53ha) of the subject lands from "Service Commercial" to "Open Space"; and to maintain the "Service Commercial" designation on the tableland portion of the site. It also permits the full range of service commercial uses identified in OPA#240, in addition to the permitted uses in OPA #331, but excludes hotels, motor hotels, banquet halls, automobile service stations, car washes, public garages, and funeral homes.

OPA #240 identifies sites located on corner lots at the entrances to industrial parks as ideal locations to facilitate service commercial uses which serve the needs of the business employees in the adjacent industrial area and the traveling public. The "Open Space" designation in OPA #240 permits community parks, neighbourhood parks and pedestrian bicycle linkways. The site plan proposal to permit the development of a multi-storey, multi-unit commercial building conforms to the "Service Commercial" and "Open Space" policies of OPA #240. The property fronts onto Regional Road 7, is generally located at the corner of Woodstream Boulevard and Regional Road 7 abutting an industrial area to the south, and the valleyland portion will remain in a naturalized state.

Zoning

The subject lands are zoned in the manner shown on Attachment #2 as C7 Service Commercial Zone (tableland) and OS1 Open Space Conservation Zone (valleyland), and subject to Exception 9(1215). This exception requires a 2m wide landscape strip to be provided on the tableland portion of the site (C7 Service Commercial Zone) abutting the valley, the area of which cannot be used in computing the minimum 10% landscaping requirements of the By-law, and permits the full range of C7 uses excluding: hotel, motel, convention centre, automobile service station/gas bar, automotive retail store, banquet hall, place of entertainment, and parking garage.

The proposed office and retail uses are permitted by the By-law. However, in order to implement the proposed site plan the following variances are necessary, and are identified as follows:

	<u>By-law Requirement</u>	<u>Provided</u>
• Minimum Lot Area	8000m ²	5,644m ²
• Minimum Lot Frontage	65m	0.0m
• Minimum Interior Side Yard (West)	6m	1m
• Minimum Interior Side Yard (East)	6m	2m
• Minimum Rear Yard (South)	22m	19.5m
• Minimum Parking Spaces	169	115(32% deficiency)
• Minimum Landscaped Area	10%	3.75%

In addition, the building is proposed on a lot that does not front onto a public street, whereas, the by-law requires that all lots upon which a building or structure is to be created shall front upon a public street. The proposed parking areas require access from the adjacent westerly property, whereas, the by-law requires that access to parking areas shall be provided and maintained on a lot upon which a building or structure is maintained.

Most of the easterly portion of the subject lands is located within the valley corridor. The Toronto and Region Conservation Authority (TRCA) has established the limits of development for the tableland (0.56ha) and the valleyland (0.53ha) to their satisfaction as shown on Attachment #2. The zoning boundaries are based on these limits, and as such, the property was rezoned to C7

Service Commercial Zone and OS1 Open Space Conservation Zone, respectively. As a result, the required lot frontage, access to a public street and access to the parking areas cannot be achieved as the entire frontage of property is deemed valleyland. Accordingly, the required lot area on the tableland cannot be achieved due to the established limits of development. The reduced minimum and interior side yards and minimum landscaping requirement is satisfactory, given the size and configuration of the developable tableland. The parking reduction has been substantiated by a parking study that has been approved by the Engineering Department. The Owner will be required to obtain approval for the above-noted variances, from the Committee of Adjustment, which must be final and binding as a condition of site plan approval.

Site Design

The proposed site plan (Attachment #4) shows an L-shaped commercial building facing Regional Road 7. The site is served by existing accesses on Regional Road 7 comprised of one right-in/right-out and left-in access and a full movement access on Woodstream Boulevard, each requiring access over the property to the west. The parking area is located between the proposed building and Regional Road #7, and additional parking spaces are located south of the building. A pedestrian walkway surrounds the building and provides access to the proposed commercial units. The final site plan shall be approved to the satisfaction of the Development Planning Department.

Access

OPA #331 states that direct access to Regional Road 7 is prohibited and is to be provided across the abutting lands to the west to Woodstream Boulevard. The adjacent parcel (25 Woodstream Boulevard) shown on Attachment #3 is developed with two drive-through eating establishments and a pharmacy.

Two access points serve the site by way of a registered access easement over the lands to the west (25 Woodstream Boulevard); one right-in/right-out/left-in access onto Regional Road #7 and a full movement access onto Woodstream Boulevard. The site plan agreement for the adjacent property states, "access to Regional Road 7 and Woodstream Boulevard must be provided for the lands to the east (subject lands), being Block 42 on Plan 65M-2462, in Lot 5, Concession 8, City of Vaughan". The proposed site plan conforms to these requirements of the Official Plan, and the Engineering Department and York Region are satisfied with these site accesses.

The YRT- Regional Road 7 Transitway is proposed to be an at grade bus rapid transit facility located in the centre median area of Regional Road 7 and within an exclusive right-of-way. As such, the Owner has been advised by the Region of York that upon implementation of the YRT-Regional Road #7 Transitway, the existing right-in/right-out/left-in access to/from the subject lands and Regional Road 7 will be restricted to right-in/right-out movements access only.

The Region of York has requested to be party to the site development agreement, as the subject lands abut Regional Road 7, with conditions of approval to be included in the Agreement. As a condition of site plan approval, all requirements of the Region of York Transportation and Works Department shall be satisfied.

Parking

The minimum required parking for the site is calculated as follows:

Total GFA: 2,806.68m ²	
Total Parking Required (6 spaces/100m ² GFA)	= 169 spaces
Total Parking Provided	=115 spaces

The Owner is proposing 115 parking spaces, whereas By-law 1-88 requires that 169 spaces be provided, resulting in a 32% (54 space) deficiency. The applicant has submitted a parking study prepared by Mark Engineering addressing the proposed parking reduction, which concludes that the proposed parking supply is sufficient for the proposed development. The parking study and on-site vehicular circulation, has been approved by the Engineering Department.

Services and Utilities

The site has access to hydro, water and sanitary and storm sewers. The Owner has submitted a site grading and servicing plan and stormwater management report, which has been approved by the Engineering Department.

The Owner will be responsible to address all hydro requirements to the satisfaction of PowerStream Inc.

Building Design

The proposed building elevations are shown on Attachments #5 and #6. The single-storey commercial portion of the building is proposed to be constructed to a height of 4.79m and the two-storey office portion will be 7.96m. The building materials consist of clear glass windows, taupe banding and trim, sage stucco and bamboo coloured concrete block. The primary façades are located on the north, west and east elevations, all with views from Regional Road 7. The main entry to the second floor is located on the north elevation, with glass double doors and glass panels extending to the roofline, framed in concrete block. The ground floor has a series of glass windows and multiple glass unit doors, framed in concrete block, with stucco banding and signage above. The second storey is of similar design, with a series of glass windows along the west, north and east elevations, framed in stucco with banding along the roofline. Six of thirteen man-doors are located on the south elevation, with the remaining man-doors on the east elevation. The final building elevations shall be approved to the satisfaction of the Development Planning Department.

Landscaping

The proposed landscape plan is shown on Attachment #7 and includes a variety of deciduous and coniferous trees and shrubs along the easterly limits of the tableland portion of the subject lands and in the parking islands. The westerly portion of the valleyland has also been heavily planted. A 1.5m wide walkway surrounds the building, with the exception of the east side, where concrete pads are proposed in front of the man doors. The final landscape plan, including detailed drawings and a landscape cost estimate shall be approved to the satisfaction of the Development Planning Department.

Parks Development Department/Toronto and Region Conservation Authority (TRCA)

The subject lands abut the Rainbow Creek Valley Open Space System, a system that follows the Rainbow Creek through the Community of Woodbridge. The system affords a connection between Rainbow Creek Park on the north side of Regional Road 7 and the Vaughan Grove Sports Park to the south. In accordance with the development guidelines of OPA #331 and the draft Pedestrian and Bicycle Master Plan, a trail routing providing access between the two open space systems through the valley portion of the subject lands shall be provided to the satisfaction of the Vaughan Parks Development Department and the Toronto and Region Conservation Authority TRCA. The Parks Department has provided the following wording to be included as a condition of site plan approval:

“The Owner shall provide a trail corridor, within the subject open space lands, from the boulevard of Regional Road 7 to the satisfaction of the Parks Development Department.

The said corridor shall be dedicated free and clear of all encumbrance and/or be in the form of an easement in favour of the City of Vaughan. The corridor shall be of sufficient area to implement a 5 metre wide level trail platform with a maximum fall of 8% on slope areas and be continuous through the subject open space lands.”

The TRCA has established the geotechnical limit of development on the subject lands as shown on Attachment #2 and has confirmed the tableland to be retained in private ownership and the valleyland to be dedicated into public ownership to either the TRCA or the City. The Owner shall dedicate the lands designated and zoned “Open Space” into public ownership to the satisfaction of the TRCA as a condition of site plan approval.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities set forth in Vaughan Vision 2007, particularly ‘A-5’, “Plan and Manage Growth”.

Conclusion

The proposed Site Development Application has been reviewed in accordance with the policies in OPA #240, OPA #331 and OPA #624, the requirements of By-law 1-88, the comments received from City Departments and external public agencies and the area context. The Development Planning Department is satisfied that the proposed development of the subject lands for an office and retail commercial building is appropriate and will integrate and be compatible with the existing and permitted uses on the abutting lands (25 Woodstream Boulevard). Accordingly, the Development Planning Department can support the approval of the Site Development Application and the required exceptions to the zoning by-law that are necessary to implement the proposal, subject to the conditions contained in this report.

Attachments

1. Location Map
2. Official Plan Designation and Zoning
3. Context Plan
4. Site Plan
5. Elevation Plan (North and South)
6. Elevation Plan (East and West)
7. Landscape Plan

Report prepared by:

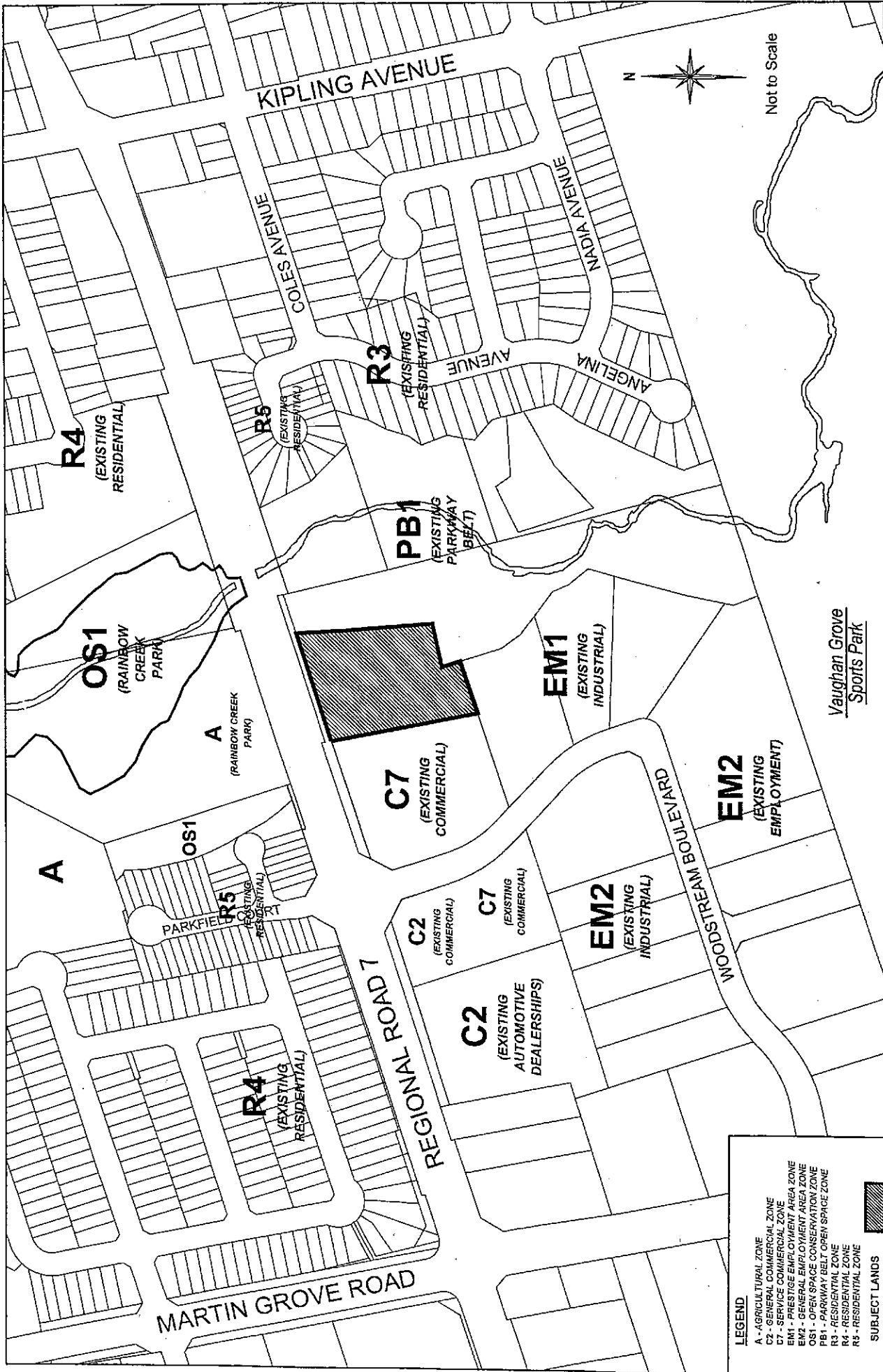
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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

/LG



LEGEND

- A - AGRICULTURAL ZONE
- C2 - GENERAL COMMERCIAL ZONE
- C7 - SERVICE COMMERCIAL ZONE
- EM1 - PRESTIGE EMPLOYMENT ZONE
- EM2 - GENERAL EMPLOYMENT AREA ZONE
- OS1 - OPEN SPACE CONSERVATION ZONE
- PB1 - PARKWAY BELT OPEN SPACE ZONE
- R3 - RESIDENTIAL ZONE
- R4 - RESIDENTIAL ZONE
- R5 - RESIDENTIAL ZONE

SUBJECT LANDS

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Location Map

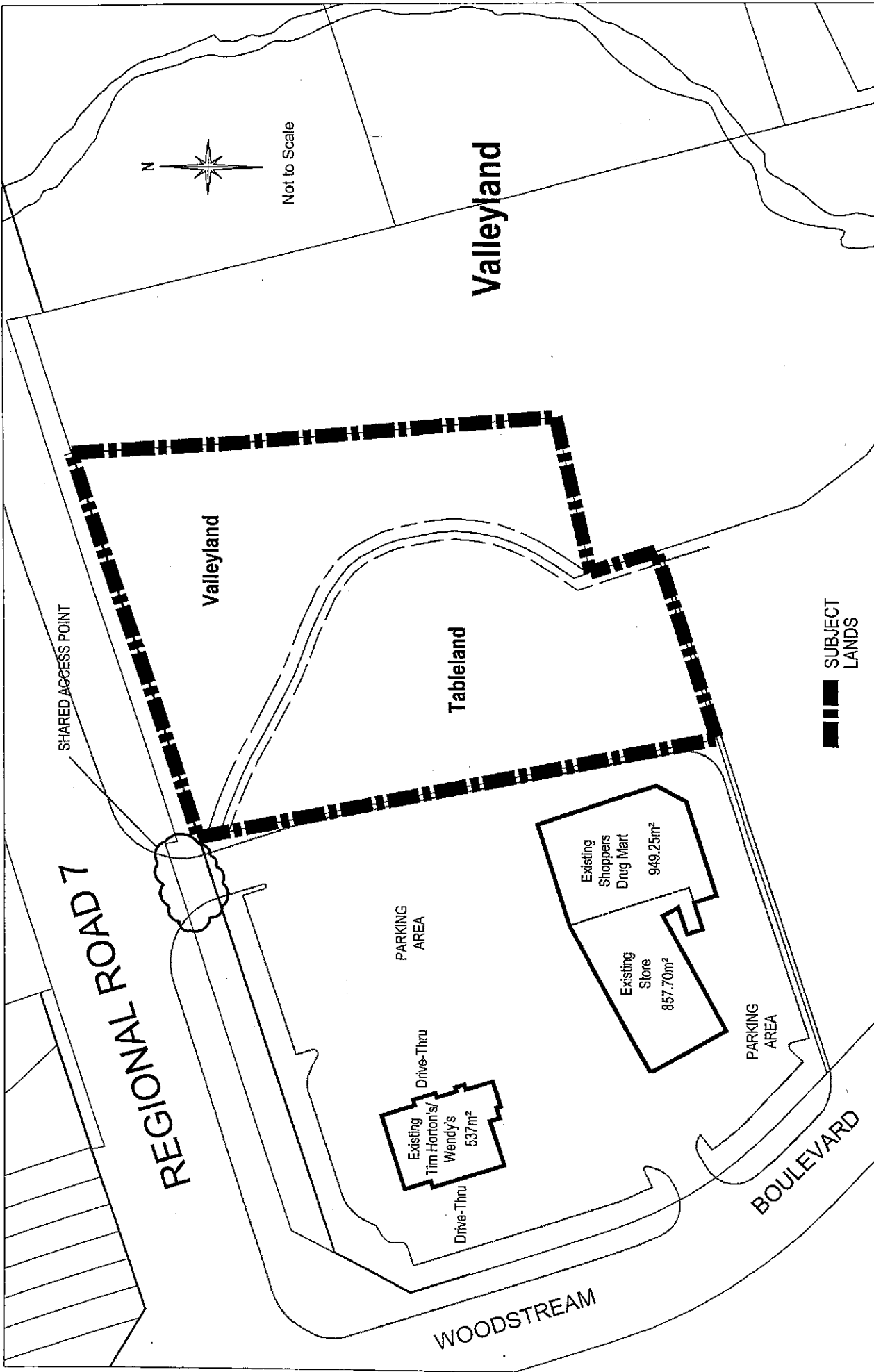
Part of Lot 5,
Concession 8
APPLICANT:
1567855 ONTARIO LTD.
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Development Planning Department

Attachment 1

FILE No.:
DA.05.026
RELATED FILES:
OP.04.003 & Z.00.069
October 12, 2005



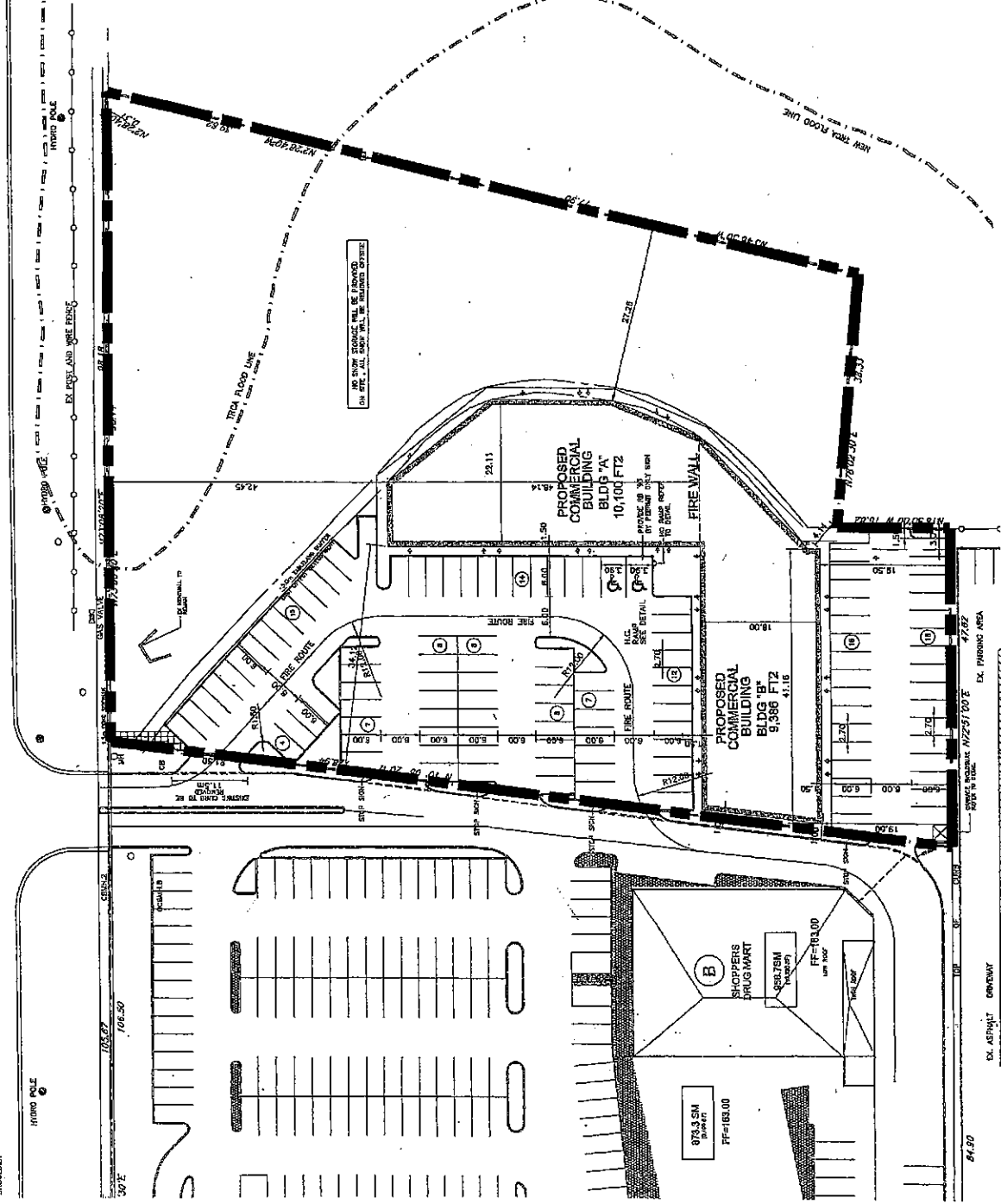
REGIONAL ROAD 7



Not to Scale

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SUBJECT LANDS

WE SHOW SUBJECTS WILL BE PROVIDED ON THE PLAN, BUT NOT THE EXISTING RECORDS.



Site Plan

Part of Lot 5,
Concession 8

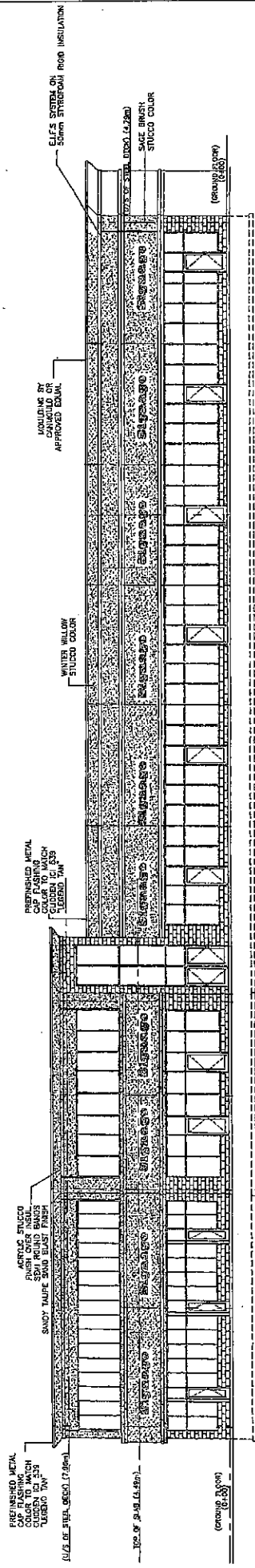
APPLICANT:
1567855 ONTARIO LTD.

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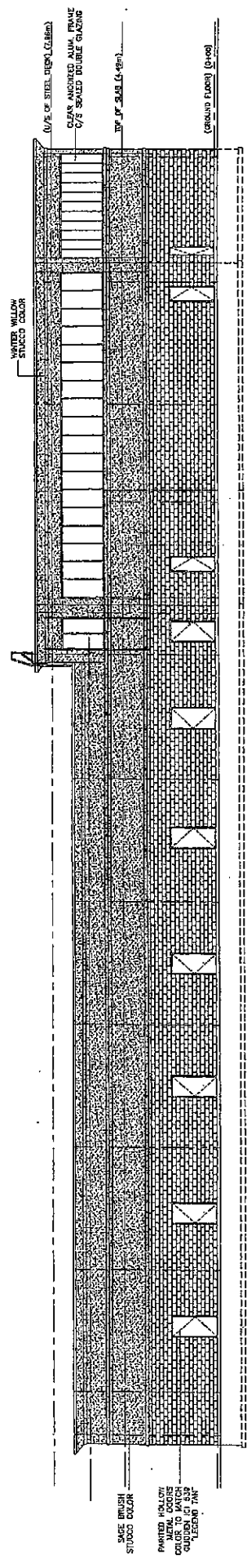


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Attachment 4
FILE No.:
DA.05.026
RELATED FILES:
OP.04.003 & Z.00.069
October 12, 2005



NORTH ELEVATION



SOUTH ELEVATION

Not to Scale

Attachment 5

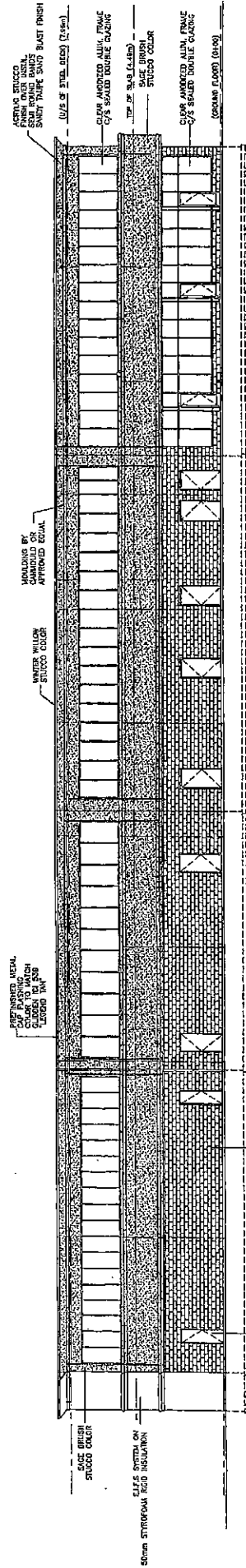
FILE No.: DA.05.026
 RELATED FILES: OP.04.003 & Z.00.069
 October 18, 2005



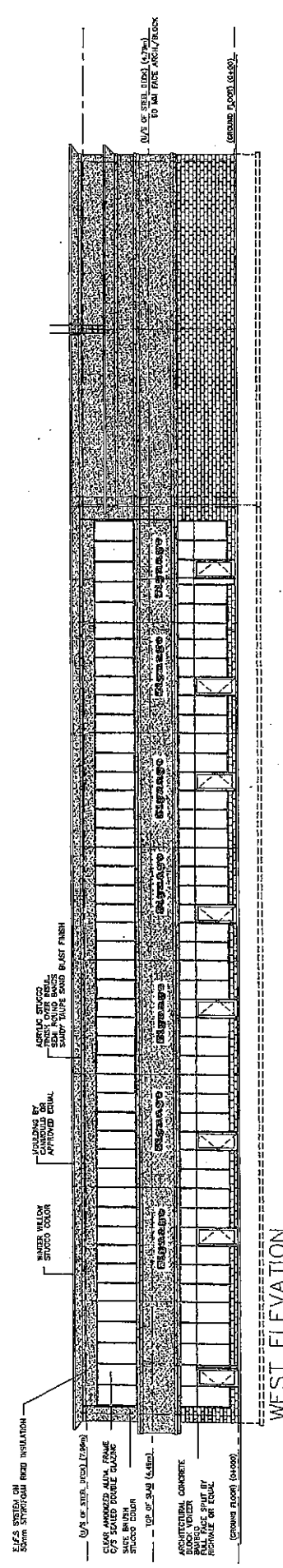
Development Planning Department

North & South Elevations

Part of Lot 5,
 Concession 8
 APPLICANT:
 1567855 ONTARIO LTD.
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EAST ELEVATION



WEST ELEVATION

Not to Scale

Attachment 6

FILE No.: DA.05.026
 RELATED FILES: OP.04.003 & Z.00.069
 October 18, 2005

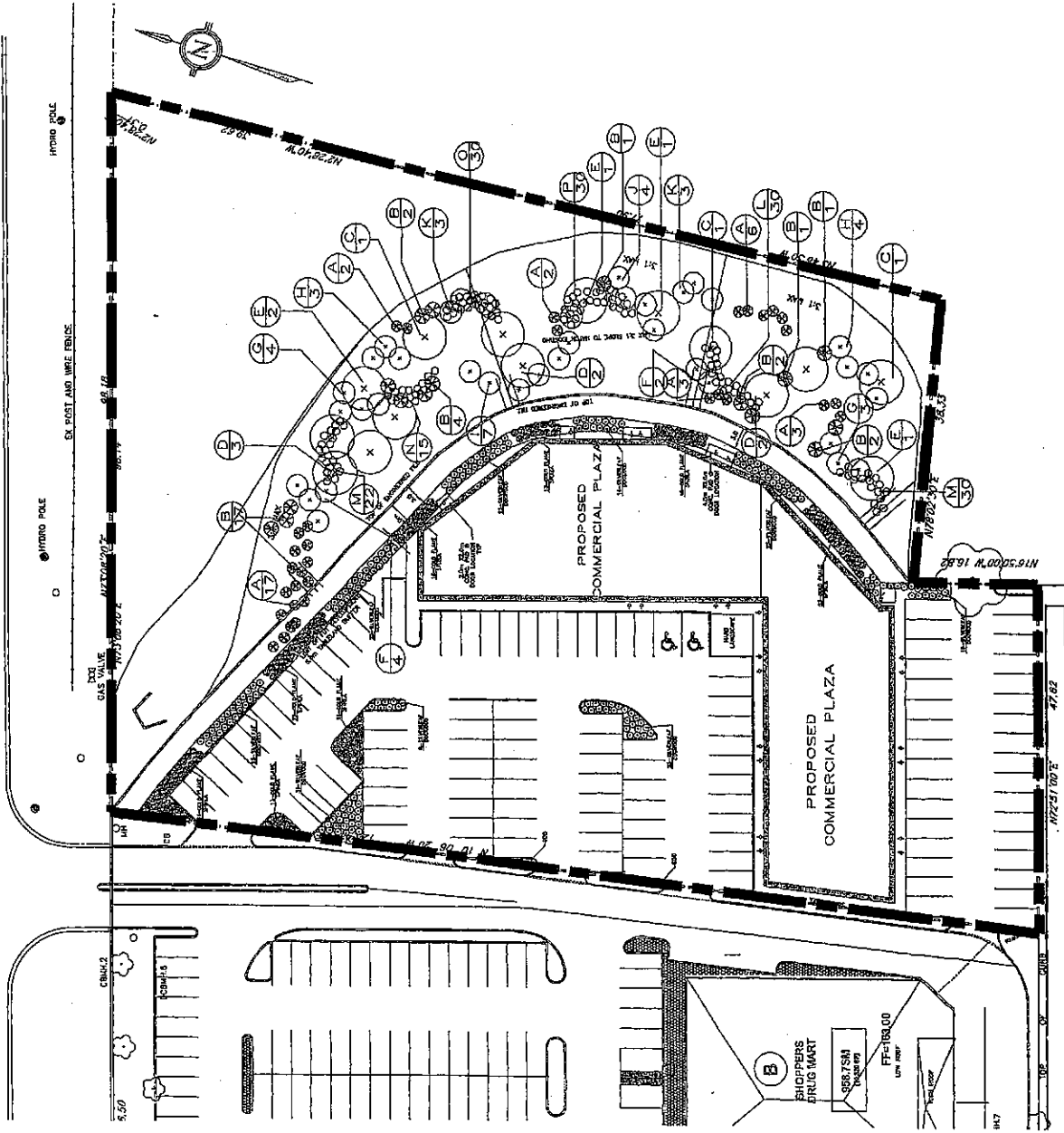
City of Vaughan

Development Planning Department

East & West Elevations

Part of Lot 5,
 Concession 8
 APPLICANT: 1567855 ONTARIO LTD.
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REGIONAL ROAD 7



Not to Scale

Landscape Plan

Part of Lot 5,
Concession 8
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Attachment 7

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RELATED FILES:
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October 12, 2005