

COMMITTEE OF THE WHOLE SEPTEMBER 18, 2006

**ZONING BY-LAW AMENDMENT FILE Z.06.031
SITE DEVELOPMENT FILE DA.06.061
2056239 ONTARIO INC.
REPORT #P.2006.51**

Recommendation

The Commissioner of Planning recommends:

1. That Zoning By-law Amendment File Z.06.031 (2056239 Ontario Inc.) BE APPROVED, to rezone the subject lands shown on Attachment #1 from C8 Office Commercial Zone to EM3 Retail Warehouse Employment Area Zone; excluding the following EM3 uses; Building Supply Outlet, and Swimming Pool and Recreational Vehicle Leasing/Rental/Sales; and to permit Business and Professional Offices including for a Regulated Health Professional; and to permit the following exceptions to the EM3 Zone, to facilitate the development of the proposed site plan shown on Attachment #2.
 - a) a rear yard setback of 4.9m, whereas 12 is required;
 - b) a minimum of 649 parking spaces, whereas 663 spaces are required;
 - d) a maximum driveway width of 9m, whereas 7.5m is permitted; and,
 - e) deem the north property line as the front lot line.

2. THAT Site Development File DA.06.061 (2056239 Ontario Inc.) BE APPROVED, subject to the following:
 - a) That prior to the execution of the site plan agreement:
 - i) the final site plan, building elevations, landscaping plan and signage plan shall be approved by the Development Planning Department;
 - ii) the final site servicing and grading 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; and,
 - iv) all hydro requirements shall be fulfilled to the satisfaction of PowerStream Inc.

Economic Impact

There are no requirements for new funding associated with this report.

Purpose

The Owner has submitted an application to amend the Zoning By-law, specifically By-law 1-88, to rezone the subject lands shown on Attachment #1 from C8 Office Commercial Zone to EM3 Retail Warehouse Employment Area Zone; excluding the following EM3 uses: Building Supply Outlet, and Swimming Pool and Recreational Vehicle Leasing/Rental/Sales; and, to permit Business and Professional Offices including for a Regulated Health Professional.

The Owner has also submitted a related Site Plan Application (Attachment #2) to facilitate the development of a four-storey office building at the northeast corner of the site, with two 2-storey multi-unit employment use buildings facing Regional Road #7 and Regional Road #27, respectively. The six single unit industrial buildings in the interior of the site are not subject to this application and will be developed at a future date.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located on the southwest corner of Regional Road #7 and Regional Road #27, in Part of Lot 5, Concession 9, City of Vaughan. The vacant 5.02ha site has 266m frontage on Regional Road #7 and 180m flankage on Regional Road #27.

The subject lands are designated "Prestige Area" by OPA #450 (Employment Area Plan), and zoned C8 Office Commercial Zone by By-law 1-88, subject to Exception 9(1013). The surrounding land uses are as follows:

- North - Regional Road #7; vacant/proposed commercial, File DA.06.031 (C7 Service Commercial Zone)
- South - approved multi-unit industrial building currently under construction, File DA.05.017 (EM3 Retail Warehouse Employment Area Zone)
- East - Regional Road #27; vacant (C8 Office Commercial Zone)
- West - Roybridge Gate; approved gas bar, File DA.05.066 (C7 Service Commercial Zone)

On May 26, 2006, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to the West Woodbridge Homeowners' Association. This notice indicated that the applicant had submitted an application to rezone from C8 Office Commercial Zone to EM3 Retail Warehouse Employment Area Zone, excluding the following EM3 uses: Building Supply Outlet, and Swimming Pool and Recreational Vehicle Leasing/Rental/Sales, and to permit the full range of C7 Service Commercial uses.

However, the applicant has since amended their application to remove the request for the full range of C7 Zone uses, and to add the use of a Business and Professional Office, including for Regulated Health Professionals. To date, no comments have been received. The recommendation of the Committee of the Whole to receive the Public Hearing report on June 19, 2006, and to forward a comprehensive report to a future Committee meeting was ratified by Council on June 26, 2006.

Official Plan

The subject lands are designated "Prestige Area" by OPA #450 (Employment Area Plan). This designation provides opportunities for uses that require high visual exposure, good accessibility and an attractive working environment, and permits a wide range of office, business and civic uses, where outside storage is not permitted. The "Service Node" policies of OPA #450 also apply and permit uses that provide for the day-to-day convenience and service needs of businesses, industries and their employees. The proposal to rezone from C8 Office Commercial Zone to EM3 Retail Warehouse Employment Area Zone would implement the "Prestige Area" policies of the Official Plan. The additional use of a Business and Professional Office, including a Regulated Health Professional, would implement the "Service Node" policies of the Official Plan.

Zoning

The site is zoned C8 Office Commercial Zone by By-law 1-88, subject to Exception 9(1013). The C8 Zone does not permit EM3 Retail Warehouse uses; employment uses and Business and Professional offices including regulated health professionals; therefore an amendment to the Zoning By-law is required. The proposed rezoning to EM3 would continue to permit the Office

Building which is currently permitted by the C8 Zone however, the EM3 zone would permit a wide range of employment uses which would implement the "Prestige Area" and "Service Node" policies of the Official Plan and would be compatible and consistent with the existing EM3 Zone lands to south and the C7 Zone lands to west of the site.

Although the EM3 Zone permits all uses in the EM1 Prestige Employment Area Zone, including a business and professional Office use, the EM1 Zone does not permit an office of a Regulated Health Professional to be associated with a Business and Professional Office, in light of the higher parking standard associated with medical offices, (i.e. 5 spaces/practitioner) in comparison to typical industrial uses, and therefore an amendment to the By-law to permit this use is being sought. The additional use of an office for a Regulated Health Professional is considered to be appropriate, given the proposed 4-storey office building that is being proposed on the site, and can therefore be supported, in light of the parking study that has been submitted by the applicant, and approved by the Engineering Department.

The applicant is proposing to delete the uses of a Building Supply Outlet, and Swimming Pool and Recreational Vehicle Leasing/Rental/Sales from the list of permitted uses in the EM3 Zone, as these are not conducive to the site, nor are such uses being sought. Accordingly, the Development Planning Department can support the deletion of these uses in the implementing zoning by-law, if the applications are approved. The proposed site plan was reviewed in accordance with the standards contained in By-law 1-88 and the EM3 Zone, and the following exceptions were identified as necessary to implement the site plan shown on Attachment #2:

	<u>Required</u>	<u>Provided</u>
Minimum Rear Yard Setback	12m	4.9m
Minimum Parking Spaces	663	649
Maximum Driveway Width	7.5m	9m

The proposed parking spaces, rear yard setback and minimum driveway width are satisfactory. A clause will be included in the implementing zoning by-law that will deem the subject lands to be one lot for the purposes of zoning regardless of future conveyances, severances, etc. This will ensure that technical variances will not be necessary when the condominium application is considered.

Site Design

The 5.02ha site consists of two development phases as shown on Attachment #2. The first phase, which is the subject of this report, will comprise of a 4-storey office building and two 2-storey multi-unit building. The remaining 6 single use employment buildings will be developed during phase two at a future date.

The four storey office building is located at the northeast corner of the site facing both Regional Roads 27 and 7. A 24 unit and 17 unit employment use buildings flank the site facing Regional Road 7 and Regional Road 27, respectively. The site is served by one right-in/right-out access on Regional Road 27, and two full movement accesses on Roybridge Gate. Parking spaces are provided throughout the site. The final site plan shall be approved to the satisfaction of the Development Planning Department.

A new site plan application will be required to facilitate the development of the future Phase 2 area of the subject lands to ensure the provision of proper internal traffic circulation and parking, appropriate landscaping and urban design, and building massing that is complimentary to the adjacent development.

Building Design

The proposed building elevations for Buildings "A" and "C" (multi-unit employment use buildings) are shown on Attachments #3 and #5, respectively. Buildings "A" and "C" will be constructed to a height of 8m; however, a tiered roofline will increase the height of Building "C" to 9.6m. Both buildings will consist of white aggregate pre-cast panels and blue glazed windows. The primary façade and building entrances for Building "A" is located on the east elevation facing Regional Road #27, with Building "C" being the north elevation facing Regional Road #7. Both buildings are of similar design, with lower and upper level windows, framed in pre-cast panels and divided by a continuous sign box. The loading areas are located on the west and south elevations of Building "A" and "C", respectively, and are screened from view of all streets.

The proposed elevation for Building "B" (four storey office building) is shown on Attachment #4. This building will be constructed to a height of 14.2m, and will consist of the same materials as Buildings "A" and "C". It will be designed with blue glazed windows, separated by a continuous sign box between the first and second floors and white pre-cast panels between the remaining floors. The main entrances to the building will be located on the south and west elevations. Roof-top mechanical equipment will be screened from the view of all adjacent streets.

The final elevation plans shall be approved to the satisfaction of the Development Planning Department.

Landscaping

The landscape plan (Attachment #6) shows a variety of deciduous and coniferous trees and shrubs within the 9m wide landscape strips abutting Regional Roads #7 and #27 and within the 3m wide landscape strip abutting Roybridge Gate. Additional planting is provided within the parking islands interior to the site. A concrete pedestrian walkway links each of the proposed buildings. The final landscape plan and details must be approved to the satisfaction of the Development Planning Department.

Parking

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

Phase I:

Building "A" (multi-unit employment): 3.5 spaces/100m ² GFA (3591m ²)	= 126 spaces
Building "B" (four storey office): 3.5 spaces/100m ² GFA (3842.9m ²)	= 135 spaces
Building "C" (multi-unit employment): 3.5 spaces/100m ² GFA (7058m ²)	= <u>247 spaces</u>
	508 spaces

Phase II:

Building "D" (employment): 2 spaces/100m ² GFA (1305.9m ²)	= 27 spaces
Building "E" (employment): 2 spaces/100m ² GFA (1305.9m ²)	= 27 spaces
Building "F" (employment): 2 spaces/100m ² GFA (1305.9m ²)	= 27 spaces
Building "G" (employment): 2 spaces/100m ² GFA (1142.9m ²)	= 23 spaces
Building "H" (employment): 2 spaces/100m ² GFA (1142.9m ²)	= 23 spaces
Building "I" (employment): 2 spaces/100m ² GFA (1142.9m ²)	= 23 spaces
Total Second Floor for Buildings "D-I": 2 spaces/100m ² GFA (400m ²)	= <u>8 spaces</u>
	158spaces

Total Parking Required for Phase I and II = 666 spaces

Total Parking Provided = 649 spaces

The Owner is proposing 649 parking spaces, whereas By-law 1-88 requires that 666 spaces be provided, resulting in a 17 space (2.5%) deficiency. The applicant has submitted a parking study that addresses the proposed parking reduction and demonstrates that the variety of uses permitted in the EM3 Zone including offices for Regulated Health Professionals (5 spaces/practioner) and Retail Warehouse (6 spaces/100m² GFA) will function at a ratio of 3.5 spaces/100m² of GFA for the Phase 1 development. The parking requirements for Phase 2 was also considered to ensure a comprehensive review of the parking on the overall site was undertaken. The parking study and on-site vehicular circulation is satisfactory to satisfaction of the Engineering Department.

Services/Utilities

The Owner has submitted a site grading and servicing plan, and a stormwater management report, and which must be approved to the satisfaction of the Engineering Department.

All hydro requirements will be addressed by the Owner, to the satisfaction of PowerStream Inc.

Region of York

The Region of York may request to be a party to the site development agreement given that the subject lands abut Regional Roads #7 and #27, with conditions of approval to be included in the implementing Agreement. As a condition of site plan approval, all requirements of the Region of York Transportation and Works Department must be satisfied.

Parkland Dedication

The Real Estate Department has indicated that if required, 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.

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 Zoning By-law Amendment and Site Development Applications have been reviewed in accordance with the policies of OPA #450, the requirements of By-law 1-88 and the surrounding employment area context. The Development Planning Department is satisfied that the proposed rezoning from C8 Office Commercial Zone to EM3 Retail Warehouse Employment Area Zone, excluding the following EM3 uses: Building Supply Outlet and Swimming Pool and Recreational Vehicle Leasing/Rental/Sales, and to permit the additional use of a Business and Professional Office including for a Regulated Health Professional, is considered to be appropriate to facilitate the development of a four-storey office and two multi-unit employment use buildings. Accordingly, it is recommended that the applications be approved, subject to the conditions contained in this report.

Attachments

1. Location Map
2. Site Plan
3. Elevation Plan-Building "A" (Multi-Unit Retail Warehouse)
4. Elevation Plan-Building "B" (Office Building)
5. Elevation Plan-Building "C" (Multi-Unit Retail Warehouse)
6. Landscape Plan

Report prepared by:

Christina Napoli, Planner, ext. 8483

Arto Tikiryan, Senior Planner, ext. 8212

Grant Uyeyama, Manager of Development Planning, ext. 8635

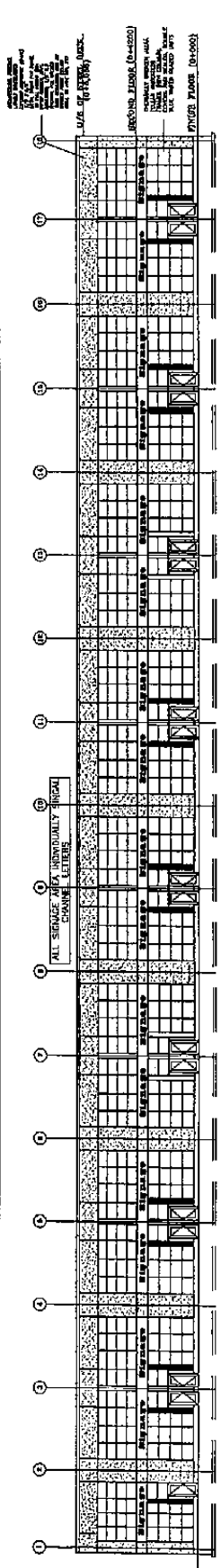
Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

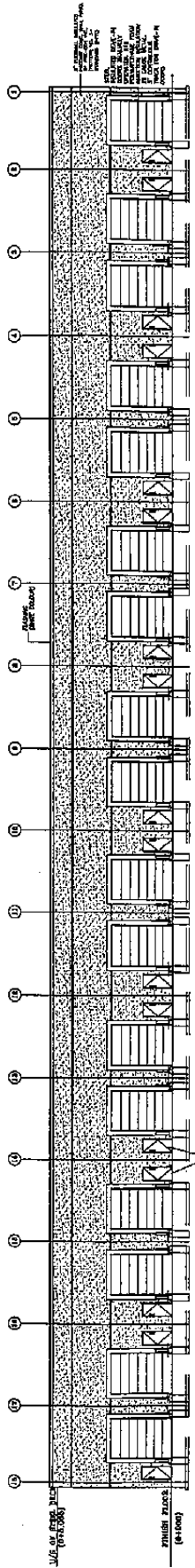
MARCO RAMUNNO
Director of Development Planning

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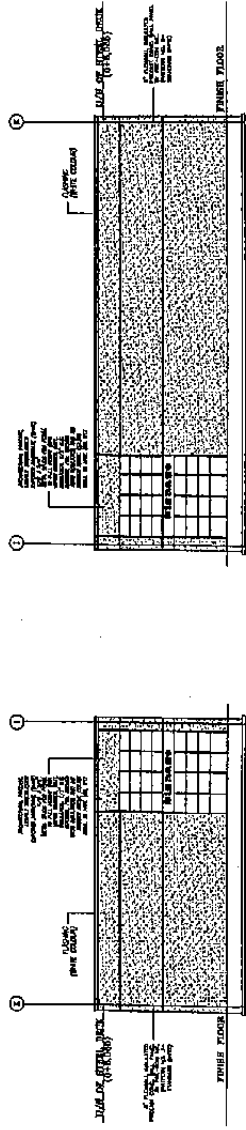
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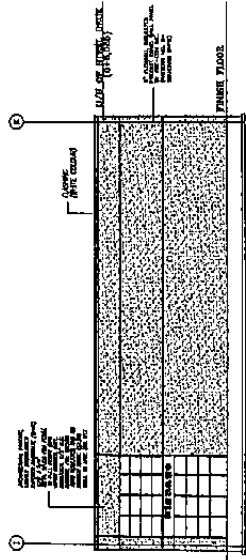
EAST ELEVATION (REGIONAL ROAD 27)



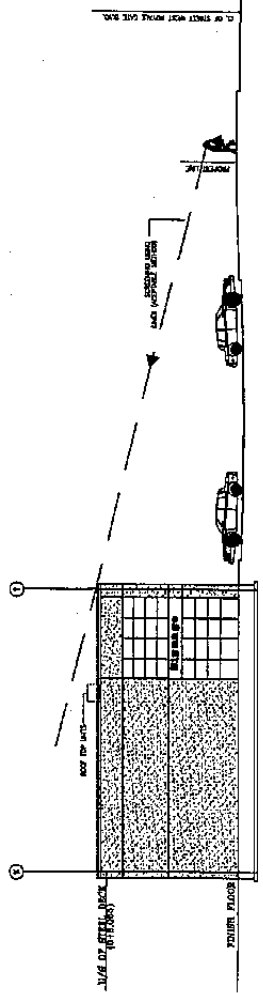
WEST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION



BUILDING SECTION

Not to Scale

Elevations - Building "A"

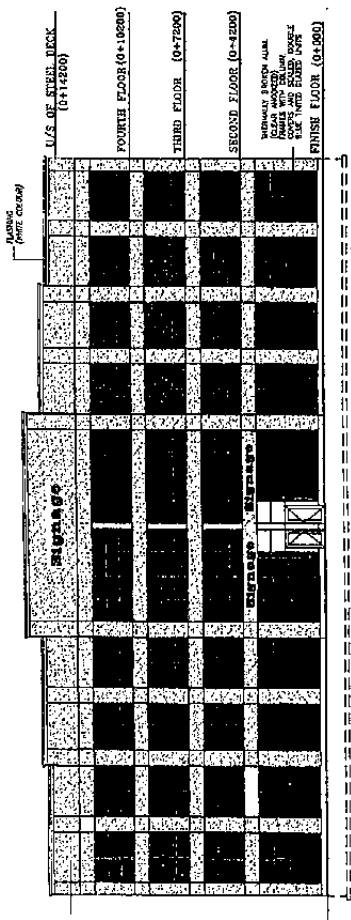
Part of Lot 5,
Concession 9
APPLICANT:
2056239 ONTARIO INC.
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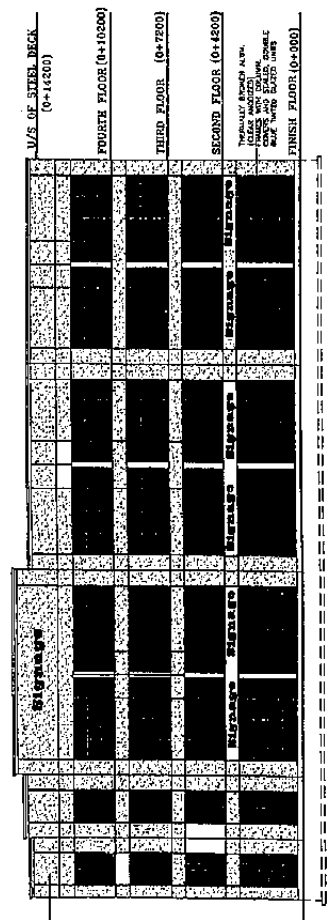
Development Planning Department

Attachment 3

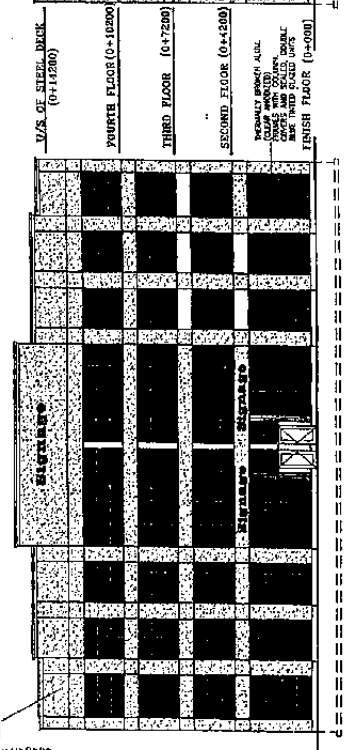
FILE No:
DA.06.061
RELATED FILE:
Z.06.031
July 7, 2006



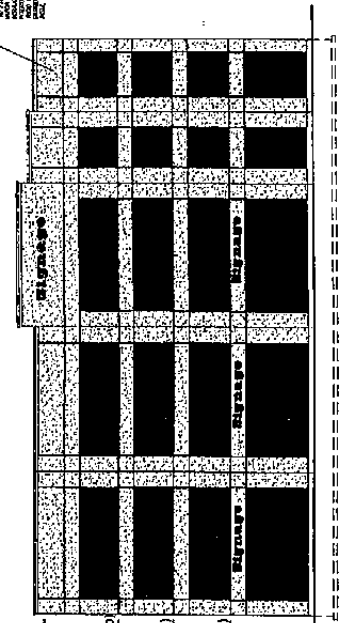
SOUTH ELEVATION



NORTH ELEVATION (REGIONAL ROAD 7)



WEST ELEVATION



EAST ELEVATION (REGIONAL ROAD 27)

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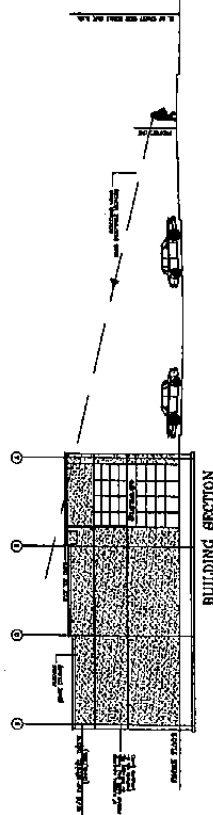
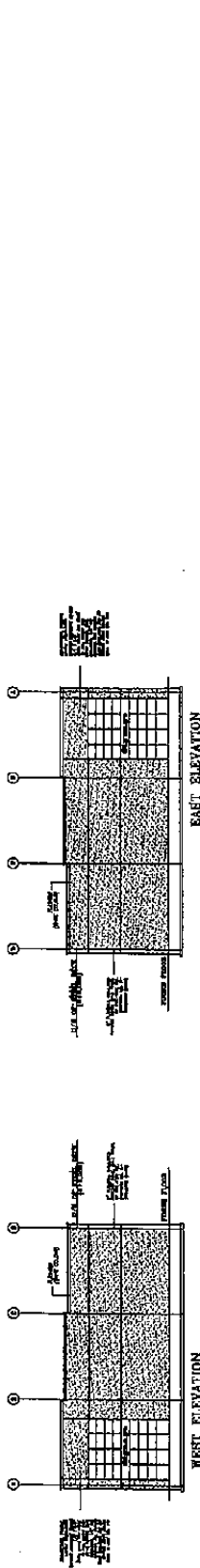
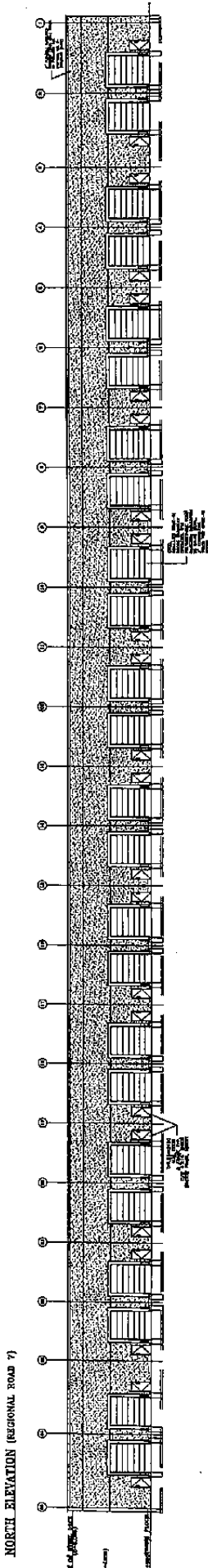
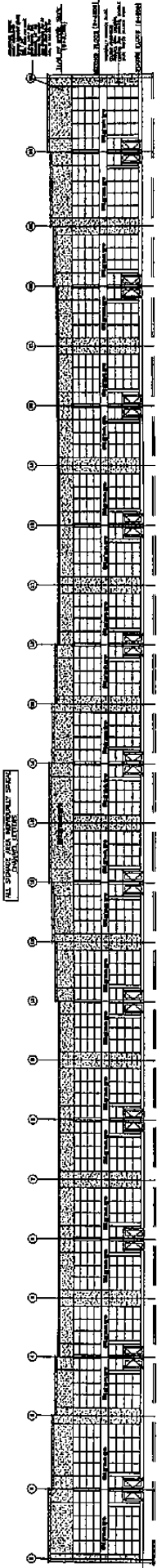
Elevations - Building "B"

Part of Lot 5,
Concession 9
APPLICANT:
2056239 ONTARIO INC.
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Development Planning Department

Attachment 4
FILE No.: DA.06.061
RELATED FILE: Z.06.031
July 7, 2006



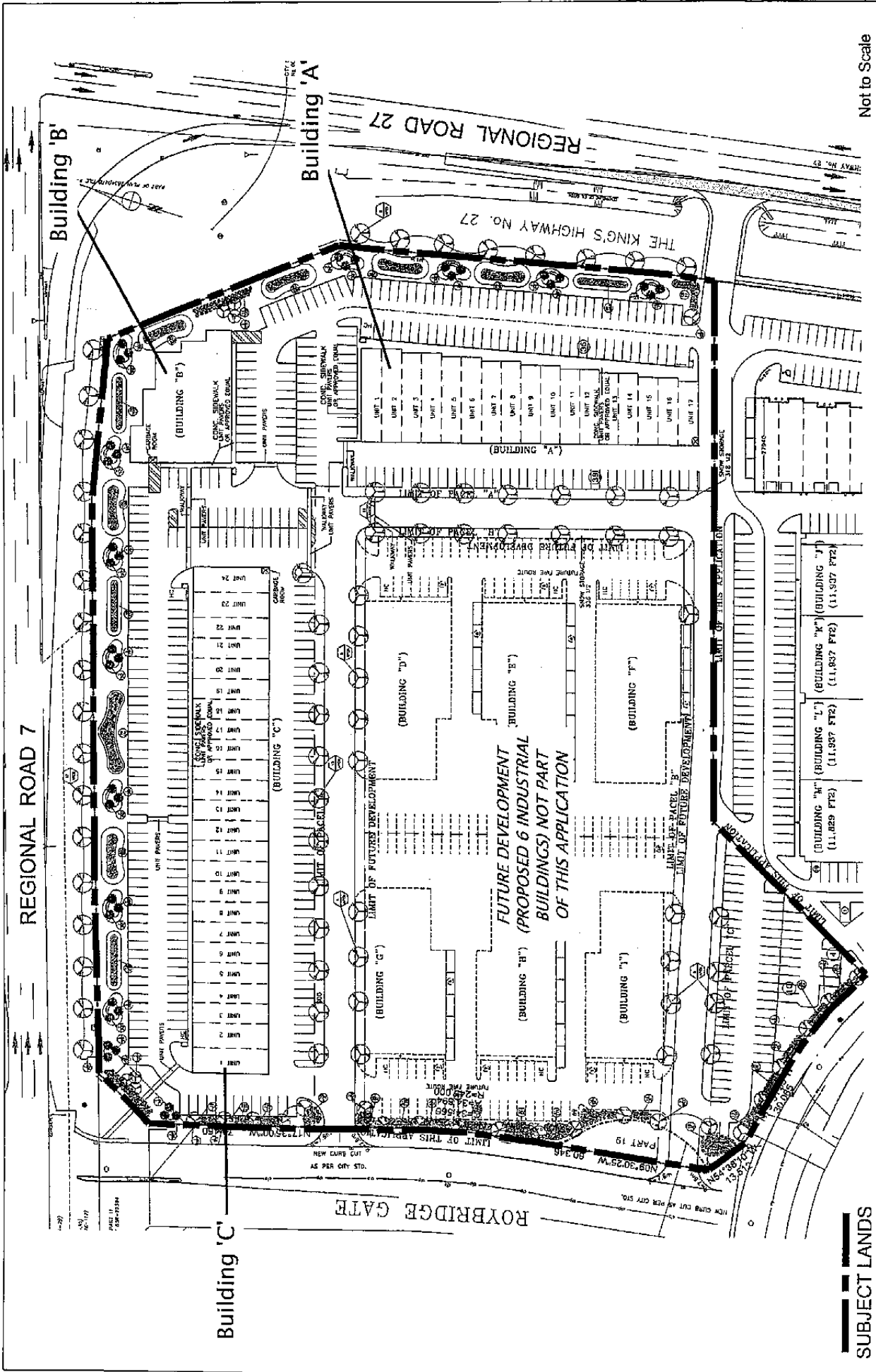
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Attachment 5
 FILE No.: DA.06.061
 RELATED FILE: Z.06.031
 July 7, 2006

City of Vaughan
 Development Planning Department

Elevations - Building "C"

Part of Lot 5,
 Concession 9
 APPLICANT: 2056239 ONTARIO INC.
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Attachment 6

FILE No.: DA.06.061
 RELATED FILE: Z.06.031
 July 7, 2006

City of Vaughan

Development Planning Department

Landscape Plan

Part of Lot 5,
 Concession 9
 APPLICANT:
 2056239 ONTARIO INC.
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— SUBJECT LANDS