

COMMITTEE OF THE WHOLE JUNE 16, 2008

OFFICIAL PLAN AMENDMENT FILE OP.08.002 FCHT HOLDINGS (ONTARIO) CORPORATION REPORT #P.2008.17

Recommendation

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment File OP.08.002 (FCHT Holdings (Ontario) Corporation) BE APPROVED, specifically to amend OPA #600 (City of Vaughan Plan), by increasing the maximum permitted Gross Leasable Area (GLA) in a "Neighbourhood Commercial Centre" designation from 20,000m² to 26,800m², comprising a total increase of 6,800m², on the subject lands shown on Attachment #3.

Economic Impact

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

Communications Plan

On April 11, 2008, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands. Through this circulation, no comments have been received with respect to the proposed increase in gross leasable area by the Development Planning Department. The recommendation of the Committee of the Whole to receive the Public Hearing report of May 5, 2008, and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Council on May 12, 2008.

Purpose

The Owner has submitted an application to amend the Official Plan (OP.08.002), specifically OPA #600 (City of Vaughan Plan), on the subject lands shown on Attachment #1, to increase the maximum gross leasable area (GLA) in a "Neighbourhood Commercial Centre" designation from 20,000m² to 26,800m², to facilitate the site development of a commercial complex, as shown on Attachment #2.

The Owner has also submitted the following related applications, which will be considered in a comprehensive report to a future Committee of the Whole meeting:

1. A Site Development Application (DA.08.013), to facilitate a commercial complex, including underground parking, for a total of 10 buildings ranging in size and height, as shown on Attachment #2.
2. A Zoning By-law Amendment Application (Z.08.013) to permit the following zoning exceptions to implement the proposed site plan shown on Attachment #2: increase in the required gross floor area, building heights, and driveway access widths; and, a decrease in the required number of parking and loading spaces, building setbacks, and landscape strips; and, to permit outside storage in the form of a seasonal garden centre.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located on the northwest corner of Rutherford Road and Bathurst Street, in Part of Lot 16, Concession 2, City of Vaughan. The subject lands

have a lot area of 6.52ha, with 230m lot frontage on Bathurst Street; and 240m, 280m, and 250m flankage along Rutherford Road, Ilan Ramon Avenue, and George Kirby Street, respectively.

The subject lands are designated "Medium Density Residential/Commercial Area" and identified as a "Neighbourhood Commercial Centre" by OPA #600 (City of Vaughan Plan), as shown on Attachment #3. The subject lands are located within the approved Block 11 Plan, which further identifies the lands as "Neighbourhood Commercial" (Attachment #4). The subject lands are zoned C4 Neighbourhood Commercial Zone by By-law 1-88, subject to Exception 9(1217). The surrounding land uses are shown on Attachment #1.

Land Use Policies/Planning Considerations

The Development Planning Department has reviewed the Official Plan Amendment application to permit an increase to the maximum gross leasable area in a "Neighbourhood Commercial Centre" designation from 20,000m² to 26,800m² for the subject lands shown on Attachment #3, in light of the following land use policies respecting the proposal.

a) Provincial Policy Statement and Places to Grow

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The following policies of the PPS support efficient development and land use patterns and redevelopment and intensification of land in Settlement (Urban) Areas:

"1.1.1 Healthy, liveable and safe communities are sustained by (in part):

- b) accommodating an appropriate range of and mix of residential, employment (including industrial, commercial and institutional uses), recreational and open spaces to meet long-term needs;"

"1.1.3.2 Land use patterns within settlement areas shall be based on (in part):

- a) densities and a mix of land uses which:
 - 1) efficiently use land and resources;
 - 2) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion."

In addition to the policies of the PPS, the Province's *Places to Grow: The Growth Plan for the Greater Golden Horseshoe (GGH)*, which outlines the framework for implementing the Provincial vision for building stronger, prosperous communities by better managing growth to 2031, classifies the subject lands as "Designated Greenfield Area" and contains a number of policies that are supportive of and applicable to the proposed development, including:

"2.2.7 Designated Greenfield Areas

- 1. New Development taking place in designated greenfield areas will be planned, designated, zoned and designed in a manner that-
 - a) contributes to creating complete communities;
 - b) creates street configurations, densities, and an urban form that supports walking, cycling, and the early integration and sustained viability of transit services;
 - c) provides a diverse mix of land uses, including residential and employment uses, to support vibrant neighbourhoods;

- d) creates high quality public open spaces with site design and urban design standards that support opportunities for transit, walking and cycling.”

The subject application to permit an increase in the maximum gross leasable area from 20,000m² to 26,800m², will facilitate the site development of a commercial complex, as shown on Attachment #2. The proposal is in keeping with the efficient development and intensification policies of the PPS. The development makes an efficient use of land by locating 44% of the required parking underground, that allows for a more intense and compact form of development at grade, and which will support the use of transit along Regional transit routes (Bathurst Street and Rutherford Road). The size and scale of the site can accommodate a wide range and mix of permitted uses. The site plan provides for a second storey format in some buildings, which will allow for commercial/retail uses at grade and offices uses above.

In accordance with *Places to Grow*, the proposed development, if approved, will contribute towards completing the approved Block 11 residential community, and will provide a mix of uses and employment opportunities. Through the use of urban design features, the site development proposes many pedestrian connections within the development to the emerging residential community and to existing transit routes.

b) Region of York Official Plan

The subject lands are designated “Urban Area” and both Rutherford Road and Bathurst Street are identified as “Local Corridors” by the Region of York Official Plan. The proposed amendment is consistent with Regional Official Plan policies that direct and encourage development to existing built up portions of urban areas (Section 5.2.4) and to locate commercial land uses, including retail, along local corridors (Section 5.6.1). Regional Planning staff has no objection to the proposed increase in GLA, in principle; and therefore, pursuant to Council authorization in By-law A-0265-1999-017, the application is exempt from approval by Regional Planning Committee and Council. However, the Region has reserved the right to provide technical comments on the related Site Development Application DA.08.013, on matters including, but not limited to, road requirements, transit facilities and vehicular access.

c) City Official Plan Amendment #600

The subject lands are designated “Neighbourhood Commercial Centre” by OPA #600 (City of Vaughan Plan), which permits a wide range of commercial uses, including: a food store, a drug store, other retail stores, pharmacies, banks and financial institutions, business and professional offices, personal services, restaurants, service stations, and gas bars, but does not permit a department store. In order to maximize accessibility, “Neighbourhood Commercial Centres” generally shall be located at or near the intersections of arterial roads (Section 4.2.2.4 iv), and planned to provide approximately 5,000-15,000m² of Gross Leasable Area (GLA) and in any case shall not exceed 20,000m² GLA (Section 4.2.2.4 v).

The proposed development is consistent with the development policies and objectives of OPA #600, which provides for a variety of commercial, office, restaurant and retail uses and is located at the intersection of two arterial roads (Bathurst Street and Rutherford Road). The proposal to increase the maximum GLA from 20,000m² to 26,800m² represents an efficient use of land and implements the approved Block 11 Plan, which designates the entire site for Neighbourhood Commercial Centre purposes. The Development Planning Department has reviewed a Planning Justification Report prepared by the Goldberg Group in support of the subject application and concurs with its findings that the proposed increase in GLA is acceptable, conforms to Provincial and Regional policies, meets the intent of OPA #600, and represents good planning.

Relationship to Vaughan Vision 2020

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Vitality".

Regional Implications

The Region of York Planning Department has no objection to the proposed increase in GLA and has granted Regional exemption for the subject application (OP.08.002). However, the Region has reserved the right to provide technical comments on the related Site Development Application DA.08.013 on matters including, but not limited to, road requirements, transit facilities and vehicular access.

The Region of York has indicated that they would like to be a party to the City's site development agreement (DA.08.013) with conditions of approval to be included in the implementing agreement, if in effect. However, if the City's Letter of Undertaking is in effect, the Region will utilize their own Regional agreement to secure their interests.

Conclusion

The Development Planning Department has reviewed Official Plan Amendment File OP.08.002 to increase the maximum gross leasable area (GLA) from 20,000m² to 26,800m², to facilitate the site development of a commercial complex, as shown on Attachment #2, in accordance with the applicable policies of the *Provincial Policy Statement, Places to Grow*, Regional Official Plan, OPA #600, and the area context. The proposed Official Plan Amendment is consistent with the *Provincial Policy Statement, Places to Grow Act*, is supported by Regional Official Plan policies and would result in development that is appropriate and compatible within the context of the approved Block 11 Plan. On this basis, the Development Planning Department can support the approval of the Official Plan Amendment Application.

Attachments

1. Location Map
2. Proposed Site Plan (Related File DA.08.013)
3. City of Vaughan Official Plan (OPA #600)-Land Use Schedule
4. ApprovedBlock11Plan

Report prepared by:

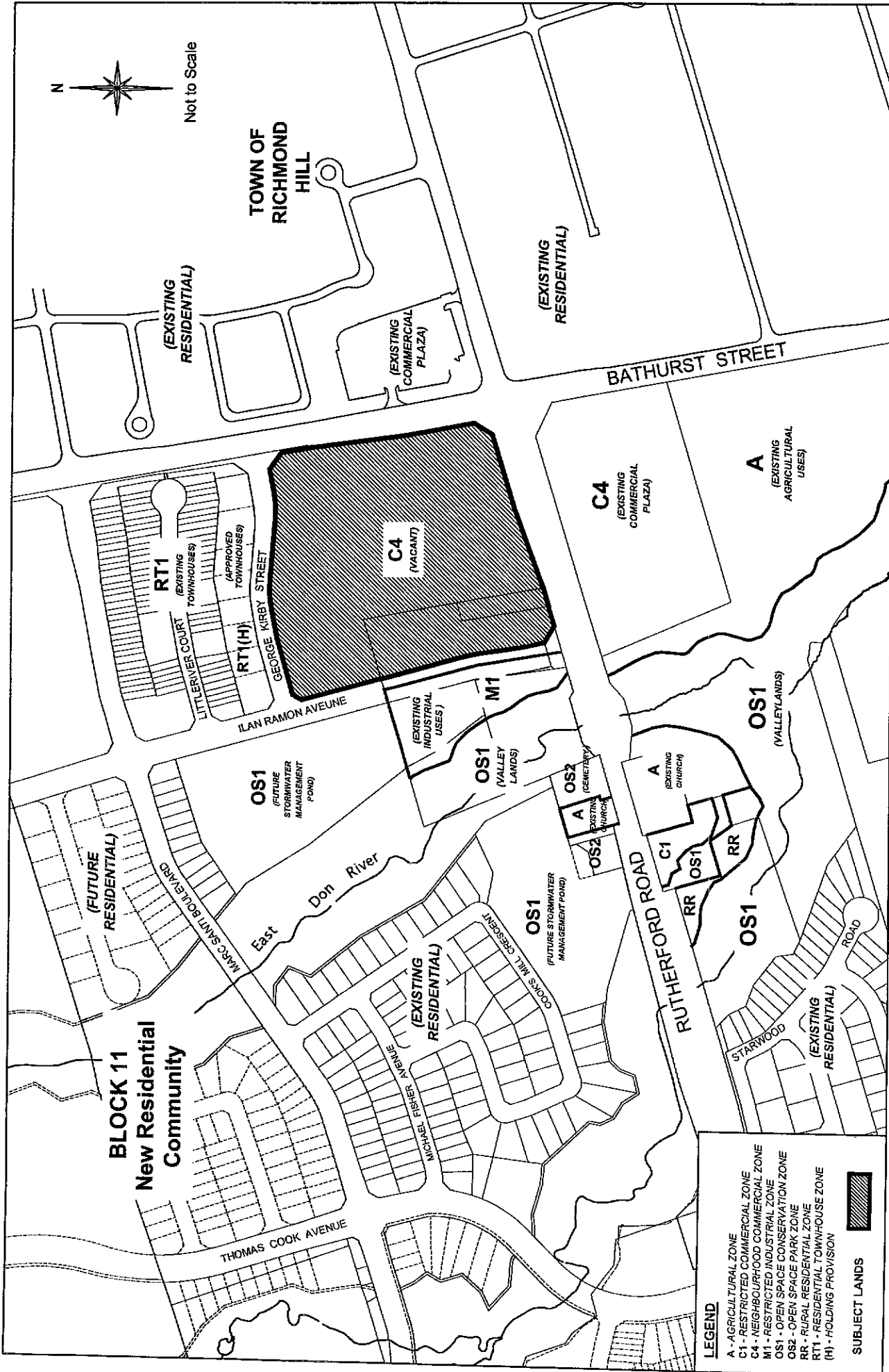
Christina Napoli, Planner, ext. 8483
Arto Tikiryan, Senior Planner, ext. 8212

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

GRANT UYEYAMA
Manager of Development Planning

/CM



Location Map

Part of Lot 16,
Concession 2

APPLICANT:
FCHT HOLDINGS (ONTARIO) CORPORATION

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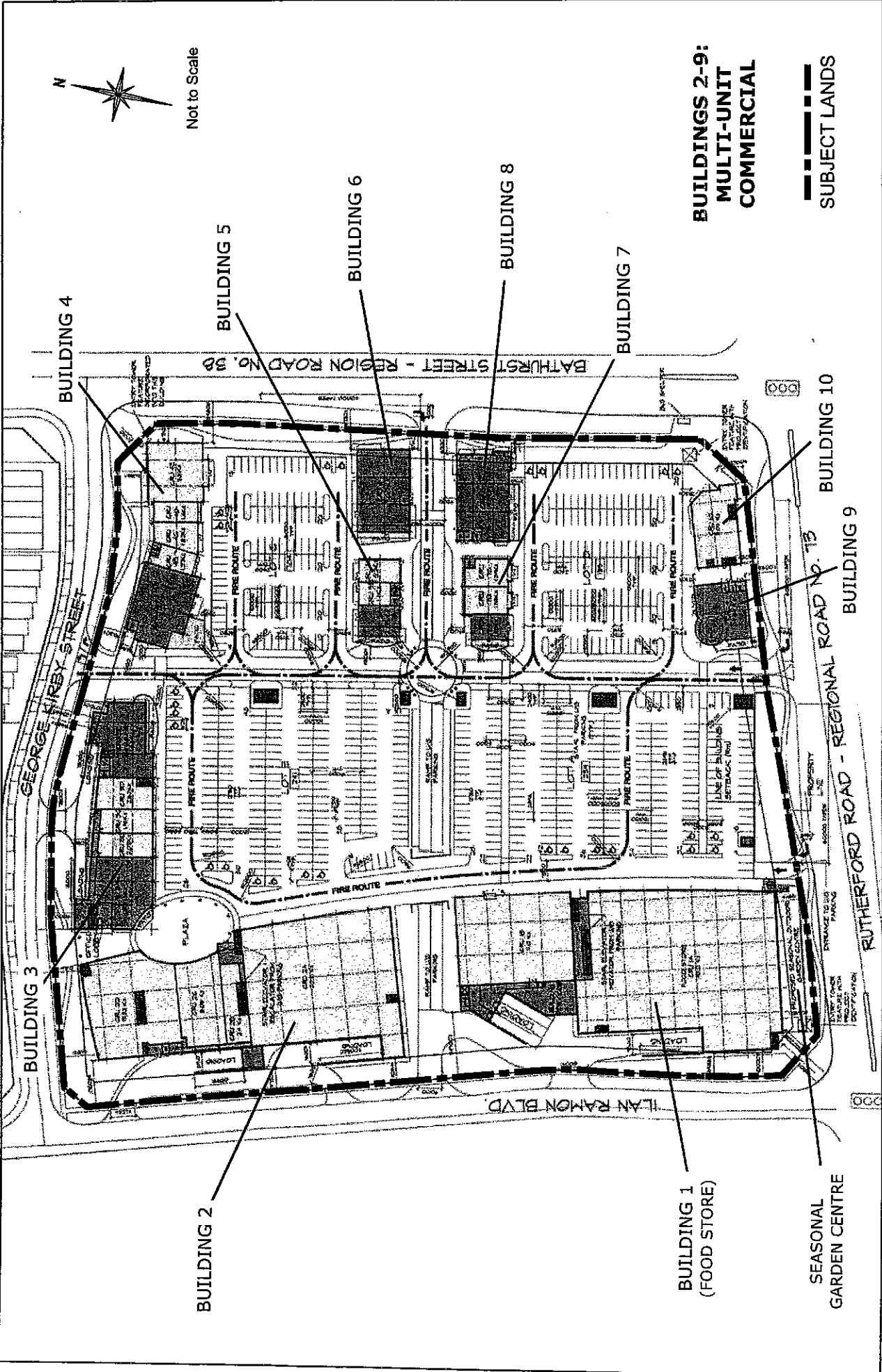


The City Above Toronto

Development Planning Department

Attachment 1

FILE No.:
OP.08.002
RELATED FILE(S):
DA.08.013 & Z.08.013
June 04, 2008



Not to Scale

**BUILDINGS 2-9:
MULTI-UNIT
COMMERCIAL**

--- SUBJECT LANDS

Attachment 2

FILE No.:
OP.08.002
RELATED FILE(S):
DA.08.013 & Z.08.013
June 04, 2008

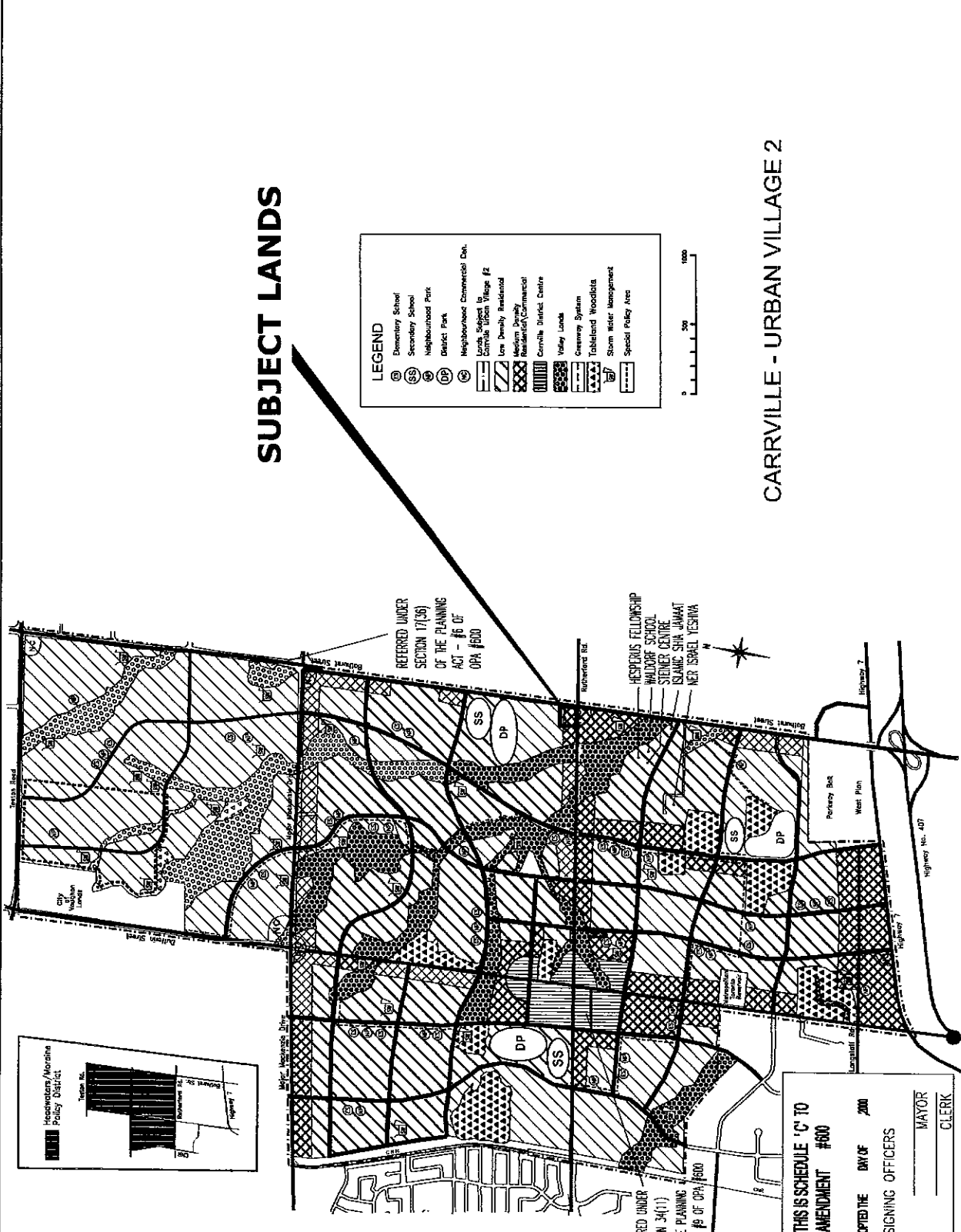


**Proposed Site Plan
(Related File DA.08.013)**

APPLICANT: FCHT HOLDINGS
(ONTARIO) CORPORATION
Part of Lot 16,
Concession 2

Development Planning Department

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City of Vaughan Official Plan (OPA 600) Land Use Schedule



Development Planning Department

Attachment 3

FILE No.: OP.08.002
RELATED FILE(S): DA.08.013 & Z.08.013
June 04, 2008

APPLICANT: FCHT HOLDINGS (ONTARIO) CORPORATION
Part of Lot 16, Concession 2

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**BLOCK PLAN
BLOCK 11
CITY OF VAUGHAN**

LEGEND

- Low Density Residential
- Medium Density Residential
- High Density Residential
- Commercial
- Institutional
- Schools
- Parks
- Woodlots
- Stormwater Management
- Valleylands, Open Space and Nature Reserve
- Greenways
- Arterial Buffers
- Collector Streets
- Primary Streets
- Local Streets
- Walkway/Stream Crossing

Valley features limits determined with Toronto Region Conservation Authority and City in April 2001, and Feb 2002. Limits subsequently refined where necessary in accordance with slope stability, cut & fill analysis and urban design considerations.

Floodline (Schwafers December 2002)

Property Ownership Limit

Note: The final width of the buffer adjacent to the Valleylands shall be confirmed for the Venturon lands prior to approval of the draft plan of subdivision for the Venturon lands.

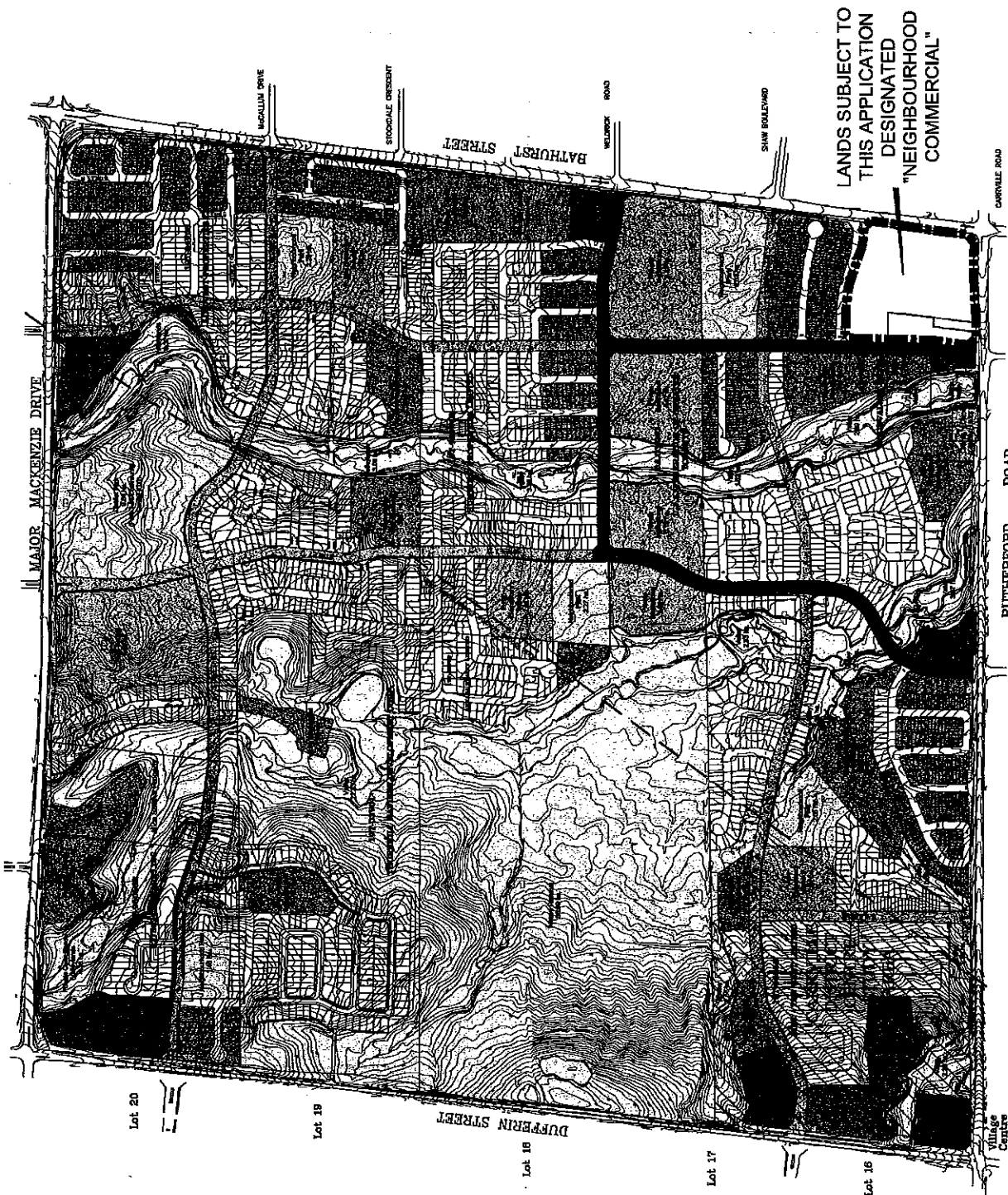
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OCT 12, 2004 Proj.# 851-8925

ALCORN & ASSOCIATES LIMITED
Land Planning and Development Consultants
100 Wellington Street West
Toronto, Ontario M5X 1C6
Tel: (416) 593-8888
Fax: (416) 593-8889

**Attachment
4**

FILE No.:
OP.08.002
RELATED FILE(S):
DA.08.013 & Z.08.013
June 04, 2008



Approved Block 11 Plan

Part of Lot 16,
Concession 2

APPLICANT:
FCHT HOLDINGS (ONTARIO) CORPORATION

Development Planning Department

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