

COMMITTEE OF THE WHOLE SEPTEMBER 15, 2008

**ZONING BY-LAW AMENDMENT FILE Z.08.013
SITE DEVELOPMENT FILE DA.08.013
FCHT HOLDINGS (ONTARIO) CORPORATION
REPORT #P.2008.17**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.08.013 (FCHT Holdings (Ontario) Corporation) BE APPROVED, to permit the following zoning exceptions to the C4 Neighbourhood Commercial Zone on the subject lands shown on Attachment #1 to facilitate the development of a commercial complex shown on Attachment #2:
 - i) a minimum 2m front yard setback (east), whereas the By-law requires 11m (Bathurst Street is deemed the front lot line; 2m is measured from the east side of Building #4, with the setbacks along this street ranging to 6m);
 - ii) a minimum 5m rear yard setback (west), whereas the By-law requires 15m (Ilan Ramon Boulevard is deemed the rear lot line; 5m is measured from the west side of Building #1, with the setbacks along this street ranging to 17m);
 - iii) a minimum 6m exterior side yard setback (north), whereas the By-law requires 11m (George Kirby Street is deemed the north exterior side lot line; 6m is measured from the north side of Building #3, with the setbacks along this street ranging to 13.8m);
 - iv) a 2m exterior side yard setback (south), whereas the By-law requires a minimum of 11m (Rutherford Road is deemed the south exterior side lot line; the 2m setback is measured from the south side of Buildings #9 and #10, with the setbacks along this street ranging to 6.1m);
 - v) a 2m wide landscape strip along Rutherford Road, whereas the By-law requires a minimum of 6m abutting all street lines (2m is measured from the south side of Buildings #9 and #10, with the balance of the landscape strip ranging to 6.1m in width);
 - vi) a minimum 2m wide landscape strip along Bathurst Street, whereas the By-law requires 6m abutting all street lines (2m is measured from the east side of Building #4, with the balance of the landscape strip ranging to 6m in width);
 - vii) a minimum 5m wide landscape strip along Ilan Ramon Boulevard, whereas the By-law requires 6m abutting all street lines (5m is measured from the west side of Building #1, with the balance of the landscape strip ranging to 17m in width);
 - viii) a 13.6m wide (north) driveway access on George Kirby Street, whereas the By-law permits a maximum driveway width of 7.5m;
 - ix) a 14m wide driveway access for the most southern access on Ilan Ramon Boulevard, whereas the By-law permits a maximum driveway width of 13.5m which serves the movement of trucks to a loading space or loading area;
 - x) no loading spaces for Buildings #6, #8 and #10, whereas the By-law requires one loading space each for all single tenant commercial buildings that exceed 500m²;

- xi) a minimum 2.8m wide loading space for Building #1, whereas the By-law requires a minimum 3.5m wide loading space;
 - xii) to permit outside storage in the form of a seasonal outdoor garden centre, whereas the By-law prohibits outside storage of goods, materials or equipment (the seasonal garden centre is accessory to the proposed food store and is shown on the east side of Building #1);
 - xiii) a minimum of 1,345 parking spaces (736 surface and 609 underground spaces), whereas the By-law requires 1,712 parking spaces;
 - xiv) 16m, 19.4m, 12.2m, 11.2m and 12.9m building heights for Buildings #1, #2, #3, #9 and #10 respectively, whereas the By-law permits a maximum building height of 11m;
 - xv) 28,535.61m² total site GFA (Gross Floor Area), whereas the By-law permits a maximum of 7,000 m²; and,
 - xvi) a maximum 43.3% lot coverage, whereas the By-law permits a maximum of 33%.
2. THAT Site Development File DA.08.013 (FCHT Holdings (Ontario) Corporation) BE APPROVED, subject to the following conditions:
- i) the final site plan, building elevations and landscaping plan shall be approved by the Vaughan Development Planning Department;
 - ii) the final site servicing and grading plans, stormwater management report, and traffic impact study shall be approved by the Vaughan Engineering Department;
 - iii) all requirements of the Region of York Transportation Services Department shall be satisfied.

Economic Impact

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

Communications Plan

On April 11, 2008, a Notice of Public Hearing for the Zoning By-law Amendment Application (Z.08.013) was circulated to all property owners within 120m of the subject lands. Through this circulation, no comments have been received 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 the following applications on the subject lands shown on Attachment #1:

1. 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 maximum permitted gross floor area, building heights, driveway access widths and lot coverage; and, a decrease in the minimum required number of parking and width of

loading spaces, building setbacks, and landscape strip widths; and, to permit outside storage in the form of a seasonal garden centre.

2. 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.

Background - Analysis and Options

Location

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.

Official Plan and Zoning

The subject lands are designated "Medium Density Residential/Commercial Area" and also identified as a "Neighbourhood Commercial Centre" by OPA #600 (City of Vaughan Plan). The subject lands are located within the approved Block 11 Plan, which identifies the lands as "Neighbourhood Commercial". In addition, the recently approved site-specific Official Plan Amendment #689 (OP.08.002) permits a maximum Gross Leasable Area (GLA) of 26,800m², whereas 26,597.07m² is proposed. 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.

Zoning/Site Plan Review

The Development Planning Department is generally satisfied with the proposed commercial development, and will continue to work with the Owner to finalize the details of the proposed site plan, building elevations and landscape plan, shown on Attachments #2 to #10. The buildings are well sited and attractive, and there is plenty of landscaping along the perimeter of the site and within the parking area to screen the parking and loading wall areas. The final site plan, building elevations and landscape plan will be approved to the satisfaction of the Development Planning Department.

Given that Development Planning Staff is generally satisfied with the above-noted plans, the application to amend the Zoning By-law (Z.08.013) to permit the necessary zoning exceptions, more specifically noted in the recommendation section of this report, to implement the site plan, building elevations and landscape plans shown on Attachments #2 to #10, are acceptable. The Development Planning Department can support the proposal to increase the maximum permitted gross floor area, building heights, driveway access widths and lot coverage; and, a decrease in the minimum required number of parking and width of loading spaces, building setbacks, and landscape strip widths; and, to permit outside storage in the form of a seasonal garden centre.

The Vaughan Engineering Department is generally satisfied with the servicing, grading and stormwater management plans for the commercial development, and will continue to work with the Owner to finalize the details of the engineering drawings, which must be to the satisfaction of the Engineering Department.

The Vaughan Engineering Department is also of the opinion that site access, parking and on-site vehicular circulation is acceptable. In accordance with By-law 1-88, the proposed commercial development requires 1,712 parking spaces (6 spaces/100m² of GFA), whereas the site plan shows 1,345 parking spaces (4.71 spaces/100m² of GFA), resulting in a deficiency of 367 spaces. The Vaughan Engineering Department has approved the Transportation and Traffic

Study prepared by TSH Associates, in support of the proposed development and parking space reduction.

Sustainability

The Owner is pursuing a Silver LEED accreditation for the proposed commercial complex. The proposed development includes some of the following sustainable features:

- Heat Island Effect, Roof: Use roofing material having a high Solar Reflectance Index (SRI); there are no high density sites in the vicinity of this development;
- Water Efficient Landscaping: Reduce water consumption by 50% by requiring a “no mow” lawn;
- Minimum Energy Performance: reduce designed energy consumption by 30% in parking areas and mall common areas;
- Recycled Materials and Resource Content: 100% recycled steel; and, concrete and exterior cladding to have a minimum 25% recycled content;
- Indoor Environmental Quality: carbon dioxide monitoring; provide ventilation controls to limit CO2 levels;
- Innovation and Design Process: Regional materials; 30% of concrete, steel, and cladding to be extracted and manufactured within 800km of the site;
- Bicycle Locking Rings and Posts: to promote alternative methods of transportation to the site.

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 has no objections to the proposed development. As the City's Letter of Undertaking is in effect, the Region will utilize their own Regional agreement to secure their interests. As a condition of site plan approval, all requirements of the Region of York shall be satisfied by the Owner.

Conclusion

The Site Development Application has been reviewed in accordance with OPA #600, By-law 1-88, comments from City Departments and external public agencies, and the area context. The Development Planning Department is satisfied that the proposed commercial complex with underground parking and 10 buildings varying in size and height is appropriate and compatible with the existing and permitted uses in the surrounding area. The Development Planning Department can support the approval of the Site Development Application, subject to the conditions set out in this report.

Accordingly, the Development Planning Department can also recommend approval of the Zoning By-law Amendment Application to permit an increase in the maximum permitted gross floor area, building heights, driveway access widths and lot coverage; and, a decrease in the maximum required number of parking and width of loading spaces, building setbacks, and landscape strip widths; and, to permit outside storage in the form of a seasonal garden centre, which will implement the proposed site development.

Attachments

1. Location Map
2. Site Plan
3. Underground Parking Plan and Second Storey Plan
4. Elevation Plan-Building "1"
5. Elevation Plan-Building "2"
6. Elevation Plan-Buildings "3" and "4"
7. Elevation Plan-Buildings "5", "6" and "7"
8. Elevation Plan-Buildings "8", "9" and "10"
9. Landscape Plan-North
10. Landscape Plan-South

Report prepared by:

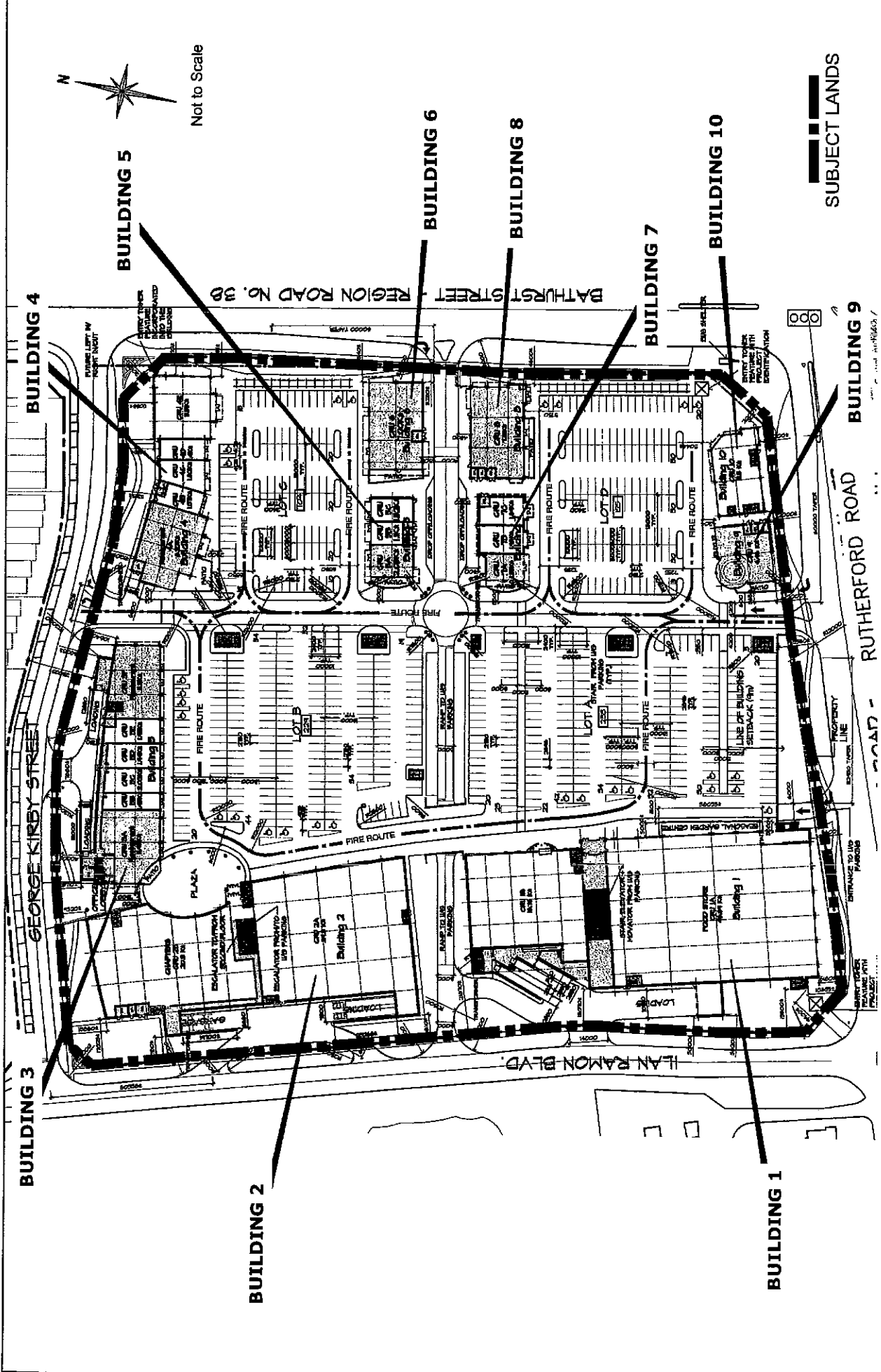
Christina Napoli, Planner, ext. 8483
Arto Tikiryan, Senior Planner, ext. 8212

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

GRANT UYHEYAMA
Senior Manager of Development Planning

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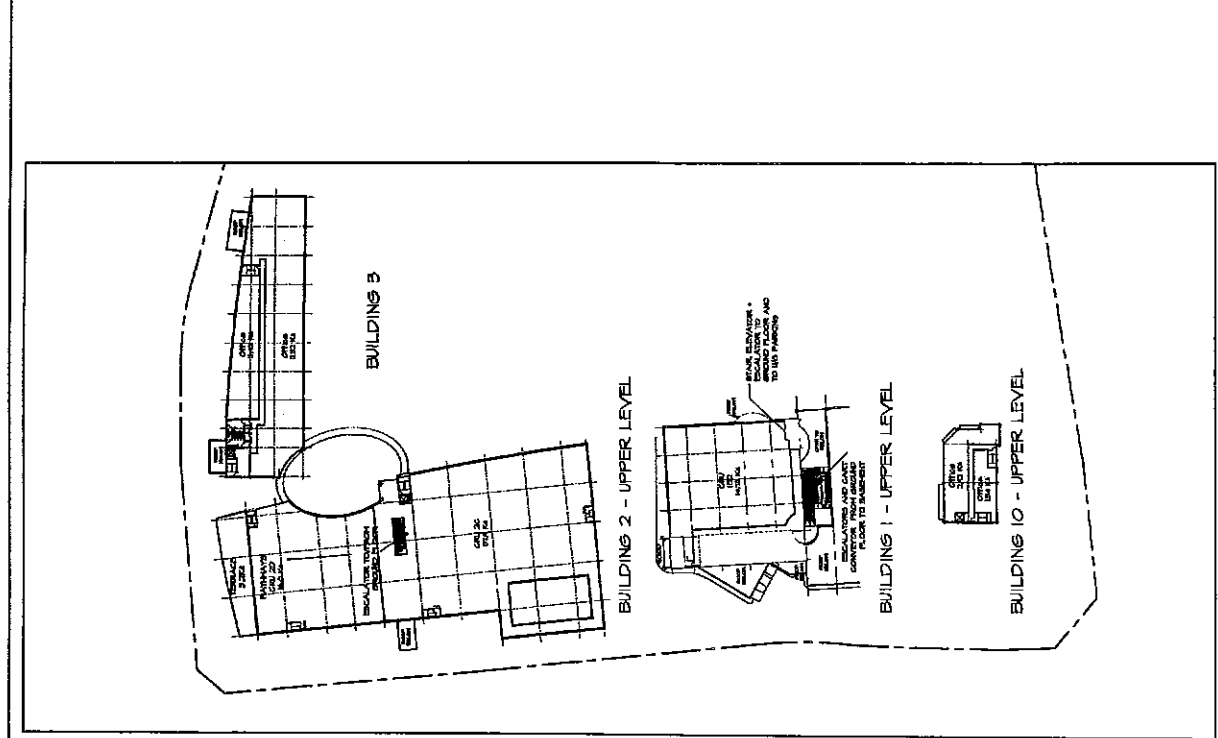


Attachment 2

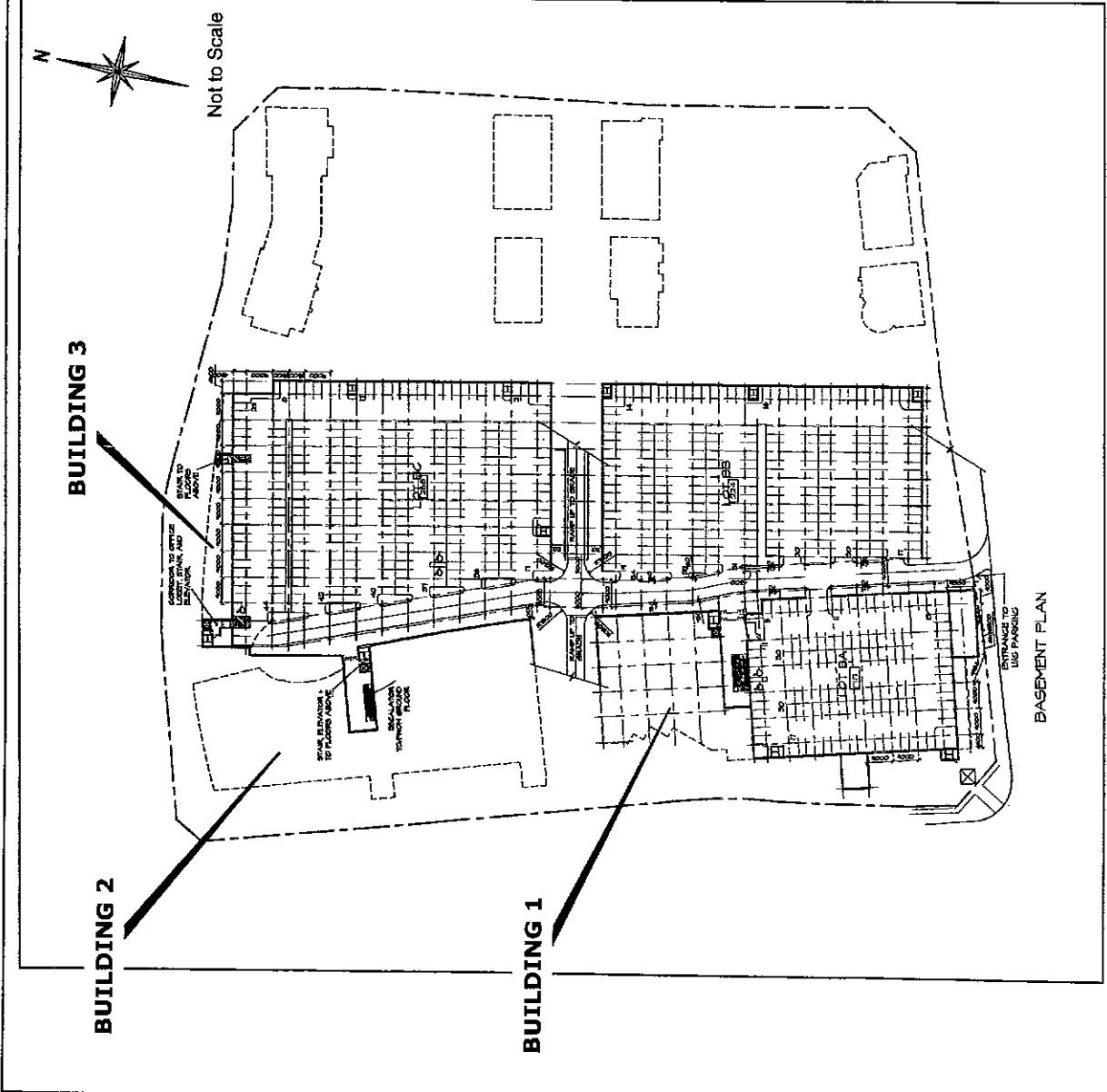
FILE No.
DA.08.013
RELATED FILES:
OP.08.002 & Z.08.013
August 11, 2008

City of Vaughan
The City Above Toronto
Development Planning Department

Site Plan
Part of Lot 16,
Concession 2
APPLICANT:
FCHT HOLDINGS (ONTARIO) CORPORATION
N:\DPT\1 ATTACHMENTS\DA\08.08.013



① UPPER LEVEL PLANS
1/15/00



② BASEMENT PLAN
1/15/00

Underground Parking Plan & Second Storey Plan

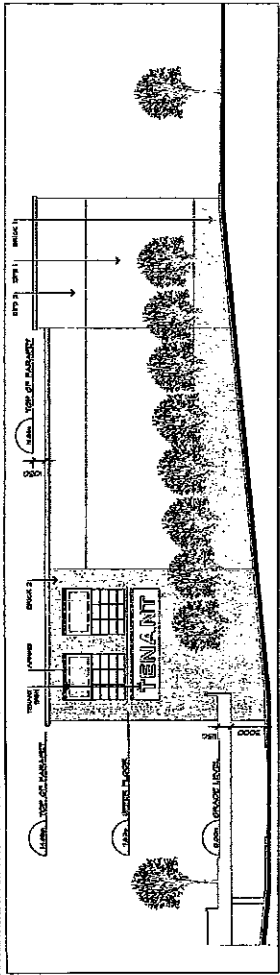
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(ONTARIO) CORPORATION
Part of Lot 16,
Concession 2
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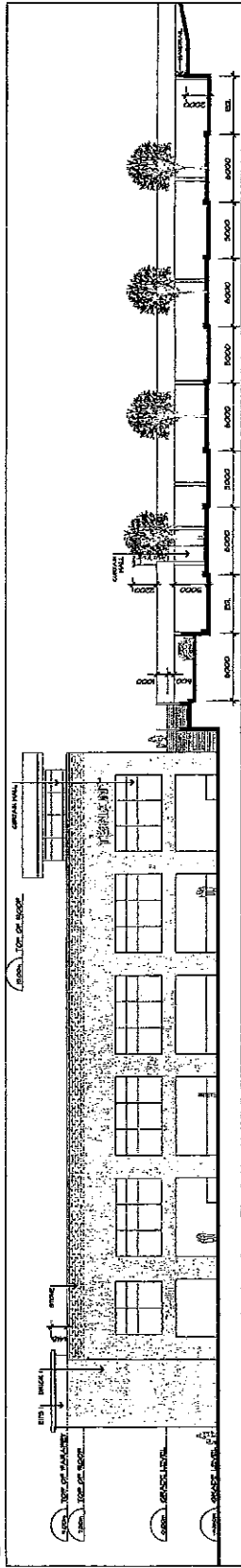
Development Planning Department

Attachment 3

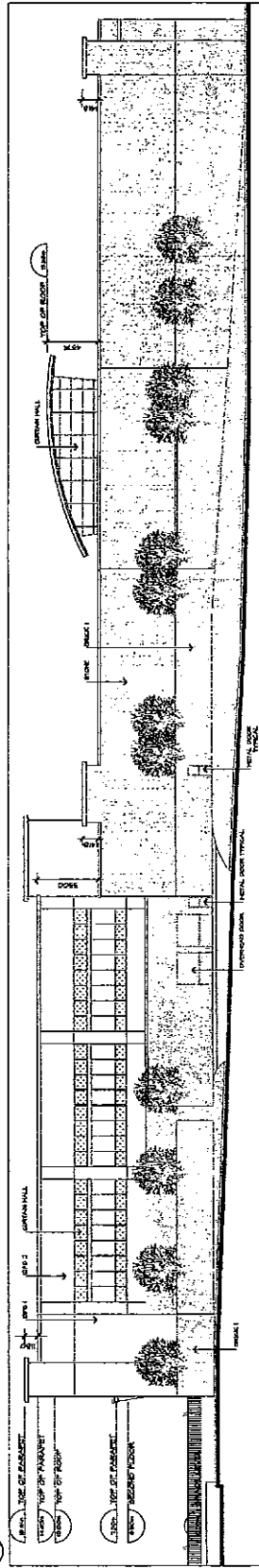
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August 11, 2008



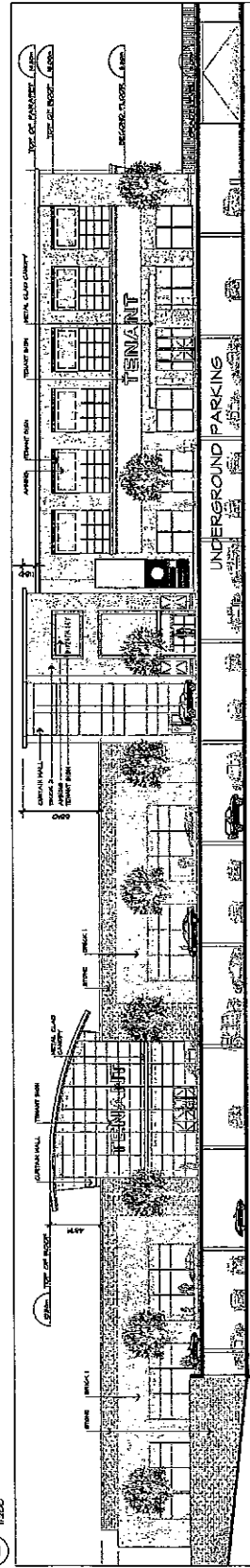
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3 SOUTH ELEVATION
1:200



2 WEST ELEVATION
1:200



1 EAST ELEVATION
1:200

Elevation Plan - Building "1"

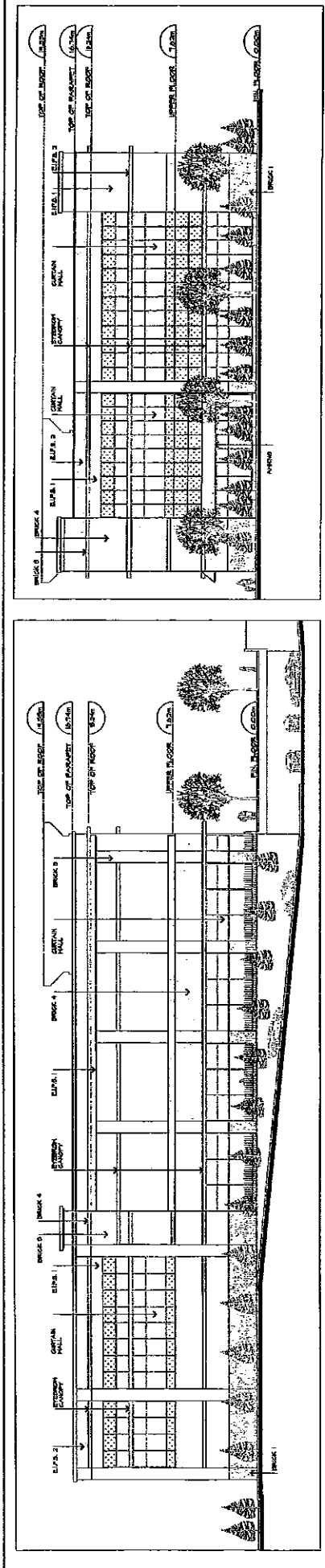
APPLICANT: FCHT HOLDINGS
(ONTARIO) CORPORATION
Part of Lot 16,
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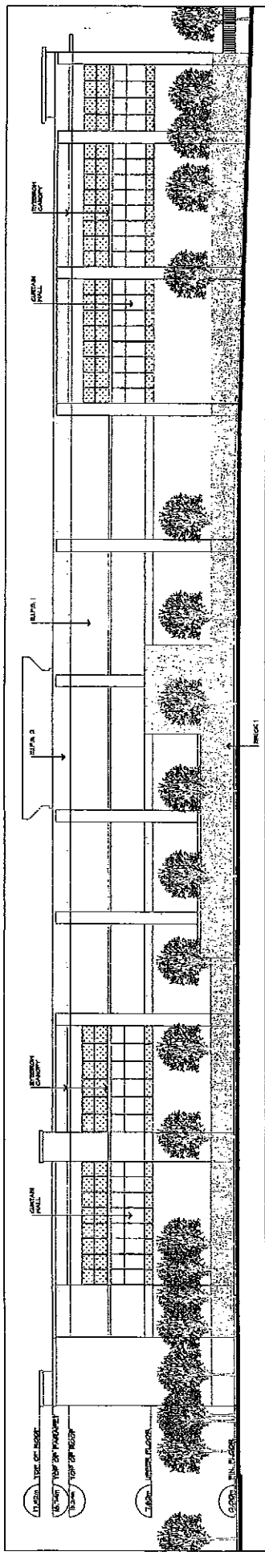
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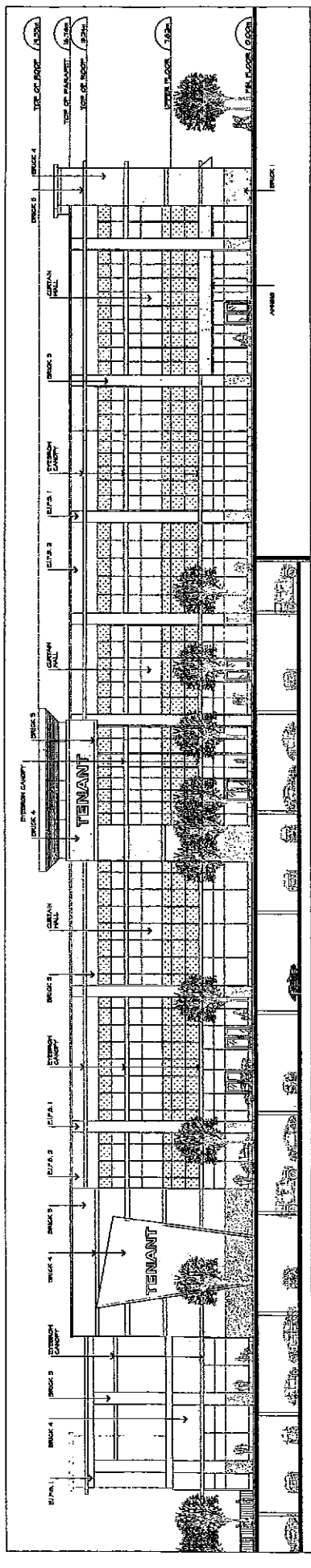


4 SOUTH ELEVATION
1:200

3 NORTH ELEVATION
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2 WEST ELEVATION
1:200



1 EAST ELEVATION
1:200

**Elevation Plan -
Building "2"**

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

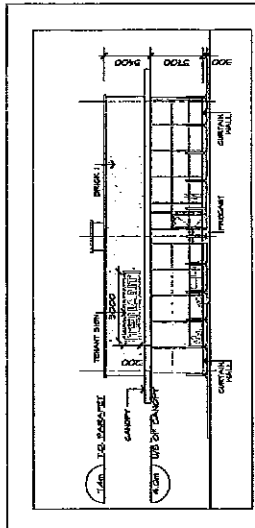


Development Planning Department

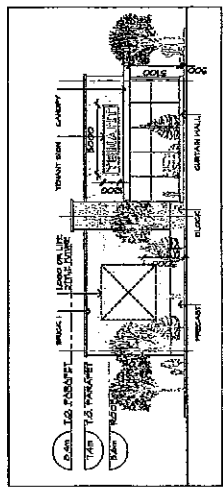
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FILE No.
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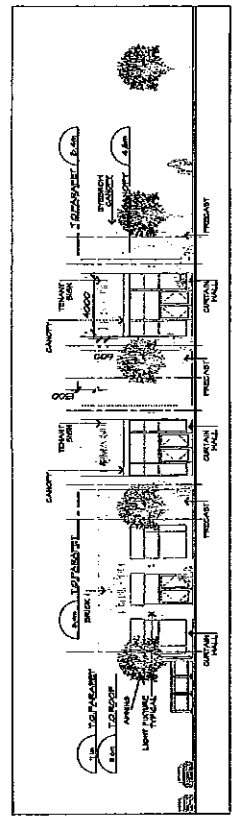
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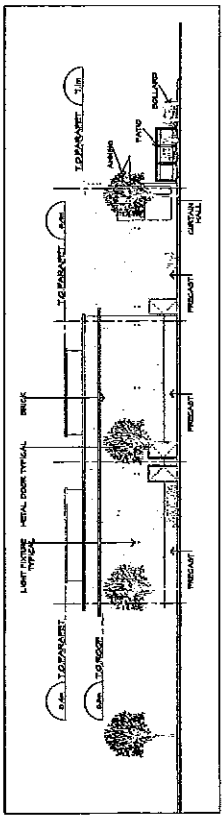
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③ EAST ELEVATION

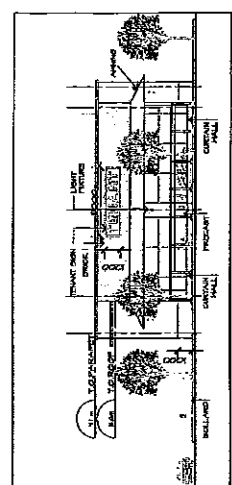


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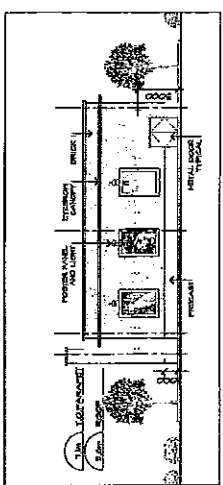


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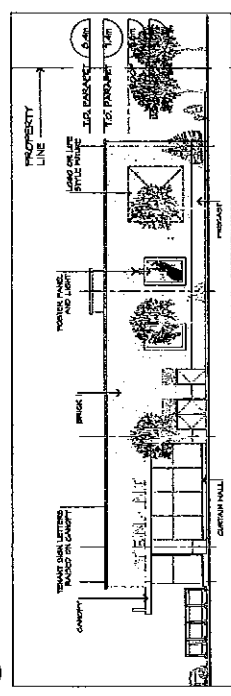
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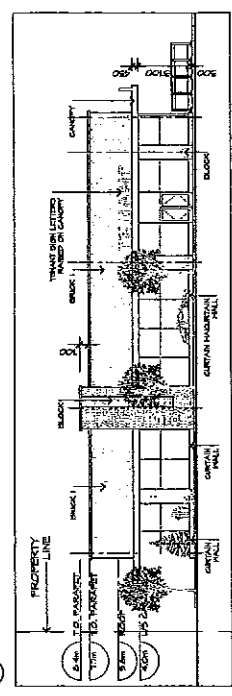
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① EAST ELEVATION

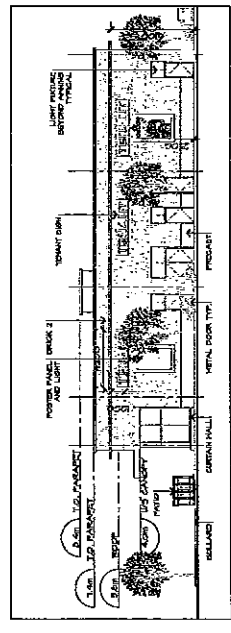


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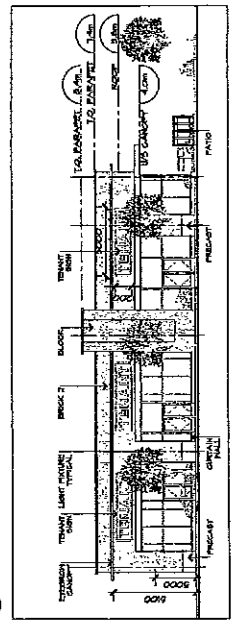


① NORTH ELEVATION

② BUILDING 6
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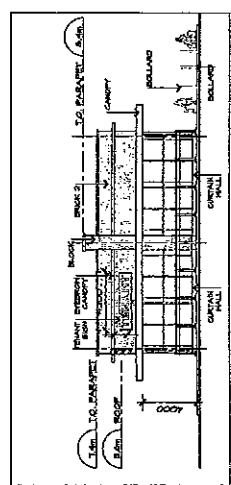


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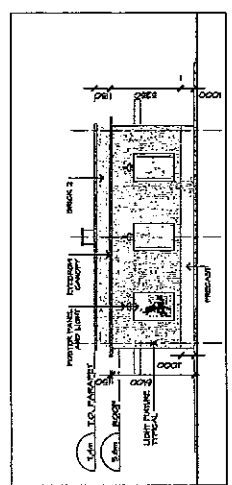


② NORTH ELEVATION

① BUILDING 5
1:2000



③ WEST ELEVATION



① EAST ELEVATION

Elevation Plan - Buildings "5", "6" & "7"

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

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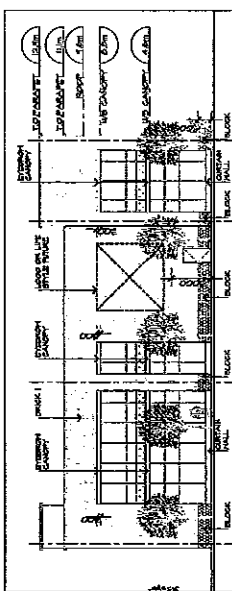
The City Above Toronto

Development Planning Department

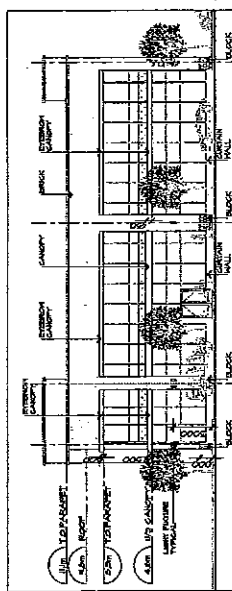
Attachment 7

FILE No.
DA.08.013
RELATED FILES:
OP.08.002 & Z.08.013

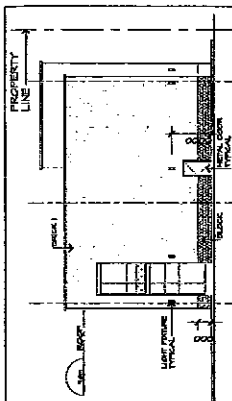
August 11, 2008



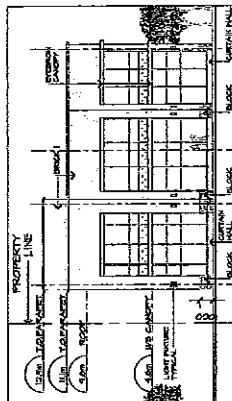
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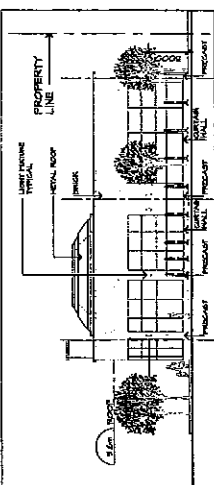


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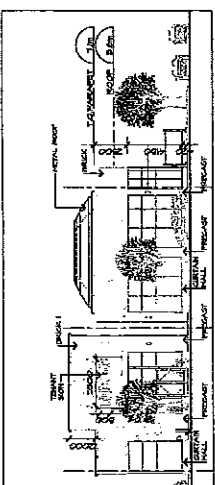


2 EAST ELEVATION

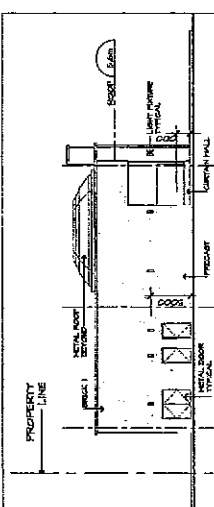
3 BUILDING 9 ELEVATIONS
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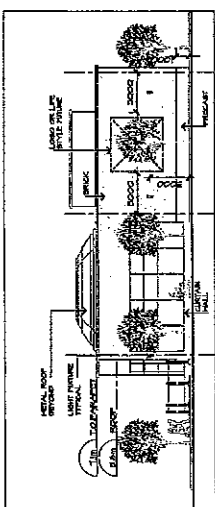
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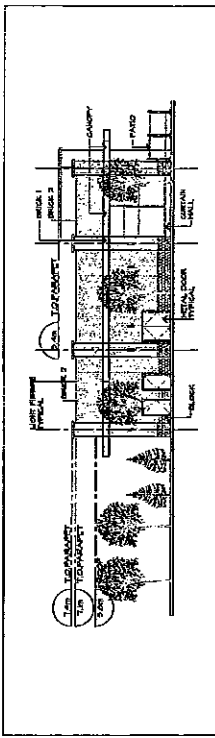


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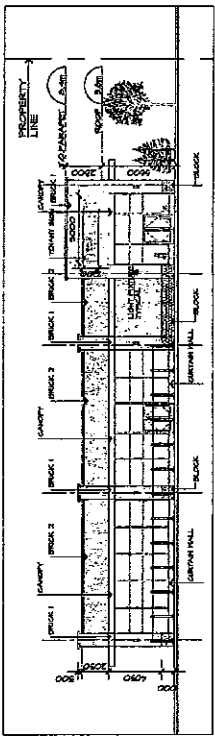


2 SOUTH ELEVATION

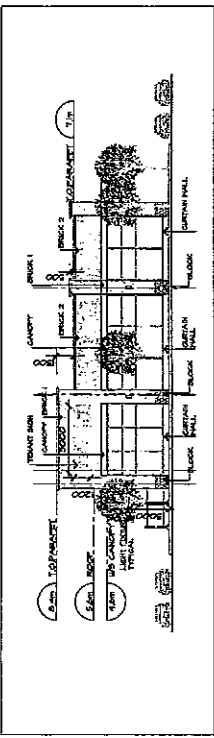
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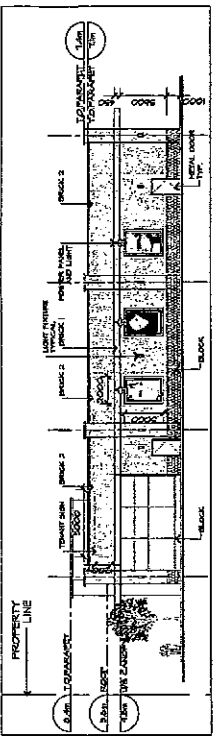
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3 SOUTH ELEVATION



2 EAST ELEVATION



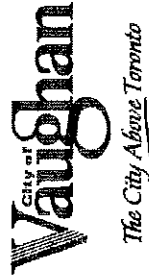
1 WEST ELEVATION

3 BUILDING 8 - ELEVATIONS
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Elevation Plan - Buildings "8", "9" & "10"

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

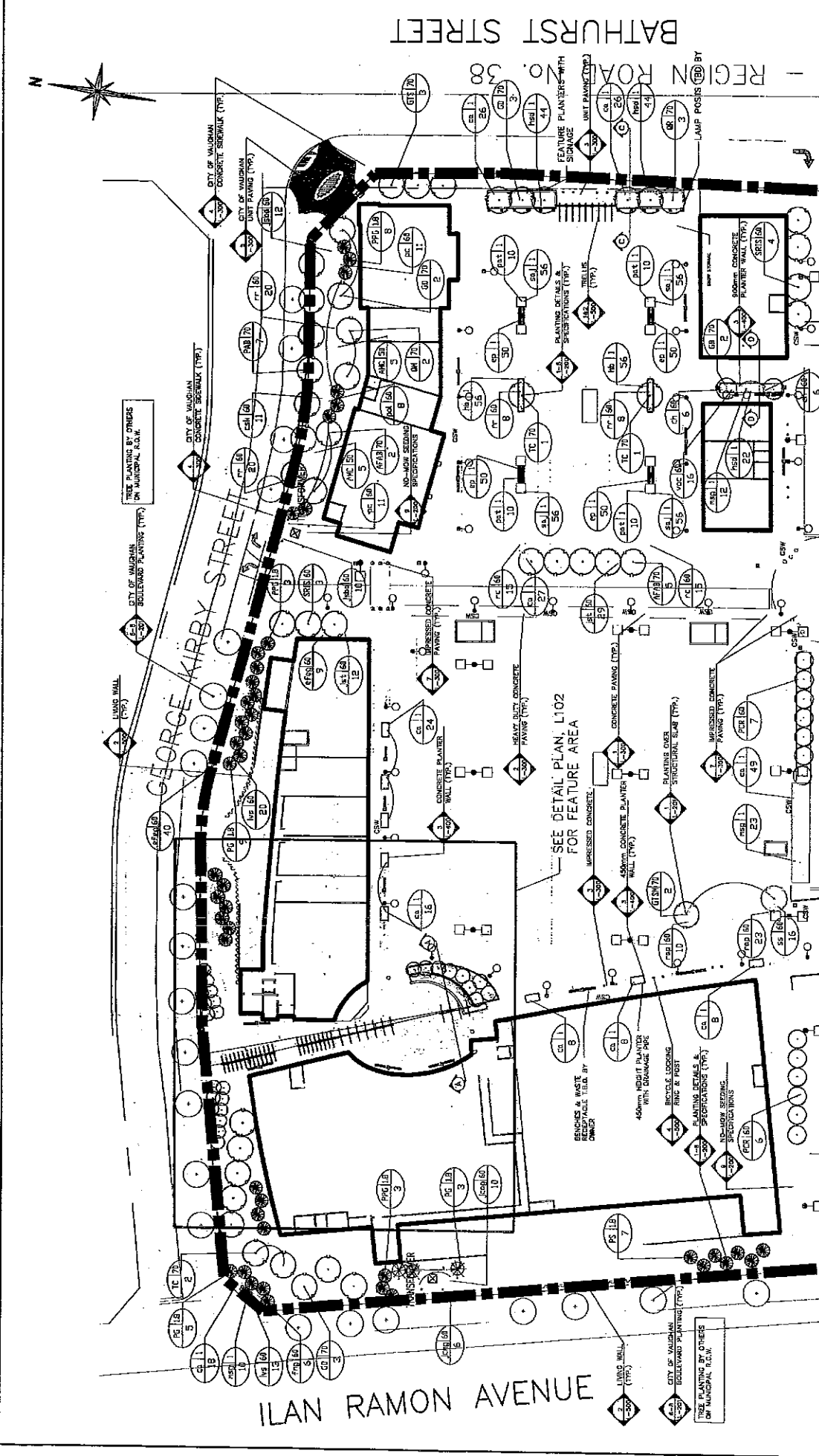
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Development Planning Department

Attachment 8

FILE No. DA.08.013
RELATED FILES: OP.08.002 & Z.08.013
August 11, 2008

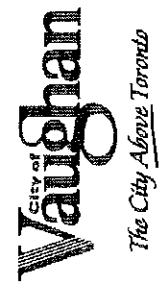


■ ■ ■ ■ ■ SUBJECT LANDS

Not to Scale

Landscape Plan - North

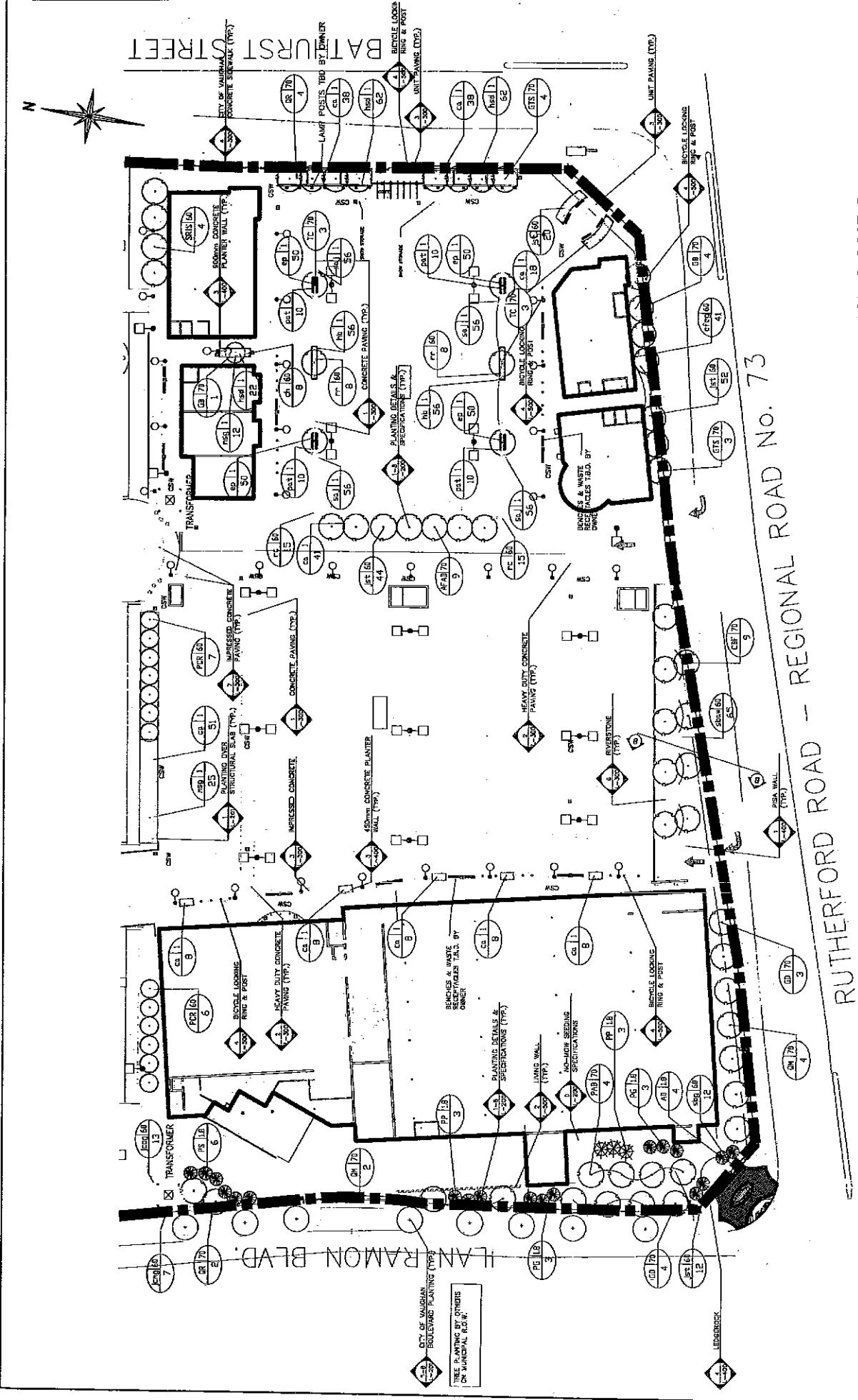
Part of Lot 16,
Concession 2
APPLICANT:
 FCHT HOLDINGS (ONTARIO) CORPORATION
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Development Planning Department

Attachment 9

FILE No.
 DA.08.013
 RELATED FILES:
 OP.08.002 & Z.08.013
 August 11, 2008



Not to Scale

----- SUBJECT LANDS

Landscape Plan - South

Part of Lot 16,
Concession 2

APPLICANT:
FCHT HOLDINGS (ONTARIO) CORPORATION
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The City Above Toronto

Development Planning Department

Attachment

10

FILE NO:
DA.08.013
RELATED FILES:
OP.08.002 & Z.08.013
August 11, 2008