

COMMITTEE OF THE WHOLE JUNE 2, 2009

**SITE DEVELOPMENT FILE DA.08.082
2044632 ONTARIO LTD.
WARD 1**

Recommendation

The Commissioner of Planning recommends:

1. THAT Site Development File DA.08.082 (2044632 Ontario Ltd.) BE APPROVED, subject to the following conditions:
 - a) that prior to the execution of the Letter of Undertaking:
 - i) the Owner shall satisfy all requirements of the Vaughan Development Planning Department, Engineering Department and Cultural Services Division, and PowerStream Inc.;
 - ii) the Owner shall provide exterior brick and colour samples to the satisfaction of the Vaughan Cultural Services Division and the Development Planning Department; and,
 - iii) the required variances to implement the proposed development shall be approved by the Committee of Adjustment, and shall be in full force and effect; and,
 - b) that the Letter of Undertaking include 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 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, for the commercial component 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.

Communications Plan

N/A

Purpose

To permit the development of the subject lands shown on Attachments #1 and #2, for a three-storey commercial/office building consisting of the following:

- a 322 m² children's day nursery use on the ground floor and second floor mezzanine level;
- a 376.4 m² business or professional office use on the third floor;
- a 282.8 m² basement storage area associated with the day nursery use; and,

- a 155.6 m² common vestibule area.

The proposed site plan and building elevations are shown on Attachments #3, #5 and #6.

Background - Analysis and Options

Location

The 0.117 ha subject lands are located on the north side of Richmond Street, north of Major Mackenzie Drive, and east of Keele Street, municipally known as 10 Richmond Street, being Lot 11 on Registered Plan 72, in Part of Lot 21, Concession 3, City of Vaughan, as shown on Attachments #1 and #2.

Official Plan and Zoning

The subject lands are designated "Maple Commercial Core Area" by OPA #350 (Maple Community Plan), as amended by OPA #533. The Owner proposes a mixed-use development consisting of a three-storey building for the purposes of a children's day nursery use and business and professional offices. The proposed site development conforms to the Official Plan.

The subject lands are zoned C1 Restricted Commercial Zone by By-law 1-88, subject to Exception 9(923). The proposed day nursery and business or professional office uses are permitted by the Zoning By-law, however, the following site-specific zoning exceptions are required to implement the proposed site plan:

	By-law 1-88 C1 Zone Standards (Exception 923)	Proposed Changes to C1 Zone (Exception 923)
Minimum lot frontage	20.0 m	18.5 m
Minimum front yard setback to an Institutional Use (ground floor Day Nursery)	15.0 m	3.0 m
Minimum interior side yard setback to an Institutional Use (ground floor Day Nursery)	15.0 m	0.4 m (east property line) 3.1 m (west property line)
Maximum exterior stairway encroachment	0.3 m	1.0 m
Maximum lot coverage (Institutional Use)	20 %	37.5 %
Maximum gross floor area devoted to commercial uses	250 m ²	1,136.8 m ²
Minimum parking requirement	20 spaces	18 spaces
Minimum barrier free parking space size	3.9 m x 6.0 m	3.9 m x 5.5 m
Minimum landscape buffer strip width abutting a Residential Zone (along north property line)	2.4 m	0.67 m

Many of the zoning exceptions are a result of the size of the existing lot, the requirement for an outdoor play area in association with the proposed day nursery use, and the configuration of the parking spaces required to facilitate the proposed development in an economically viable way. The location of the building closer to the street creates a better urban relationship and a pedestrian-friendly interface between the building and the street, particularly given that the main entrance to the building is directly on Richmond Street.

The reduced yard setbacks adjacent to the commercially zoned properties (C1 Zone) to the east and west are primarily the result of the higher institutional setback standards for the day nursery. Though the proposed landscape buffer strip abutting the Residential Zone along the north property line is 0.67 m in width, whereas By-law 1-88 requires a minimum 2.4 m landscape buffer strip, the proposed building maintains approximately a 26 m setback to the residential lots to the north. As a result, there is minimal impact to the surrounding area.

The proposed reduction to the barrier free parking space length from 6.0 m to 5.5 m is consistent with the 5.5 m regular parking space length currently permitted on the property by By-law Exception 9(923). Under this Exception, a minimum of 20 parking spaces is required based on a commercial floor area of 250 m². The total gross floor area of the proposed development is 1,136.8 m², which includes a 282.8 m² dedicated storage area for the day nursery use on the basement level. The Owner proposes 18 parking spaces located at ground level along the west property line, of which 9 spaces are covered and located within the building envelope and the remaining 9 spaces are open and located at the ground level toward the rear of the property, adjacent to the outdoor play area. The parking configuration creates a stronger urban presence with the building reducing the view of the parking area from the street. The reduction of parking to 18 spaces and proposed gross floor area of 1,136.8 m² will facilitate a more efficient use of the lands and infrastructure within the Maple Commercial Area. As a result, the Development Planning Department can support the variances requested, subject to approval by the Vaughan Committee of Adjustment, which must be final and binding, prior to the execution of the Letter of Undertaking.

Site Plan Review

The Development Planning Department is satisfied that the proposed site plan, landscaping plan, and building elevations, as shown on Attachments #3, #4, #5, and #6 are satisfactory, subject to the recommendations of this report.

The required parking for the proposed development under By-law 1-88 is calculated as follows:

By-law 1-88 Parking Standard Requirements	Required
Day Nursery 1.5 spaces/employee @ 3 employees	5 spaces
Business or Professional Office 3.5 spaces/100m ² GFA @ 376.4m ²	14 spaces
	19 spaces

As noted earlier, the current site-specific zoning exception requires a minimum of 20 parking spaces, whereas the subject proposal requires a minimum of 19 spaces to be provided. The applicant is proposing to provide 18 parking spaces. The Development Planning Department can support this variance since it represents a more efficient use of the lands and infrastructure within the Maple Commercial Core Area and is considered to be minor in nature.

Heritage Vaughan Committee

On October 29, 2008, Heritage Vaughan and the Vaughan Cultural Service Division considered the proposed development in conjunction with the Maple Heritage Conservation District Plan and Design Guidelines. Heritage Vaughan and the Cultural Services Division are satisfied that the site plan and building elevation plans shown on Attachments #3, #5, and #6, are in keeping with the design guidelines set out in the Maple Heritage Conservation District Plan.

Maple Streetscape Community Advisory Committee

The Maple Community Plan requires that development applications have regard for specific sections of the Maple Streetscape and Urban Design Guidelines. On January 28, 2009, the Maple Streetscape Community Advisory Committee considered the proposed development and had no objection to the proposed streetscape treatment within the public realm, which is consistent with the Maple Streetscape and Urban Design Guidelines.

Vaughan Engineering Department

The Vaughan Engineering Department is satisfied with the servicing, grading and stormwater management plans. The Environmental Site Assessment (ESA) Reports have been approved to the satisfaction of the Engineering Department. The Record of Site Condition, under Registration Number 51917, has been filed and the Acknowledgment Letter has been provided by the Ontario Ministry of the Environment.

Access

Access to the subject property will be by way of a driveway, formerly Cousins Lane, which has been closed by Instrument Number R643990. The Owner of the subject lands, and the Owner of the property west of the subject lands (18 Richmond Street) have each purchased half of the former Cousins Lane right-of-way and have entered into a reciprocal access easement, which has been registered on the title of each property. This minimum 6.0 m wide shared driveway will facilitate two way movement onto the subject property from Richmond Street. The shared driveway will terminate at the north property line by a hammerhead vehicle turnaround.

Sustainability

The applicant has advised that the following sustainable features will be provided within the site and building design:

- a) Materials:
 - i) locally sourced and manufactured masonry, concrete and wood products;
 - ii) wherever possible, the application of renewable materials will be utilized;
 - iii) eco-concrete foundations and recycled concrete products;
 - iv) low volatile organic compounds (VOC) built into components and finishing materials (flooring, wall coverings and water based varnishes), which produce fewer off-gasses and are less hazardous to inhabitants;
 - v) energy efficient mechanical systems and components, including a combination furnace, hot water boiler and energy efficient fans; and,

- vi) reduced CFC-based refrigerants in the HVAC system and halons in the fire suppression equipment.
- b) Stormwater Management:
 - i) water efficient rain water harvester for the building roof run-off. This water is to be piped in from the harvester for use in low-flush toilets and urinals; and,
 - ii) landscaping irrigation from the captured rain (recycled site water).
- c) Building Envelope:
 - i) higher level R-Value windows with solar film and greater air tightness to minimize air leakage.
- d) Site Conditions:
 - i) light pollution reduction to eliminate light trespass from the building and site; and,
 - ii) the storage and collection of recyclables with a specific area dedicated to the storage of recyclable material.

Relationship to Vaughan Vision 2020/Strategic Plan

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 Transportation Services Department has no objections to the approval of the development proposal.

Conclusion

Site Development File DA.08.082 (2044632 Ontario Ltd.) has been reviewed in accordance with OPA #350 (Maple Community Plan), as amended by OPA #533, By-law 1-88, the comments from City Departments and external public agencies, Heritage Vaughan Committee, Maple Streetscape Community Advisory Committee, and the area context. The Development Planning Department is satisfied that the proposed development of a three-storey commercial building consisting of a day nursery use on the ground floor, a second floor mezzanine level, and a business or professional office use on the third floor, is appropriate and compatible with the existing and permitted uses in the surrounding area. Accordingly, the Development Planning Department can support the approval of the Site Development Application, subject to the required variances to implement the proposed development being approved by the Vaughan Committee of Adjustment. The variances shall be in full force and effect, prior to the execution of the Letter of Undertaking.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Landscape Plan
5. South and North Elevations
6. West and East Elevations

Report prepared by:

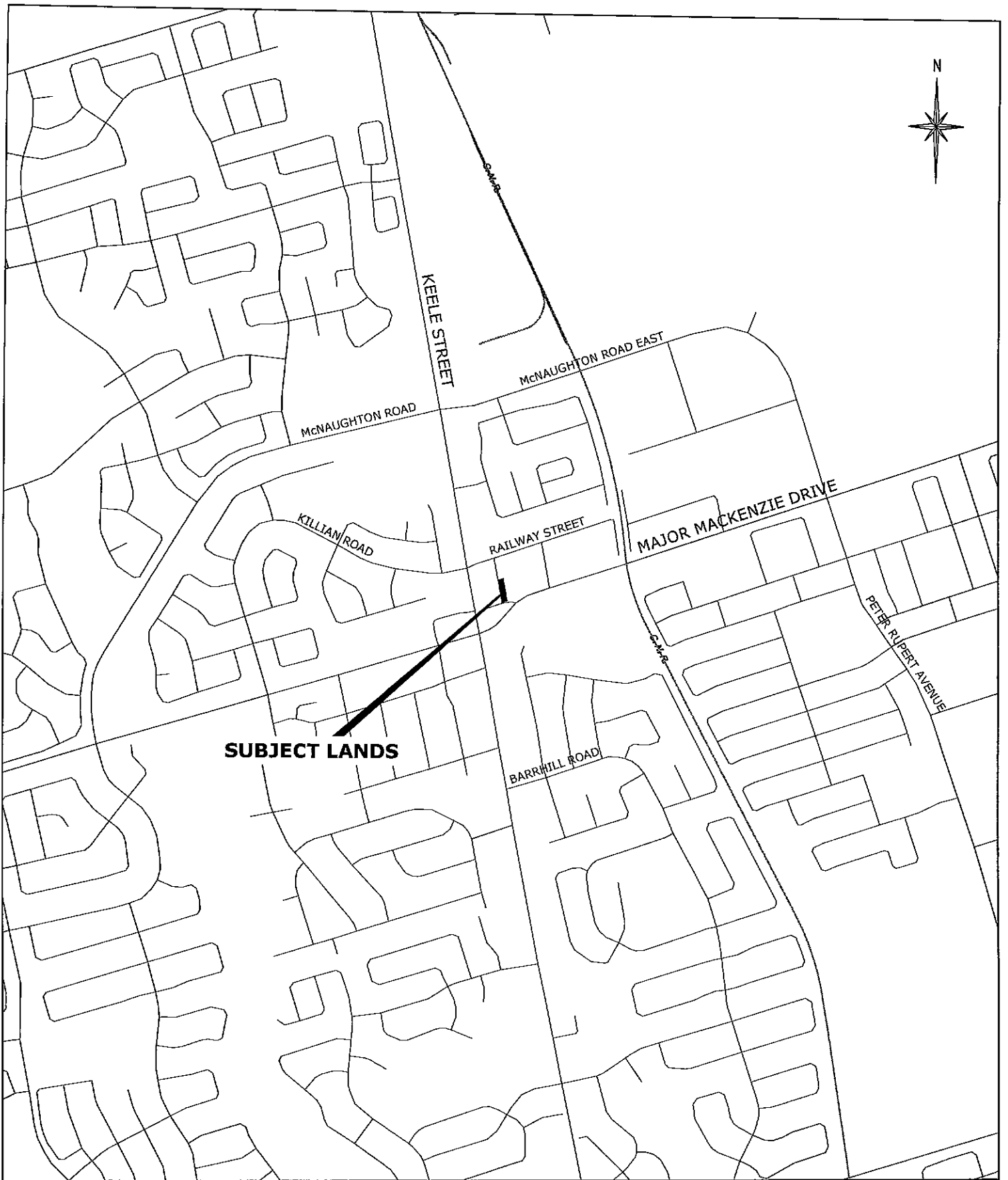
Stephen Lue, Planner, ext. 8210
Carmela Marrelli, Senior Planner, ext. 8791
Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

GRANT UYEYAMA
Director of Development Planning

/CM



Context Location Map

Part of Lot 21,
Concession 3

APPLICANT:
2044632 ONTARIO LTD.

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The City Above Toronto

Development Planning Department

Attachment

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LEGEND

- C1 - RESTRICTED COMMERCIAL ZONE
- R2 - RESIDENTIAL ZONE
- R3 - RESIDENTIAL ZONE
- RA3 - APARTMENT RESIDENTIAL ZONE
- VCC - VAUGHAN CIVIC CENTRE ZONE

SUBJECT LANDS



Location Map

Part of Lot 21,
Concession 3

APPLICANT:
2044632 ONTARIO LTD.

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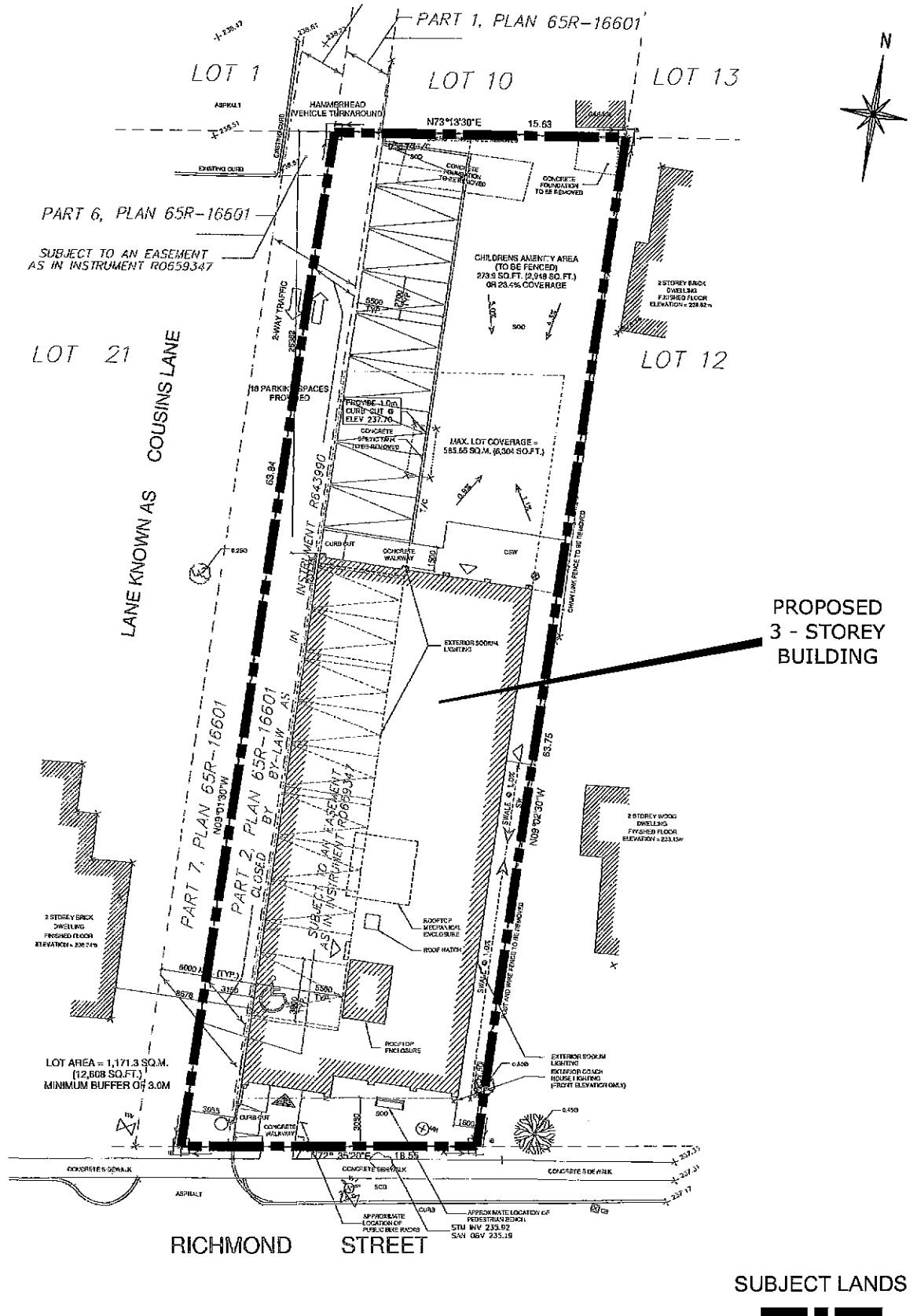
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SUBJECT LANDS

Site Plan

Part of Lot 1,
 Concession 3

APPLICANT:
 2044632 ONTARIO LTD.

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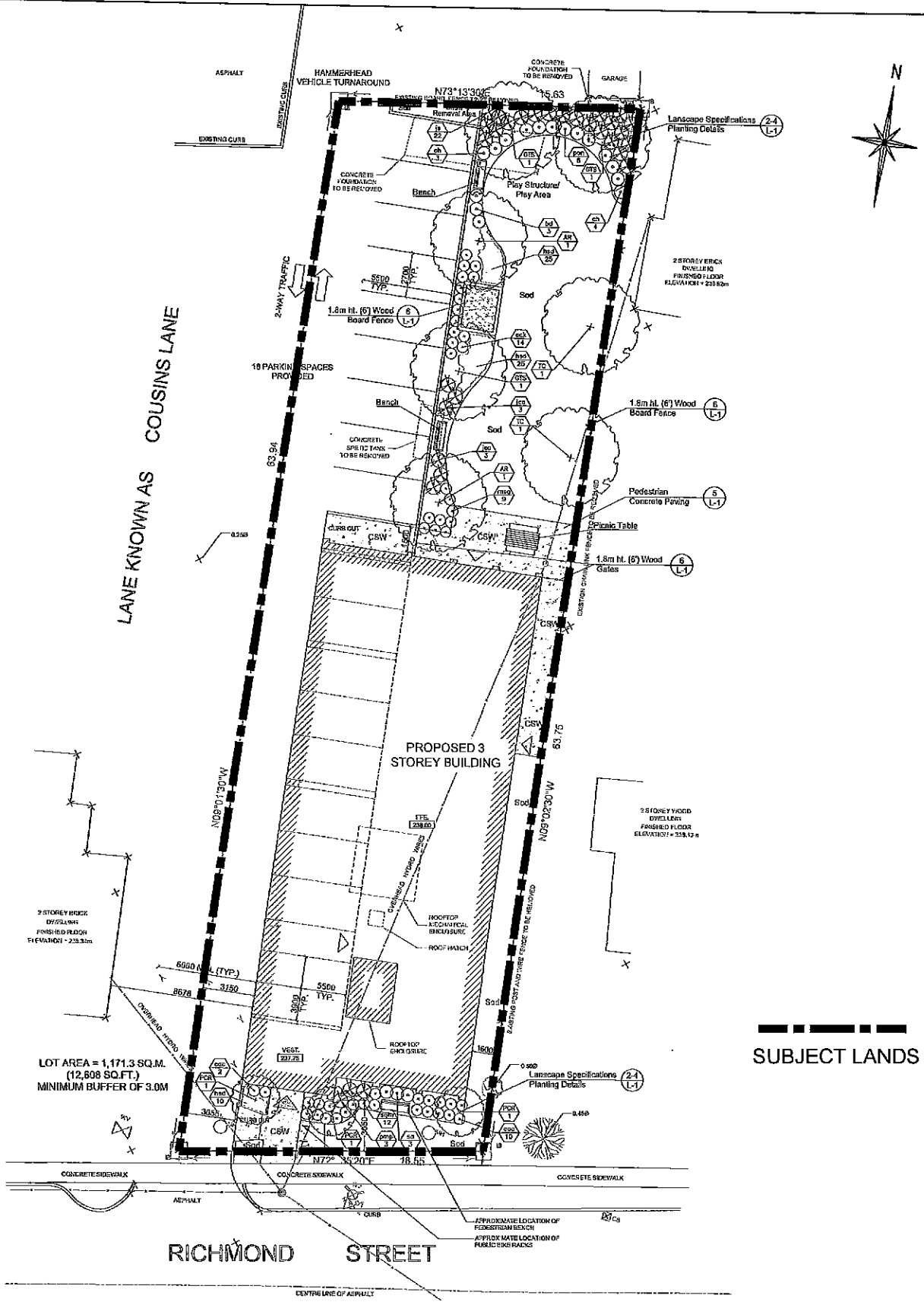
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Landscape Plan

Part of Lot 21,
Concession 3

APPLICANT:
2044632 ONTARIO LTD.

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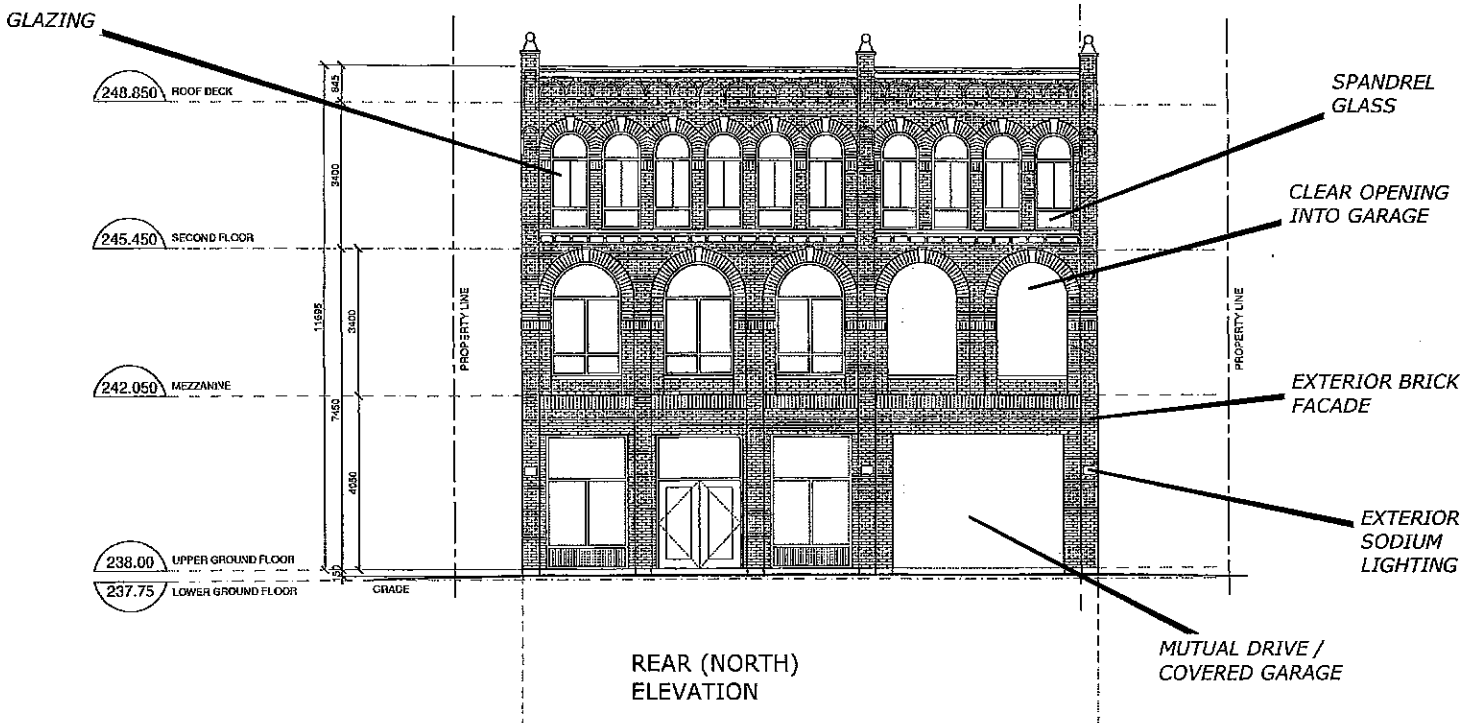
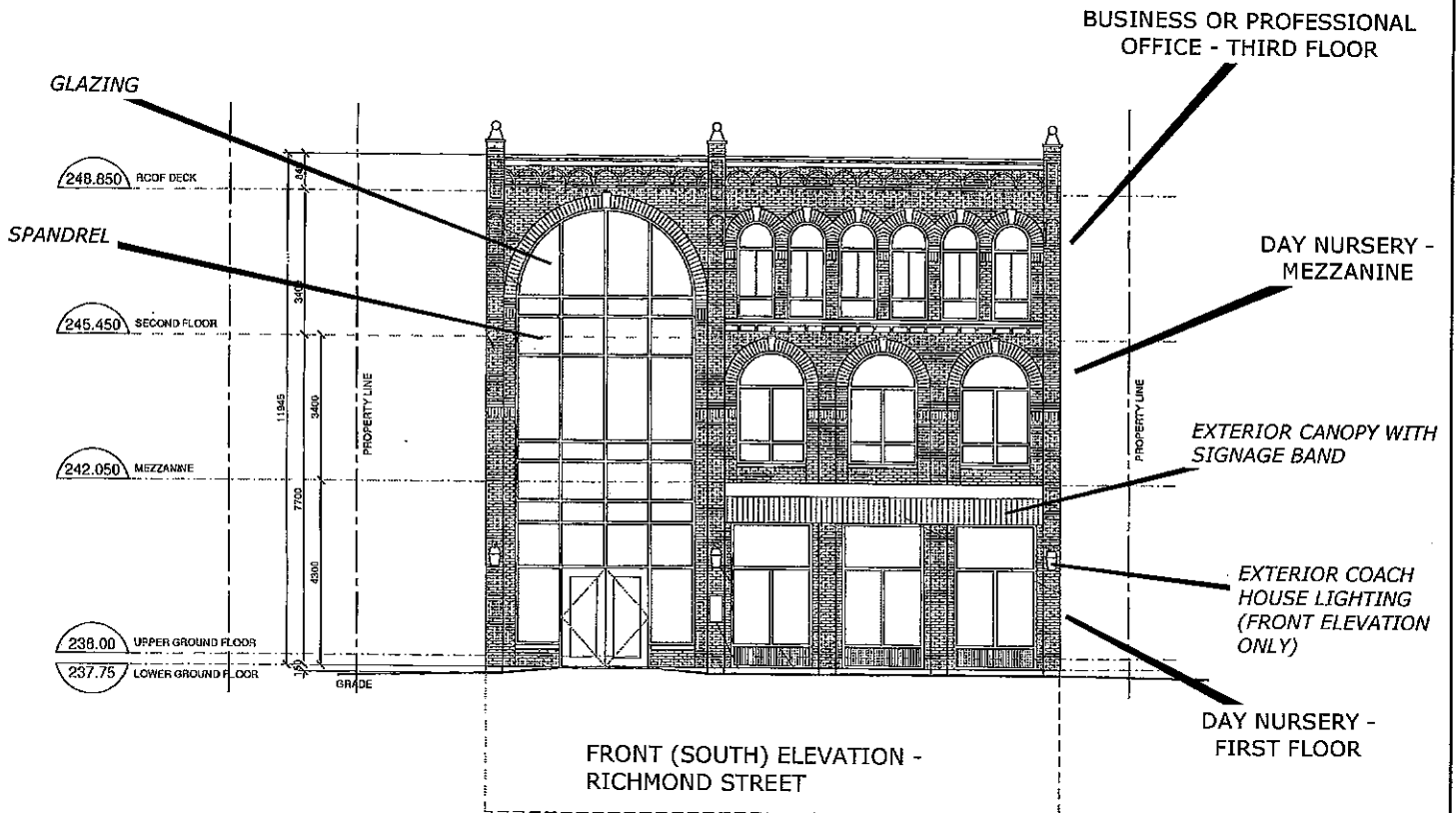
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South & North Elevations

Part of Lot 21,
Concession 3

APPLICANT:
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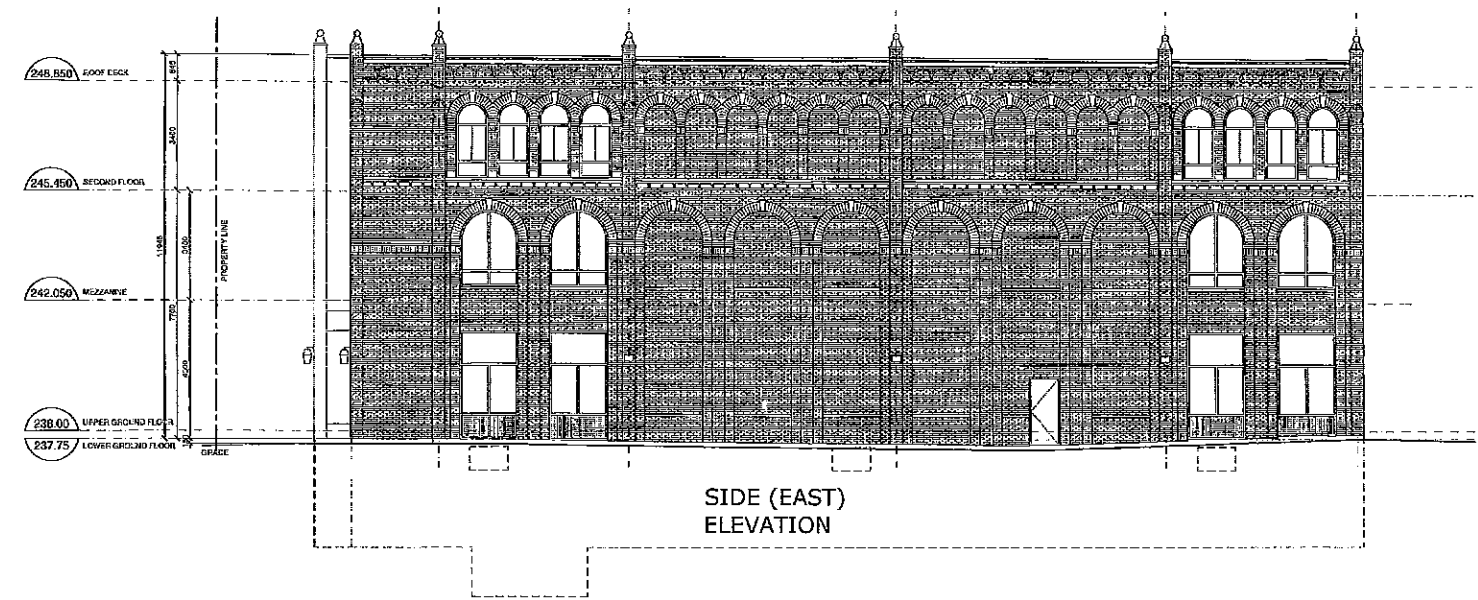
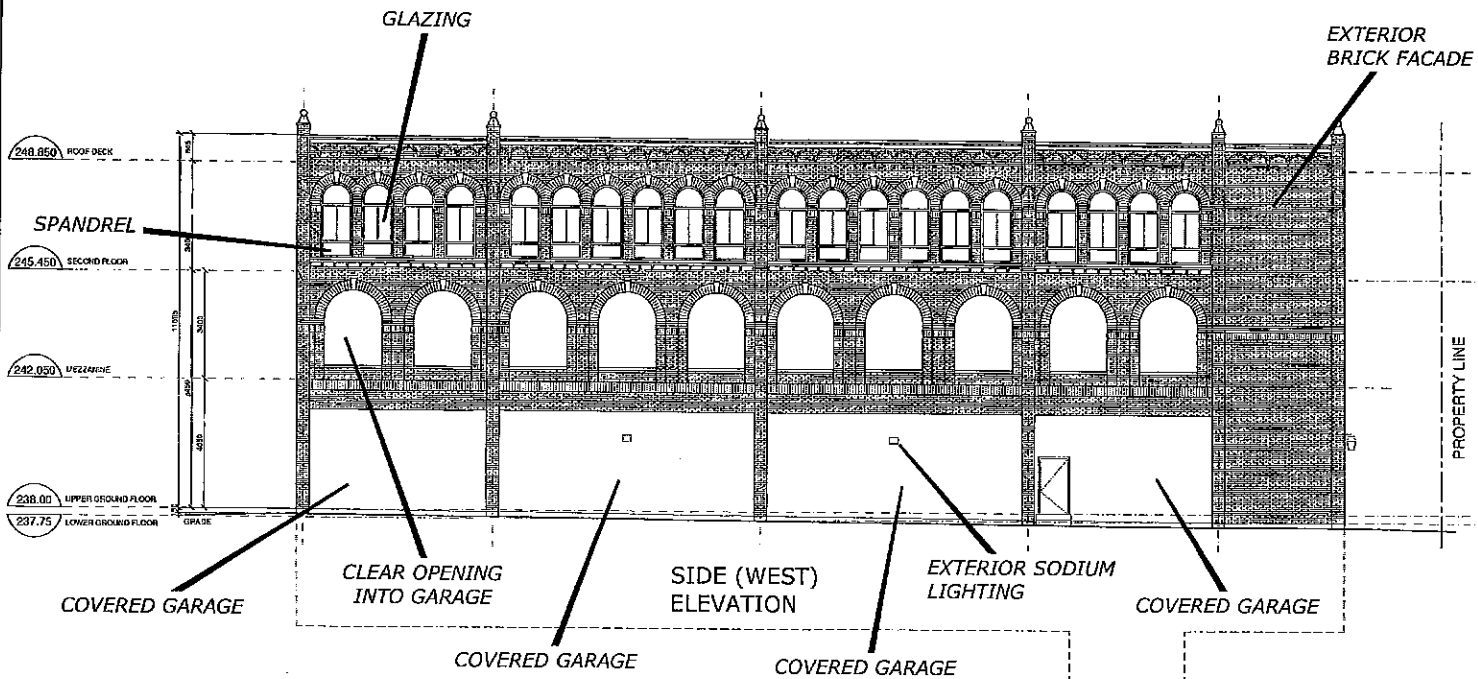
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West & East Elevations

Part of Lot 21,
Concession 3

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