

**COMMITTEE OF THE WHOLE JUNE 23, 2009**

**OFFICIAL PLAN AMENDMENT FILE OP.07.006  
ZONING BY-LAW AMENDMENT FILE Z.07.040  
MAJOR WESTON CENTRES LIMITED  
WARD #1**

**Recommendation**

The Commissioner of Planning recommends:

THAT Official Plan Amendment File OP.07.006 (Major Weston Centres Limited) and Zoning By-law Amendment File Z.07.040 (Major Weston Centres Limited) BE APPROVED, to permit the retail commercial development proposed on Attachment #3, as follows:

1. THAT Official Plan Amendment File OP.07.006 (Major Weston Centres Limited) BE APPROVED, specifically to amend Official Plan Amendment (OPA) #600 and OPA #650 (Vellore Village District Centre Plan) for the subject lands shown on Attachment #4, to permit a retail commercial development, which includes a Walmart retail store, while maintaining the permitted residential uses on the subject lands shown, as follows:
  - a) redesignate Part "A" from "Low Density Residential" in OPA #600 to "District Centre Commercial" and include the permitted residential uses from the "Low Density Residential" designation;
  - b) redesignate Part "B" from "Medium Density Residential/Commercial" in OPA #600 to "District Centre Commercial" and include the permitted residential uses from the "Medium Density Residential/Commercial" designation;
  - c) redesignate Part "C" from "Medium Density Residential/Commercial" in OPA #600 to "District Centre Commercial" and include the "Urban Square" and the permitted residential uses from the "Medium Density Residential/Commercial" designation;
  - d) redesignate Part "D" from "Low-Rise Residential" in OPA #650 to "District Centre Commercial" and include the permitted residential uses from the "Low-Rise Residential" and "9 m Pedestrian Walkway" designations;
  - e) redesignate Part "E" from "Low-Rise Residential" in OPA #650 to "District Centre Commercial" and include the permitted residential uses from the "Low-Rise Residential" and "9 m Pedestrian Walkway" designations;
  - f) redesignate Part "F" from "Village Core" in OPA #650 to "District Centre Commercial" and include the permitted residential uses from the "Village Core", "Village Square" and "Mainstreet Retail" designations;
  - g) maintain Part "G" as "Village Core" in OPA #650 and include an "Urban Square";
  - h) maintain Part "H" as "Village Core" in OPA #650 and include a "Village Core Promenade";
  - i) maintain Part "I" as "Village Core" in OPA #650 and include a "Pedestrian Only Promenade";

- j) maintain Part "J" as "Low Density Residential" in OPA #600 and include an "Elementary School" use to complete the elementary school block to the north; and,
  - k) maintain Part "K" as "Low Density Residential" in OPA #600 and include a "Neighbourhood Park" use for the completion of the neighbourhood park block to the northeast of the subject lands.
- 2 THAT the implementing Official Plan Amendment include but not be limited to the following provisions:
- a) require a landscaped "Urban Square" that is a gateway to connect to the "Pedestrian Only Promenade" within the "Village Core Promenade" at the southwest quadrant of the subject lands within the "Village Core" designation, and an "Urban Square" at the southeast quadrant of the subject lands within the "District Centre Commercial" designation;
  - b) require that buildings (Building "H" and the northwest portion of Building "N") be a minimum height of 2 storeys (9.5 m) up to a maximum height of 4 storeys along the "Pedestrian Only Promenade", where the main entrance of the buildings along the "Pedestrian Only Promenade" are the elevations (walls) facing the "Pedestrian Only Promenade";
  - c) establish a "Pedestrian Only Promenade" within the "Village Core Promenade" to encourage pedestrian activity;
  - d) require that buildings (Building "X" and Building "W") be a minimum height of 2 storeys (9.5 m) up to a maximum height of 4 storeys at the northwest intersection of Major Mackenzie Drive and Cityview Boulevard surrounding a landscaped "Urban Square" gateway into the commercial development;
  - e) require that buildings be close to the street, and screen the surface parking from the street with landscaping;
  - f) enhance the architectural design treatments for the buildings, particularly at the lower levels of the building, with the main entrances facing the "Village Core Promenade", Major Mackenzie Drive and Weston Road, and to include articulated facades, overhead canopies and a variation in window trim;
  - g) require landscaping, street furniture and lighting, with emphasis on the "Urban Squares" and "Village Core Promenade";
  - h) require enhanced building elevations for buildings sited along Major Mackenzie Drive and Weston Road, and that a minimum of 50% of the main entrances to these buildings must be visible from these roads and face the street directly or along a side facade;
  - i) permissions for a regulated health professional, bank and financial institution, and an automotive service and repair shop within Building "A" (Walmart retail store);
  - j) prohibition of drive-through facilities;

- k) policies to provide for pedestrian and bicycle trails wherever a greenway system traverses a commercial centre;
- l) the preparation of Urban Design and Architectural Design Guidelines, prior to the approval of a Site Development application, to the satisfaction of the City, and to address the following:
  - i) commercial policies that shall require development policies to be in accordance with a comprehensive design scheme to be approved by the City, laying out the general orientation and configuration of major buildings and structures, and parking areas, together with access points, traffic circulation, pedestrian circulation, landscaping and buffering;
  - ii) detailed design guidelines respecting the proposed pedestrian promenade include building design guidelines, primary building entrance materials, streetscaping, signage, lighting, street furniture, and lay-by parking within the vehicular access portion of the Village Core Promenade;
  - iii) detailed design guidelines respecting the location and design of partial or outdoor storage and merchandise display areas;
  - iv) building setbacks, minimum and maximum heights, compatible lighting, visual screening, landscaping, planting and/or fencing between commercial and residential areas;
- m) require that sustainable community objectives be implemented through neighbourhood designs that supports cycling and walking, ensures neighbourhood connectivity to the broader community, and provides transit opportunities, water and energy efficiencies, energy alternatives and green building design and site development; and,
- n) require that prior to the approval of any Draft Plan of Subdivision or Site Development Application, the Owner shall submit a Phase 1 Environmental Site Assessment (ESA), and if required, Phase II ESA Report and the Remedial Action Plan for the lands within the Site Plan for review and approval by the City of Vaughan, and a Record of Site Condition acknowledged by an Officer of the Ministry of the Environment.

3. THAT Zoning By-law Amendment File Z.07.040 (Major Weston Centres Limited) BE APPROVED, subject to the Owner resolving the outstanding issues with respect to the appropriate integration of the subject lands with the adjacent lands in the Block 33 West Plan, to the satisfaction of the City, specifically to amend By-law 1-88, for the subject lands shown on Attachment #3, to permit a retail commercial development limited to a maximum gross floor area of 49,160 m<sup>2</sup>, which includes a Wal-mart retail store shown on Attachment #5, as follows:

- a) rezone Part "1" from A Agricultural Zone to C5(H) Community Commercial Zone with the Holding Symbol "(H)" to facilitate a retail commercial development with a gross floor area ranging between 15,000 m<sup>2</sup> to 17,000 m<sup>2</sup>, which includes:
  - i) specific provisions to provide an "Urban Square" and "Pedestrian Only Promenade";

- ii) standards for buildings to be a minimum height of 2-storeys, (Building "H" and the north-west portion of Building "N"), where the elevation of the buildings face the "Pedestrian Only Promenade" and contains the primary entrance;
    - iii) specific building setbacks, parking and loading/unloading requirements; and,
    - iv) prohibition of drive-through facilities;
  - b) rezone Part "2" from A Agricultural Zone to C5(H) Community Commercial Zone with the Holding Symbol "(H)" to facilitate a retail commercial development with a gross floor area ranging between 32,160 m<sup>2</sup> to 34,160 m<sup>2</sup>, which includes specific provisions to provide a Retail Store limited to a maximum gross floor area of 17,425 m<sup>2</sup>, which includes:
    - i) permitted uses as regulated health professionals, bank and financial institutions, and automotive service and repair shop, department store, office and stationary supplies, clinic, pharmacy, print shop, and public parking lot/parking garage uses within the retail store;
    - ii) standards for buildings to be a minimum height of 2-storeys (Buildings "X" and "W"), where the elevation of the buildings faces Major Mackenzie Drive and Cityview Boulevard and contains the primary entrance; and,
    - iii) specific building setbacks, parking and loading/unloading requirements;
    - iv) prohibition of drive-through facilities; and,
    - v) adding the definition for a department store, which includes food, wine, garden centre, restaurants that include a take-out component, and children's amusement facilities, limited to within the retail store;
  - c) require that a minimum of 50% of the main entrances to these buildings must be visible from Major Mackenzie Drive and Weston Road; and face the street directly or along side facade;
  - d) rezone Part "3" from A Agricultural Zone to RD3 Residential Detached Zone Three to facilitate an elementary school block to develop with the elementary school block to the north;
  - e) rezone Part "4" from A Agricultural Zone to OS2 Open Space Park Zone to facilitate a future neighbourhood park to develop with the park block to the north; and,
  - f) include any necessary zoning exceptions required to implement the Site Plan Concept shown on Attachment #3.
4. THAT the Holding Symbol "(H)" shall not be removed from the subject lands until such time that the following conditions are addressed for the subject lands or portion of the subject lands (Phase) thereof, to the satisfaction of the City:
- a) the approval of a site plan for the subject lands or portion of the subject lands (Phase) thereof;
  - b) the determination of the future land uses, including the disposition of the road network respecting the southerly extension of Zachary Place and the

disposition of the north/south traversing 9 m pedestrian walkway, and transition between the zoned residential land for Plan of Subdivision 19T-00V03 (Lormel Developments [Weston] Inc. and Ozner Corporation [South]) shown on Attachment #2 and the retail commercial uses proposed for the subject lands;

- c) the determination of the future land uses, including the transition between the zoned residential land for Plan of Subdivision 19T-03V08 (Argento Developments Inc.) shown on Attachment #2 and the retail commercial uses proposed for the subject lands; and,
  - d) the provision of agreements/land transfer for the elementary school block and neighbourhood park block lands on the subject lands shown on Attachment #3.
5. THAT the Owner is encouraged to contribute their proportionate share towards the provision of major community and infrastructure facilities such as schools, parks, greenways, roads and road improvements, external services and stormwater management facilities. Property owners will be required to enter into one or more agreements as a condition of development approval, providing for the equitable distribution of the costs of the land and community facilities. The Trustee for Block 33 West shall provide the City with a letter indicating that the Owner has fulfilled all cost sharing and other obligations of the Block 33 West Developers' Group Agreement.
6. THAT the Owner shall provide the City with an updated Block Plan for Block 33 West showing the associated land uses and statistics for approval by Vaughan Council.
7. THAT prior to the implementing Official Plan Amendment for File OP.07.006 (Major Weston Centres Limited) and/or the implementing Zoning By-law Amendment for File Z.07.040 (Major Weston Centres Limited) being adopted and/or enacted, respectively, by Vaughan Council, the outstanding issues indicated in Recommendations #4 and #6 above shall be addressed to the satisfaction of the City.

### **Contribution to Sustainability**

The sustainable features for the development of the subject lands shown on Attachment #3 will be determined at the Site Development Stage for the subject lands or portion of the subject lands (Phase) thereof.

### **Economic Impact**

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

### **Communications Plan**

On December 19, 2008, a Notice of Public Meeting was circulated to all property owners within 120m of the subject lands; and to the lands bounded by Canada Drive and Stanton Avenue to the north, Ashberry Boulevard and Davos Road to the south, Fossil Hill Road to the west, and Highway #400 and Vellore Woods Boulevard to the east; and to the Millwood Woodend Ratepayers' Association and Vellore Woods Ratepayers' Association. The Public Meeting was held on January 13, 2009, and the recommendation to receive the Public Meeting report, and to address the school and park block matter with the Block 33 West Landowners Group, was ratified by Council on February 3, 2009.

A Notice for the June 23, 2009 Committee of the Whole Meeting was hand delivered and e-mailed to interested individuals on June 19, 2009.

### Outstanding Issues

As of June 22, 2009, several written comments have been received with the following comments:

- i) May 15, 2007 and June 16, 2009 correspondence from Bratty and Partners, LLP Barristers and Solicitors, and January 13, 2009 correspondence from Weston Consulting Group Inc. all on behalf of the Block 33 West Landowners Group respecting the Owner entering into the Block 33 West Landowners Cost Sharing Agreement, as well as, any other agreement with the City and/or York Region concerning the servicing infrastructure that has been provided, constructed and/or financed by the Block 33 West Landowners Group, and the determination of land uses in Plan of Subdivision 19T-00V03 (Lormel Developments [Weston] Inc. and Ozner Corporation [South]) and Plan of Subdivision 19T-03V08 (Argento Developments Inc.). Recommendations have been included in this report requiring the Owner to address these issues.
- ii) Correspondence from residents outlining issues related to the proximity of a large scale commercial development to residential uses, increased traffic, visual aesthetics and decreased public open space/walkways. Recommendations have been included in this report requiring provisions to be included in the implementing Official Plan and Zoning By-law amendments for an "Urban Square" and "Pedestrian Only Promenade" to function as pedestrian open space areas, as well as provide architecturally enhanced buildings, which shall be required at the Site Plan stage.
- iii) June 21, 2009 correspondence from the Millwood Woodend Ratepayers Association's respecting the Association's support for the proposal being contingent on resolving the outstanding issues with the adjacent landowners and the Block 33 West Landowners Group, addressing site plan issues associated with the placement and height of buildings and enhanced architectural details, and reasonable development of the lands beyond the Wal-mart retail store. Recommendations have been included in this report requiring the Owner to address the outstanding issues with the landowners and the Block 33 West Landowners Group. The site plan issues will be addressed at the Site Plan stage, along with the phasing of the development of the lands.

### Purpose

The Owner has submitted the following applications on the subject lands shown on Attachments #1 and #2:

1. An Official Plan Amendment Application (File OP.07.006) to redesignate the subject lands shown on Attachment #4 from "Low Density Residential" and "Medium Density Residential/Commercial" designations in OPA #600, and "Village Core" and "Low-Rise Residential" designations in OPA #650 (Vellore Village District Centre Plan) to a "District Centre Commercial" designation to permit a retail commercial development, and to modify the policies in the "Village Core" designation to include policies to provide for a "Pedestrian Only Promenade" and an "Urban Square" to create a pedestrian-oriented environment.
2. A Zoning By-law Amendment Application (File Z.07.040) to amend By-law 1-88, specifically to rezone the subject lands shown on Attachment #5 from A Agricultural Zone to C5(H) Community Commercial Zone with the Holding Symbol "(H)" to permit a retail commercial development limited to a maximum gross floor area of 49,160 m<sup>2</sup>.

Both the Official Plan Amendment and Zoning By-law Amendment applications are to implement the following requirements in order to achieve a pedestrian-oriented development, with high quality designed streetscapes and street-related buildings:

- i) to specifically permit commercial uses (i.e., personal service shops, business and professional offices, retail stores, including department store formats, supermarkets, pharmacies, eating establishments and places of entertainment), institutional, civic and community uses, including libraries, theatres, day care, day nursery and government services, and places of worship;
- ii) to permit a maximum gross floor area of 49,160 m<sup>2</sup> for the subject lands with the Walmart retail building limited to a maximum gross floor area of 17,425 m<sup>2</sup>;
- iii) to provide an "Urban Square" that connects to the "Pedestrian Only Promenade" within the "Village Core Promenade" at the southwest quadrant of the subject lands within the "Village Core" designation, and an "Urban Square" at the southeast quadrant of the subject lands within the "District Centre Commercial" designation, as shown on Attachment #4;
- iv) to provide buildings (i.e., Building "H" and the northwest portion of Building "N") with a minimum height of 2 storeys (9.5 m) up to maximum height of 4 storeys along the "Pedestrian Only Promenade", and where the main entrance of the buildings along the "Pedestrian Only Promenade" are the elevations (walls) facing the "Pedestrian Only Promenade";
- v) to provide buildings (i.e., Buildings "X" and "W") with a minimum height of 2 storeys (9.5m) up to a maximum height of 4 storeys at the northwest intersection of Major Mackenzie Drive and Cityview Boulevard;
- vi) to provide for the primary building elevations to face the "Village Core Promenade";
- vii) to provide for the primary elevations for buildings along Major Mackenzie Drive and Weston Road to front onto Major Mackenzie Drive and Weston Road with a minimum of 50% of the main entrances in the elevations of these buildings, to be visible from Major Mackenzie Drive and Weston Road; and,
- viii) to provide building setbacks to have buildings no further than 10 m from the curb of the "Village Core Promenade", policies to achieve pedestrian connections throughout the site, and urban design criteria to have buildings with architectural details and distinct appearances.

#### Supporting Documents

The following supporting reports were submitted for the applications:

- i) *Vellore Village District Centre North Land Use Study*, dated October 2008 by Bousfields Inc. and Weston Consulting Group Inc.;
- ii) *Planning Rationale - Weston Road/Major Mackenzie Drive*, dated October 2008 by Bousfields Inc.;
- iii) *Vaughan North West Centre Urban Design Guidelines*, dated October 8, 2008 by Turner Fleischer Architects Inc. and Terraplan Landscape Architects;
- iv) *Retail Market Analysis and Impact Study Weston Road and Major Mackenzie Drive Vellore Village District Centre*, dated September 10, 2007 by UrbanMetrics Inc.;

- v) *Functional Servicing and Stormwater Management Report - Commercial Development Major Weston Centres Limited*, dated September 2008 by Sernas Associates;
- vi) *Stormwater Management Report Phase 1 - Commercial Development Major Weston Centres Limited*, dated October 2008 by Sernas Associates; and,
- vii) *Major Weston Centres Ltd. Weston - Major Mackenzie Retail Traffic Study*, dated September 2007 by Itrans Consulting Inc., and *Major Weston Centres Ltd. Weston - Major Mackenzie Updated Traffic Study*, dated November 2008 by Itrans Consulting Inc.

The Owner has also submitted a related Site Development Application (File DA.08.088), which will be considered in a future report to the Committee of the Whole. The development statistics for the overall proposal shown on Attachment #3, are as follows:

**Site Details**

Commercial Site Area = 18.693 ha  
 Proposed Vellore Park Avenue Road = 0.862 ha  
 School & Park Area = 0.659 ha

Total Site Area = 20.214 ha  
 Total Gross Floor Area (GFA) = 49,157.94 m<sup>2</sup>  
 Total Parking Provided = 1,977 Spaces

Wal-Mart Retail Store:  
 Building Gross Floor Area = 17,420.515 m<sup>2</sup> of the total Site GFA  
 Parking Provided = 613 Spaces of the total Site Parking

**Background - Analysis and Options**

The subject lands shown on Attachments #1 and #2 are located at the north-east corner of Weston Road, and Major Mackenzie Drive, in Part of Lot 21, Concession 5, City of Vaughan. The subject lands have an area of 20.214 ha, with 300 m of frontage along Weston Road and 493.37m of frontage along Major Mackenzie Drive.

The subject lands are designated "Low Density Residential" and "Medium Density Residential/Commercial" by OPA #600 as shown on Attachment #6, and "Low-Rise Residential", "Village Core" and "Village Square" by OPA #650 (Vellore Village District Centre Plan) as shown on Attachment #7. The subject lands are zoned A Agricultural Zone by By-law 1-88, as shown on Attachment #2, which permits agricultural uses. The eastern portion of the subject lands are within the approved Block 33 West Plan (Attachment #8). The subject lands currently consist of agricultural lands. The surrounding land uses are shown on Attachment #2.

The subject lands are related to Official Plan Amendment File OP.08.010 and Zoning By-law Amendment File Z.08.039 (Cicchino Holdings Ltd.) for the north-west corner of Major Mackenzie Drive and Weston Road, as shown on Attachment #2, with respect to the private landowners Vellore Village District Centre North Land Use Study dated October 2008 by Bousfields Inc. and Weston Consulting Group Inc., which was prepared in support of both the Major Weston Centres Ltd. and Cicchino Holdings Ltd. proposals.

**Land Use Policies/Planning Considerations**

The Vaughan Development Planning Department has reviewed the Official Plan and Zoning By-law Amendment applications to redesignate and rezone the subject lands shown on Attachment #2, in light of the following land use policies respecting the proposal:



a) Provincial Policy Statement and Places To Grow

In light of the *Provincial Policy Statement* (PPS), which identifies the subject lands as being within a Settlement Area, the Development Planning Department has determined that the proposal will meet the objectives of providing for a range of land uses in a manner that promotes efficient land use and development patterns to support a livable and healthy community.

The “Managing and Directing Land Use to Achieve Efficient Development and Land Use Patterns” Policy 1.1 of the PPS supports the efficient development of land and land uses as follows (in part):

- “1.1.1 Healthy, livable and safe communities are sustained by:
- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
  - b) accommodating an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses), recreational and open space uses to meet the long-term needs;.”

The “Long-Term Economic Prosperity” Policy 1.7.1 of the PPS further supports the proposal, as follows:

- “1.7.1. Long-term economic prosperity should be supported by:
- b) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;

In conjunction with the PPS, the Province’s *Growth Plan for the Greater Golden Horseshoe* (Places to Grow) also includes policies to support the development of the proposal, as indicated in the following policies, specifically the “Designated Greenfield Area” Policy 2.2.7 in accordance with the following:

- “2.2.7.1 New development taking place in designated Greenfield areas will be planned, designated, zoned and designated 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 proposal to redesignate the subject lands to “District Centre Commercial” and to modify the “Village Core” designation policies, as well as, provide specific policies to permit a retail commercial development that is geared to develop a people-oriented development with the “Urban Square” and “Pedestrian Only Promenade” is in keeping with the intent of the PPS and Places to Grow policies discussed in this report. As the proposal also maintains the permitted uses within the “Low Density Residential” and “Medium Density Residential/Commercial”

designations in OPA #600, and "Village Core" and "Low-Rise Residential" designations in OPA #650, the opportunity exists for future integration of residential and mixed-use residential-commercial uses with the large-scale retail uses. Further, institutional uses, elementary schools, along with parks, and pedestrian and bicycling pathways are being proposed. This proposal provides development that is in accordance with the managed growth and economic policies in the PPS and Places to Grow.

b) Region of York Official Plan

The Region of York has reviewed the proposal and advises that the subject lands are designated "Urban Area" by the Regional Official Plan, which permits a range of residential, commercial, industrial and institutional uses. Major Mackenzie Drive and Weston Road are recognized as "Local Corridors" in the Regional Official Plan, which have the potential for more intensive and mixed-use development that can be supported by public transit. As the subject lands are related to the Cicchino Holdings Ltd. proposal for mixed-use residential-commercial uses, the combined proposals for 1283 residents and 864 jobs at a density of 55 units per hectare and 37 jobs per hectare meets the *Growth Plan for the Greater Golden Horseshoe* (Places to Grow) density target of 50 residents and jobs combined per hectare.

The Region further provides that the combined retail commercial area for the subject lands at 49,157.94 m<sup>2</sup> and Cicchino Holdings Ltd. at 2,635.02 m<sup>2</sup> provides for a retail use in excess of 30,000 m<sup>2</sup> (gross leasable). As such, the Region's Official Plan requires a Region-wide impact analysis to address the following:

- "i) transportation requirements;
- ii) the impact on existing and future retail facilities;
- iii) transit access to facilities; and,
- iv) the manner in which the proposal is supportive of the centre and corridor policies of this Plan."

The Owner submitted, *Retail Market Analysis and Impact Study Weston Road and Major Mackenzie Drive Vellore Village District Centre*, dated September 10, 2007 by UrbanMetrics Inc. However, the two transportation reports to support the proposal, *Major Weston Centres Ltd. Weston - Major Mackenzie Retail Traffic Study*, dated September 2007 by Itrans Consulting Inc., and *Major Weston Centres Ltd. Weston - Major Mackenzie Updated Traffic Study*, dated November 2008 by Itrans Consulting Inc., need to be up-dated to address a number of items, including, but not limited to, protecting for a 45 m right-of-way along Major Mackenzie Drive, and requiring that all buildings be setback 22 m from the centre-line of the right-of-way.

The Region supports intensification along Local Corridors, subject to the transportation reports being updated to address the Region's issues. Given that the proposal is a large-scale retail application having a Regional impact, the Region will be the approval authority for the amendment to the Official Plan.

c) Vaughan Official Plan (OPA #600)/Vellore Village District Centre Plan (OPA #650)

The subject lands are designated "Low Density Residential" and "Medium Density Residential/Commercial" by OPA #600 as shown on Attachment #6, and "Low-Rise Residential", "Village Core" and "Village Square" by OPA #650 (Vellore Village District Centre Plan) as shown on Attachment #7.

The City of Vaughan's overall vision for the Vellore Village District Centre is to create a compact mixed-use development comprised of commercial, residential, park and institutional uses in a human-scaled urban form that facilitates pedestrian and transit access in the community. Development of a pedestrian-oriented District Centre is OPA #650's primary goal for the area, which would be achieved by the implementation of design principles that include:

- i) shaping an identity for the community by the formation of visually significant buildings, mass and functions, as well as compact urban form;
- ii) establishing a grid road pattern to take pressure off the Weston Road and Major Mackenzie Drive intersection, encourage pedestrian activities, and provide identifiable and supportable urban structure;
- iii) promoting a main street, human-scale, and compact urban form and streetscape that includes various comfortable pedestrian environments such as, urban squares and parks. The urban form should provide a measured transition of density and land use from the village core to surrounding residential neighbourhoods;
- iv) providing support for transit by proposing a mix of higher order residential and commercial forms of development within a street network grid; and,
- v) encouraging a wide variety of land uses by provision of incremental growth over time in keeping with the needs of the market and the residents of Vellore community.

The policies that are proposed for the implementing Official Plan will include, but not be limited to, the following, as shown on Attachment #4:

- a) providing a landscaped "Urban Square" that is a gateway to connect to the "Pedestrian Only Promenade" within the "Village Core Promenade" at the southwest quadrant of the subject lands within the "Village Core" designation, and an "Urban Square" at the southeast quadrant of the subject lands within the "District Centre Commercial" designation;
- b) providing buildings with a minimum height of 2 storeys (9.5 m) up to maximum height of 4 storeys along the "Pedestrian Only Promenade"; where the main entrance of the buildings along the "Pedestrian Only Promenade" are the elevations (walls) facing the "Pedestrian Only Promenade";
- c) establishing a "Pedestrian Only Promenade" within the "Village Core Promenade" to encourage pedestrian activity;
- d) providing buildings with a minimum height of 2 storeys (9.5 m) up to maximum height of 4 storeys at the northwest intersection of Major Mackenzie Drive and Cityview Boulevard surrounding a landscaped "Urban Square" gateway into the commercial development;
- e) providing for buildings to be close to the street, and screening the surface parking from the street with landscaping;
- f) enhancing the architectural design treatments for the buildings, particularly at the lower levels of the building, with main entrances facing the "Village Core Promenade", Major Mackenzie Drive and Weston Road, articulated facades, overhead canopies and variation in window trim;
- g) providing landscaping, street furniture and lighting, with emphasis on the "Urban Squares" and "Village Core Promenade".

The residential uses permitted through the "Low Density Residential" and "Medium Density Residential/Commercial" designations by OPA #600, and, "Low-Rise Residential" and "Village Core" designations by OPA #650 shall remain, and will allow the opportunity for future residential and mixed-use residential-commercial uses on the subject lands or a portion thereof. This proposal to amend the Official Plan to allow for retail commercial uses, along with the existing

residential and mixed-use residential-commercial uses, provides a wider range of land uses, within a designated urban area, and is in accordance with the policies of the PPS and Places To Grow.

### Zoning

The subject lands are zoned A Agricultural Zone by By-law 1-88, as shown on Attachment #2. The A Agricultural Zone does not permit the proposed retail commercial development. To facilitate the proposed development, as shown on Attachment #3, an amendment to By-law 1-88 is required to rezone and provide exceptions for the subject lands.

#### a) Proposed Uses and Exceptions

The proposed retail commercial development will be developed in accordance with the C5 Community Commercial Zone, with the following exceptions, but not limited to, which are subject to modification, due to the resolution of issues associated with the surrounding Block 33 West land uses:

- i) adding department store, office and stationary supply store, clinic, pharmacy, print shop, and public parking lot/parking garage uses to the permitted commercial uses in the C5 Community Commercial Zone;
- ii) adding the definition for department store, which includes food, wine, garden centre, restaurants that include a take-out component, children's amusement facility, and automobile service and repair uses, and limiting the location of this use to the area identified as "Retail Store" on Attachment #5;
- iii) permitting a maximum gross floor area of 49,160 m<sup>2</sup> for the subject lands with the Walmart retail building limited to a maximum gross floor area of 17,425 m<sup>2</sup>;
- iv) to provide an "Urban Square" that connects to the "Pedestrian Only Promenade" within the "Village Core Promenade" at the southwest quadrant of the subject lands within the "Village Core" designation, and an "Urban Square" at the southeast quadrant of the subject lands within the "District Centre Commercial" designation;
- v) to provide buildings (i.e., Building "H" and the north-west portion of Building "N") with a minimum height of 2 storeys (9.5 m) up to a maximum height of 4 storeys along the "Pedestrian Only Promenade", and where the main entrance of the buildings along the "Pedestrian Only Promenade" are the elevations (walls) facing the "Pedestrian Only Promenade"; and,
- vi) to provide buildings (i.e., Buildings "X" and "W") with a minimum height of 2 storeys (9.5m) up to maximum height of 4 storeys at the northwest intersection of Major Mackenzie Drive and Cityview Boulevard.

The following zoning exceptions to the C5 Community Commercial Zone of By-law 1-88 are required to facilitate the proposal, but are not limited to:

Standard	By-law 1-88 C5 Community Commercial Zone Requirements	Exceptions to the C5 Community Commercial Zone
Maximum Lot Area	2.50 ha	20 - 22 ha

Minimum Front Yard Setback (Deeming Major Mackenzie Drive to be the Front Lot Line)	15 m	3.0 m
Minimum Exterior Yard Setback	15.0 m	3.0 m
Minimum Building Height (Buildings "H", "N", "W" and "X")	New Standard	9.5 m (2 Storeys)
No Loading and Unloading Between a Building and a Street	As Described	Loading and Unloading Between a Building and Vellore Park Avenue for the "Retail Store" identified on Attachment #5
Loading Spaces	Minimum 4 Loading Spaces (Subject to Change)	To Be Confirmed through Site Plan Process
Parking Spaces (49,160 m <sup>2</sup> Gross Floor Area [GFA])	2,950 parking spaces (Subject to Change depending on the number of Eating Establishment Uses proposed at Site Plan stage; 6 Parking Spaces/100 m <sup>2</sup> of GFA)	1,977 parking spaces (4 Parking Spaces/100 m <sup>2</sup> of GFA)

The C5 Community Commercial Zone permits a wide range of commercial uses. The Owner had requested drive-through, automobile rental and service and repair, gas bar, and car wash uses. Based on the intent to create a pedestrian-oriented environment, these uses are not considered to be appropriate, and cannot be supported. However, it is common for a Walmart to include an automobile service and repair shop within their store. On this basis, the proposed automobile service and repair shop use will be supported, provided this use is contained within the Walmart retail store. It is noted that the abutting property at the northwest corner of Major Mackenzie Drive and Vellore Park Avenue is zoned C5(H) Community Commercial Zone with the Holding Symbol "(H)" and permits a gas bar and car wash uses.

Concerning the reduction in parking, the iTrans Consulting Traffic/Parking report supports a minimum of 1,977 parking spaces for the development on the basis of 4 spaces/100m<sup>2</sup> GFA. This is consistent with the City's draft Parking Study for commercial in the District Centre of between 3.0 to 4.5 spaces/m<sup>2</sup> GFA.

The proposed additional uses and exceptions to the zoning standards are supportable due to a proposal that is designed to achieve a high degree of street-related pedestrian oriented buildings and an urban gathering space with a landscaped "Urban Square" that serves as a gateway to connect to the "Pedestrian Only Promenade" within the "Village Core Promenade", together with enhanced architecturally designed buildings. The proposal will be implemented through the Site Plan process.

b) Holding Symbol "(H)"

The subject lands will zoned with the Holding Symbol "(H)", which shall not be removed until such time that the following conditions are addressed for the subject lands or portion of the subject lands (Phase) thereof, to the satisfaction of the City:

- i) the approval of a site plan for the subject lands or portion of the subject lands (Phase) thereof;

- ii) the determination of the future land uses, including the disposition of the road network respecting the southerly extension of Zachary Place and the disposition of the north/south traversing 9 m pedestrian walkway, and transition between the zoned RT1 Residential Townhouse Zone and RT1(H) Residential Townhouse Zone with Holding Symbol "(H)" for residential uses within Plan of Subdivision 19T-00V03 (Lormel Developments [Weston] Inc. and Ozner Corporation [South]) shown on Attachment #2, and the retail commercial uses proposed for the subject lands;
- iii) the determination of the future land uses, including the transition between the zoned RT1 Residential Townhouse Zone for residential uses within Plan of Subdivision 19T-03V08 (Argento Developments Inc.) shown on Attachment #2, and the retail commercial uses proposed for the subject lands; and,
- iv) the provision of agreements/land transfer for the elementary school block and neighbourhood park block on the subject lands shown on Attachment #3.

The Lormel lands to the northwest will likely require additional Planning Act applications and a new road pattern on their property as a result of the Smart Centres land use proposal. The Lormel property is currently identified for residential and local commercial uses in the Block 33 West Plan, which is reflected in the approved zoning for the site and the approved draft plan of subdivision. A revised subdivision plan to show Zachary Place terminating in a cul-de-sac and extending the commercial along the entire length of the Weston Road frontage may be pursued by Lormel to facilitate a more compatible land use interface between the two sites.

The Argento lands to the northeast will likely require additional Planning Act applications as a result of the Smart Centres land use proposal. The small size and irregular shape of the Argento lands is not conducive for residential development. This property may be purchased by Smart Centres to be incorporated into their commercial proposal for landscaping and parking purposes.

Modifications may be required to existing agreements such as the Spine (Infrastructure) Agreement or Subdivision Agreement to address the Lormel and Argento properties.

The Owner has indicated that they have contacted both Lormel and Argento to address the above issues as indicated in written correspondence provided in Appendices "A" to "E" inclusive. The Owner will be required to resolve the outstanding issues with respect to the appropriate interface of the subject lands with the adjacent lands in the Block 33 West Plan, to the satisfaction of the City. The implementing Official Plan and Zoning By-law Amendments may be deferred pending the resolution of the outstanding issues, to the satisfaction of the City.

#### Site Plan Approval

The subject lands are to be developed in Phases by Site Plan approval. At the Site Plan stage, details such as sustainability, landscaping, building elevations, stormwater management and servicing will be determined. The Site Plan process will require approvals from the Ministry of Transportation, Toronto and Region Conservation Authority, Region of York, and the City.

#### Vaughan Engineering Department

The Vaughan Engineering Department has no objections to the proposal and provides the following comments:

- a) Environmental Site Assessment (ESA)

As part of the future Site Plan process and prior to the approval of any Site Plan Application on the subject lands or any portion thereof, a Phase 1 Environmental Site Assessment (ESA) is required to be submitted for approval by the City. The City will require documented proof of the

registration of the Record of Site Condition (RSC) with the Environmental Site Registry of the Ministry of the Environment (MOE), which includes the acknowledgement from the MOE and a signed RSC by a qualified person.

b) Development/Transportation

At the Site Plan stage, the site grading, servicing, stormwater management, lighting, noise and traffic/transportation plans and reports must be submitted for approval to the satisfaction of the Vaughan Engineering Department. The proposal is within the Ministry of Transportation's (MTO) controlled-access highway right-of-way, and therefore, will require a permit from MTO for the use and signage at the Site Plan stage.

Vaughan Real Estate Division

The Vaughan Real Estate Division has advised that the Owner will be required to dedicate and/or pay 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 the Planning Act and the City's approved "Cash-in-Lieu of Parkland Policy". This will be addressed as a condition of Site Plan approval.

School Boards

The York Region District (Public) School Board has reviewed the proposal and advises that the 0.548 ha of land at the north end of the subject lands identified as a "Proposed School" on Attachment #5, is required for an elementary school site, which is to be developed in conjunction with the lands to the north. The York Catholic District School Board and Conseil Scolaire de District Catholique Centre-Sud have no objection to the proposal.

Toronto and Region Conservation Authority (TRCA)

The TRCA has reviewed the proposal, including the *Functional Servicing and Stormwater Management Report - Commercial Development Major Weston Centres Limited*, dated September 2008 by Sernas Associates, and advises that the TRCA concerns including, but not limited to, stormwater management, water balance and infiltration, and erosion and sediment control be addressed at the Site Plan stage.

**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 has no objections to the proposed development provided the Regional concerns identified earlier are addressed. The Region will provide detailed comments at the Site Plan stage respecting road requirements, transit and vehicular access, and requires that the site plan, grading, servicing, stormwater management, lighting, noise and traffic/transportation plans and reports be submitted for approval to the satisfaction of the Region. The Owner will be required to enter into a Regional Site Plan Agreement.

**Conclusion**

The Owner has submitted the following applications on the subject lands shown on Attachment #1:

1. An Official Plan Amendment Application (File OP.07.006) to redesignate the subject lands shown on Attachment #4 from "Low Density Residential" and "Medium Density Residential/Commercial" in OPA #600, and "Village Core" and "Low-Rise Residential" in OPA #650 (Vellore Village District Centre Plan) to "District Centre Commercial" to permit a retail commercial development, and to modify the policies in the "Village Core" designation to provide a "Pedestrian Only Promenade" and an "Urban Square" to create a pedestrian-oriented environment.
2. A Zoning By-law Amendment Application (File Z.07.040) to amend By-law 1-88, specifically to rezone the subject lands shown on Attachment #5 from A Agricultural Zone to C5(H) Community Commercial Zone with the Holding Symbol "(H)" to permit a retail commercial development limited to a maximum gross floor area of 49,160 m<sup>2</sup>.

The Official Plan and Zoning By-law Amendment applications propose to implement a pedestrian-oriented development with high quality designed streetscapes and street-related buildings. The Official Plan and Zoning By-law will be amended to include policies and requirements to facilitate an urban square at the northeast corner of Major Mackenzie Drive and Weston Road, which leads to a pedestrian-only promenade and a pedestrian/vehicular promenade located further east that will include lay-by parking spaces. Minimum 2 storey building heights will be strategically placed within the pedestrian-only promenade, which must include storefront entrances facing the promenade. An urban square will also be located at the northwest corner of Major Mackenzie Drive and Cityview Boulevard, which will be flanked on both sides by minimum 2 storey buildings. Also, enhanced building elevations for buildings facing Major Mackenzie Drive and Weston Road will require a minimum of 50% of the main entrances to these buildings to be visible from these roads and face the street directly or along a side facade.

The Development Planning Department is satisfied that the proposed retail commercial development as shown on Attachment #3, is appropriate and compatible with the existing and permitted uses in the surrounding area and can be developed in a manner that is appropriate and compatible with the existing community, provided the outstanding issues associated with the Block 33 West land uses are addressed. The Development Planning Department can support the approval of the Official Plan and Zoning By-law Amendment applications, subject to the recommendations in this report.



**Attachments**

1. Context Location Map
2. Location Map
3. Site Plan Concept
4. Land Use Schedule
5. Zoning Schedule
6. OPA #600 - Schedule "B", Vellore Urban Village 1
7. OPA #650 - Vellore Village District Centre Plan
8. Block 33 West Community Plan

Appendix "A" - June 17, 2009 Correspondence from Davies Howe Partners

Appendix "B" - June 18, 2009 Correspondence from Davies Howe Partners

Appendix "C" - June 18, 2009 Correspondence from Bousfields Inc.

Appendix "D" - June 18, 2009 Correspondence from SmartCentres

Appendix "E" - June 18, 2009 E-mail Correspondence from SmartCentres

**Report prepared by:**

Judy Jeffers, Planner, ext. 8645

Carmela Marrelli, Senior Planner, ext. 8791

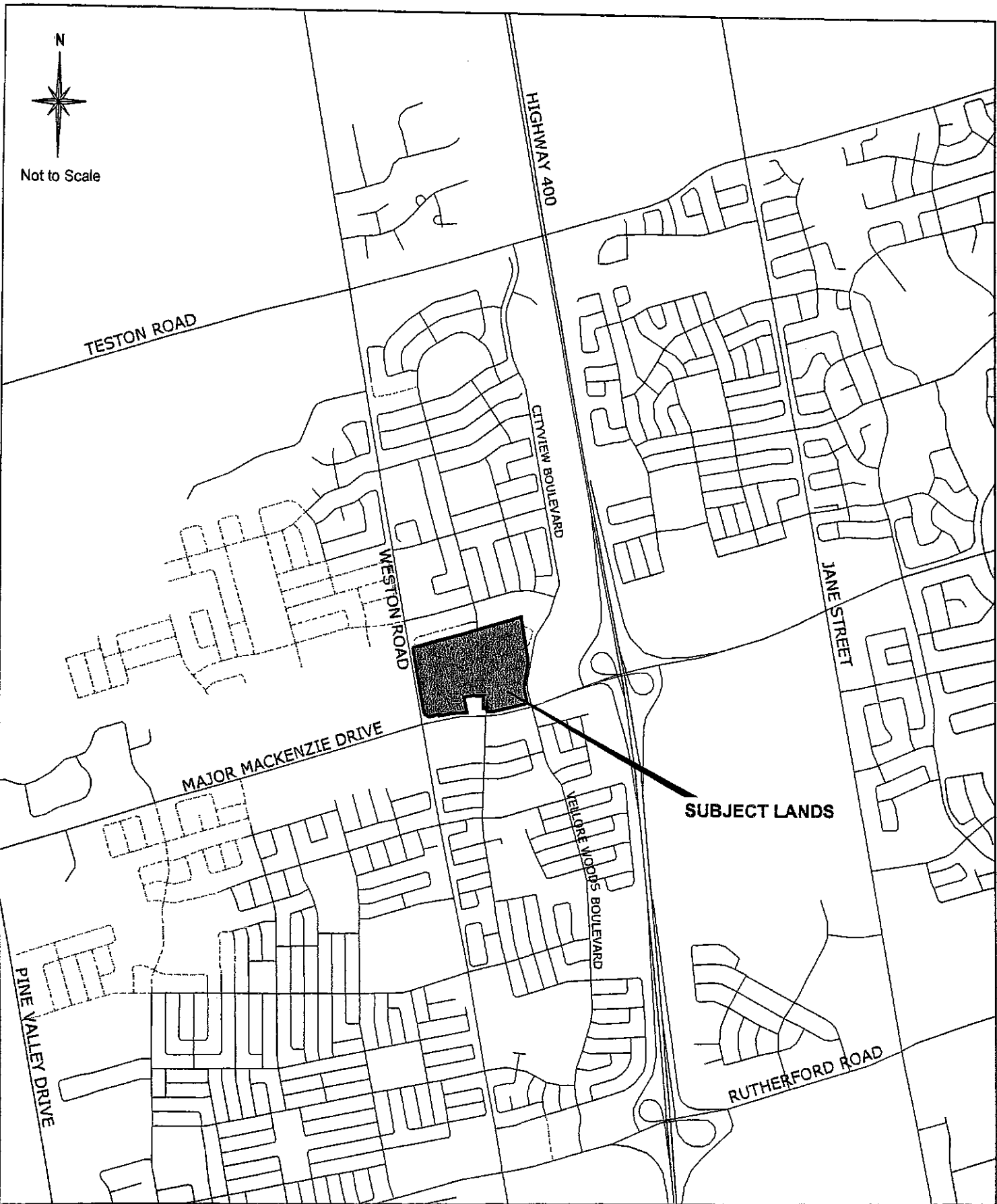
Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN ZIPAY  
Commissioner of Planning

GRANT UYHEYAMA  
Director of Development Planning

/LG



**Context Location Map**

Part of Lot 21,  
Concession 5

APPLICANT:  
Major Weston Centres Ltd.

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*The City Above Toronto*

Development Planning Department

**Attachment**

FILES:  
OP.07.008 & Z.07.040  
RELATED FILE:  
DA.08.088

June 23, 2009

**1**

**PLAN OF SUBDIVISION  
19T-00V03 (LORMEL  
DEVELOPMENTS (WESTON)  
INC. & OZNER  
CORPORATION (SOUTH))**

**PLAN OF  
SUBDIVISION  
19T-03V08  
(ARGENTO  
DEVELOPMENTS  
INC.)**

**MAJOR WESTON  
CENTRES LTD.**

**CICCHINO  
LANDS**

**WESTON ROAD**

**MAJOR MACKENZIE DRIVE**

**HIGHWAY 400**

**Legend**



Subject Lands



Polling Area

- A - AGRICULTURAL ZONE
- C1 - RESTRICTED COMMERCIAL ZONE
- C2 - GENERAL COMMERCIAL ZONE
- C3 - LOCAL COMMERCIAL ZONE
- C4 - NEIGHBOURHOOD COMMERCIAL ZONE
- C5 - COMMUNITY COMMERCIAL ZONE
- OS1 - OPEN SPACE CONSERVATION ZONE
- OS2 - OPEN SPACE PARK ZONE
- RD1 - RESIDENTIAL DETACHED ZONE ONE
- RD2 - RESIDENTIAL DETACHED ZONE TWO
- RD3 - RESIDENTIAL DETACHED ZONE THREE
- RD4 - RESIDENTIAL DETACHED ZONE FOUR
- RR - RURAL RESIDENTIAL ZONE
- RS1 - RESIDENTIAL SEMI-DETACHED ZONE ONE
- RT1 - RESIDENTIAL TOWNHOUSE ZONE
- RUV1, RUV1(W/S) - RESIDENTIAL URBAN VILLAGE ZONE ONE
- RV2, RV2(W/S) - RESIDENTIAL URBAN VILLAGE ZONE TWO
- RV3, RV3(W/S) - RESIDENTIAL URBAN VILLAGE ZONE THREE
- RV4, RV4(W/S) - RESIDENTIAL URBAN VILLAGE ZONE FOUR
- RVM1, RVM1(A,B,WS-A,WS-B) - RESIDENTIAL URBAN VILLAGE MULTIPLE ZONE ONE
- RVM2 - RESIDENTIAL URBAN VILLAGE MULTIPLE ZONE TWO
- (H) - HOLDING SYMBOL



**Location Map**

Part of Lot 21,  
Concession 5

APPLICANT:  
Major Weston Centres Ltd.



The City Above Toronto

Development Planning Department

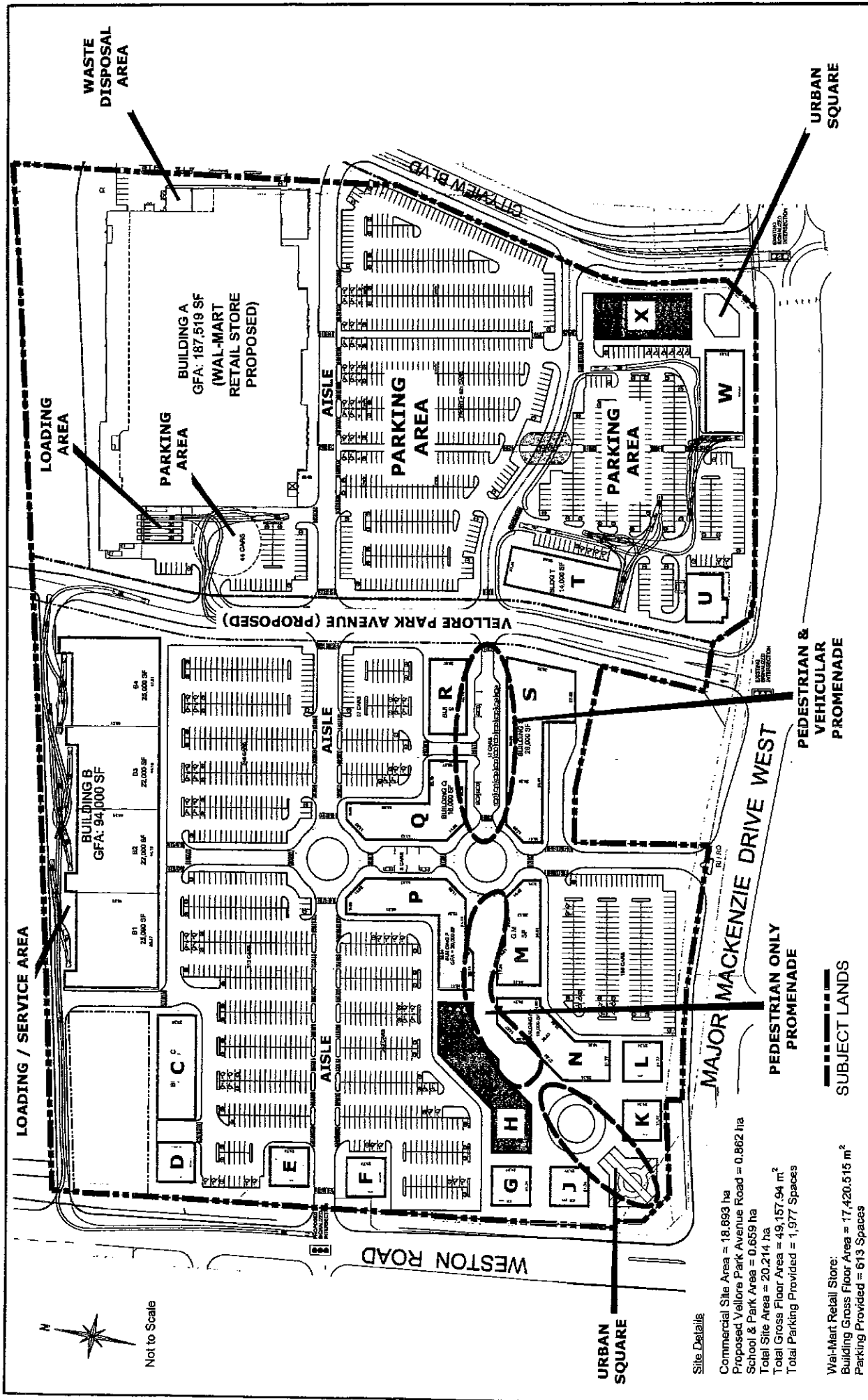
**Attachment**

FILES:  
OP.07.006 & Z.07.040  
RELATED FILE:  
DA.08.088

**2**

June 23, 2009

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**Site Details**  
 Commercial Site Area = 18,893 ha  
 Proposed Vellore Park Avenue Road = 0.862 ha  
 School & Park Area = 0.659 ha  
 Total Site Area = 20,214 ha  
 Total Gross Floor Area = 49,157.94 m<sup>2</sup>  
 Total Parking Provided = 1,977 Spaces

**Wal-Mart Retail Store:**  
 Building Gross Floor Area = 17,420,515 m<sup>2</sup>  
 Parking Provided = 613 Spaces

# Site Plan Concept

Part of Lot 21,  
 Concession 5

**APPLICANT:**  
 Major Weston Centres Ltd.

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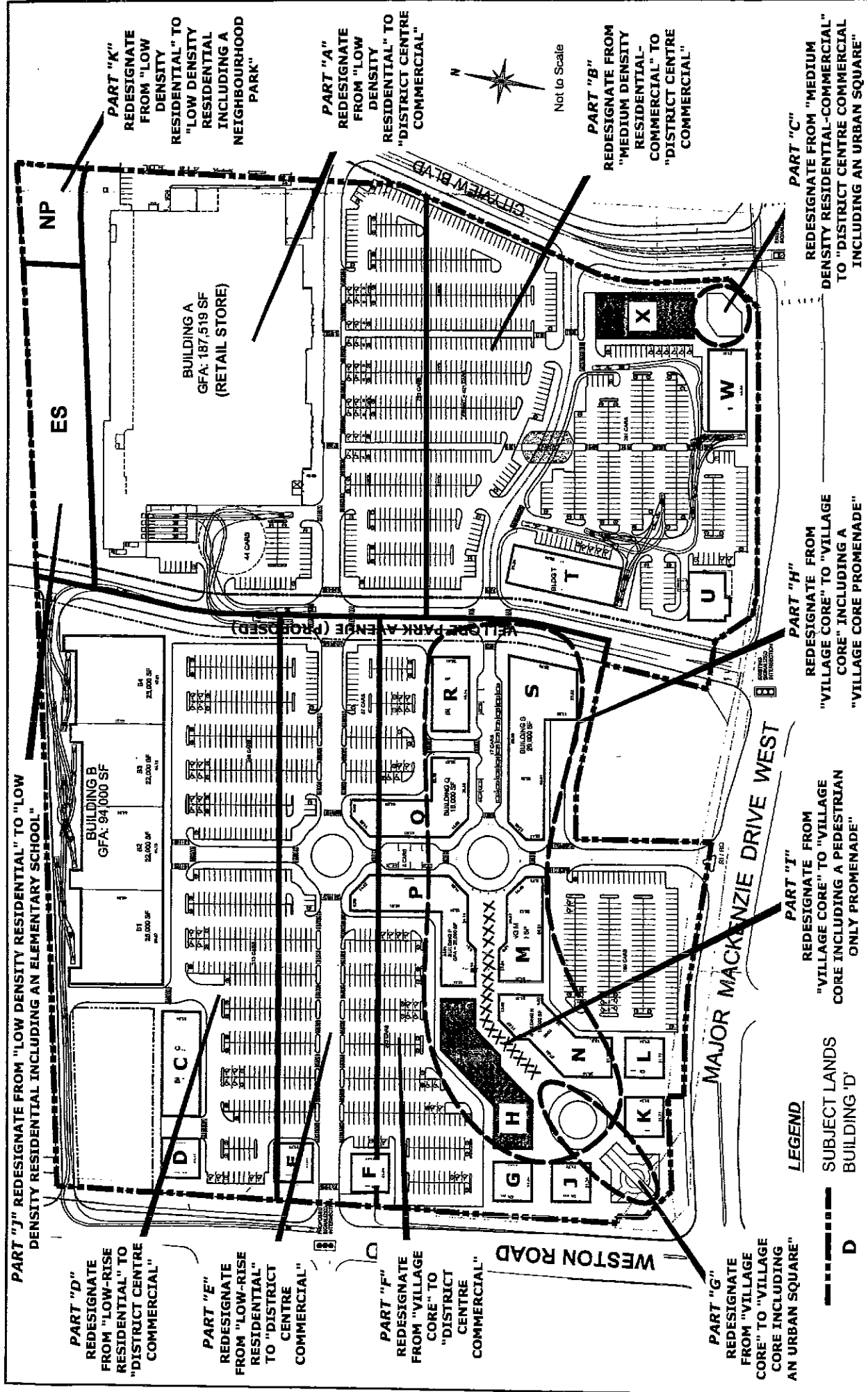
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# Attachment

FILES:  
 OP.07.006 & Z.07.040  
 RELATED FILE: DA.08.088  
 June 23, 2009

# 3



**PART "J"** REDESIGNATE FROM "LOW DENSITY RESIDENTIAL" TO "LOW DENSITY RESIDENTIAL INCLUDING AN ELEMENTARY SCHOOL"

**PART "D"**  
REDESIGNATE FROM "LOW-RISE RESIDENTIAL" TO "DISTRICT CENTRE COMMERCIAL"

**PART "E"**  
REDESIGNATE FROM "LOW-RISE RESIDENTIAL" TO "DISTRICT CENTRE COMMERCIAL"

**PART "F"**  
REDESIGNATE FROM "VILLAGE CORE" TO "DISTRICT CENTRE COMMERCIAL"

**PART "G"**  
REDESIGNATE FROM "VILLAGE CORE" TO "VILLAGE CORE INCLUDING AN URBAN SQUARE"

**PART "K"**  
REDESIGNATE FROM "LOW DENSITY RESIDENTIAL" TO "LOW DENSITY RESIDENTIAL INCLUDING A NEIGHBOURHOOD PARK"

**PART "A"**  
REDESIGNATE FROM "LOW DENSITY RESIDENTIAL" TO "DISTRICT CENTRE COMMERCIAL"

**PART "B"**  
REDESIGNATE FROM "MEDIUM DENSITY RESIDENTIAL-COMMERCIAL" TO "DISTRICT CENTRE COMMERCIAL"

**PART "C"**  
REDESIGNATE FROM "MEDIUM DENSITY RESIDENTIAL-COMMERCIAL" TO "DISTRICT CENTRE COMMERCIAL INCLUDING AN URBAN SQUARE"

**PART "H"**  
REDESIGNATE FROM "VILLAGE CORE" TO "VILLAGE CORE INCLUDING A VILLAGE CORE PROMENADE"

**PART "I"**  
REDESIGNATE FROM "VILLAGE CORE" TO "VILLAGE CORE INCLUDING A PEDESTRIAN ONLY PROMENADE"

**LEGEND**

- SUBJECT LANDS
- D BUILDING 'D'



FILES:  
OP:07.006 & Z:07.040  
RELATED FILE: DA.08.088  
June 23, 2009

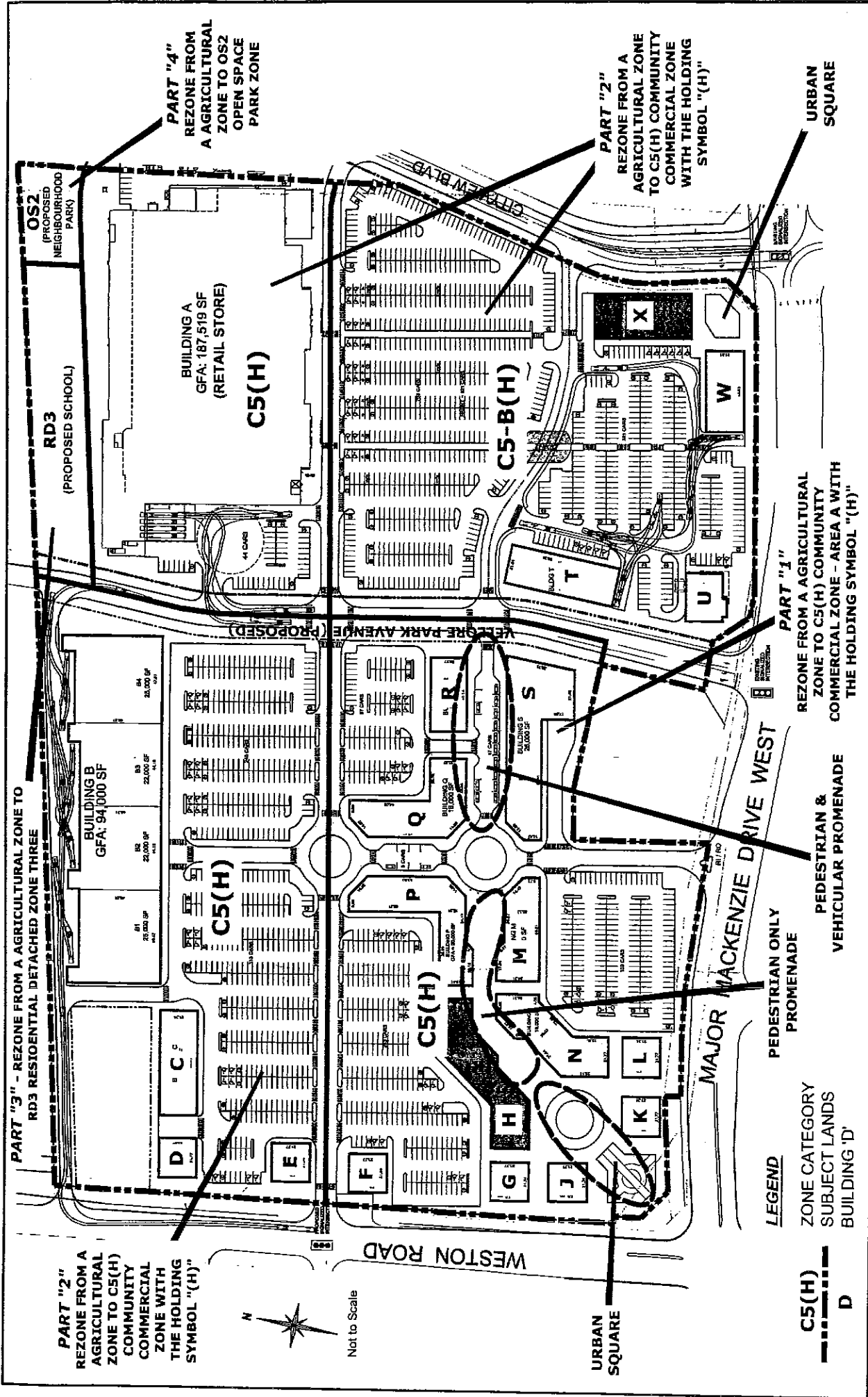


The City Above Toronto  
Development Planning Department

Land Use Schedule

Part of Lot 21,  
Concession 5  
APPLICANT:  
Major Weston Centres Ltd.

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**LEGEND**

**C5(H)** ZONE CATEGORY  
 SUBJECT LANDS

**D** BUILDING 'D'

— PEDESTRIAN ONLY PROMENADE

— PEDESTRIAN & VEHICULAR PROMENADE

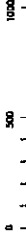
**PART "1"**  
 REZONE FROM AN AGRICULTURAL ZONE TO C5(H) COMMUNITY COMMERCIAL ZONE - AREA A WITH THE HOLDING SYMBOL "(H)"

**PART "2"**  
 REZONE FROM AN AGRICULTURAL ZONE TO C5(H) COMMUNITY COMMERCIAL ZONE WITH THE HOLDING SYMBOL "(H)"

**PART "4"**  
 REZONE FROM AN AGRICULTURAL ZONE TO OS2 OPEN SPACE PARK ZONE

**PART "3"** - REZONE FROM AN AGRICULTURAL ZONE TO RD3 RESIDENTIAL DETACHED ZONE THREE

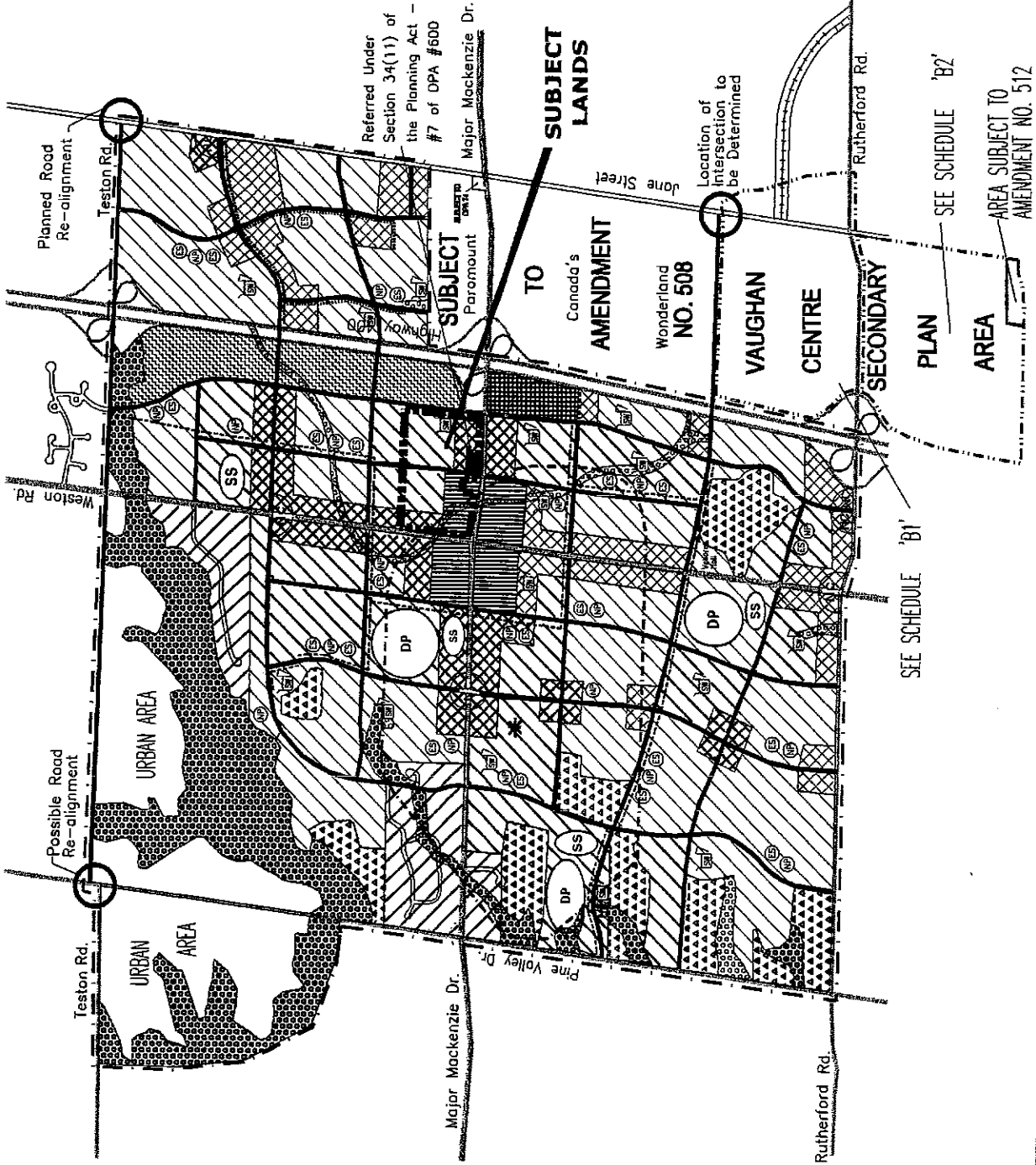
**VELLORE  
URBAN VILLAGE 1**



**LEGEND**

- Elementary School
- Secondary School
- Neighbourhood Park
- District Park
- Neighbourhood Commercial Cdn.
- Lands Subject to Vellore - Urban Village Area #1
- Low Density Residential
- Medium Density Residential/Commercial
- Vellore Village Centre
- Estate Residential
- Urban Area
- High Performance Employment Area
- Valley Lands
- Stream Corridor
- Greenway System
- Tableland Woodlots
- General Commercial
- Storm Water Management
- Vaughan Centre
- Waste Disposal / Recreational Area (Passer Estote)

**THIS IS SCHEDULE 'B' TO  
AMENDMENT #800**



**OPA 600 - Schedule 'B'  
Vellore Urban Village 1**

APPLICANT:  
Major Weston Centres Ltd.  
Part of Lot 21,  
Concession 5



Development Planning Department

**Attachment**

FILES:  
OP.07.006 & Z.07.040  
RELATED FILE: DA.08.088  
June 23, 2009

**6**

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