

COMMITTEE OF THE WHOLE FEBRUARY 23, 2010

ZONING BY-LAW AMENDMENT FILE Z.09.028 ROMDOR DEVELOPMENTS INC. WARD 1

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.09.028 (Romdor Developments Inc.) BE APPROVED, to amend By-law 1-88, specifically the C4 Neighbourhood Commercial Zone subject to Exception 9(1319), to permit a day nursery as an additional permitted use in Building "C" on the subject lands shown on Attachments #1 and #2, having a maximum gross floor area of 520m² and an accessory outdoor play area located within a portion of the required landscaped area as shown on Attachments #3, #4, and #5, with the following site-specific zoning exceptions:
 - i) permit a minimum front yard setback of 4.8m to Building "C" and 1.0m to the proposed masonry wall structure as shown on Attachment #4, whereas 15m is required to facilitate an Institutional Use;
 - ii) permit a minimum 0m wide landscape strip abutting a street line (Ilan Ramon Boulevard), to accommodate the associated outdoor play area for the day nursery, whereas 4.5m is required; and,
 - iii) permit a minimum of 342 parking spaces for the entire property, whereas 348 spaces are required.

Contribution to Sustainability

The subject lands are currently being constructed with a mixed-use office and commercial development as shown on Attachment #3, which was approved by Council on March 23, 2009. The development includes the following sustainable development initiatives:

- outdoor lighting will be designed for safety and comfort and to reduce light pollution;
- an erosion and sedimentation control plan will be designed and implemented;
- recycled concrete material will be used for the stone base in the parking lot and pavement construction;
- bicycle racks will be provided on the site;
- permeable pavers will be utilized in the landscaped islands throughout site;
- plumbing fixtures which reduce water requirements will be utilized;
- roofing materials which have a high Solar Reflectance Index (typically referred to as a white roof) will be used;
- low emitting adhesives, sealants, paints and coatings will be utilized;
- an easily accessible area for the collection and storage of recyclables will be provided; and,
- landscape materials which minimize the use of water will be provided.

Economic Impact

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

Communications Plan

On October 19, 2009, a Notice of Public Hearing was circulated to all property owners within 150m of the subject lands. To date, no comments have been received. The recommendation of

the Committee of the Whole to receive the Public Hearing report of November 10, 2009, and to forward a comprehensive report to a future Committee of the Whole Meeting was ratified by Council on November 24, 2009.

Purpose

To amend the City's Zoning By-law 1-88, specifically Exception 9(1319) to add a Day Nursery having a maximum gross floor area of 520m² and an accessory outdoor play area as an additional permitted use in the C4 Neighbourhood Commercial Zone within Building "C" of the development currently under construction on the subject lands shown on Attachments #1 and #2. As a result of the Day Nursery and accessory outdoor play area a reduction of 6 parking spaces is required.

Background - Analysis and Options

The 1.75 ha subject lands shown on Attachments #1 and #2 are located at the southwest corner of Major Mackenzie Drive and Ilan Ramon Boulevard, being Part of Lot 20, Concession 2, within Planning Block 11, City of Vaughan. The subject lands have 170.2m frontage along Ilan Ramon Boulevard and 185.7m flankage along Major Mackenzie Drive. The surrounding land uses are shown on Attachment #2.

On November 26, 2009 the Committee of Adjustment approved Minor Variance File A275/09 to permit the following changes to Building "D" located on the subject lands (Attachment #3):

1.	Increase the minimum gross floor area of all buildings on the site from 7,659m ² to 8,892m ² ; and,
2.	To permit a building height of 17.7m (4-storeys), 19.0m to the top of the architectural feature (at the northeast corner), and 18.7m to the top of the atrium for Building "D", whereas a maximum building height of 15m (3-storeys), 18m to the top of the architectural feature, and 17.5m to the top of the atrium was permitted.

A condition of approval for the Minor Variance Application was that the Owner undertake a Site Plan Amendment to address the increased building height, gross floor area and additional storey. The Owner has filed the required Minor Amendment to an approved Site Development Application (File DA.09.067) to address the above and the changes associated with the subject day nursery, which are being reviewed and will be approved in-house by the Development Planning Department.

The proposed day nursery use which is the subject of this Zoning By-law Amendment Application is located in Building "C" of the subject lands, and therefore has no direct impact on the approved Minor Variance File A275/09. The approved development shown on Attachment #3 is currently under construction.

Official Plan

The subject lands are designated "Medium Density Residential/Commercial" by OPA #600, which permits small-scale retail and office commercial uses. Minor Institutional uses which provide a locally or neighbourhood-oriented function are permitted in the "Medium Density Residential/Commercial" designation, provided they are compatible with neighbouring designations.

OPA #600 further specifies that in the preparation of Block Plans and larger residential subdivision plans, consideration shall be given to the provision of a day nursery, having regard for the needs of the community, the availability of existing services, and the expected composition of

the resident and working populations. Furthermore, reference shall be had to the specific requirements respecting permitted locations, size, on-site facilities, access and parking as established in OPA #325 (Day Nursery Policy).

OPA #325 establishes appropriate policies and guidelines to govern the siting and criteria for day nurseries. The proposed use is located within a "Medium Density Residential/Commercial Area" designation, which is considered to be a mixed-use designation. OPA #325 contains specific policies ensuring the day nursery use is compatible with the established residential character of the surrounding area. The proposed day nursery is situated in a mixed-use residential/commercial area, where the subject lands were developed strictly for neighbourhood commercial uses. In light of this distinguishing factor the day nursery policies pertaining to residential designations do not apply to the subject lands. However, the proposed use does conform to the policies of OPA #325 respecting Permitted Uses, Access, On-Site Facilities and Provision of Day Nursery in large development plans.

Zoning

The subject lands are zoned C4 Neighbourhood Commercial Zone by By-law 1-88, subject to site-specific Exception 9(1319), which specifically prohibits a Day Nursery use on the property. The Parking Study submitted with the original Site Development Application (File DA.08.076) did not contemplate a day nursery use and therefore, it was excluded as a permitted use on the site. A Zoning By-law amendment is required to permit the day nursery use and associated play area and to address the following zoning exceptions required to facilitate the proposed use:

	By-law Standard	By-law 1-88 Requirements of C4 Neighbourhood Commercial Zone Exception 9(1319)	Proposed Exceptions to C4 Neighbourhood Commercial Zone Exception 9(1319)
a)	Minimum Number of required Parking Spaces	348 (including additional spaces for approved 4-storey Office Building)	342
b)	Minimum Front Yard Setback for an Institutional Use	15m	4.8m (to Building "C" - existing) 1.0m (to the masonry piers and wall - proposed)
c)	Permitted Uses	Day Nursery Use not permitted	To permit a Day Nursery Use with the associated outdoor play area
d)	Minimum Width of Landscape Strip Abutting a Street Line	4.5m abutting Ilan Ramon Boulevard	0.0m
e)	Uses Permitted Within the Required Landscape Strip Abutting a Street Line	Landscaping and Driveway Access only	To permit the accessory outdoor play area

Parking

The proposed day nursery use and outdoor play area would require the elimination of 7 parking spaces. An additional 2 spaces have also been eliminated from the on-grade parking area to accommodate the exiting kiosk for the underground parking facility, for a total reduction of 9 parking spaces on-grade. Three of these spaces have been relocated to the proposed underground parking garage. As a result the Owner requires an exception for a reduction of 6 spaces for the overall site.

Planning Considerations

The site is developed with 3 single storey multi-unit commercial buildings (Buildings "A", "B" and "C") and a 4-storey office building (Building "D"), having a total combined gross floor area of 8,891.48m². The introduction of a day nursery use on the property is appropriate as this use is normally permitted to locate as-of-right in all commercial zones provided the use can accommodate the required 15m setback requirement. The original Zoning By-law Amendment Application (File Z.08.055) excluded a number of uses including the day nursery use on the subject lands as the parking justification report did not address this use, and therefore, it was not permitted in the implementing zoning by-law.

The Development Planning Department is of the opinion that a day nursery use is compatible with the existing uses on the site and in the surrounding area, and that the slight reduction to the required number of parking spaces, the front yard setback and the required landscape strip along Ilan Ramon Boulevard can be supported. The 4.8m setback from Building "C" is existing and the outdoor play area within the landscaped area along Ilan Ramon Boulevard is proposed to be screened by a decorative fence and landscaping. In addition, the masonry piers proposed at the entrance driveway to the site forms part of the decorative fence treatment along the street as shown on Attachment #6. The decorative metal fence and masonry fence combination will ensure security of the play area for the children of the day nursery, which also includes two emergency exit gates.

The Owners have also submitted a Traffic Study Addendum addressing parking demand in support of the application prepared by iTrans Consulting Inc. dated September 29, 2009, which has been reviewed and approved by the Vaughan Engineering Department.

Vaughan Engineering Department

The Vaughan Engineering Department has reviewed the Zoning By-law Amendment Application to permit a day nursery use and the associated outdoor play area and has no objections to the application.

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 reviewed the Zoning By-law Amendment application and had no objections to its approval.

Conclusion

Zoning By-law Amendment File Z.09.028 (Romdor Developments Inc.) has been reviewed in accordance with the policies of OPA #600 and OPA #325, the requirements of the Zoning By-law and the surrounding area context. The application will facilitate the introduction of a day nursery use and the associated outdoor play area to the commercial development, which is currently

under construction, in a manner that is compatible with the surrounding land uses. On this basis, the Development Planning Department can support the approval of the Zoning By-law Amendment Application.

Attachments

1. Context Location Map
2. Location Map
3. Context Site Plan
4. Detail Site Plan – Building “C”
5. Landscape Plan
6. Decorative Fence Detail (Facing Ilan Roman Avenue)

Report prepared by:

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Mauro Peverini, Manager Development Planning, ext. 8407

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

GRANT UYEVAMA
Director of Development Planning

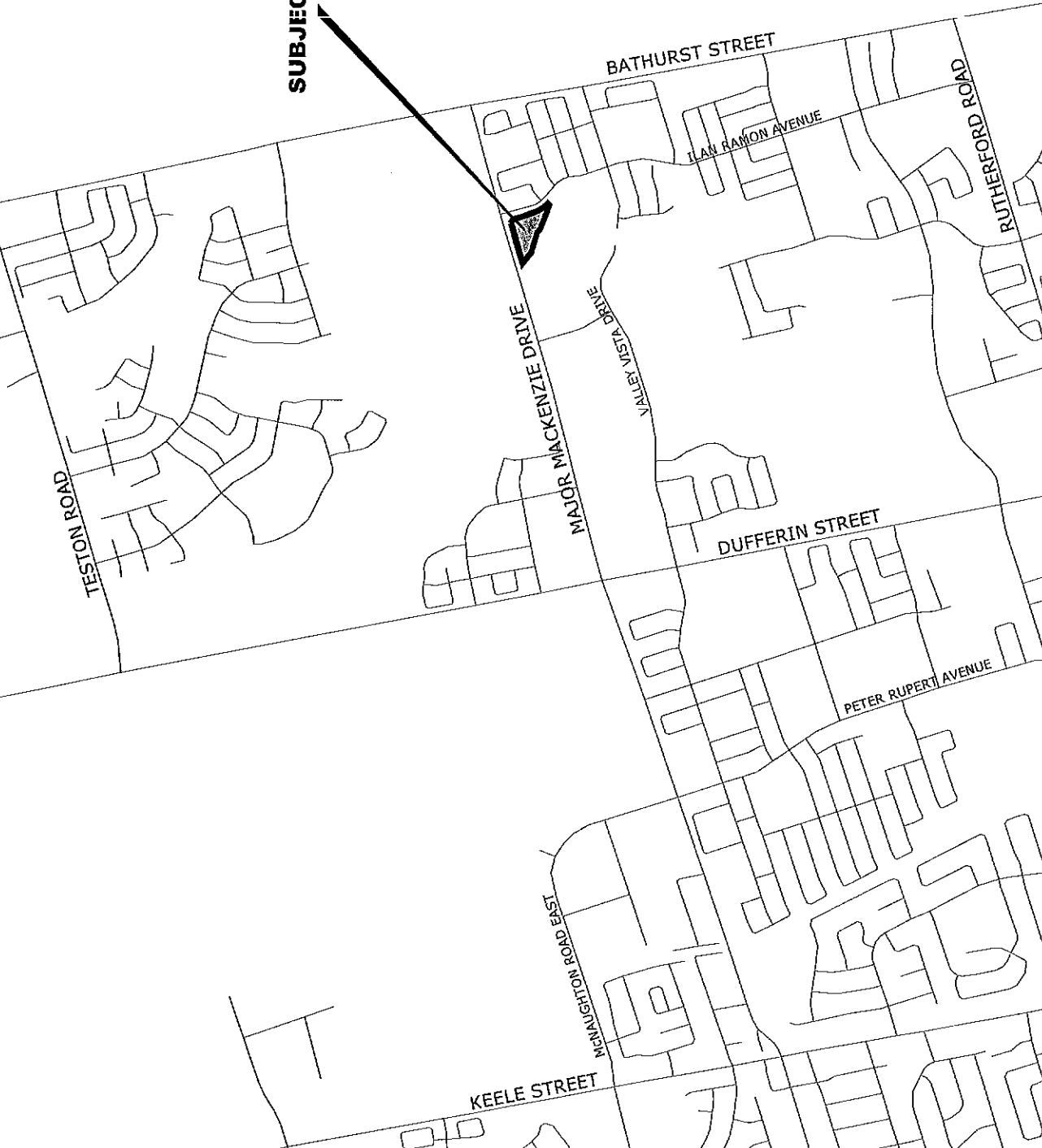
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Not to Scale

TOWN OF
RICHMOND
HILL

SUBJECT LANDS



Attachment

File: Z.09.028
Related File: DA.09.067

Date:
February 2, 2010



Development Planning Department

Context Location Map

Location: Part of Lot 20,
Concession 2

Applicant:
Romdor Developments Inc.

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Not to Scale

TOWN OF
RICHMOND
HILL

BATHURST STREET

ELIHOF DRIVE

RT1

RD4

SOUTHDOWN AVENUE

MILL RIVER DRIVE

OS1
(VALLEY LANDS/
STORMWATER
MANAGEMENT
POND)

RT1(H)
(FUTURE
RESIDENTIAL
TOWNHOUSES)

RD3

REGIS DRIVE

SHALE CRESCENT

VALLEY VISTA DRIVE

A
(FUTURE
RESIDENTIAL
COMMUNITY)

LINVEST CRESCENT

RD4

RD3

ILAN RAMON AVENUE

RD3

RD3(H)
(FUTURE
RESIDENTIAL)

OS2

C4

OS1
(OPEN SPACE/
VALLEY LANDS)

East Don River

A

OAK RIDGES MORaine BOUNDARY (THIS SIDE)

OS5
(OPEN SPACE/
VALLEY LANDS)

A
(EXISTING
AGRICULTURAL
USES /FUTURE
PARK & COMMUNITY
CENTRE)


OS5
(OPEN SPACE/
VALLEY LANDS)

A
(EXISTING
RESIDENTIAL)

MAJOR MACKENZIE DRIVE

THOMAS COOK AVENUE

VALLEY VISTA DRIVE

- Legend**
- A - AGRICULTURAL ZONE
 - C4 - NEIGHBOURHOOD COMMERCIAL ZONE
 - OS1 - OPEN SPACE CONSERVATION ZONE
 - OS2 - OPEN SPACE PARK ZONE
 - OS5 - OPEN SPACE ENVIRONMENTAL PROTECTION ZONE
 - RD3 - RESIDENTIAL DETACHED ZONE THREE
 - RD4 - RESIDENTIAL DETACHED ZONE FOUR
 - RT1 - RESIDENTIAL TOWNHOUSE ZONE
 - (H) - HOLDING PROVISION
-  SUBJECT LANDS

Location Map

Location: Part of Lot 20,
Concession 2

Applicant:
Romdor Developments Inc.

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The City Above Toronto

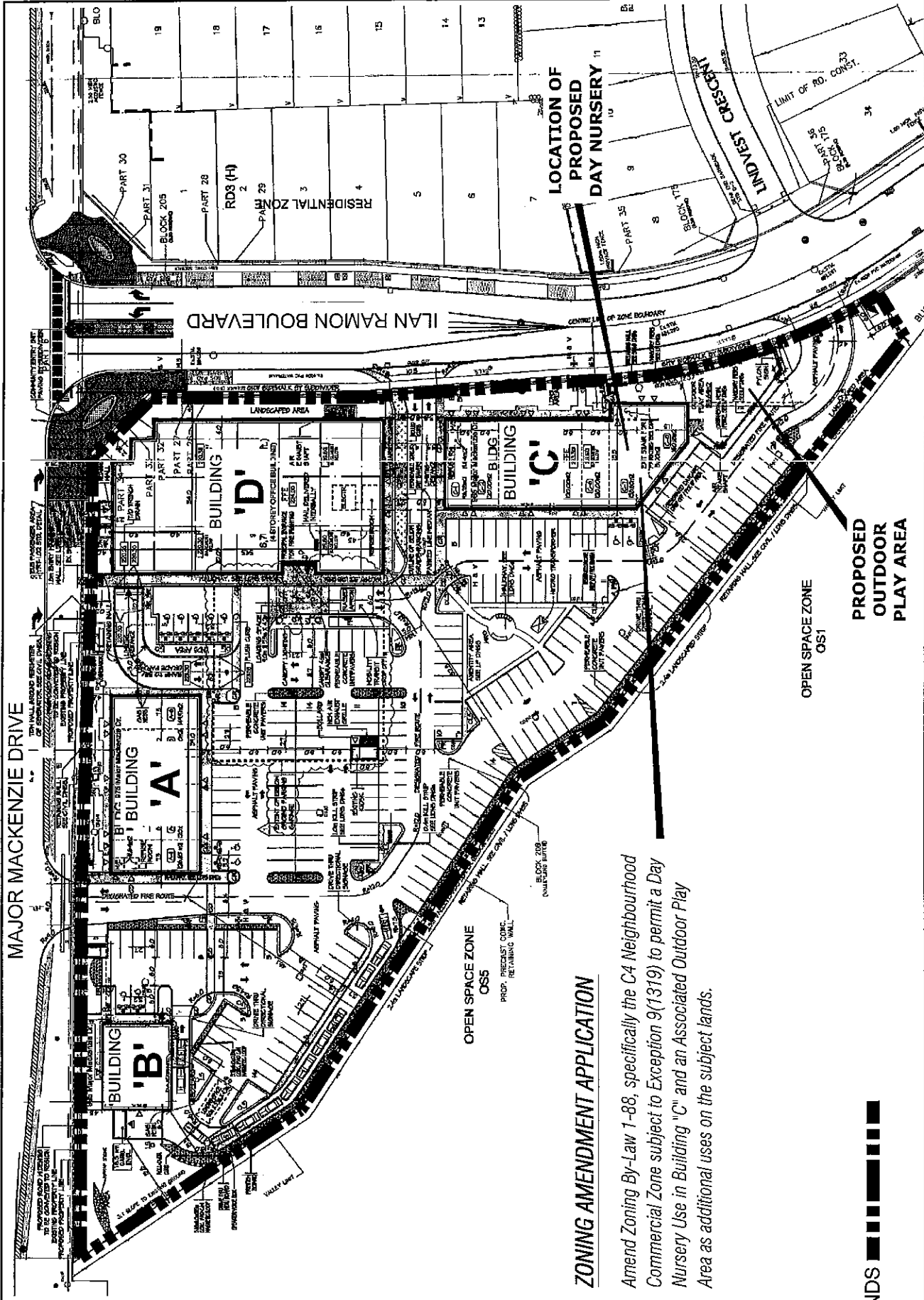
Development Planning Department

Attachment

File: Z.09.028
Related File: DA.09.067

Date:
February 2, 2010

2



ZONING AMENDMENT APPLICATION

Amend Zoning By-Law 1-88, specifically the C4 Neighbourhood Commercial Zone subject to Exception 9(1319) to permit a Day Nursery Use in Building "C" and an Associated Outdoor Play Area as additional uses on the subject lands.

SUBJECT LANDS ■■■■■

Context Site Plan

Location: Part of Lot 20,
Concession 2

Applicant:
Formdor Developments Inc.

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The City Above Toronto

Development Planning Department

Attachment

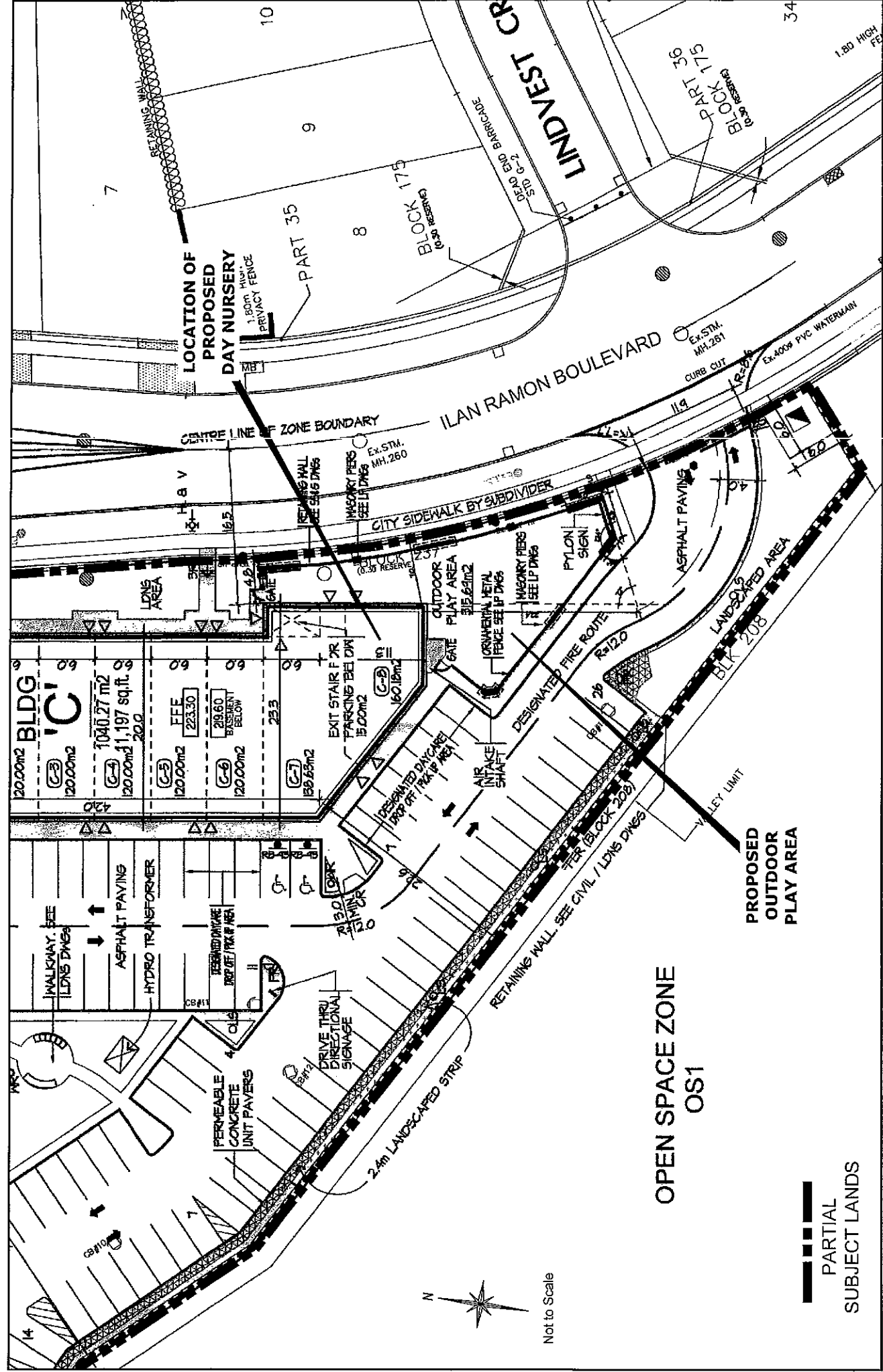
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Date:

February 2, 2010

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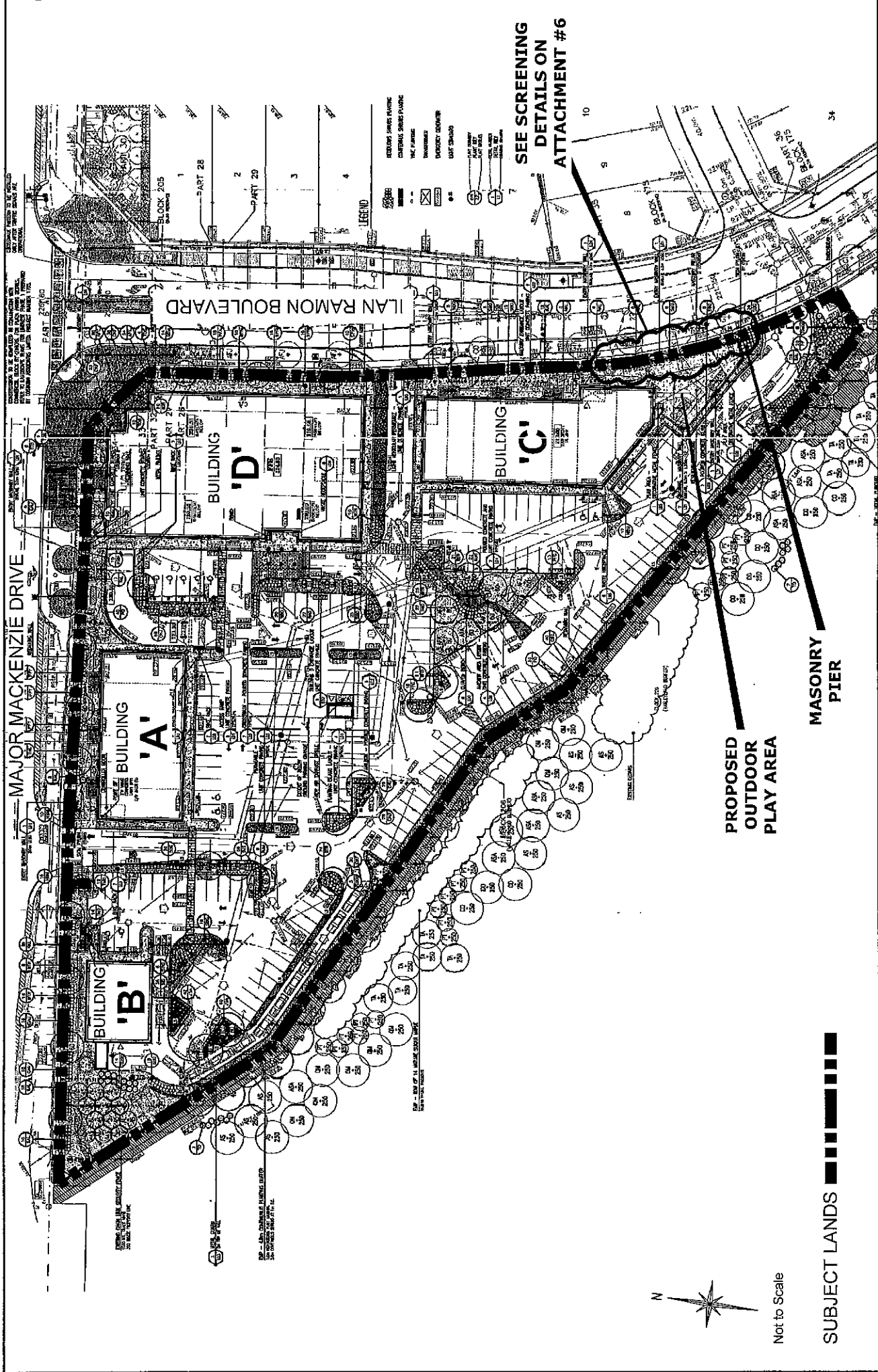
 PARTIAL
 SUBJECT LANDS

OPEN SPACE ZONE
OS1

PROPOSED
OUTDOOR
PLAY AREA



Not to Scale



SEE SCREENING
DETAILS ON
ATTACHMENT #6



The City Above Toronto

Development Planning Department

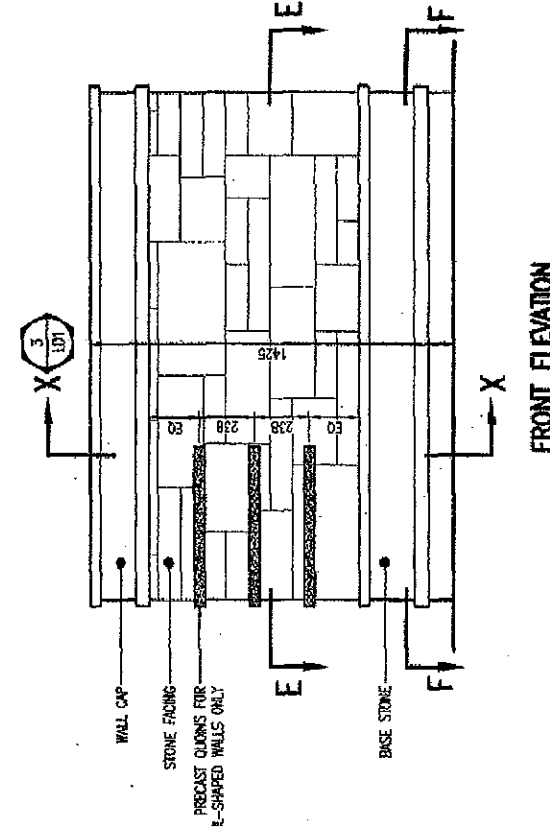
Landscape Plan

Location: Part of Lot 20,
Concession 2

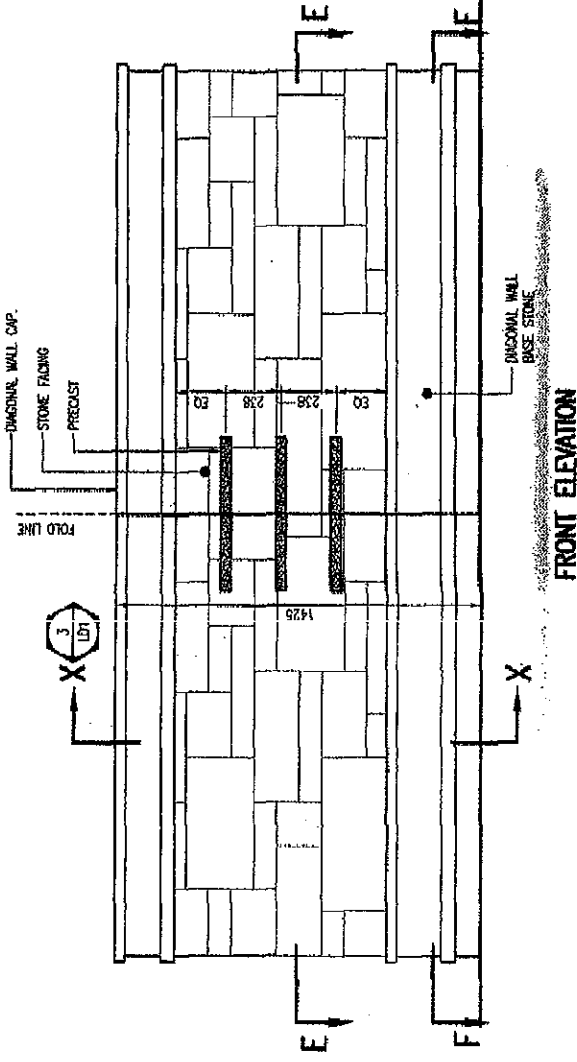
Applicant:
Formdor Developments Inc.

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SUBJECT LANDS ■■■■■



ENTRY MASONRY WALL



DIAGONAL - MASONRY WALL

Not to Scale

Decorative Fence Detail
(Facing Ilan Ramon Avenue)



Development Planning Department

Attachment

File: Z.09.028
Related File: DA.09.067

6

Date:
February 2, 2010

Location: Part of Lot 20,
Concession 2

Applicant:
Romdor Developments Inc.