

COMMITTEE OF THE WHOLE JULY 6, 2010

SITE DEVELOPMENT FILE DA.10.028 TWO SEVEN JOINT VENTURE LIMITED WARD 2

Recommendation

The Commissioner of Planning in consultation with the Commissioner of Engineering and Public Works recommends:

1. THAT Site Development File DA.10.028 (Two Seven Joint Venture Limited) BE APPROVED, to facilitate the development of the subject lands shown on Attachments #1 and #2 with a retail nursery (Reeves) as shown on Attachments #3 to #6, subject to the following conditions:
 - a) that prior to the execution of the Site Plan Letter of Undertaking:
 - i) the final site plan, building elevations and landscape plan shall be approved by the Vaughan Development Planning Department;
 - ii) the final stormwater management report, and site servicing, grading plans and environmental site assessment shall be approved by the Vaughan Engineering Department, in consultation with the Toronto and Region Conservation Authority; and
 - iii) the final development plans shall be in accordance with the City of Vaughan Waste Collection Design Standards Policy and be approved to the satisfaction of the Vaughan Public Works Department.
2. THAT the Owner shall pay cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands to Vaughan, 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". The Owner shall submit an approved appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval of the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.

Contribution to Sustainability

The Owner has advised that the proposed development will incorporate the following sustainable building and site development features:

- a) pedestrian infrastructure:
 - building is connected to off-site pedestrian paths and surface transit stops to encourage walking as a clean air alternative;
- b) heat island reduction at grade:
 - high branching deciduous shade trees reduce ambient surface temperatures;
- c) heat island reduction at roof:
 - building structure designed to accommodate future green roof (pre-cultivated vegetation blanket) on 50% of the flat roof to reduce ambient surface temperature on rooftop;
- d) minimum energy performance:
 - passive solar day lighting, fluorescent fixtures and sensors that modulate lighting conditions to minimize demand for energy;

- e) storm water retention:
 - rain water harvesting consisting of a 70,000 gallon underground cistern to store roughly 3" of rainfall from the 1 acre of greenhouse roof;
 - the future green roof will absorb rainfall and encourage evapotranspiration;
- f) water efficiency:
 - rain water from the greenhouse roof is being harvested for the irrigation system to reduce demand for potable water – cistern size will provide 10 days of irrigation in peak season;
 - landscaping uses drought tolerant native species;
 - rain sensors for irrigation systems;
- g) urban forest:
 - encourage tree growth by providing a water program for trees the first two years after planting;
- h) natural heritage:
 - landscaping incorporates planting of a diversity of native species to protect and increase natural biodiversity;
- i) soil quality:
 - Reeves Nursery is committed to providing optimum growing conditions to support long-term plant survival and growth; and,
- j) design features for migratory birds:
 - polycarbonate greenhouse structures provide a translucent window finish that increases visibility.

Economic Impact

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

Communications Plan

N/A

Purpose

The Owner has submitted a Site Development Application to permit a retail nursery (Reeves) on 2.4 ha of an overall 40.9 ha property (Attachments #1 and #2). The 5,532.4m² building consists of: a 1,446.6m² retail nursery; 2,663.5m² greenhouse; 289.4m² warehouse; and, a two-storey 407.9m² office (with future green roof), as shown on Attachment #3.

Background - Analysis and Options

Location

The lands subject to this application (2.4ha) form part of an overall 40.9 ha land holding located on the west side of Regional Road 27, opposite of Martin Grove Road (8840 Regional Road 27), in Part of Lot 13, Concession 9, City of Vaughan.

Official Plan

The subject lands are designated "Employment Secondary Plan Study Area" by OPA #600, and are also subject to the "Agriculture Area" policies until a Secondary Plan amendment is adopted by the City and approved, giving the lands full urban status. The "Agriculture Area" policies do not permit a retail nursery use. However, the proposed retail nursery use is considered a non-conforming use. OPA #600 provides policies for non-conforming uses and states that "the City may amend a by-law so as to permit the extension or enlargement of any land, building or structure used for any purpose prohibited by the by-law and/or which does not conform to the provisions of this Plan, provided:

- a) that such land, building or structure continues to be used in the same manner and for the same purpose as it was used on the day such by-law was passed; and,
- b) that the extension or enlargement of the non-conforming use will not adversely affect the welfare of the community in which it is located. (Section 11.0 iii)."

The subject lands (2.4 ha) are currently developed with a retail nursery (i.e. In the Garden). Therefore, the extension of the retail nursery use will continue as the proposed Reeves retail nursery, with a greenhouse, warehouse and office will be constructed in approximately the same location as the existing nursery. The proposed retail nursery conforms to the Official Plan.

Zoning

The 2.4 ha site is zoned A Agricultural Zone by By-law 1-88, as shown on Attachment #2.

In accordance with By-law 1-88, a retail nursery use on a lot which was legally so used on September 19, 1988 is permitted in the A Agricultural Zone. The Vaughan Building Standards Department's permit application records indicate that a building permit for a retail nursery use was issued for the subject lands as early as 1968. In addition, the current Owner has signed an affidavit stating that the garden centre and retail landscaping outlet (currently known as *In the Garden*) has been in existence since 1964. The proposed retail nursery use on the subject lands is permitted, and complies with the Zoning By-law.

Site Plan Review

The Vaughan Development Planning Department is generally satisfied with the proposed site plan, building elevations and landscape plan, as shown on Attachments #3 to #6. The Reeves Nursery will be served by a private driveway leading to a signalized intersection at Regional Road 27. In the future, Martin Grove Road will be extended westward, upon a Secondary Plan and Block Plan being approved by Vaughan Council, identifying the future land uses and road pattern for this area.

The site will be serviced by private snow removal and garbage/recycling pick-up. The Owner shall meet the requirements set out in the City of Vaughan Waste Collection Design Standards Policy. A condition to this effect has been included in the recommendation of this report. The final site plan must be approved to the satisfaction of the Vaughan Development Planning Department.

Landscape Plan

The landscape plan shown on Attachment #4, consists of a mix of coniferous and deciduous trees, ground plantings, and hard landscaping. The Vaughan Development Planning Department will continue to work with the Owner to finalize the details of the landscape plan. The final landscape plan/details and landscape cost estimate must be approved to the satisfaction of the Vaughan Development Planning Department.

Building Elevations

The proposed building elevations are shown on Attachments #5 and #6. The building materials consist of grey limestone ledgerrock for the office portion and glass and clear polycarbonate panels for the greenhouse and retail nursery, which will be constructed to a maximum building height of 10.2m. The final elevations must be approved to the satisfaction of the Vaughan Development Planning Department.

Vaughan Engineering

The Vaughan Engineering Department is awaiting revised servicing, grading and sanitary sewer cross section plans. The final stormwater management report, and site servicing and grading plans shall be approved by the Vaughan Engineering Department. A condition to this effect has been included in the recommendation of this report.

The applicant is currently completing the Phases 2 and 3 Environmental Site Assessment and expect to have the work completed shortly. Staff will provide an additional information memo containing additional conditions of approval for the Council meeting of July 13, 2010.

Toronto and Region Conservation Authority (TRCA)

A watercourse traverses through the overall 40.9 ha property, to the west of the proposed Reeves Nursery site. The TRCA has advised that they have no objections to the approval of the zoning by-law amendment application, subject to the following 5 action items being addressed by the applicant, prior to the registration of the Site Plan Letter of Undertaking and/or the issuance of any building permit:

- a) the applicant must apply for a TRCA Permit;
- b) the Erosion and Sediment Control measures identified in the applicant's Functional Servicing Report must be revised;
- c) the applicant must ensure that the proposed stormwater management pond (to be located on the south side of the private driveway) design identified in their Functional Servicing Report, satisfies the Humber River allowable unit rates;
- d) the applicant must revise the stormwater management pond design to comply with the Humber River unit rate criteria to ensure the pond is appropriately sized (ie. increased in size from what is identified in their Functional Servicing Report); and,
- e) the applicant must revise their Erosion and Sediment Control plan to ensure that all construction activities are managed with appropriate sediment and erosion controls to minimize impacts to receiving waters from wash-off and migration of site material.

The Owner will be required to satisfy the requirements of the TRCA, as noted above, including addressing stormwater management and obtaining a TRCA Permit.

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 Owner must enter into a Regional Site Plan Agreement with the Region of York Transportation Services Department with respect to this development and servicing works along Regional Road 27. The Reeves Nursery will be served by a private driveway leading to a signalized intersection at Regional Road 27. In the future, Martin Grove Road will be extended westward, subject to Regional approval.

Conclusion

The Site Development Application has been reviewed in accordance with OPA #600, By-law 1-88, the comments from City Departments and external public agencies, and the area context. The Vaughan Development Planning Department is generally satisfied that the proposed 5,532.4m² Reeves retail nursery including a greenhouse, warehouse and a two-storey office, is appropriate, compatible, and consistent with the existing uses in the surrounding area, and conforms to the Official Plan and complies with the Zoning By-law. Accordingly, the Development Planning Department can support the approval of the Site Development Application, subject to the recommendations in this report.

Attachments

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

Report prepared by:

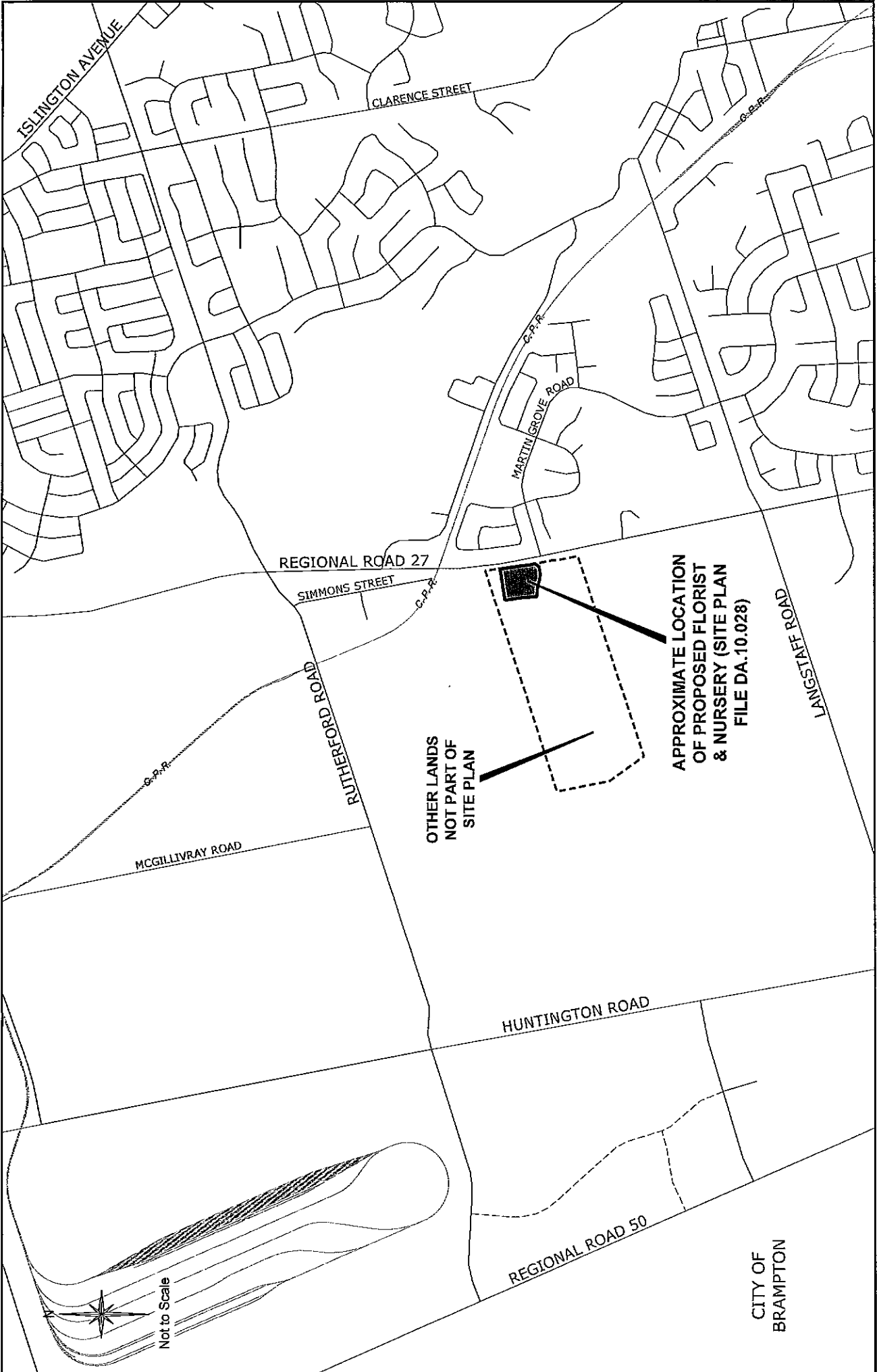
Margaret Holyday, Planner, ext. 8216
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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

GRANT UYHEYAMA
Director of Development Planning

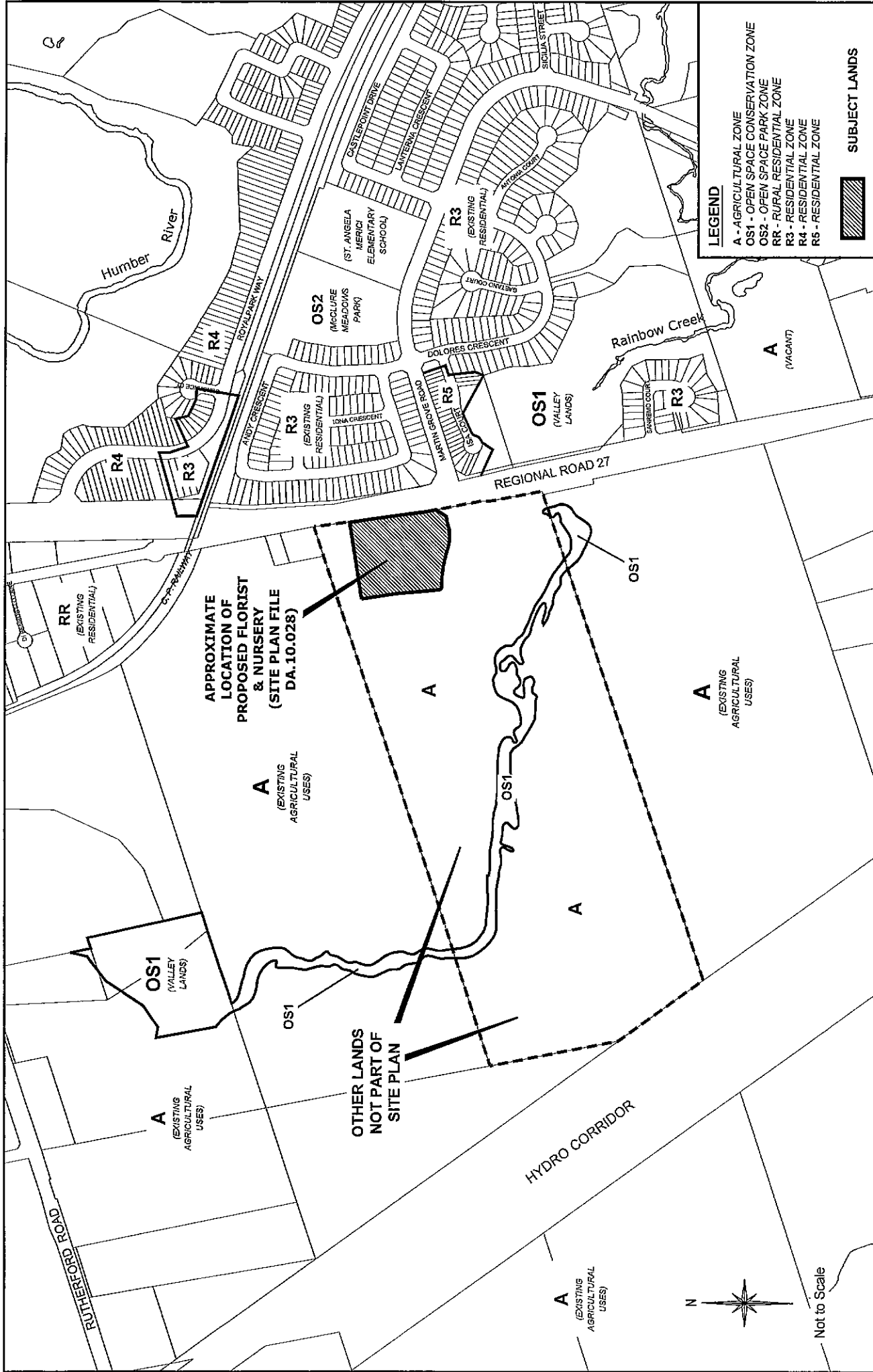
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Development Planning Department

Location: Part of Lot 13,
Concession 9

Applicant:
Two Seven Joint Venture Limited
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Location Map

Location: Part of Lot 13,
Concession 9

Applicant:
Two Seven Joint Venture Limited
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Development Planning Department

Attachment

File: **2**
DA.10.028
Date: June 22, 2010



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REGIONAL ROAD 27

EXTERIOR COURTYARD

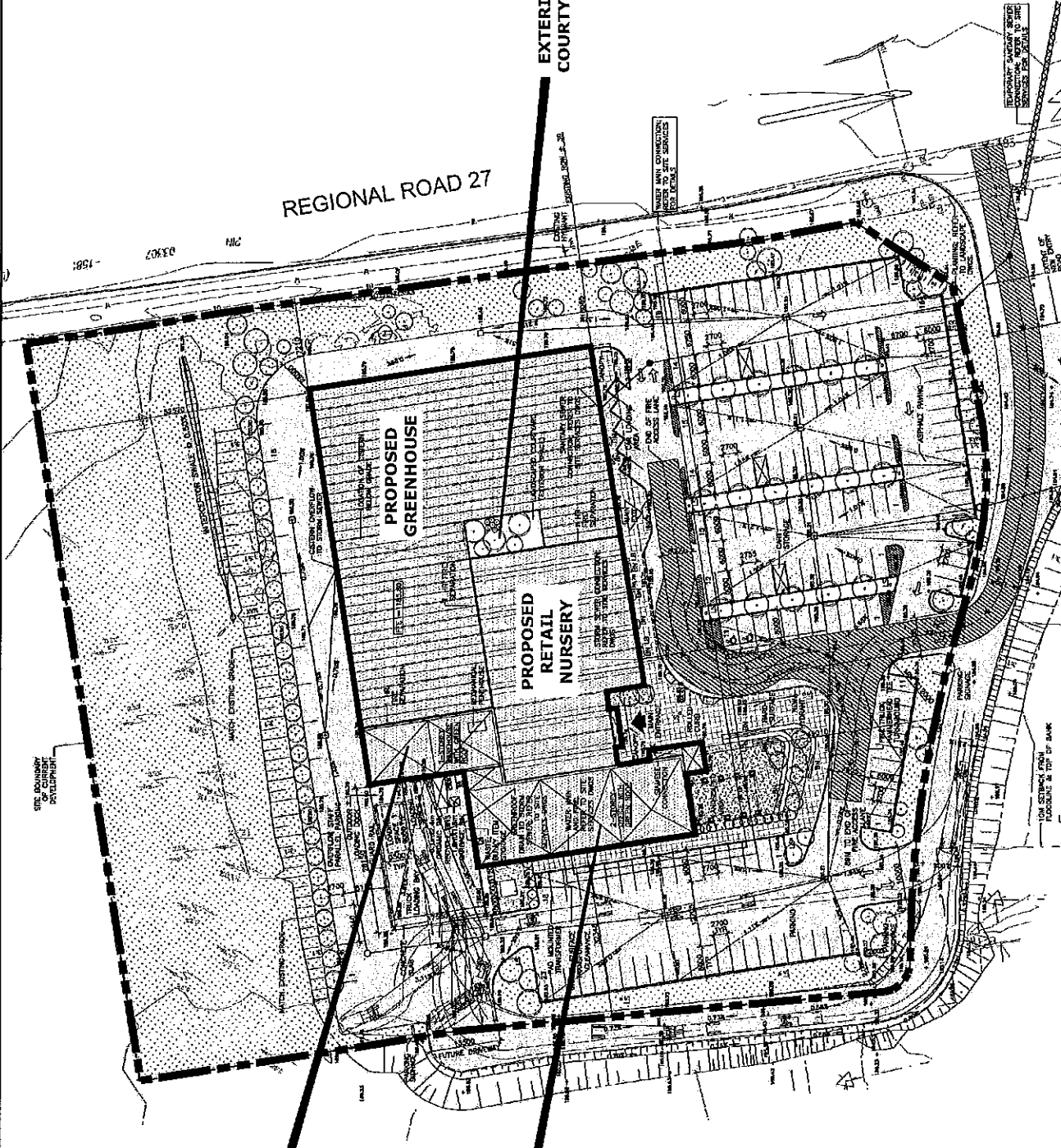
PROPOSED GREEN HOUSE

PROPOSED RETAIL NURSERY

PROPOSED 1-STORY WAREHOUSE WITH FUTURE GREEN ROOF

PROPOSED 2-STORY OFFICE WITH FUTURE GREEN ROOF

SUBJECT LANDS



Site Plan

Location: Part of Lot 13,
Concession 9

Applicant:
Two Seven Joint Venture Limited

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Development Planning Department

Attachment

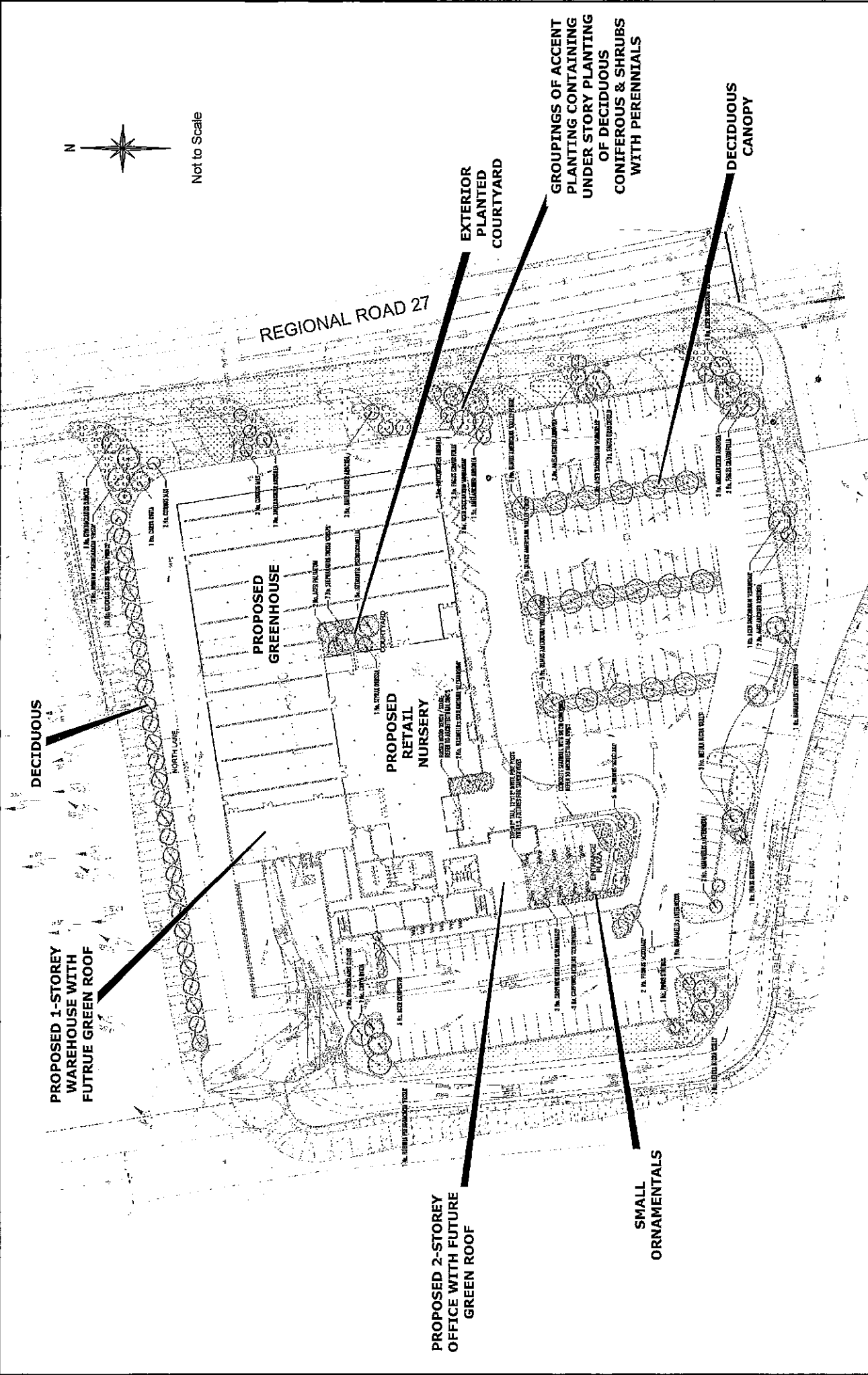
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DA.10.028

Date:
June 22, 2010

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GROUPINGS OF ACCENT PLANTING CONTAINING UNDER STORY PLANTING OF DECIDUOUS CONIFEROUS & SHRUBS WITH PERENNIALS

DECIDUOUS CANOPY

EXTERIOR PLANTED COURTYARD

REGIONAL ROAD 27

PROPOSED GREENHOUSE

PROPOSED RETAIL NURSERY COURTYARD

PROPOSED 1-STORY WAREHOUSE WITH FUTURE GREEN ROOF

PROPOSED 2-STORY OFFICE WITH FUTURE GREEN ROOF

SMALL ORNAMENTALS

Attachment

4

File: DA.10.028

Date: June 22, 2010



Development Planning Department

Landscape Plan

Location: Part of Lot 13, Concession 9

Applicant: Two Seven Joint Venture Limited

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