

COMMITTEE OF THE WHOLE MAY 10, 2011

ZONING BY-LAW AMEDMENT FILE Z.11.003 SITE DEVELOPMENT FILE DA.10.108 NINE-TEN WEST LIMITED WARD 4

Recommendation

The Acting Commissioner of Planning and Director of Development Planning recommend:

1. THAT Zoning By-law Amendment File Z.11.003 (Nine-Ten West Limited) BE APPROVED, to remove the Holding Symbol "(H)" from the portion of the subject lands municipally known as 1076 Rutherford Road as shown on Attachment #2, thereby effectively zoning all of the subject lands C4 Neighbourhood Commercial Zone.
2. THAT Site Development File DA.10.108 (Nine-Ten West Limited) BE APPROVED, to permit a new one-storey multi-unit commercial building having a total gross floor area of 1,735.70m² and to facilitate the relocation of an existing 234.8m² heritage structure to be used for commercial purposes (as shown on Attachment #3), 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, signage details plan, landscape plan and landscape cost estimate shall be approved by the Vaughan Development Planning Department; and,
 - ii) the final site servicing and grading plan shall be approved by the Vaughan Development and Transportation Engineering Department; and,
 - iii) Minor Variance Application A085/11 shall be approved by the Vaughan Committee of Adjustment and shall be in full force and effect.

Contribution to Sustainability

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

- i) erosion and sediment control measures;
- ii) bicycle racks to promote an alternative to car use;
- iii) low maintenance, drought-tolerant, predominantly native plant species;
- iv) locally sourced building materials;
- v) the use of a light coloured roof to reduce the heat island effect;
- vi) the incorporation of technologies to reduce the amount of water use;
- vii) the collection and storage of recyclables;
- viii) the use of low-E windows;
- ix) compliance with ASHRAE standards (heating, ventilation and air conditioning);
and,
- x) light pollution reduction.

Economic Impact

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

Purpose

The Owner of the subject lands shown on Attachments #1 and #2 has submitted a Site Development Application (File DA.10.108) to facilitate the development of a multi-unit commercial building and to facilitate the relocation and reuse of an existing heritage structure for commercial purposes. The development including both Building "A" (new construction) and Building "B" (existing heritage structure) has a total GFA of 1,970.5m² as shown on Attachments #3 to #7 inclusive.

The Owner has also submitted a Zoning By-law Amendment Application (File Z.11.003) to remove the Holding Symbol "H" from the portion of the subject lands municipally known as 1076 Rutherford Road as shown on Attachment #2, thereby effectively zoning all of the subject lands C4 Neighbourhood Commercial Zone.

Background - Analysis and Options

Location

The subject lands shown on Attachments #1 and #2 are located at the northeast corner of Rutherford Road and Thomas Cook Avenue, municipally known as 1020 and 1076 Rutherford Road, City of Vaughan. The surrounding land uses are shown on Attachment #2.

Official Plan

The subject lands are designated "Medium Density Residential/Commercial" by OPA #600, which permits neighbourhood commercial uses, including a retail store, pharmacy, bank, and business and professional offices. The subject lands are designated "Low-Rise Mixed-Use" with a maximum height of 4-storeys and a maximum Floor Space Index of 1.5 by the new City of Vaughan Official Plan 2010, which was approved by Vaughan Council on September 7, 2010 and is pending final approval from the Region of the York. Retail uses are permitted within the "Low-Rise Mixed-Use" designation. The proposed development would provide neighbourhood commercial uses to serve the surrounding residential area. The proposal conforms to the Official Plans.

Zoning and Removal of "H" Holding Provision

The subject lands are zoned C4 Neighbourhood Commercial Zone (1020 Rutherford Road) and C4(H) Neighbourhood Commercial Zone with the Holding Symbol "H" (1076 Rutherford Road) by By-law 1-88 as shown on Attachment #2. The Owner has submitted a Zoning By-law Amendment Application (File Z.11.003) to remove the Holding Symbol on 1076 Rutherford Road. Zoning By-law 33-2011, which placed the "H" symbol on the property, was enacted by Vaughan Council on March 8, 2011 and includes the following condition that must be satisfied before the Holding Symbol can be removed on 1076 Rutherford Road:

"That the removal of the "H" Holding Symbol shall be conditional upon Vaughan Council's approval of a site plan for an appropriately designed commercial development including the preservation of the Carrville Post Office and General Store on the property, which must be sited to the satisfaction of the Vaughan Cultural Services Division and Vaughan Development Planning Department."

Through the review of Site Development Application DA.10.108, the Owner has demonstrated that the site is appropriately designed and the Carrville Post Office/General Store will be preserved and successfully integrated into the commercial development as discussed later in this report. Therefore, subject to Council's approval of the Site Development Application, the Holding Symbol can be removed on 1076 Rutherford Road. If the application is approved by Council, a By-law to remove the Holding Symbol will be forwarded to Council for enactment on May 24, 2011.

Minor Variance Application A085/11 must also be approved by the Vaughan Committee of Adjustment to implement the site plan, as discussed in the "Minor Variances" section of this report.

Site Plan and Landscaping

The 0.981 ha site is currently developed with a 2-storey heritage structure known as the Carrville Post Office/General Store, which is proposed to be relocated to the southeast corner of the subject lands and is referenced as Building "B" on Attachment #3. Building "A", the new single-storey multi-unit commercial building is located along Thomas Cook Avenue and addresses the southwest corner of the site at the intersection of Thomas Cook Avenue and Rutherford Road. The total GFA proposed for the development is 1,970.5 m².

Currently, there is a full movement access on Thomas Cook Avenue at the northwest corner of the site opposite Wolf Creek Crescent, approximately 160m north of Rutherford Road. A right-in/right-out only access along Rutherford Road is to be located west of Building "B" and is approximately 88 m from Thomas Cook Avenue, which is to be approved by the Region of York.

The site plan and landscape plan show a minimum 6.0 m wide landscape strip along the flankage of the site abutting Thomas Cook Avenue and along the frontage of Rutherford Road. However, the landscape strip is reduced to less than a metre (0.43m) along Rutherford Road at the southeast corner of Building "B". The landscape strip abutting both Rutherford Road and Thomas Cook Avenue consists of a mix of soft and hard surface landscaping that incorporates an interlock and concrete pedestrian walkway with deciduous shrub planting. Key locations along the flankage and frontage of the subject lands including at the driveway accesses and the corners of the site will be accented with decorative metal fencing and masonry pillars as shown on Attachment #4. Planting beds are proposed along the south elevation facing Rutherford Road and centrally along the west elevation facing Thomas Cook Avenue creating an attractive entrance for pedestrians accessing the site via the sidewalk and walkway. Coniferous and deciduous planting is proposed along the north and east property lines coinciding with the 6.0m wide sanitary sewer easement abutting the existing open space valley lands.

The applicant has proposed a minimum 6.0m building setback from the open space valley lands to Building "B" as shown on Attachment #3. The Vaughan Development Planning Department, Toronto and Region Conservation Authority (TRCA) and Vaughan Cultural Services Division are all satisfied with the minimum 6.0m setback of Building "B", being the heritage structure, considering the site constraints and preference to maintain the heritage structure on the subject lands as close to its original location as possible.

Parking for the subject lands is provided to the north and east of Building "A". Landscaped islands are proposed at the end of the parking aisles to define the main driveway aisle linking the two access points to the site.

The Vaughan Development Planning Department is generally satisfied with the proposed site plan and landscape plan shown on Attachments #3 and #4. The final site plan, landscape plan and landscape cost estimate, must be approved to the satisfaction of the Development Planning Department.

Minor Variances

The Owner has submitted a Minor Variance Application (File A085/11) to request relief from the following requirements of By-law 1-88:

	By-law Standard	By-law 1-88 Requirements (C4 Neighbourhood Commercial Zone)	Proposed Exceptions to the C4 Zone of By-law 1-88 through Committee of Adjustment Minor Variance Application A085/11
a.	Minimum Front Yard (Rutherford Road- Building "B")	11.0m	1.9m
b.	Minimum Front Yard (Rutherford Road-Building "B" porch canopy)	11.0m	0.4m
c.	Minimum Exterior Side Yard (Thomas Cook Avenue- Building "A")	11.0m	6.0m
d.	Minimum Interior Side Yard (East Property Line-Building "B")	11.0m	6.0m
e.	Minimum Setback from an "R" Residential Zone (west)	22.0m	18.79m
f.	Minimum Width of a Landscape Strip Abutting Rutherford Road	6.0m	0.43 to Building "B"
g.	Minimum Width of a Landscape Strip Abutting Thomas Cook Avenue	6.0	0.0m (where the accessory play area for a day nursery is to be located)
h.	Permitted Uses within a Required Landscape Strip Abutting a Street	Only a driveway access	Outdoor Play Area Accessory to a Day Nursery Use
i.	Minimum Number of Parking Spaces	119 parking spaces	117 parking spaces
j.	Minimum Exterior Side Yard Setback to an Institutional Use (Day Nursery) in all Zones	15.0m	6.0m

The site-specific variances are required to facilitate the proposed development as shown on Attachment #3. The variances, if approved, must be in full force and effect, prior to the execution of the Site Plan Letter of Undertaking.

The proposed variances for the reduced building setbacks and reduced landscape strips are considered to be minor in nature. The variances would facilitate buildings located closer to the street, which is desirable from an urban design and streetscape perspective. The reduced setback for the heritage structure has been reviewed by the TRCA and the Vaughan Development Planning Department and Vaughan Cultural Services Division and is considered to be appropriate given the efforts by the applicant to relocate, restore and reuse this building. Similarly, the reduced landscape setback to the heritage structure can be supported. The proposed reduction in parking spaces is for 2 spaces only. Under the City's parking standards review conducted by the IBI Group, the required parking for this development would be a minimum of 3 to a maximum 4.5 surface parking spaces per 100m² of GFA (61 to 92 parking spaces). To date, the parking standards recommended by the study have not been implemented into By-law 1-88, however, the study has concluded that Vaughan's current parking requirements should be reduced. The exceptions to facilitate a permitted Day Nursery use and associated outdoor play area can also be supported as this use serves the community, animates the streetscape, and is located in a safe location on the property. On this basis, the Development Planning Department can support the requested variances.

Building Elevations and Site Signage

The proposed Building Elevations and Signage Details Plan are shown on Attachments #5 to #7. The irregular shaped building is constructed with a flat roof having a varying height to a maximum of 8.7m including the top of the raised parapet and marquee. The primary building materials used are brick, stone veneer and EFIS system with a stucco finish, in a neutral off-white and beige colour palate. Clear vision glass will be used on all four facades for the windows and doors with navy blue awnings incorporated above all the windows and below the proposed signage.

Two pylon signs (Attachment #7) have been proposed for the subject lands, one along Rutherford Road on the west side of the driveway access and the second along Thomas Cook Avenue on the south side of the driveway access as shown on Attachment #3. Both pylon signs are comprised of a neon sign box and have a maximum height of 4.15m and are mounted on a brick veneer base which matches the brick used on the building.

The final Building Elevation and Signage Details Plan must be approved to the satisfaction of the Vaughan Development Planning Department.

Vaughan Development and Transportation Engineering Department

The Vaughan Development and Transportation Engineering Department has reviewed the Site Development Application and has no objections. The final site servicing and grading plan must be approved to the satisfaction of the Vaughan Development and Transportation Engineering Department.

Heritage Vaughan

The Owner has submitted an application to Heritage Vaughan for the restoration, relocation and integration of the Carrville Post Office/General Store as part of the proposed commercial development. In a report prepared by the Vaughan Cultural Services Division, it was recommended that Heritage Vaughan approve the following recommendations:

- "1. That Heritage Vaughan approve the relocation of the subject building to the location identified in the submitted site plan dated March 30th, 2011.
2. That Heritage Vaughan request that an updated Conservation Plan for the building be submitted by the Owner prior to the issuance of a Heritage Permit.
3. That a letter of credit be obtained from the Owner to ensure the building is preserved and maintained during and after its relocation.

4. That the applicant provide a full set of final drawings, including site plan and all elevations for final approval by Cultural Services staff prior to the issuance of a Heritage Permit.
5. That the applicant provide samples of building materials and paint samples for consideration and approval by Cultural Services staff at a time when this information is known to the applicant.”

On April 27, 2011, Heritage Vaughan approved the above recommendations.

The Owner must address all requirements of Heritage Vaughan and the Vaughan Cultural Services Division.

Vaughan Real Estate Division

The Vaughan Real Estate Division has advised that cash-in-lieu of parkland dedication has been paid in accordance with Section 42 of the Planning Act and the City's "Cash-in-Lieu of Parkland Policy".

Toronto and Region Conservation Authority (TRCA)

The subject lands are located adjacent to lands zoned OS1 Open Space Conservation Zone to the north and east. The abutting OS1 lands are part of the valley system which runs through Block 11. The Owner must comply with the requirements of the TRCA.

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 subject lands are located on the north side of Rutherford Road, which is a Regional Road. The Region of York requires a portion of the subject lands along Rutherford Road for a road widening. The Owner will be required to fulfill all requirements of the Region of York Transportation Services Department, including the execution of a Regional Site Plan Agreement, prior to the issuance of a building permit.

Conclusion

The Vaughan Development Planning Department has reviewed the Site Development Application in accordance with OPA #600, Zoning By-law 1-88, the comments from City Departments and external public agencies, and the area context and can support the approval of the proposed site development, consisting of a single storey, multi-unit 1,735.70m² commercial development and the relocation and restoration of a 2-storey, 234.8m² heritage structure being the Carrville Post Office/General Store. The proposed development conforms to the Official Plan, is compatible with the surrounding land use, and represents an appropriate development of the lands. On this basis the Holding Symbol "(H)" can also be removed from the portion of the property being 1076 Rutherford Road, which would effectively zone all of the subject lands C4 Neighbourhood Commercial Zone.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Landscape Plan
5. Proposed East and West Building Elevations
6. Proposed North and South Building Elevations
7. Signage Details

Report prepared by:

Arminé Hassakourians, Planner, ext. 8368

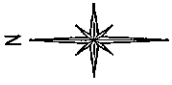
Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN ZIPAY
Acting Commissioner of Planning

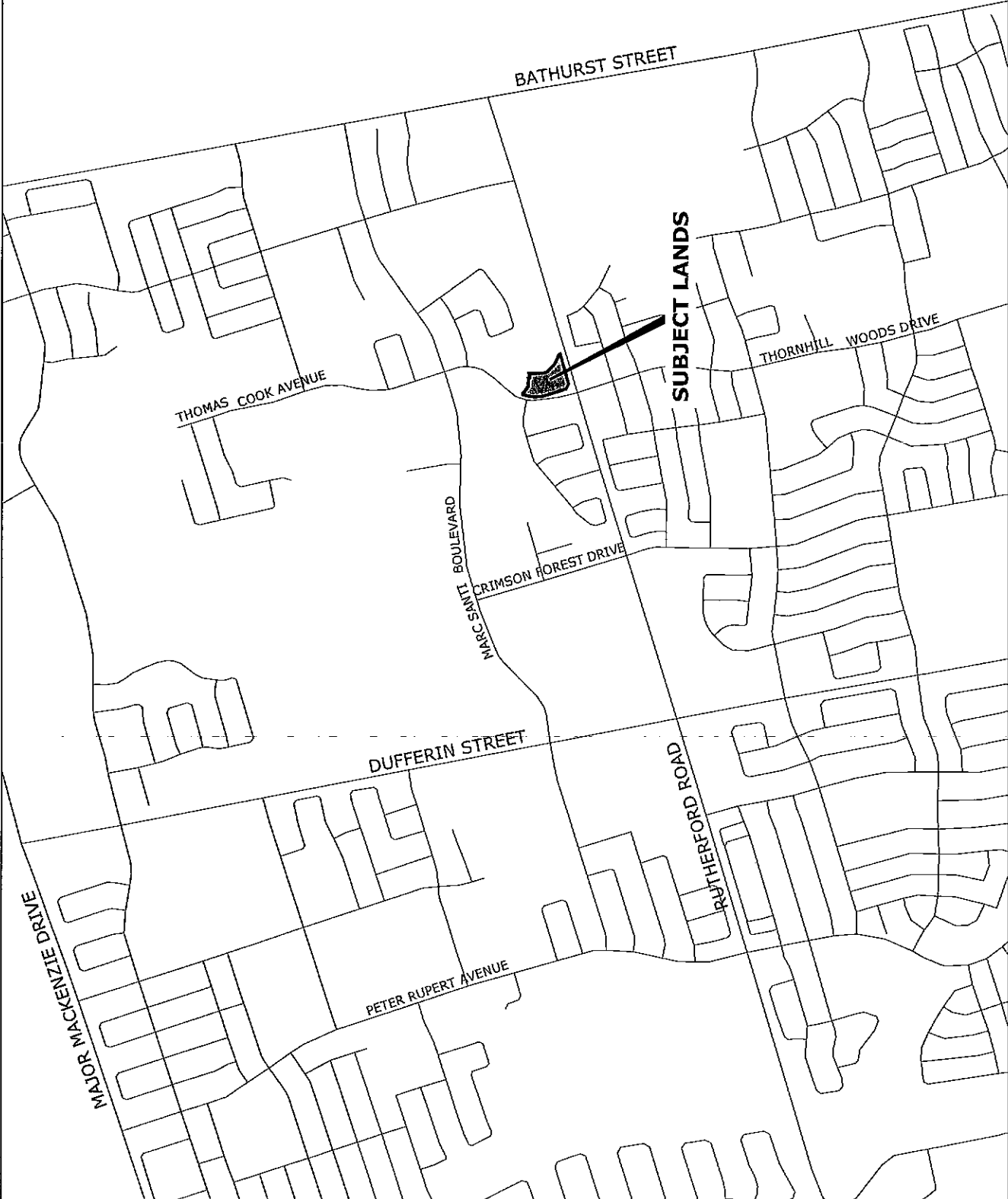
GRANT UYHEYAMA
Director of Development Planning

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TOWN
OF
RICHMOND
HILL



SUBJECT LANDS

File:
DA.10.108

Date:
April 18, 2011



Context Location Map

Part of Lot 16,
Concession 2

Applicant:
NINE-TEN WEST LIMITED

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LEGEND

- A - AGRICULTURAL ZONE
- C1 - RESTRICTED COMMERCIAL ZONE
- C3 - LOCAL COMMERCIAL ZONE
- C4 - NEIGHBOURHOOD COMMERCIAL ZONE
- OS1 - OPEN SPACE CORRIDOR ZONE
- OS2 - OPEN SPACE CORRIDOR ZONE
- RVM1(A) - RESIDENTIAL URBAN VILLAGE ZONE FOUR MULTIPLE ZONE ONE
- RD1 - RESIDENTIAL DETACHED ZONE ONE
- RD3 - RESIDENTIAL DETACHED ZONE THREE
- RD4 - RESIDENTIAL DETACHED ZONE FOUR
- RS1 - RESIDENTIAL SEMI-DETACHED ZONE ONE
- RT1 - RESIDENTIAL TOWNHOUSE ZONE (H) - HOLDING PROVISION

SUBJECT LANDS

Location Map

Part of Lot 16,
Concession 2
Applicant:
NINE-TEN WEST LIMITED
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Attachment 2

File:
DA.10.105
Date:
April 18, 2011



ZONING BY-LAW AMENDMENT

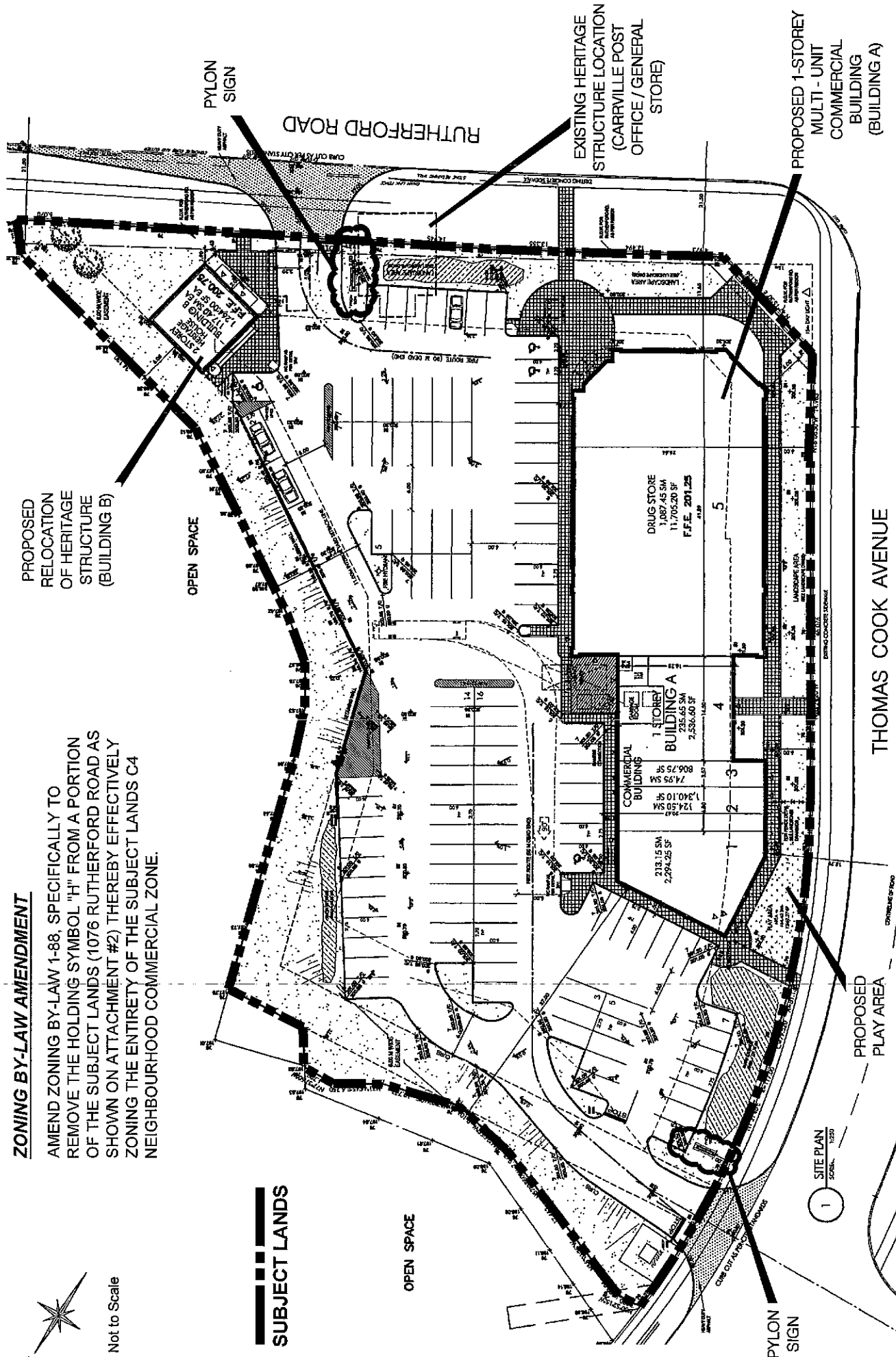
AMEND ZONING BY-LAW 1-88, SPECIFICALLY TO REMOVE THE HOLDING SYMBOL "H" FROM A PORTION OF THE SUBJECT LANDS (1076 RUTHERFORD ROAD AS SHOWN ON ATTACHMENT #2) THEREBY EFFECTIVELY ZONING THE ENTIRETY OF THE SUBJECT LANDS C4 NEIGHBOURHOOD COMMERCIAL ZONE.



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SUBJECT LANDS

OPEN SPACE



1 SITE PLAN
SCALE: 1:250

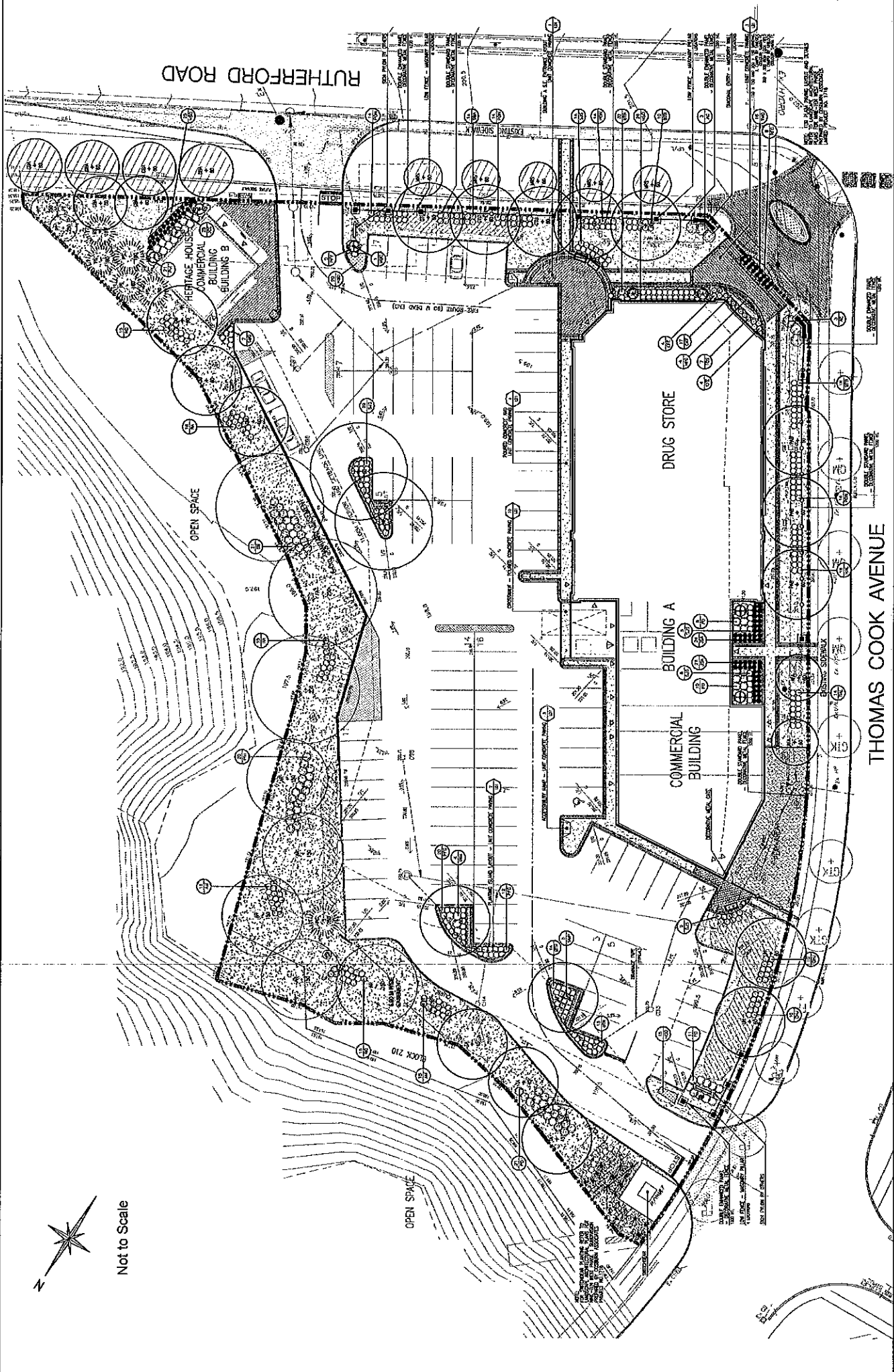
Site Plan

Part of Lot 16,
Concession 2
Applicant:
NINE-TEN WEST LIMITED
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THOMAS COOK AVENUE



Development Planning Department



Not to Scale

Landscape Plan

Attachment 4

Part of Lot 16,
Concession 2
Applicant:
NINE-TEN WEST LIMITED
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File:
DA_10.108
Date:
April 18, 2011

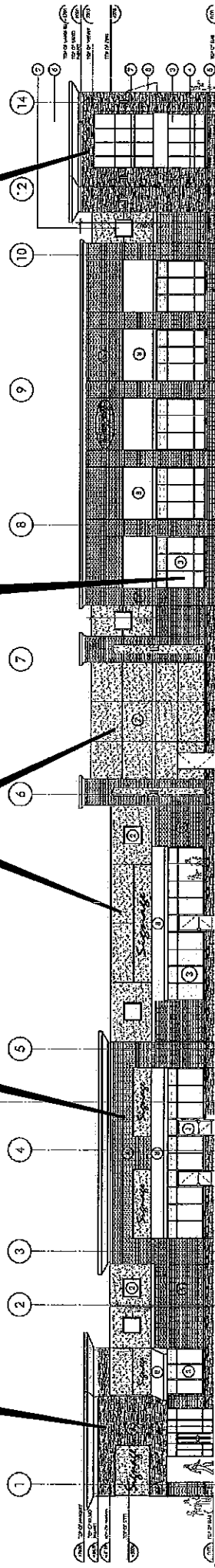
STONE VENEER

DOUBLE GLAZING IN ALUMINUM FRAME

EIFS STUCCO

HANSON BRICK

STONE VENEER

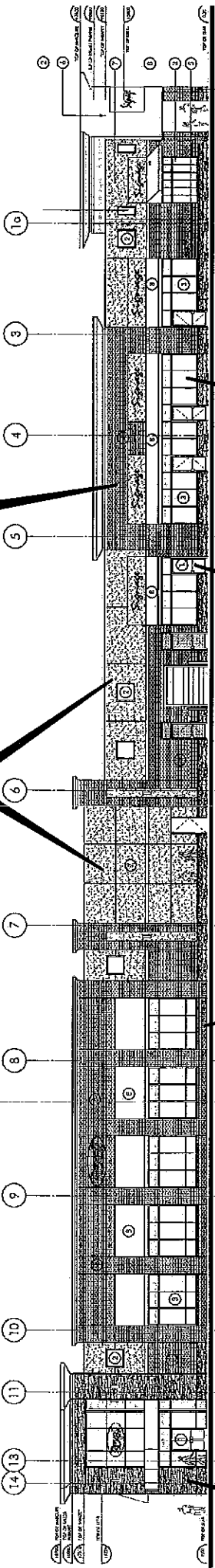


1 - West Elevation - Facing Thomas Cook Avenue

HANSON BRICK

HANSON BRICK

EIFS STUCCO



2 - East Elevation

DOUBLE GLAZING IN ALUMINUM FRAME

GLASS DOOR IN ALUMINUM FRAME

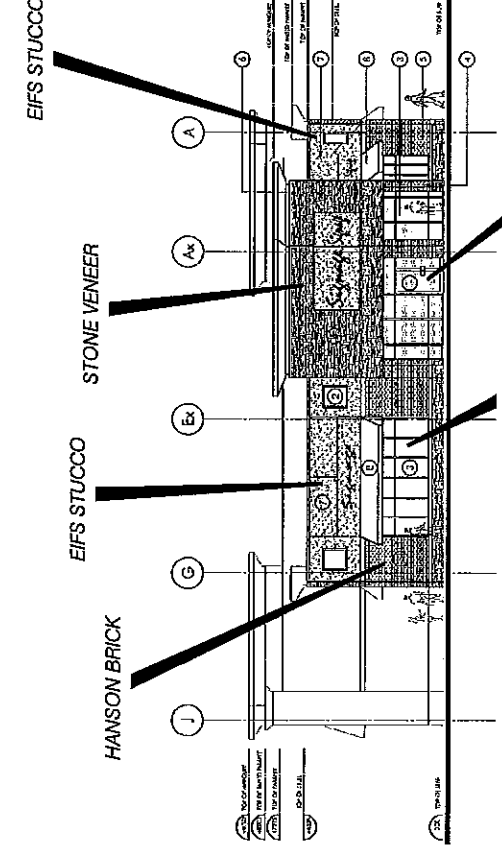
HANSON BRICK

STONE VENEER

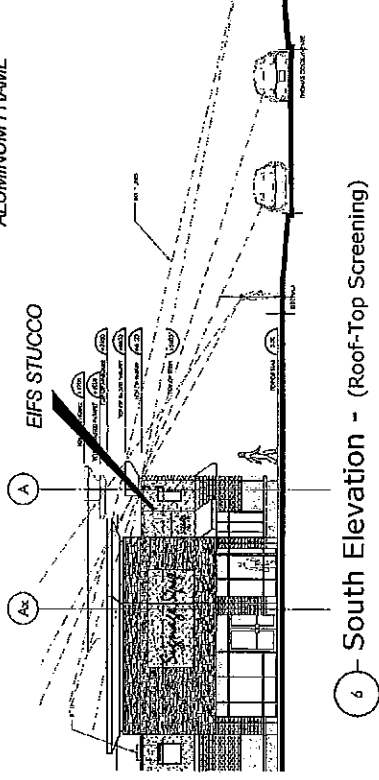
Proposed East & West Building Elevations

Applicant: Part of Lot 16, NINE-TEN WEST LIMITED Concession 2
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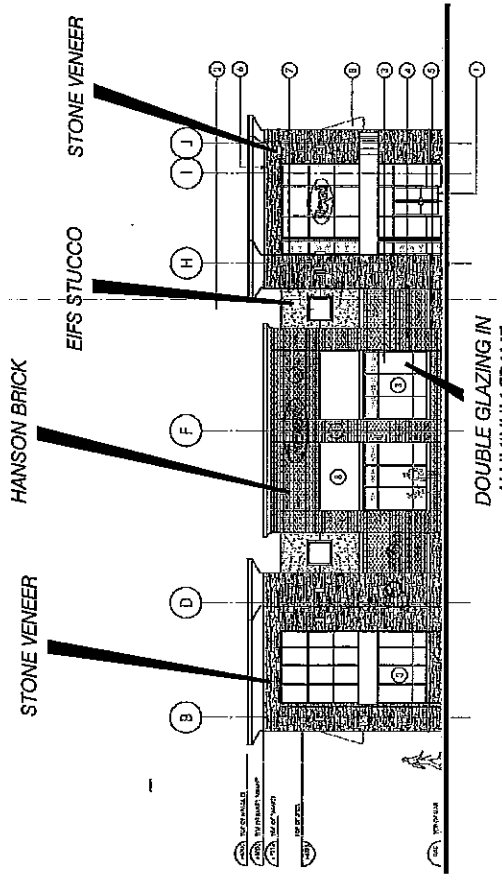




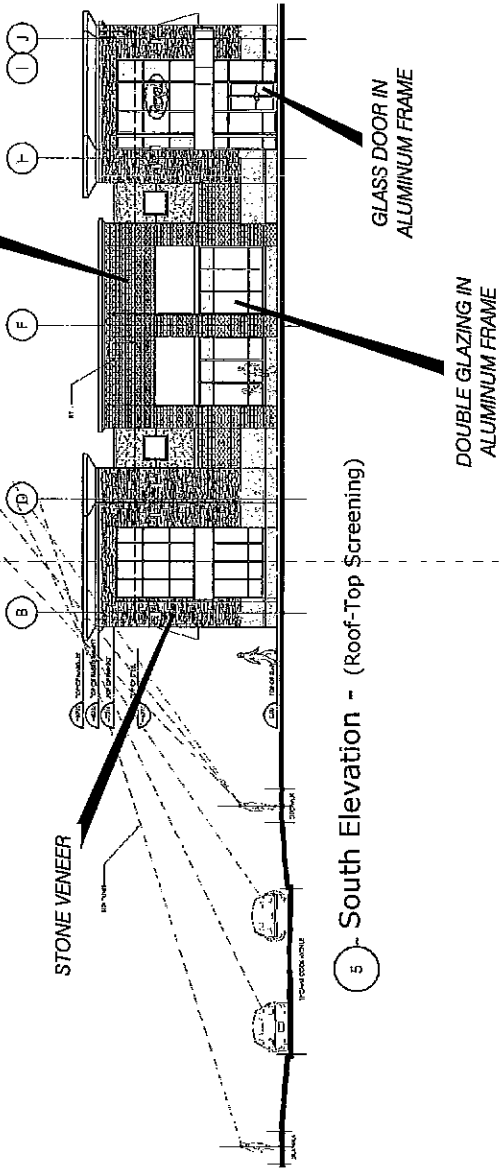
4 - North Elevation



6 - South Elevation - (Roof-Top Screening)



3 - South Elevation - Facing Rutherford Road

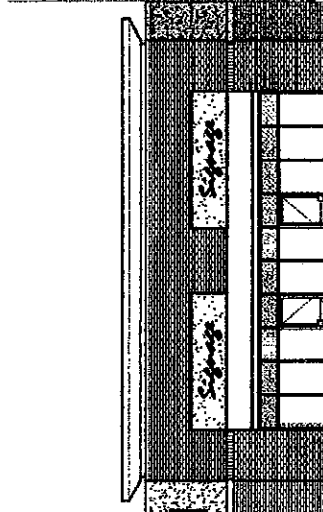
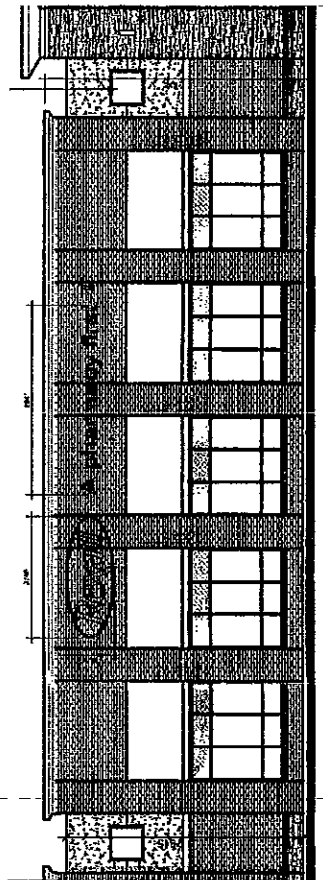
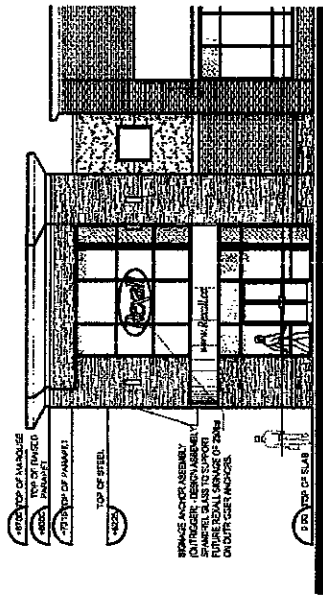


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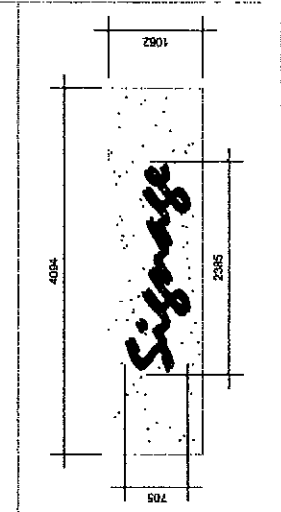
Proposed North & South Building Elevations

Applicant: Part of Lot 16, NINE-TEN WEST LIMITED Concession 2
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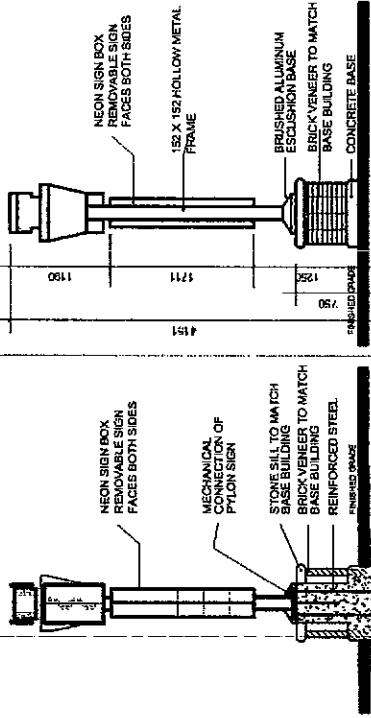


TYPICAL STORE FRONT SIGNAGE AREA

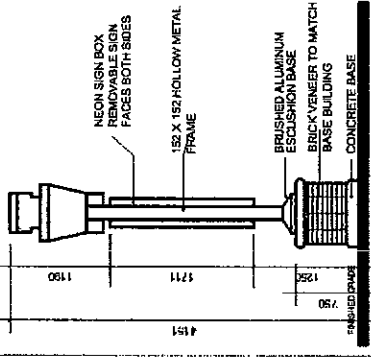


TYPICAL SIGNAGE SPECIFICATIONS:

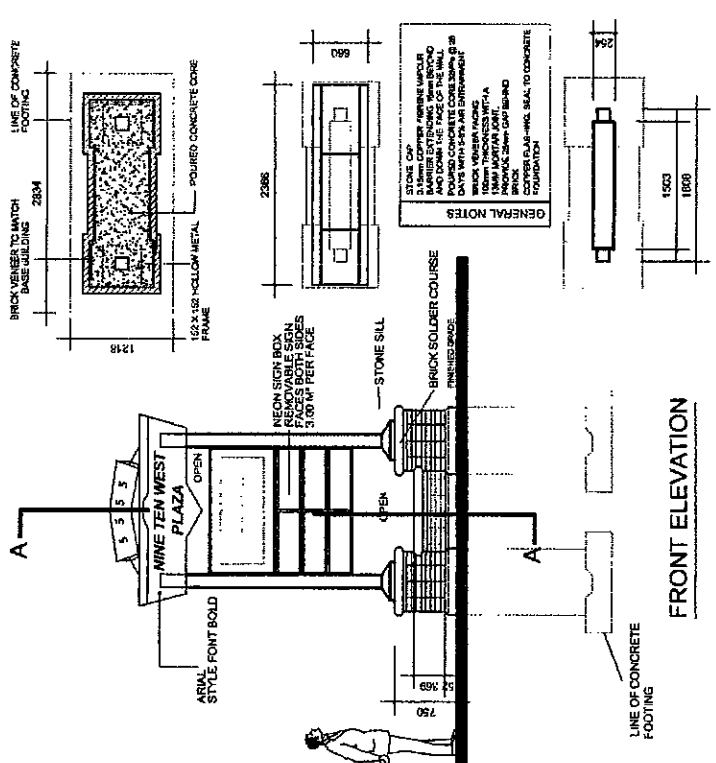
- ILLUMINATION
 LED Channel Letters
 Type BV - Aluminum - Piranha 1x4
 Colour: White
 Power Supply Transformer @ 120VAC, 4.0A
- STRUCTURES
 Channel Letters:
 1. 3mm (0.125") thick channel face
 2. 1.5 mm (0.063") thick deep (channel return)
 3. 6mm (1/4") thick clear lexan (channel back)
 MOUNT BRACKET + TRANSFORMER BOX
 Made out of aluminum and steel.



SECTION A A



SIDE ELEVATION



FRONT ELEVATION

Not to Scale

Signage Details

Part of Lot 16,
 Concession 2

Applicant:
 NINE-TEN WEST LIMITED

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Development Planning Department

Attachment 7

File:
 DA.10.106

Date:
 April 18, 2011