

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 28, 2014

Item 5, Report No. 1, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on January 28, 2014.

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ZONING BY-LAW AMENDMENT FILE Z.13.020 DIRECTOR INDUSTRIAL HOLDINGS LIMITED WARD 3 - VICINITY OF STEELES AVENUE WEST & OLD WESTON ROAD

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning and the Director of Development Planning, dated January 14, 2014:

Recommendation

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

1. THAT Zoning By-law Amendment File Z.13.020 (Director Industrial Holdings Limited) BE APPROVED, to amend Zoning By-law 1-88, specifically the EM1 Prestige Employment Area Zone, to permit the site-specific zoning exceptions identified in Table 1 of this report to facilitate the future development of the subject lands with an 8-storey Office Building as shown on Attachments #1 to #6.

Contribution to Sustainability

The application implements the following Goals and Objectives of Green Directions Vaughan:

Goal 2: To ensure sustainable development and redevelopment

- Objective 2.2: To develop Vaughan as a City with maximum greenspace and an urban form that supports our expected population growth
- Objective 2.3: To create a City with sustainable built form

Goal 4: To create a vibrant community where citizens, businesses and visitors thrive

- Objective 4.2: Ensure that the City of Vaughan attracts businesses and investment that will result in well-paying jobs for Vaughan citizens, a sustainable tax base and continuing prosperity into the 21st century

Prior to development of the subject lands, the Owner is required to submit a Site Development Application for approval. At that time, the Owner will be required to identify the sustainable site and building features that will be included in the proposed development.

Economic Impact

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

Communications Plan

On August 9, 2013, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands, and to the East Woodbridge Community Association. To date, one correspondence was received by Ms. Ciaschini, an employee of a neighbouring office building, with the following comments:

1. The adjacent property (7050 Weston Road) did not receive proper notification for the Public Hearing for File Z.13.020 as the Board of Directors for the condominium employment building did not circulate the notice to the tenants with sufficient time for comment;

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2. The proposed 8-storey office building will create a parking shortage for the subject lands and the surrounding area, during and after construction; and,
3. The proposed 8-storey office building will cause traffic circulation issues for the surrounding area, particularly at the intersection of Weston Road and Old Weston Road as traffic at that intersection is regulated only by a stop sign.

The Development Planning Department provides the following responses to the above-noted comments and concerns:

1. The *Planning Act* states that notice shall be given by personal service or ordinary mail to every owner of land within 120 m of the subject land and by posting a notice sign, clearly visible and legible from a public highway or other place to which the public has access. The Development Planning Department ensured the notification requirements were met as notices were delivered by regular mail on August 9, 2013, 25 days prior to the Public Hearing, and a notice sign was placed by the Owner on the subject lands in various locations on June 21, 2013, 73 days prior to the Public Hearing. Further, Regulation 545/06 of the *Planning Act* states that if a condominium development is located within 120 m of the subject lands, notice may be given to the condominium corporation, according to its most recent address for service or mailing address. The Board of Directors for the condominium corporation located at 7050 Weston Road received notice within the time frame stated by the *Planning Act*, and therefore, proper and legislated notification procedures were followed.
2. The Vaughan Development/Transportation Engineering Department has reviewed and approved a Traffic Impact and Parking study, prepared by LEA Consulting Ltd., submitted in support of the application, which will be discussed in greater detail later in the staff report.

Purpose

The Owner has submitted Zoning By-law Amendment File Z.13.020 for the subject lands shown on Attachments #1 and #2, specifically to amend the EM1 Prestige Employment Area Zone to facilitate the development of an 8-storey office building, on the vacant northern portion of the subject lands as shown conceptually on Attachments #3 to #6, in consideration of the following site-specific zoning exceptions:

Table 1

	By-law Standard	By-law 1-88, EM1 Prestige Employment Area Zone Requirements	Proposed Exceptions to EM1 Prestige Employment Area Zone
a.	Maximum Building Height	15 m	40 m (8-storeys)
b.	Minimum Parking Requirements	3.5 parking spaces per 100 m ² of GFA devoted to office uses plus the requirement for any other use (363 spaces)	3.0 parking spaces per 100 m ² of GFA for the entirety of the Office Building (311 spaces)

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Background - Analysis and Options

Location

The subject lands are located north of Steeles Avenue West, east of Old Weston Road, municipally known as 3700 Steeles Avenue West, and is currently developed with an 11-storey office building, which is serviced by a below-grade parking area. The subject lands are also developed with an at-grade parking area (132 parking spaces) in the location of the proposed 8-storey office building. The subject lands are adjacent to an existing 2-storey employment/office building to the east and 4 existing single-storey employment/office buildings to the southeast. The subject lands and the adjacent buildings municipally known as 2 to 10 Director Court, comprise a single employment/office complex owned by Director Industrial Holdings Limited, and all share the existing at-grade parking area. The proposed development, if approved, will remove the at-grade parking area. This issue will be addressed in greater detail below.

Official Plan

a) In-effect Official Plan

The subject lands are designated "Prestige Area" by in-effect OPA #450 (Employment Area Plan), which permits a wide range of industrial, office, business and civic uses, without outside storage. There is no site-specific height requirement for the "Prestige Area" designation in OPA #450. The proposed application conforms to the in-effect Official Plan.

b) Vaughan Official Plan 2010

The subject lands are designated "Employment Commercial Mixed-Use", with a site-specific maximum building height of 8-storeys and maximum density of 2.5 FSI, by the new City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010, (as modified by Council on September 27, 2011, March 20, 2012 and April 17, 2012) as modified and endorsed by the Region of York Council on June 28, 2012, and has been approved, in part, by the Ontario Municipal Board on July 23, 2013.

The "Employment Commercial Mixed-Use" designation permits office uses, hotels, cultural and entertainment uses, and retail uses. The proposed 8-storey office building conforms to the new VOP 2010.

Zoning By-law 1-88

The subject lands are zoned EM1 Prestige Employment Area Zone by Zoning By-law 1-88, which permits an Office Building use, which is defined in Zoning By-law 1-88 as follows:

"An Office Building means a building having more than one-storey used for business or professional office purposes. If an office building exceeds three (3) storeys in height, the following uses shall be permitted on the ground floor provided the combined total gross floor area of all such uses does not exceed fifteen percent (15%) of the gross floor area of the said office building:

- bank
- eating establishment
- eating establishment, convenience
- eating establishment, take-out
- health centre
- personal service shop
- pharmacy
- retail store

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- a 'variety store' which shall mean a kiosk serving the daily or occasional needs of the employees in the office building with a variety of goods such as food snacks and beverages, sundries, tobacco, stationery, magazines and newspapers, but not including groceries, meats and produce, with no direct access to the exterior of the building and a gross floor area not exceeding fifty (50) square metres.

Notwithstanding the above, a pharmacy not exceeding 75 m² shall be permitted in an office building not exceeding three (3) storeys in height.”

The EM1 One permits an office building to a maximum height of 15m. Furthermore, Section 3.8 – Parking Requirements of Zoning By-law 1-88 establishes the minimum parking requirement for an office building use at 3.5 parking spaces per 100 m² of Gross Floor Area (GFA) devoted to the office use plus the requirement for any other use. As the Owner's proposal is to facilitate the development of the subject lands with an 8-storey, 40 m high office building, with a parking supply of 3.0 parking spaces per 100 m² of GFA for the entirety of the Office Building, an amendment to Zoning By-law 1-88 is required.

The Development Planning Department considers the proposed site-specific exceptions required to facilitate the future development of the subject lands with an 8-storey office building to be appropriate. The 8-storey office building will be located adjacent to an existing 11-storey office building, and will form part of an already existing employment/office complex on the subject lands, which includes the adjacent lands to the east, municipally known as 2 to 10 Director Court. The adjacent lands to the west are developed with 4-storey and 8-storey office buildings, as shown on Attachment #2. The maximum height of the subject building is consistent with the existing office buildings in the surrounding employment area. Furthermore, the location and height of the subject office building is appropriate given the property is located within an area identified as “Primary Intensification Corridors within Employment Areas” by Vaughan Official Plan 2010, which is an area intended for employment intensification to support high-level planned transit facilities.

The parking supply of 3.0 parking spaces per 100 m² of GFA for the entirety of the Office Building was justified through the submission of a Traffic Impact and Parking Study, prepared by LEA Consulting Ltd., which was approved by the Vaughan Development/Transportation Engineering Department. This will be discussed in greater detail below.

The Development Planning Department is satisfied with the proposed exceptions to Zoning By-law 1-88, which will facilitate the development of the subject lands with an 8-storey office building, in an appropriate location for employment intensification within the City of Vaughan.

Vaughan Development/Transportation Engineering Department

In support of Zoning By-law Amendment File Z.13.020 and to address issues raised by the Vaughan Development/Transportation Engineering Department, the Owner submitted a Traffic Impact and Parking Study, and subsequent Addendum letter, prepared by LEA Consulting Ltd. The Traffic Impact and Parking Study concluded that:

1. the future traffic conditions associated with the proposed office building will have a manageable impact on the road network; and,
2. the parking ratio of 3.0 parking spaces per 100 m² of GFA is sufficient to service the proposed office building.

Upon review of the Traffic Impact and Parking Study, the Vaughan Development/Transportation Engineering Department raised the following concerns, which were addressed by the addendum letter, as follows:

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Traffic Impact Study:

1. Issue: The Growth Factor of 0.5% utilized in the report has not been adequately justified and should be revisited.

Response: LEA Consulting Ltd. in response to this issue stated that seasonal adjustment factors had been applied to the historical data comparison and that the growth rate analysis indicated that during the AM peak hour no visible growth was observed between 2012 data and 2001 data. These results were consistent with the findings of the report and based on this analysis, the assumption of 0.5% per annum in the submitted study is still considered conservative.

2. Issue: Based on the Future Total Traffic Conditions, queuing is an issue at the intersection of Old Weston Road and Steeles Avenue West. The City has concerns that the PM southbound queues will spill back to the 'south entrance' and Old Weston Road intersection. Remediation measures have not been proposed even though the future 95th percentile queues exceed the distance between the two intersections.

Response: LEA Consulting Ltd. in response to this issue stated that the Owner acknowledges Vaughan Development/Transportation Engineering staff's concern with the southbound queue at the intersection of Old Weston Road and Steeles Avenue West, and as agreed with staff, a more detailed queue analysis will be conducted during the submission for Site Development approval and a detailed location of the proposed driveway access will be confirmed at that time.

3. Issue: An option to add a ramp/access onto Director Court should be explored. City Staff believe this will not only alleviate traffic congestion on Old Weston Road but it will also help improve internal underground traffic circulation, as well as, providing a back-up access to the existing access.

Response: LEA Consulting Ltd. in response to this issue stated that as per Vaughan Development/Transportation Engineering staff's request, the option to add a ramp/access onto Director Court will be explored during the submission for Site Development approval.

Parking Study:

1. Issue: The City of Vaughan draft parking standards report written by IBI has not yet been approved, and therefore, the rates mentioned there-in cannot be applied. The parking study is proposing a total of 767 parking spaces while 895 spaces are required, a shortage of 128 (14%) spaces. To determine if the utilized rate of 3.0 spaces per 100m² is applicable, a parking utilization study should be conducted on the existing site.

Response: LEA Consulting Ltd. in response to this issue conducted a parking utilization survey at the existing site. The parking utilization survey was conducted by LEA Consulting Ltd. on Wednesday October 9, Tuesday October 22 and Wednesday October 23, 2013 from 9:00 a.m. to 5:00 p.m. at the properties located at 2, 4, 6, 8, and 10 Director Court, as well as, at 3700 Steeles Avenue West. These times were chosen as they reflect the typical peak periods of parking demand for office developments. The entire blocks were surveyed due to the interaction between adjacent buildings and as the access to adjacent parking lots are not restricted. The results of the parking utilization study indicated that the maximum parking demand for the subject site based on occupied office space is 2.75 spaces per 100 m². The parking study indicates that the proposed parking supply provided at a ratio of 3.0 spaces per 100 m² would satisfy the parking demand expected for the proposed development.

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2. Issue: There are 20 surface parking spaces on the north-east side of the new office building that are partially on the subject site and partially on the adjacent property. As such, a shared parking agreement is required between the two owners and these 20 parking spaces cannot be entirely counted as part of the parking supply for the subject site.

Response: LEA Consulting Ltd. in response to this issue states that Director Industrial Holdings Limited is the owner of all properties bounded by Steeles Avenue West, Director Court and Old Weston Road. As such, there are no issues anticipated in obtaining a Shared Parking Agreement.

3. Issue: The current north surface parking lot provides approximately 50% of the existing parking supply; however, during construction, a majority (if not all) of these surface parking spaces will not be available. A plan to temporarily accommodate these 132 surface parking spaces elsewhere should be mentioned.

Response: LEA Consulting Ltd. in response to this issue states that the Owner will provide a proposed temporary parking plan as part of the future submission of a Site Development Application.

The Vaughan Development/Transportation Engineering Department reviewed and approved the addendum letter prepared by LEA Consulting Ltd, based on the summarized responses listed above. Further, Development/Transportation Engineering staff is satisfied that the addendum letter has adequately addressed all of the initial Traffic Impact and Parking Study concerns and have no further issues with the original Traffic Impact and Parking Study prepared by LEA Consulting Ltd.

The Owner has acknowledged all comments regarding the future Site Development Application (including, but not limited to, the potential to add an additional access onto Director Court, and the temporary accommodation of parking spaces that will be disturbed during development of the proposed office building, etc.) and will address these comments during the submission of a future Site Development Application.

City of Toronto

Zoning By-law Amendment File Z.13.020 was circulated to the City of Toronto for comment as the subject lands abut Steeles Avenue West, which is under the jurisdiction of the City of Toronto. As the proposal will not result in an additional access onto Steeles Avenue West, and does not require any servicing connections to their infrastructure, the City of Toronto has no objections or concerns with the proposal. The Owner is required to submit further documentation to City of Toronto through the review of the future Site Development application, including a Construction Management Plan.

Ministry of Transportation

Zoning By-law Amendment File Z.13.020 was circulated to the Ministry of Transportation for comment as the subject lands are located in proximity to Highway #400. The Ministry of Transportation has no objection to the proposal and has advised that the subject lands are beyond the Ministry of Transportation's Permit Control Area.

Conceptual Site Plan and Elevation Drawing

The Owner submitted a conceptual site plan and elevation drawings for review with Zoning By-law Amendment File Z.13.020. The Owner has advised that the site plan and elevation drawings are conceptual only. Consequently, a full Site Development Application will be required to be submitted to the Development Planning Department and approved by Vaughan Council prior to the construction of an Office Building on the subject lands.

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Furthermore, the Owner was provided with a number of comments from internal departments and external public agencies regarding the conceptual site plan and elevation drawings. These comments were reviewed by the Owner, and will be incorporated into their future Site Development Application submission.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the following initiatives set forth in the Vaughan Vision 2020/Strategic Plan:

i) **Plan and Manage Growth & Economic Vitality**

The proposed development implements the City's current Official Plan and the Growth Management Strategy as set in Vaughan Official Plan 2010.

The proposed development facilitates intensification located on a designated Primary Intensification Corridor within an Employment Area to support the expansion of public transportation systems and alternative modes of transportation (e.g. cycling, walking, etc.).

Regional Implications

The Region of York has no objection to the proposed development, as the subject lands do not abut a Regional Road. The future Site Development Application will be circulated to the Region of York for their information and comments.

Conclusion

The Vaughan Development Planning Department has reviewed Zoning By-law Amendment File Z.13.020 in consideration of the policies of in-effect OPA #450, the requirements of Zoning By-law 1-88, the comments received from City Departments, external public agencies, neighbouring land owners, and the area context. The Development Planning Department is satisfied with the proposed zoning amendment to facilitate the future development of the northern portion of the subject lands with an 8-storey office building, which is supported by a parking ratio of 3.0 spaces per 100 m² of GFA. Prior to the development of the subject lands, the Owner will be required to submit a future Site Development Application, which is to be approved by Vaughan Council. Accordingly, the Development Planning Department can support the approval of the Zoning By-law Amendment application, subject to the recommendations in this report.

Attachments

1. Context Location Map
2. Location Map
3. Conceptual Site Plan
4. Conceptual Elevation Plan
5. Conceptual Rendering - Main Entrance
6. Conceptual Rendering in Context

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(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)