

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 19, 2016

Item 8, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 19, 2016.

8 **SITE DEVELOPMENT FILE DA.15.043**
MIACOUNTRY ENTERPRISES INC.
WARD 2 - VICINITY OF HUNTINGTON ROAD AND RUTHERFORD ROAD

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning & Growth Management, Director of Development Planning, and Senior Manager of Development Planning, dated April 5, 2016, be approved; and**
- 2) That the coloured elevation drawings submitted by the applicant be received.**

Recommendation

The Deputy City Manager, Planning & Growth Management, Director of Development Planning, and Senior Manager of Development Planning recommend:

1. THAT Site Development File DA.15.043 (Miacountry Enterprises Inc.) BE APPROVED, to permit the development of the northern portion of the subject lands, as shown on Attachments #1 and #2, with a 1,846.35 m² Banquet Hall, including a 419.72 m² office component on the second floor, the retention of the existing 121.53 m² heritage building (James Somerville House) as an additional reception area, and a 63.84 m² link between the Banquet Hall and the heritage building, for a total GFA of 2451.44 m², 166 parking spaces at surface level and 37 underground parking spaces, 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 Vaughan Development Planning Department shall approve the final site plan, building elevations and landscape plan;
 - ii. the Owner shall submit a detailed Conservation Plan that shall be reviewed to the satisfaction of the Vaughan Development Planning Department, Cultural Heritage Division;
 - iii. the Owner shall address the site circulation, parking layout, site access(es) and revise the Traffic Impact Study and Traffic Demand Management Study to the satisfaction of the Vaughan Development Engineering and Infrastructure Planning Department and Vaughan Development Planning Department;
 - iv. the Vaughan Development Engineering and Infrastructure Planning Department shall approve the final site servicing and grading plans, Functional Servicing and Stormwater Management Reports, access, parking and on-site circulation;
 - v. the Owner shall enter into any agreements as required, with the City of Vaughan, to provide for the necessary municipal services to the satisfaction of the City of Vaughan;

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- vi. the Owner shall successfully obtain approval of a Minor Variance Application for the required zoning exceptions to Zoning By-law 1-88, as identified in Table 1 of this report, from the Vaughan Committee of Adjustment, and the Committee's decision shall be final and binding. The Owner shall satisfy any conditions of approval imposed by the Committee;
 - vii. the Owner shall satisfy all conditions and requirements of the Toronto and Region Conservation Authority (TRCA); and,
 - viii. the Owner shall secure and provide to the City a letter from the Trustee for Block 64 confirming that the Owner has fulfilled all cost sharing arrangements and other obligations of Block 64, and are in good standing with respect to the same; and,
- b) that the Site Plan Letter of Undertaking shall include the following provisions:
- i) the Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, prior to issuance of a Building Permit, in accordance with Section 42 of the *Planning Act*. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment; and,
 - ii) Development Charges shall be paid to the City of Vaughan in accordance with the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board Development Charge By-laws. Development Charges are payable on the date a building permit is issued at the rate in effect at that time.

Contribution to Sustainability

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

Goal 2: To ensure sustainable development and redevelopment

- Objective 2.1: To achieve sustainable growth and development by completing and implementing Vaughan Tomorrow, the City's Consolidated Growth Management Strategy- 2031.

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.

In accordance with the goals and objectives identified above, the Owner has advised that the following, but not limited to, sustainable site and building features will be included in the proposed development:

- 20% of material is to be locally sourced
- Brick and Arriscraft Stone (recycled material) will be used for cladding
- Reduce heat island effect on roof through white coloured roof aggregates
- Use of local drought resistant and native plant material

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Economic Impact

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

Communications Plan

N/A

Purpose

To seek approval from the Committee of the Whole for Site Development File DA.15.043 in order to permit the development of the subject lands shown on Attachments #1 and #2 with a 1,846.35m² Banquet Hall, including a 419.72 m² office component on the second floor, the retention of the existing 121.53 m² heritage building (James Somerville House) as an additional reception area, and a 63.84 m² link between the Banquet Hall and the heritage building, for a total GFA of 2,451.44 m², as shown on Attachments #3 to #6.

Background - Analysis and Options

Synopsis:

The Owner is proposing to develop the subject lands, as shown on Attachments #1 and #2, with a 1,846.35 m² Banquet Hall, including a 419.72 m² office component on the second floor, the retention of the existing 121.53 m² heritage building (James Somerville House) as an additional reception area, and a 63.84 m² link between the Banquet Hall and the heritage building, for a total GFA of 2451.44 m², situated on the northern portion of the subject lands. The existing heritage building will be retained and connected to the proposed development through a single storey glazed link, as shown on Attachment #3. A Minor Variance Application to the Committee of Adjustment is required for relief from the By-law for reduced rear and interior side yard setbacks, a reduction in parking supply, the percentage of GFA for accessory uses, and the encroachment of eaves. The Vaughan Development Planning Department supports the approval of the proposed development and variances, as it implements the Vaughan Official Plan (VOP 2010) and is compatible with the surrounding existing and planned land uses.

Location

The subject lands comprising approximately 4.05 hectares are located on the west side of Huntington Road, south of Rutherford Road, City of Vaughan, as shown on Attachments #1 and #2. The northern portion of this site (approximately 1.16 hectares) is proposed to be developed under this Site Development Application and is referred to as the subject lands. No development is being proposed on the southern portion. The open space valley lands comprising the West Rainbow Creek are being retained in private ownership. The surrounding land uses are identified on Attachment #2.

Previous Zoning By-law Amendment and Site Development Applications

On June 28, 2011, Vaughan Council approved Zoning By-law Amendment File Z.10.028 to rezone the subject lands from A Agricultural Zone to EM1 Prestige Employment Area Zone subject to Exception 9(1357), and Site Development File DA.10.081 to facilitate the development of an office campus consisting of 11 buildings on two parcels, and the retention of the open space valley lands comprising the West Rainbow Creek in private ownership, as shown on Attachment #7. However, the Owner did not finalize the Site Plan Letter of Undertaking and File DA.10.081 was closed. The Applicant is now proposing to develop only the north parcel through the subject Site Plan File DA.15.043.

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Official Plan and Zoning

The subject lands (north parcel) are designated "Prestige Employment", "Natural Areas" and "Core Features" by Vaughan Official Plan (VOP) 2010. The "Prestige Employment" designation permits a Banquet Hall use with an accessory office, and therefore, the proposal conforms to the Official Plan.

The subject lands (north parcel) are zoned EM1 Prestige Employment Area Zone by Zoning By-law 1-88, subject to site-specific Exception 9(1357), which permits the Banquet Hall and associated office space. The following Minor Variances to the EM1 Prestige Employment Area Zone standards are required to facilitate the proposed site development:

Table 1:

| | Zoning By-law Standard | Zoning By-law 1-88 Requirements of the EM1 Prestige Employment Area Zone Subject to Exception 9(1357) | Proposed Exceptions to the EM1 Prestige Employment Area Zone Subject to Exception 9(1357) |
|----|--|--|--|
| a. | Minimum Parking Requirement For Banquet Hall Use | Banquet Hall (1,846.35m ²) including basement storage areas (2,600.35 m ²) and Heritage House (121.53 m ²) @ 11 parking spaces per 100 m ² of GFA = 300 spaces + Office Use 419.72 m ² @ 3.5 parking spaces per 100 m ² GFA = 15 spaces Total required= 315 spaces | Banquet Hall (1,846.35 m ²) and Heritage House (121.53 m ²) @ 8.9 parking spaces per 100 sq.m of GFA = 175 spaces + Office Use 419.72m ² @ 3.5 parking spaces per 100m ² GFA = 15 spaces Total= 190 spaces Note: 203 parking spaces are being provided |
| b. | Minimum Rear Yard Setback (West Property Line) | 12.0 metres | 9.85 metres |
| c. | Minimum Interior Side Yard Setback (Abutting OS1 Zone) | 6 metres | 1.75 metres to the building, 0.57 metres to the deck, 0.0 metres to the stairs |
| d. | Eaves Encroachment | 0.5 metres | 1 metre |
| e. | Landscape strip abutting OS1 Zone | 7.5 metres | 0 metres |
| f. | Accessory Office Uses | 10% of the GFA | 22% |

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Minimum Required Parking Spaces

As identified in Table 1, the Owner is proposing a total parking supply of 203 parking spaces for all of the uses, notwithstanding the proposed provision of 190 parking spaces as established by the Parking Utilization Study. Zoning By-law 1-88 requires 315 parking spaces calculated as follows: Heritage House and Banquet Hall (2,600.35 m²) @ 11 spaces per 100 m² GFA = 300 spaces, plus, Accessory Office Space (420 m²) @ 3.5 spaces per 100 m² = 15 spaces. The required parking excludes the storage areas within the basement of the Banquet Hall.

A Parking Utilization Study prepared by C.F. Crozier & Associates Ltd., dated January 2016, submitted in support of the application, has addressed the proposed parking reduction. The study demonstrates that the proposed Banquet Hall use can function at a ratio of 8.9 spaces per 100m² of GFA and 3.5 spaces per 100m² for the office space. The Parking Study omits the basement area from the parking calculation because the basement area contains storage space, utility rooms, garbage areas and parking, and there is no public space or Banquet Hall space being proposed in the basement. The Parking Study has been reviewed by the Vaughan DEIP Department and they are satisfied with the proposed parking supply.

Minimum Setbacks and Maximum Eaves Encroachment

The Vaughan Development Planning Department has no objections to the proposed building setbacks and eaves encroachment. The proposed Banquet Hall will be located adjacent to lands zoned OS1 Open Space Conservation Zone that will remain in private ownership. Due to the design of the building with a rear deck and stairs, the building is located closer to the OS1 Zone than contemplated by the original proposal in 2011. A variance is required as the rear yard setback is 12 m, whereas 9.85 m is proposed. The proposal to reduce the minimum yard setbacks from 6.0 m to 1.75 m to the building, 0.57 m to the deck and 0.0 m to the stairs, respectively, would continue to facilitate an appropriate development and landscaped area. The TRCA has reviewed the proposal and has determined it is satisfactory.

In addition, Zoning By-law 1-88 allows for a maximum eaves encroachment of 0.5 m. A 1 m encroachment is proposed based on the design and the proposed buildings' proximity to the development limit. Staff support the proposed eaves encroachment into the OS1 Zone because it is considered a minimal increase and would not impact the OS1 Open Space Conservation Zone.

The Vaughan Development Planning Department has no objections to the proposed reduced setbacks and eaves encroachment, which are considered minor in nature and would not have a detrimental impact on the adjacent lands including the abutting OS1 Open Space Conservation Zone lands, and would contribute to a well-designed development.

Landscape Strip Abutting OS1 (Open Space Conservation) Zone

Section 6.1.6 d) of Zoning By-law 1-88 stipulates that when an Employment Zone abuts the boundary of lands zoned Open Space, a strip of land not less than 7.5 metres in width, inside the Employment Area Zone and abutting its boundary shall be used for no other purpose than landscaping. The Owner is not proposing a landscape strip due to the design and location of the Banquet Hall, which will connect to the heritage house that is in close proximity to the OS1 Zone. The TRCA has no objection to the landscape strip elimination as the 10m buffer to the Regional Flood Line is being maintained. This exception has been approved by Council in several locations within the employment areas. As a result, the Vaughan Development Planning Department has no objection to the proposed variance.

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Percentage of Accessory Office Use

The By-law permits a maximum GFA of 10% for an accessory office use, whereas the proposed Banquet Hall includes an accessory office with a GFA of 22%. The Vaughan Development Planning Department supports the increased percentage of GFA as the office function is required to operate the Banquet Hall use and is incorporated within the building design.

Future Minor Variance Application

The Owner is required to submit a Minor Variance Application to the Vaughan Committee of Adjustment to seek relief from the provisions of Zoning By-law 1-88 respecting setbacks, eaves encroachment, landscape strip, parking supply, and, percentage of GFA for an accessory office use. Prior to the execution of the Site Plan Letter of Undertaking, the Owner must successfully obtain the Committee's approval of the application. The Committee's decision shall be final and binding, and the Owner must satisfy all conditions of the Committee. A condition to this effect is included in the recommendation of this report.

Block 64 Land Use Plan

The approved Block 64 Land Use Plan is shown on Attachment #8 and designates the subject lands as "Prestige Area" and "Valley Land". The Block Plan was approved by Vaughan Council on June 26, 2006.

The proposal to facilitate the development of a Banquet Hall on the north parcel is consistent with the approved Block 64 Land Use plan.

A condition is also included in this report that the Owner shall secure and provide to the City a letter from the Trustee for Block 64 confirming that the Owner has fulfilled all cost sharing and other obligations of Block 64, and are in good standing with respect to the same.

Site Plan Review

The Owner is proposing to develop the northern 1.16 hectare portion of the subject lands with a 1,846.35 m² Banquet Hall, including a 419.72 m² office component on the second floor, the retention of the existing 121.53 m² heritage building (James Somerville House) as an additional reception area, and a 63.84 m² link between the Banquet Hall and the heritage building, for a total GFA of 2,451.44 m², as shown on Attachments #3 to #6. Access to the north parcel will be provided from one driveway on Huntington Road. A secondary access with removable bollards is also provided for emergency services vehicles. The two accesses may be consolidated into one access following further review, and to the satisfaction of the Transportation Engineering Section of the Vaughan DEIP Department. A total of 203 parking spaces are proposed, with 166 surface parking spaces (including 8 disabled persons' spaces) and 37 underground spaces. Snow will be moved to the north-east corner of the parking lot and will be picked up immediately and removed off-site. The Owner has confirmed there will be no storage of snow on-site for any extended period of time.

The existing heritage house will be retained and used in association with the Banquet Hall. The proposed Banquet Hall is designed in a manner that maintains the style of the heritage house, by using features that respect the character of the existing building. These features include a transparent glazed link, the use of traditional complementary stone, similar roof form and the design of the window openings on the side (eastern) elevation. Other features of the Banquet Hall include two entrance canopies, a raised deck to the rear, and glass balconies on the first and second floors along the southern elevation. The proposed materials include brick, stone, blue tint glazing and metal slate shingles.

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The landscape plan shown on Attachment #4, consists of the use of local drought resistant and native plant material, and coniferous and deciduous trees and shrubs along the perimeter of the parking lot, and landscaping within the 10m buffer of the Regional Storm Floodplain Area, which is considered to be acceptable by the TRCA. Walkways are provided along the southern boundary between the subject lands and OS1 Open Space Conservation Zone lands that feature the pond, which is being maintained in private ownership. There are currently no trails in this area, and no new trail system is being contemplated with this application on privately-owned lands for liability reasons. Should the open space lands one day revert to public ownership and there are opportunities to facilitate a trail system in the future, this matter can be explored in more detail at that time. The TRCA is satisfied with the location and design of the walkways.

The Vaughan Development Planning Department is generally satisfied with the proposed development subject to finalizing details related to the site plan, building elevations and landscaping plan, as shown on Attachments #3 to #6. Staff will continue to work with the Owner to finalize these details. Prior to the execution of the Site Plan Letter of Undertaking, the final site plan, building elevations and landscape plan shall be approved to the satisfaction of the Vaughan Development Planning Department. A condition to this effect is included in the recommendation of this report.

City Departments

a) Vaughan Development Planning Department, Urban Design and Cultural Heritage Division

The existing Heritage house is being retained as part of the proposed development and is to be utilized within the Banquet Hall function as additional reception space. The proposed Banquet Hall includes features that respect the character of the existing heritage house, such as the single storey glazed link, the use of traditional complementary materials such as stone and a similar roof form.

The Vaughan Cultural Heritage Division supports the retention and incorporation of the James Somerville House (included in the Listing of Buildings of Architectural and Historical Value) as part of the proposed development, and concur with the conclusions of the Cultural Heritage Impact Assessment (CHIA) that was submitted in support of the application. The CHIA has confirmed that the heritage house is a significant heritage resource and a brief Conservation Plan was included within the CHIA.

The Conservation Plan also details how the previous building additions were deemed to be modern, and will be removed, and how the heritage house will be incorporated into the construction of the Banquet Hall. Prior to the execution of the implementing Site Plan Letter of Undertaking, the Owner shall submit a detailed Conservation Plan including information on how the proposed glazed link will connect to the heritage house, and obtain confirmation from the Cultural Heritage Division that the activities set out in the Conservation Plan have been undertaken. A condition to this effect is included in the recommendation of this report.

b) Vaughan Development Engineering and Infrastructure Planning Department (DEIP)

1. Services

The Vaughan DEIP Department has reviewed the site plan, site servicing and grading drawings, as well as the Functional Servicing and Stormwater Management Reports submitted in support of the application. The Vaughan DEIP Department will continue to work with the Owner to finalize the Site Plan and undertake minor changes to the Reports prior to the execution of the Site Plan Letter of Undertaking. A condition to this effect is included in the recommendation of this report.

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2. Environmental

The Phase 1 and Phase 2 Environmental Site Assessments submitted in support of the applications have been reviewed to the satisfaction of the Vaughan DEIP Department.

3. Site Access

The Owner is proposing two access points on Huntington Road, as shown on Attachment #3, one of which is proposed for emergency vehicles only. In order to ensure safe access and egress to the site, the Owner is required to work with the Transportation Section of the DEIP Department to improve the design of the proposed access(es), with the potential of consolidating the two access points. A condition to this effect is included in the recommendation of this report.

4. Site Circulation

The current site plan illustrates two rows of abutting parking spaces to the north of the building that consist of approximately 31 and 35 parking spaces without a turning space or break between the spaces. This area is also located in close proximity to the main entrance to the building. City Staff have requested that the Owner consider revisions to the layout and design of the parking layout, including the location of the proposed handicapped parking spaces, in order to improve site circulation and safety. This may result in the loss of a nominal number of spaces, however due to the surplus parking spaces provided (based on the conclusions of the Parking Study), the necessary revisions can be accommodated without resulting in a deficiency of parking spaces. The final Site Plan must address this matter to the satisfaction of the Vaughan Development Planning Department and Vaughan Development Engineering and Infrastructure Planning Department (DEIP). A condition to this effect is included in the recommendation of this report.

5. Traffic Impact Study

The City of Vaughan is currently undertaking a Class Municipal Environmental Assessment for the widening and urbanization of Huntington Road between Langstaff Road and McGillivray Road. The study has not been completed, but the initial conclusions from the Traffic Operations Assessment indicate that the roadway will require a widening from 2 to 4 lanes. However, the ultimate geometrical design and ultimate recommendations have not been finalized to date because property requirements are still being examined. In order to address the potential 4-lane 'ultimate' condition of Huntington Road, the Site Plan indicates the 5m required road widening allowance and demonstrates that the parking and site circulation would not be impacted significantly by the future road widening.

The Owner has submitted a Traffic Impact Study (TIS) prepared by Crozier & Associates in support of their proposal. The DEIP Department has reviewed the study and has requested further information and, specifically, that the subject development be studied under the highly likely 4-lane scenario of Huntington Road for future (background and total) conditions.

Additionally, Transportation staff are requesting that the revised TIS clarify the number of trips for the proposed Banquet Hall, with more accurate data from the analysis of similar Banquet Halls, to the satisfaction of the Transportation Section of the DEIP Department. City staff shall approve the TIS prior to the final approval of the site plan. A condition to this effect is included in the recommendation of this report.

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c) Vaughan Environmental Services Department - Solid Waste Management Division

The Vaughan Environmental Services Department - Solid Waste Management Division has advised they do not have any objections to the proposal. Solid waste and recycling will be stored in an internal storage room in the basement, and will be collected by a private service.

d) Vaughan Financial Planning and Development Finance Department

The Vaughan Financial Planning and Development Finance Department advises that City, York Region, York Regional District School Board and York Catholic District School Board Development Charges are applicable. A standard clause will be included in the Site Plan Letter of Undertaking to this effect.

e) Vaughan Legal Services, Real Estate Division

The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, prior to issuance of a Building Permit, in accordance with Section 42 of the *Planning Act* and the City's Cash-in-Lieu Policy. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Vaughan Legal Services Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.

Toronto and Region Conservation Authority (TRCA)

The application was circulated to the TRCA for review and comment. Correspondence from the TRCA dated January 28, 2016 advises that TRCA staff have no objection, in principle, to the approval of the Site Plan application subject to the following conditions:

- The Owner remove the electrical service connections from the valley system
- The Owner obtains a TRCA permit under Ontario Regulation 166/06
- The Owner obtains a TRCA permit for all development, including grading, within 15m of the Regional Storm Floodline

The conditions noted above will enable the Site Plan application to be advanced while the TRCA continues to work with the Owner and the City of Vaughan to finalize their review of the detailed plans. A condition to this effect is included in the recommendation of this report.

Relationship to Term of Council Service Excellence Strategy Map (2014-2018)

This staff report is consistent with the following initiatives set forth in the Term of Council Service Excellence Strategy Map (2014-2018):

- i) Continue to cultivate an environmentally sustainable city
- ii) Attract investment and create jobs

Regional Implications

The York Region Community Planning and Development Services Department has reviewed the site development application and has no comments.

Conclusion

Site Development File DA.15.043 has been reviewed in consideration of Vaughan Official Plan 2010 and By-law 1-88, the comments from City Departments and external public agencies, surrounding land uses and the area context. The Vaughan Development Planning Department is

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satisfied that the proposed development of the subject lands is appropriate and compatible with the existing and permitted uses in the surrounding area, and conforms to the Official Plan. Accordingly, the Vaughan 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. Building Elevations - East and West
6. Building Elevations - North and South
7. Site Plan DA.10.081 as approved by Council on June 28, 2011
8. Block 64- Land Use Plan

Report prepared by:

Kathryn Moore, Planner, ext. 8813
Clement Messere, Senior Planner, ext. 8409

(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.)