

**EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 14, 2013**

16

**The Committee of the Whole recommends:**

- ## Recommendation

1. THAT Zoning By-law Amendment File Z.07.059 (Zepcel Holdings Inc.) BE APPROVED, to amend Zoning By-law 1-88, specifically the C2 General Commercial Zone, subject to site-specific Exceptions 9(166) and 9(385), on the subject lands shown on Attachments #1 and #2, to permit a 2-storey addition to an existing 1-storey commercial building to be used for a Business or Professional Office with an accessory showroom, as shown on Attachments #3 to #6, with the site-specific zoning exceptions to Zoning By-law 1-88 as identified in Table 1 of this report.

- a) that prior to the execution of the Site Plan Letter of Undertaking:

- ## Contribution to Sustainability

Goal 1: To significantly reduce our use of natural resources and the amount of waste we generate.

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- Objective 1.3: To support enhanced standards of stormwater management at the City and work with others to care for Vaughan's watersheds.

Goal 3: To ensure that getting around in Vaughan is easy and has a low environmental impact.

- Objective 3.1: To develop and sustain a network of sidewalks, paths and trails that supports all modes of non-vehicular transportation.

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:

- i) bicycle racks to promote an alternative mode of transportation;
- ii) a roof track system that controls the storage of stormwater on the roof used to assist in the overall stormwater management of the site;
- iii) permeable pavement design with sub-surface stormwater storage; and,
- iv) low gradient swales with a clearstone infiltration reservoir.

#### **Economic Impact**

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

#### **Communications Plan**

On December 22, 2011, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands, and to the Kleinburg & Area Ratepayers' Association. To date, no comments have been received. The recommendation of the Committee of the Whole to receive the Public Hearing report of January 17, 2012, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council on January 31, 2012.

#### **Purpose**

The Owner has submitted the following applications for the subject lands, municipally known as 950 Nashville Road, shown on Attachments #1 and #2:

1. Zoning By-law Amendment File Z.07.059 (Zepcel Holdings Inc.) to amend Zoning By-law 1-88, specifically the C2 General Commercial Zone, subject to site-specific Exceptions 9(166) and 9(385), to permit a 2-storey addition to an existing 1-storey commercial building to be used for a Business or Professional Office with an accessory showroom, with the site-specific zoning exceptions identified in Table 1 of this report.
2. Site Development File DA.11.087 to permit the development of a 2-storey, 179.3 m<sup>2</sup> addition to an existing 1-storey commercial building as shown on Attachments #3 to #6, to facilitate a Business or Professional Office with an accessory showroom.

#### **Background - Analysis and Options**

##### **Location**

The subject lands shown on Attachments #1 and #2, are municipally known as 950 Nashville Road, and are located on the north side of Nashville Road, east of Huntington Road. The surrounding land uses are shown on Attachment #2. The subject lands are developed with an existing one-storey building, which is currently vacant.

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#### Official Plan

The subject lands are designated “Nashville Core Area” by in-effect OPA #601 (Kleinburg-Nashville Community Plan), as amended by in-effect OPA #633, which permits local convenience commercial, personal service shops, professional and business offices, single detached residential dwellings, and bed and breakfast operations. The proposed Business or Professional office and accessory showroom are permitted by the Official Plan.

OPA #601, as amended, restricts the maximum building height on the subject lands to 9.5 m above finished grade for additions to buildings in the Core Area. The proposed rezoning for a 2-storey (8.3 m high) addition to the existing 1-storey building conforms to the policies of the Official Plan.

The subject lands are designated “Low-Rise Mixed Use/Mainstreet Commercial” by the new City of Vaughan Official Plan 2010 (VOP 2010), specifically Section 12.4 of Volume 2, which was adopted by Vaughan Council on September 7, 2010 (as modified on September 27, 2011, March 20, 2012, and April 17, 2012), as further modified and endorsed by Region of York Council on June 28, 2012, which is not in effect at this time, and is pending approval from the Ontario Municipal Board. Section 12.4 of Volume 2 of the Official Plan incorporates OPA #633 into the new VOP 2010 as an area specific amendment, and therefore, the proposed development also conforms to VOP 2010.

The subject lands are also designated as “Kleinburg North Low Rise Mixed-Use II” by the North Kleinburg-Nashville Secondary Plan (Volume 2 of VOP 2010), which permits the proposed Business or Professional Office use. This Secondary Plan was approved by the Ontario Municipal Board on November 18, 2012.

The proposed applications conform to the Official Plans.

#### Zoning

The subject lands are zoned C2 General Commercial Zone, subject to Exceptions 9(166) and 9(385) by Zoning By-law 1-88. An amendment to Zoning By-law 1-88 is required to maintain the C2 General Commercial Zone on the subject lands and permit the following site-specific zoning exceptions required to facilitate the development shown on Attachments #3 to #6:

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Table 1 – Proposed Site-Specific Zoning Exceptions

	<b>By-law Standards</b>	<b>By-law 1-88, C2 General Commercial Zone, subject to Exceptions 9(166) and 9(385) Requirements</b>	<b>Proposed Exceptions to C2 General Commercial Zone</b>
a.	Permitted Uses	<p>i) Site-specific Exception 9(166) permits a garage and body shop, subject to specific development standards.</p> <p>ii) Site-specific Exception 9(385) permits a retail monument shop, subject to specific development standards.</p>	<p>i) Delete Site-specific Exceptions 9(166) and 9(385) in their entirety.</p> <p>ii) Permit only the following site-specific use as defined:</p> <ul style="list-style-type: none"> <li>- Business or Professional Office with an accessory showroom*</li> </ul> <p>*Accessory showroom shall mean an area located within the same building as the principal use and is used for the display of products, materials, design illustrations, and samples accessory to the Business or Professional Office use.</p>
b.	Minimum Parking Requirements	13 spaces (3.5 spaces per 100 m <sup>2</sup> )	12 spaces (3.2 spaces per 100 m <sup>2</sup> )
c.	Minimum Front Yard(Nashville Road)	12.497 m	0.5 m
d.	Minimum Landscape Strip Width Abutting a Public Road (Nashville Road)	6 m	0.5 m
e.	Minimum Lot Depth	60 m	33.4 m (to recognize the existing lot depth)

The Development Planning Department can support the proposed site-specific exceptions to Zoning By-law 1-88. The Owner has indicated that the building will be used solely for a Business or Professional Office with an accessory showroom. A definition for an accessory showroom is included in Table 1 and will be included in the Zoning By-law, should the Zoning By-law

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Amendment Application be approved. The existing site-specific exceptions that permit a garage, body shop and a retail monument shop on the property are being eliminated.

Zoning By-law 1-88 requires that a minimum of 13 parking spaces be provided for the proposed Business or Professional Office, whereas 12 parking spaces are provided, which is considered to be minor and acceptable. The 2 parking spaces at the north-west corner (rear) of the site are located adjacent to the proposed “molok” garbage collection system, as shown on Attachment #3. The Owner has indicated that garbage pick-up will occur once a week, between the hours of 7:00 am and 8:30 am, which results in no parking conflicts, as the office opens at 8:30 am. These 2 parking spaces will include “No Parking between the hours of 7:00 am and 8:30 am” signage to avoid any parking conflict in this area.

The proposed addition to the existing commercial building occurs at the front (south) of the existing building thereby reducing the minimum front yard setback and landscape strip width requirements along Nashville Road. Both the Region of York and Heritage Vaughan have indicated no objection to the 0.5 m setback. Landscaping will be provided within the Regional right-of-way, which the Region of York is supportive of, thereby minimizing the appearance of a 0.5 m front yard setback. The exception to the minimum lot depth is required to recognize the existing lot depth of the property. The Development Planning can support the requested site-specific zoning exceptions noted above.

#### Site Plan Review

The Owner is proposing a two-storey, 179.3 m<sup>2</sup> addition to the front (south) of the existing 1-storey building abutting Nashville Road, as shown on Attachments #3 to #6 inclusive. The Owner is intending to use the building for an office and the accessory showroom as an area to display building materials and samples for new home purchasers. The existing building and addition have been significantly upgraded with board and batten wood siding, a central dormer, rubble stone skirting, and a 6-paneled front entrance door that is consistent with the Kleinburg-Nashville Heritage Conservation District Guidelines. The Heritage District Guidelines will be discussed further under the Heritage Vaughan section of this report.

The landscape plan shown on Attachment #4 consists of a mix of deciduous trees, shrubs, flowers, and grasses. Plantings are proposed at the front of the building defining the entrance as well as within the Regional right-of-way surrounding the walkway and driveway entrances onto the site providing for a softer curb appeal.

The plan includes a concrete pedestrian walkway around the building, leading to the main entrance. The driveway entrance will be constructed of asphalt, up to the edge of the existing building, and the balance of the parking area will consist of permeable paving materials, as shown on Attachment #4. A bicycle rack area is proposed at the rear of the building to promote an alternate mode of transportation.

The Development Planning Department is satisfied with the overall site plan design and landscape plan. Any changes will be subject to the final approval of the Vaughan Development Planning Department and Vaughan Cultural Services Division.

#### Heritage Vaughan

The subject lands are located within the Kleinburg-Nashville Heritage Conservation District and are designated under Part V of the Ontario Heritage Act. The applications have been reviewed in consideration of the applicable policies of the Heritage Conservation Plan. The proposed elevation changes to the existing building exterior and property was approved by Heritage Vaughan Committee on March 20, 2013, subject to the following conditions (in part):

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- i) that proposed building materials be reviewed and approved by Cultural Services staff; and,
- ii) that the applicant be advised that if there are any new changes as a result of addressing issues from review by other departments, a new submittal for review for the Heritage Vaughan Committee may be required and any previous approval granted may be deemed invalid based on the new information provided.

#### Vaughan Public Works Department

A “molok” garbage collection system is proposed at the rear of the building, as shown on Attachment #3. The 2 parking spaces adjacent to the molok system will include signage reading: “No Parking between the hours of 7:00 am and 8:30 am”. The Owner has indicated that garbage pick-up will occur once a week, between the hours of 7:00 am and 8:30 am, which results in no parking conflicts, as the office opens at 8:30 am. The signage will ensure that this area is free of cars for a specific time period, allowing the collection vehicle to use this area for a 3 point turn. The Public Works Department has reviewed the proposed molok garbage collection system and the site plan layout and has advised that they have no concerns.

#### Vaughan Development/Transportation Engineering Department

The site is currently serviced by municipal water; however, there is no municipal sanitary sewer system in the area. It is conceivable that a municipal sanitary sewer will be extended in the vicinity of the site in the foreseeable future through the planned urban development in the Nashville Community. Accordingly, the applicant is proposing to service the site by the existing 9000 litre sewage holding tank on the east side of the proposed 2-storey addition (Attachment #3). The potential need to upgrade or amend the existing holding tank requirement will be addressed through the Building Permit review process so as to ensure compliance with the Ontario Building Code. The application will also be reviewed keeping in mind the future timing and opportunities to connect to municipal services in conjunction with the planned development in the area.

The applicant is proposing to implement low impact development techniques to control the drainage from the site including porous pavers on the parking areas, infiltration galleries and site grading that better manages the drainage of the site.

The final site grading and servicing plan and storm water management report must be to the satisfaction of the Vaughan Development/Transportation Engineering and Building Standards Departments. A condition to this effect has been included in the recommendation of this report.

#### **Relationship to Vaughan Vision 2020/Strategic Plan**

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

- ii) Lead and Promote Environmental Sustainability

The Owner will be incorporating the sustainable site and building features identified in this report.

The proposed development includes a retrofitted rooftop storage of stormwater and permeable pavement design with subsurface stormwater storage which will assist in the overall stormwater management on the site.

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The proposed landscape plan includes drought tolerant plant material to promote water efficiency.

iii) Preserve Our Heritage and Support, Diversity, Arts & Culture

The Owner is proposing to retain and upgrade the existing building within the Heritage District. The Vaughan Cultural Services Division and Heritage Vaughan Committee have reviewed the proposal and support the proposed development subject to the comments in this report.

iv) Plan and Manage Growth and Economic Vitality

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

#### **Regional Implications**

The applications have been reviewed by the Region of York Transportation and Community Planning Department. The applicant is proposing landscaping within the Regional right-of-way along Nashville Road, which must be approved by the Region of York, as a condition of final approval of the site plan drawings. The Owner is required to satisfy all conditions of the Region of York. A condition to this effect has been included in the recommendation of this report.

#### **Conclusion**

Zoning By-law Amendment File Z.07.059 and Site Development File DA.11.087 have been reviewed in accordance with the policies of OPA #601 (Kleinburg-Nashville Community Plan), as amended by OPA #633, Zoning By-law 1-88, the Heritage Conservation Plan and review by the Heritage Vaughan Committee, the comments from City Departments and external public agencies, and the area context. The Vaughan Development Planning Department is satisfied that the proposed 2-storey addition to the existing 1-storey building to facilitate the development of a Business or Professional Office use with an accessory showroom is appropriate and compatible with the existing and permitted uses in the surrounding area, conforms to the Official Plan, and is in accordance with the approvals granted by the Heritage Vaughan Committee. On this basis, the Development Planning Department can support the approval of Zoning By-law Amendment File Z.07.059 and Site Development File DA.11.087, subject to the recommendations in this report.

#### **Attachments**

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

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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.)