

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 25, 2013**

Item 36, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 25, 2013.

**36**

**SITE DEVELOPMENT FILE DA.13.023**

**YORK MAJOR HOLDINGS INC.**

**WARD 4 - VICINITY OF MAJOR MACKENZIE DRIVE AND MCNAUGHTON ROAD EAST**

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 June 18, 2013:

**Recommendation**

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

1. THAT Site Development File DA.13.023 (York Major Holdings Inc.) BE APPROVED, to permit the development of the subject lands shown on Attachments #1 and #2 with a 4,009.8 m<sup>2</sup> one-storey retail / commercial building with two units, as shown on Attachments #4 to #7, inclusive, 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 including rooftop mechanical screening plan, and landscape plan (to match the final site plan layout) and cost estimate shall be approved by the Vaughan Development Planning Department;
    - ii) the final site servicing and grading plan, sediment control plan, stormwater management report and traffic impact report shall be approved by the Vaughan Development / Transportation Engineering Department;
    - iii) the final waste management plan and waste collection design standards submission shall be approved by the Vaughan Public Works Department;
    - iv) Minor Variance Application A168/13 shall be approved by the Vaughan Committee of Adjustment for the required exceptions to Zoning By-law 1-88, to facilitate the development of the two-unit retail / commercial building subject to this report only as identified in Table 1 of this report, and that the Committee's decision shall be final and binding; and,
    - v) the Owner shall satisfy all requirements of the Region of York Transportation and Community Planning Department.

**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 an urban form that supports our expected population growth.

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 21<sup>st</sup> century.

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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) light pollution reduction by designing outdoor lighting for safety and comfort;
- ii) recycled concrete material for stone base and in the parking lot pavement construction;
- iii) bicycle racks provided near the entrances to the building;
- iv) indoor plumbing fixtures which reduce water requirements;
- v) utilizing roofing materials which have a Solar Reflectance Index (white roof);
- vi) utilizing low VOC (volatile organic compounds) adhesives, sealants, paints and coatings; and,
- vii) drought tolerant landscape materials which minimize usage of water.

#### **Economic Impact**

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

#### **Communications Plan**

N/A

#### **Purpose**

The Owner has submitted Site Development File DA.13.023 on the subject lands shown on Attachments #1 and #2 to permit the development of a 4,009.8 m<sup>2</sup> retail / commercial building with two-units, as shown on Attachments #4 to #7, inclusive.

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

##### **Location**

The subject lands are located at the northeast corner of Major Mackenzie Drive and Hill Street, as shown on Attachments #1 and #2. The surrounding land uses are shown on Attachment #2. The subject lands are located within Block 5 of Registered Plan 65M-4061, which is an 8.9 ha parcel of land. The proposed development is south of the existing Wal-Mart and will occupy 1.49 ha of the overall 8.9 ha block. The remaining lands owned by the applicant will be developed with commercial uses in the future as shown on Attachment #3, which will be subject to future Site Development applications, and any required variances to the Zoning By-law to implement the future proposals such as for parking and/or setbacks will be addressed at that time.

##### **Official Plan and Zoning**

The subject lands are designated "Prestige Industrial – Part L" by OPA #332 as amended by OPA #535, and further designated Oak Ridges Moraine Settlement Area by OPA #604. The "Prestige Industrial – Part L" designation permits a wide range and mix of land uses, including warehousing, processing, manufacturing, retail and retail warehousing uses to a maximum GFA of 25,000 m<sup>2</sup>. The proposed retail / commercial development is permitted by OPA #332, as amended.

The subject lands are also designated "Community Commercial Mixed-Use" by the new City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified September 27, 2011, March 20, 2012, and April 17, 2012), and further modified and endorsed by Region of York Council on June 28, 2012, and is pending approval from the Ontario Municipal Board. The "Community Commercial Mixed-Use" designation permits office, hotel, cultural and entertainment and retail uses. The proposed retail / commercial development is permitted by VOP 2010.

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The subject lands are zoned M1 Restricted Industrial Zone by By-law 1-88, subject to Exception 9(1097), which permits the proposed retail / commercial development. In order to implement the proposed site plan shown on Attachment #3, the Owner has submitted Minor Variance Application A168/13 to the Vaughan Committee of Adjustment to permit the following site-specific exceptions to the M1 Zone of Zoning By-law 1-88:

Table 1:

	<b>By-law Standard</b>	<b>By-law 1-88, M1 Restricted Industrial Zone Requirements, subject to Exception 9(1097)</b>	<b>Proposed Variances to the M1 Restricted Industrial Zone Requirements, subject to Exception 9(1097)</b>
a.	Minimum Number of Parking Spaces	241 spaces (4009.81 m <sup>2</sup> @ 6 spaces/ 100 m <sup>2</sup> GFA)	170 spaces (4009.81 m <sup>2</sup> @ 4.24 spaces/ 100 m <sup>2</sup> GFA)
b.	Minimum Exterior Side Yard Setback (Major Mackenzie Drive)	9 m	6 m
c.	Minimum Rear Yard Setback (Hill Street)	15 m	10.8 m (setback to the screen wall)  14.2 m (setback to the building)

The minimum number of parking spaces proposed for the subject lands is 170 parking spaces at a rate of 4.24 spaces / 100 m<sup>2</sup> GFA. It is envisioned that parking will be based on a shared format on the York Major lands where customers will park in front of one store and walk to the neighbouring store, given the proximity of the buildings. On this basis, the Wal-mart was developed at a rate of 4.9 spaces / 100 m<sup>2</sup> GFA and when averaged with the 4.24 spaces / 100 m<sup>2</sup> GFA on the parcel where the proposed multi-unit development is to be sited yields a parking rate of 4.6 spaces / 100 m<sup>2</sup> GFA for the combined developments on the York Major property. The average ratio of 4.6 is considered appropriate based on the preliminary findings of the City of Vaughan Draft Parking Standards completed by the IBI Group. As the parking rate of 4.9 is in place for the Wal-mart store and is not being changed, the Vaughan Development / Transportation Engineering and Development Planning Department's can support the proposed rate of 4.24 to facilitate the development of the subject multi-unit commercial buildings, which will require approval from the Vaughan Committee of Adjustment.

The applicant had originally submitted a Traffic Impact Study prepared by Poulos, Chung dated March 2013, and applied for a Committee of Adjustment variance for a reduced averaged parking rate of 4.6 spaces / 100 m<sup>2</sup> across the entire block shown on the Master Plan on Attachment #3. The Minor Variance Application also included a variance for a reduced front yard setback from 9 m to 6 m along McNaughton Road. The Development Planning Department cannot support these specific Variances as there is no site plan application submitted on the portion of the applicant's other vacant lands to the east, and accordingly, there has been no review undertaken by Staff as to the appropriateness of these variances. Therefore, Staff can support the rationale

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for the parking rate of 4.24 (ie. 170 parking spaces) on the subject multi-unit development site in conjunction with the existing Wal-mart as discussed earlier. The applicant is advised to amend their Minor Variance Application to reflect the 4.24 rate on the multi-unit development parcel, and to remove the other two variances from consideration by the Vaughan Committee of Adjustment.

The applicant (York Major Holdings Inc.) currently owns the subject lands, the existing Wal-mart, and the future development lands shown on Attachment #3. The Building Standards Department has advised that the yard abutting McNaughton Road is deemed to be the front yard, Hill Street the rear yard, and the exterior side yard abuts Major Mackenzie Drive. Variances are proposed to the exterior side and rear yard, as identified in Table 1. The proposed reduction to the exterior side yard from 9 m to 6 m along Major Mackenzie Drive will result in a built form located closer to the street that will enhance the streetscape while still providing sufficient space for landscaping. The reduced rear yard setback is the result of the proposed building design, which maintains sufficient space to facilitate landscaping and buffering and a retaining wall feature along Hill Street. The Development Planning Department can support the requested variances. Prior to the execution of the Site Plan Letter of Undertaking, the Committee's decision shall be final and binding. A condition to this effect is included in the recommendation of this report.

#### Site Plan Review

The 1.49 ha vacant site is part of a larger 8.92 ha land holding, that contains the existing Wal-Mart to the north and other vacant commercial lands that will be developed in the future, as shown on Attachment #3. The site plan shown on Attachment #4, proposes a 1-storey 2-unit retail / commercial building which will contain a Marshalls store in Unit A-1 and Unit A-2 will remain vacant until a tenant is secured. The 4,009.8 m<sup>2</sup> retail / commercial building is located on the southerly portion of the site with 2 loading spaces located on either side of the building and hidden by respective screen walls with materials / colours that complement the building, which are accessed from the internal parking lot and not visible from Major Mackenzie Drive. There is an existing driveway located on the property from Major Mackenzie Drive that is proposed to be removed.

#### a) Building Elevations

The proposed building elevations are shown on Attachment #7. The building will be constructed to a maximum height of 7.6 m and 10.36 m to the top of the parapet. Parapet heights vary in the area of the signage and main entrance for architectural enhancement. The building materials consist of stucco, stone cladding at the bottom third of the building, and brick face panels in certain locations to provide visual interest. The Marshalls corporate signage consists of blue single channel letters and blue canopy awnings are proposed over the windows. All rooftop mechanical will be screened from view.

The Major Mackenzie Drive frontage has been upgraded to include visual interest with additional windows (spandrel and vision glazing) and a mixture of materials including stone cladding, brick, stucco and blue canopy awnings. Doors have also been added to encourage pedestrian connectivity.

The screen wall for the loading area abutting Hill Street is upgraded to include a stone base and brick panel inserts to break up the wall.

#### b) Signage

The proposed wall signage for Unit A-1 (Marshalls) will be located on the north, south and west elevations. The proposed "Marshalls" sign on the north elevation faces the parking lot and will be located above main entrance. Unit A-2 indicates future wall signage on the north and south elevations within a sign box above the main entrance and also on the east elevation.

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c) Landscape Plan

The landscape plan consists of a mix of deciduous and coniferous trees, shrubs, perennials, ornamental grasses and ground covers, as shown on Attachment #5. The Development Planning Department reviewed the landscape plan and recommended changes to the plan particularly along Major Mackenzie Drive. The landscape design abutting Major Mackenzie Drive must be in accordance with the design guidelines in the "Major Mackenzie Streetscape Study" dated April, 2010, which includes walkway connections. In response, the Owner has provided the Conceptual Landscape Plan shown on Attachment #6, which is acceptable to the Development Planning Department.

The landscape plan does not completely match the layout shown on the site plan, particularly along the west property line and the northwest corner of the site, and does not include all details such as a walkway across the north property line and bicycle racks. The final landscape plan must reflect the final approved site plan shown on Attachment #4, to the satisfaction of the Vaughan Development Planning Department.

d) Site Plan Summary

The Vaughan Development Planning Department is generally satisfied with the overall landscape proposal and will continue to work with the Owner to finalize the details of the proposed development. The final site plan, elevations, landscape plan and landscape cost estimate must be approved to the satisfaction of the Development Planning Department. A condition to this effect is included in the recommendation of this report.

Vaughan Development / Transportation Engineering Department

The Vaughan Development/Transportation Engineering Department has reviewed the proposed development and provides the following comments:

i) Site Plan

- The proposed driveways must be constructed with heavy duty asphalt paving from the back edge of the municipal curb to the property line. This area should be highlighted on the site plan.
- The proposed right-in/out driveway at Major Mackenzie Drive should be designed to the satisfaction of the Region of York.

ii) Parking Study

Staff can support the subject development with a reduced parking supply rate of 170 parking spaces or 4.24 spaces per 100 m<sup>2</sup>, whereas Zoning By-law 1-88 requires a minimum of 6.0 spaces per 100 m<sup>2</sup>. The proposed parking supply would be sufficient for the development's specific requirements, as discussed earlier in the zoning section of this report.

In order to determine if the parking rate proposed is appropriate to meet the development's parking demand, the existing parking supply and demand data (parking accumulation study/survey at the existing Wal-Mart development), was utilized.

It is important to also note that the City is currently in the process of reviewing parking standards. A key objective of the study is to recommend appropriate standards for inclusion in Zoning By-law 1-88. The recommended parking supply of 4.24 spaces per 100 m<sup>2</sup> is considered appropriate based on the preliminary findings of the City of Vaughan Draft Parking Standards completed by IBI Group, and the rationale discussed earlier in this report.

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iii) Traffic Impact Study

- The Traffic Impact Study should include the outputs of the queuing analysis; furthermore, the existing queuing information of all major intersections should also be included in the report for comparison purpose with the future total traffic condition;
- The Traffic Impact Study report should also include the garbage/loading trucks maneuvering plan;
- All soft copy files for the Synchro analysis shall be provided; and,
- The Traffic Impact Study must be reviewed and approved by the Region of York.

iv) Active Transportation / Pedestrian Access

- An additional sidewalk connection is proposed along the north border of the site (to replace the existing asphalt walkway). The availability of safe and continuous sidewalk connections between building entrances and surrounding destinations (e.g. Maple GO Station, Wal-Mart, etc.) encourages more people to walk between destinations; and,
- In addition to the sidewalk connection above, the driveway entrances to the parking lot provide an enhanced crossing (e.g impressed asphalt) that continues at grade across the driveway.

v) Bicycle Parking

Short term bicycle parking (for visitors) has been provided for at least six bicycles (as per the Draft Parking Standards Report, March 2010). All bicycle parking is shown on the Site Plan and must be shown on the Landscape Plan. The proposed rack/stand type should also be identified in the Landscape Details. Medium-high security stands are recommended, which permits the bicycle frame and both wheels to be locked to the rack. An inverted 'U' or swerve stand with in-ground mount is recommended.

vi) Site Servicing and Grading

The final site plan, storm water management and grading plans and reports must be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department. A condition to this effect is included in the recommendation of this report.

Vaughan Real Estate Division

The Vaughan Real Estate Division has confirmed that cash-in-lieu of parkland dedication is not required as it was paid in full through the Subdivision Agreement between the City and York Major Holdings Inc. (File 19T-05V05).

**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) Lead and Promote Environmental Sustainability

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

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The proposed development includes indoor plumbing fixtures which reduce water requirements, recycled concrete material for stone base and in parking lot pavement construction and low VOC adhesives, sealants, paints and coatings. The proposed landscape plan includes drought tolerant plant material to encourage water conservation and proper management of stormwater discharge into the City's natural corridors and sewer systems.

#### **ii) Manage Growth & Economic Well Being**

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 subject lands abut a Regional Road, being Major Mackenzie Drive. The Site Development Application was circulated to the Region of York Transportation and Community Planning Department. The Region has advised that the access onto Major Mackenzie Drive will be restricted to a right-in/right-out only.

The Owner must satisfy all requirements of the Region and enter into a Regional Site Plan Agreement, prior to the issuance of a Building Permit by the City. A condition to this effect has been included in the recommendation of this report.

#### **Conclusion**

Site Development File DA.13.023 has been reviewed in accordance with OPA #332, as amended by OPA #535 and OPA #604, Zoning By-law 1-88, comments from City Departments and external public agencies, and the area context. The Vaughan Development Planning Department is satisfied that the development of the proposed commercial building is compatible with the existing and planned uses in the surrounding area, and conforms to the Official Plan. Accordingly, the Development Planning Department can support the approval of Site Development File DA.13.023, subject to the conditions contained in this report.

#### **Attachments**

1. Context Location Map
2. Location Map
3. Master Plan
4. Site Plan
5. Landscape Plan
6. Conceptual Landscape Plan
7. Elevations

#### **Report prepared by:**

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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.)