

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF NOVEMBER 17, 2015

Item 8, Report No. 40, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on November 17, 2015.

8

SITE DEVELOPMENT FILE DA.15.016

1676893 ONTARIO LIMITED

WARD 2 - VICINITY OF REGIONAL ROAD 7 AND REGIONAL ROAD 27

The Committee of the Whole recommends approval of 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 November 3, 2015:

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.15.016 (1676893 Ontario Limited) BE APPROVED, to permit the development of the subject lands shown on Attachments #1 and #2 with a one-storey, 540.8 m² service commercial development, as shown on Attachments #3 to #6, subject to the following conditions:
 - a) Prior to the execution of the Site Plan Letter of Undertaking:
 - i. the Vaughan Development Planning Department shall approve the final site plan;
 - ii. the Vaughan Development Engineering and Infrastructure Planning Services Department shall approve the final site servicing and grading plan, erosion and sediment control plan, functional service report, and stormwater management report, which shall be certified by the Subdivision Block Consulting Engineer;
 - iii. the Owner shall enter into a Development Agreement with the Vaughan Development Engineering and Infrastructure Services Department related to a sanitary sewer to be constructed to service the subject lands; and,
 - iv. 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, and the Owner shall satisfy any conditions of approval imposed by the Committee.
 - b) The Site Plan Letter of Undertaking shall include the following provision:
 - i. The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of parkland dedication equivalent of 2% of the value of the subject lands, prior to the issuance of the Building Permit, in accordance with Section 42 of the *Planning Act and City of Vaughan 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.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF NOVEMBER 17, 2015

Item 8, CW Report No. 40 – Page 2

Contribution to Sustainability

The application implements the following Goal and Objective of Green Directions Vaughan:

Goal 2: To ensure sustainable development and redevelopment

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

In accordance with the goal and objective 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:

- wall and pole mounted exterior LED light fixtures
- low flow plumbing fixtures
- salt resistant native plants
- a well-connected pedestrian system
- bicycle parking to encourage an alternate mode of transit

Economic Impact

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

Communications Plan

N/A

Purpose

The purpose of this report is to seek approval from the Committee of the Whole for Site Development File DA.15.016 to permit the development of the subject lands shown on Attachments #1 and #2 with a one-storey, 540.8 m² service commercial development, including a 180 m² convenience retail use (Pickard's Peanuts) and a 180 m² eating establishment, as shown on Attachments #3 to #6.

Background - Analysis and Options

Synopsis:

The Owner is proposing to develop the subject lands with a one-storey, 540.8 m² service commercial development including a 180 m² eating establishment and a 180 m² convenience retail store. The Vaughan Development Planning Department supports the approval of the Site Development Application as the proposed uses are permitted by the Official Plan and Zoning By-law 1-88, the site layout is appropriate, and the required site-specific zoning exceptions meet the four tests of the Planning Act for minor variances.

Location

The 0.32 ha subject lands shown on Attachments #1 and #2 are located on the northeast corner of Regional Road 27 and Royal Gate Boulevard, municipally known as 20 Royal Gate Boulevard. The surrounding land uses are shown on Attachment #2.

Official Plan and Zoning

Vaughan Official Plan 2010 (VOP 2010) designates the subject lands "Prestige Employment", which permits commercial developments defined as "small scale uses that primarily serve the business functions in the Employment Lands," subject to certain policies, specifically:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF NOVEMBER 17, 2015

Item 8, CW Report No. 40 – Page 3

- the gross floor area (GFA) of any one unit shall generally not exceed 185 m²;
- the ancillary retail must be located within 200 m of the intersection of two arterial or collector streets; and,
- the total GFA of all ancillary retail uses on a lot generally shall not exceed 20% of the total GFA on the lot or 1,000 m², whichever is less.

The proposal for two 180 m² units located at the intersection of Regional Road 27 (major arterial) and Royal Gate Boulevard (minor collector), satisfies the first two criteria. The total GFA proposed on the site is 540.5 m², which is less than 1000 m², however the retail uses comprises the entirety of the GFA on the lands. The subject lands are zoned C7 Service Commercial Zone, a zone originally intended to implement the Service Node Policies of OPA #450 (Employment Area Plan), which would permit the proposed use as-of-right on the lands.

In consideration of the above, the Vaughan Development Planning Department is satisfied that the proposal meets the general intent of VOP 2010.

The subject lands are zoned C7 Service Commercial Zone by By-law 1-88, subject to site-specific Exception 9(654F), which permits the proposed service commercial uses as-of-right. The following exceptions to Zoning By-law 1-88 are required to permit the proposed site development:

Table 1:

| | By-law Standard | By-law 1-88 Requirements of the C7 Service Commercial Zone subject to Exception 9(654F) | Proposed Exceptions to the C7 Service Commercial Zone subject to Exception 9(654F) |
|----|-----------------------------|--|--|
| a. | Definition | Unit - Means a building or part of a building that is used for one (1) purpose by (1) user | Permit one unit in the building to be used for one (1) or two (2) purposes by one (1) or (2) users |
| b. | Minimum Parking Requirement | Shopping Centre - 540.8 m ² @ 6 spaces/100 m ² of GFA = 33 spaces | 32 spaces |
| c. | Minimum Rear Yard (East) | 22 m | 16.8 m |

The Vaughan Development Planning Department has no objection to permitting two uses in one unit. The proposed convenience retail and eating establishment uses maintain a shared hallway to access washrooms, as shown on Attachment #3. The uses are wholly separated by a wall and maintain separate entrances from the exterior of the building. The uses will function as two separate and independent units.

The Vaughan Development Engineering and Infrastructure Planning Services Department is satisfied with the parking reduction, and accordingly, the Vaughan Development Planning Department can support the proposed parking supply.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF NOVEMBER 17, 2015

Item 8, CW Report No. 40 – Page 4

The Vaughan Development Planning Department can support the reduced rear yard setback to the building. The subject lands are a corner lot, and the rear yard (easterly yard) functions more as a side yard and accommodates a drive aisle and parking spaces.

The Vaughan Development Planning Department is of the opinion that the above noted site-specific zoning by-law exceptions are minor, desirable for the appropriate development of the lands, and maintains the intent of the Official Plan and Zoning By-law 1-88.

The Owner must submit a Minor Variance application to the Vaughan Committee of Adjustment to address the above noted zoning exceptions, and successfully obtain the Committee's approval. The Committee's decision must be final and binding and the Owner shall satisfy any conditions of the Committee prior to the execution of the implementing Site Plan Letter of Undertaking, should the application be approved. A condition to this effect is included in the recommendation of this report.

Site Plan Review

The Owner is proposing to develop the property with a one-storey, 540.8 m² multi-unit commercial building as shown on Attachment #3, including 180 m² GFA dedicated to an eating establishment use, 180 m² for a convenience retail use (Picard's), with the remainder of the space to be leased for service commercial uses permitted by Zoning By-law 1-88. Access to the subject lands is proposed by an existing driveway from Royal Gate Boulevard, which also provides access to the adjacent properties to the north and to the east through access easements, as shown on Attachment #3. A total of 32 parking spaces are proposed on the site including 2 barrier free spaces.

The proposed building elevations, as shown on Attachment #5, include white Arriscraft Stone cladding along the bottom of the building, blue Hardie Board cladding along the top of the building, white Hardie Board cladding on the roof peaks, and clear vision glazing. The roof is comprised of blue metal, and the design includes a porch that wraps around three sides of the building. A decorative Picard's Peanuts sign is located on the roof peak on all four elevations of the building, and a white text Pickard's Peanuts sign is located on the roof on the south and north elevations, as shown on Attachments #5 and #6. The Vaughan Development Planning Department is satisfied with the proposed building elevations and sign design.

The landscape plan, as shown on Attachment #4, includes new trees, shrubs, and perennials to be planted in the soft landscaped areas along the north, west, and south yards of the property. Enhanced landscaping including armour stone seats and an existing stone and concrete wall are included at the corner of Regional Road 27 and Royal Gate Boulevard, and at the entrance to the site. The Vaughan Development Planning Department is satisfied with the landscaping plan and landscaping details.

The Vaughan Development Planning Department is satisfied with the proposed development, subject to the comments and recommendations in this report.

City Departments

c) Vaughan Development Engineering & Infrastructure Planning Services Department (DEIPS)

The Vaughan DEIPS Department is generally satisfied with the proposed development. The Owner is required to enter into a Development Agreement pursuant to Subsection 50(6) of the Planning Act with the City of Vaughan for the external works pertinent to the sanitary sewer to be constructed on Royal Gate Boulevard to service the subject lands. The Owner must submit the

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF NOVEMBER 17, 2015

Item 8, CW Report No. 40 – Page 5

required reports and plans to DEIPS for review and approval of the plans, and the preparation and execution of a Development Agreement. The Development Agreement related to external servicing must be entered into prior to the execution of the Site Plan Letter of Undertaking. A condition to this effect is included in the recommendation of this report.

The DEIPS Department is satisfied with the internal site servicing plan, grading plan, and the stormwater management report and functional servicing report submitted in support of the application. However, the plans and reports must be reviewed and certified by the Subdivision Block's Consulting Engineer responsible for the design of the related subdivision. The Owner is required to submit the Consultant's certified plans and reports to the satisfaction of the DEIPS Department. A condition to this effect is included in the recommendation of this report.

The DEIPS Department shall approve the final plans and reports prior to the execution of the Site Plan Letter of Undertaking. A condition to this effect is included the recommendation of this report.

d) Vaughan Legal Services Department, Real Estate Division

The Vaughan Legal Services Department, Real Estate Division has advised that the Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent of 2% of the value of the subject lands, prior to the issuance of the 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. This provision will be included in the implementing Site Plan Letter of Undertaking, if the application is approved. A condition to this effect is included in the recommendation of this report.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the following initiative 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.

Regional Implications

The York Region Transportation and Community Planning Department has no comment or objection to the Site Development Application.

Conclusion

Site Development File DA.15.016 has been reviewed in accordance with the applicable policies of VOP 2010, Zoning By-law 1-88, the comments from City Departments and external public agencies, and the area context. The Vaughan Development Planning Department is satisfied that the proposed one-storey, 540.8 m² service commercial development is appropriate and compatible with the existing and permitted uses in the surrounding area, and conforms to the Official Plan and complies with By-law 1-88 subject to successfully obtaining a few minor variances. Accordingly, the Vaughan Development Planning Department can support the approval of the Site Development Application, subject to the recommendations in this report.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF NOVEMBER 17, 2015

Item 8, CW Report No. 40 – Page 6

Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Landscape Plan
5. Elevation Plan
6. Sign Detail

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.)