

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 9, 2014

Item 16, Report No. 41, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on December 9, 2014.

16

SITE DEVELOPMENT FILE DA.14.020

CAMBAY HOLDINGS INC.

WARD 3 - VICINITY OF MAJOR MACKENZIE DRIVE AND CITYVIEW BOULEVARD

The Committee of the Whole recommends:

- 1) That consideration of this matter be deferred to the Committee of the Whole meeting of January 13, 2015, to allow a community meeting between the applicant, the local Councillor, and the community, and that staff be authorized to attend the meeting if required;**
- 2) That the following deputations be received:**
 - 1. Mr. Oz Kemal, MHBC, Weston Road, Woodbridge; and**
 - 2. Mr. Bruno Baldassarra, Cambay Holdings Inc., Dufferin Street, Vaughan; and**
- 3) That the coloured elevation drawings submitted by the applicant be received.**

Recommendation

The Commissioner of Planning, Director of Development Planning and Manager of Development Planning recommend:

- 1. THAT Site Development File DA.14.020 (Cambay Holdings Inc.) BE APPROVED, to facilitate the development of the subject lands, as shown on Attachments #1 and #2, with one office building and four commercial buildings with a total gross floor area (GFA) of 6,240.93 m², as shown on Attachments #3 to #9, subject to the following conditions:**
 - a) that prior to the execution of the Site Plan Agreement:**
 - i. the Vaughan Planning Department shall approve the final site plan, landscape plan, landscape cost estimate and building elevations;**
 - ii. the Vaughan Development/Transportation Engineering Department shall approve the final site servicing and grading plan, and stormwater management report;**
 - iii. the Owner shall submit a Letter of Credit to the City of Vaughan, in the sum of \$87,500.00 to the satisfaction of the Vaughan Development/Transportation Engineering Department, as the Owner's contribution towards a signalized intersection at Cityview Boulevard, as discussed in this report;**
 - iv. the Vaughan Public Works Department shall approve the final waste management plan and waste collection design standards submission;**
 - v. the Owner shall successfully obtain approval of a Minor Variance Application for the required exceptions to Zoning By-law 1-88, as identified in Table 1 of this report, and of a Consent Application, each 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;**

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- vi. the Owner shall satisfy all requirements of the Ministry of Transportation Ontario, and obtain a Ministry Building and Land Use Permit;
- b) the Owner shall satisfy all requirements of the York Region Transportation and Community Planning Department; and,
- c) that the Site Plan Agreement 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.

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, and by ensuring that the strategy is subject to periodic review and renewal.

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

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:

- dedicated pedestrian pathway markings and signage for safe pedestrian movement within the site
- bike racks to promote an alternative and active mode of transportation
- using local and sustainable construction building materials
- low water consumptive plants and native plants for landscaping treatments
- LED lighting and lower energy consumptive lighting systems
- light coloured paving products to reduce the heat island affect

Economic Impact

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

Communications Plan

N/A

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Purpose

To seek approval from the Committee of the Whole for Site Development File DA.14.020 on the subject lands shown on Attachments #1 and #2, to facilitate the development of the subject lands with a three-storey office building, four commercial buildings and below-grade parking, as shown on Attachments #3 to #9.

Background - Analysis and Options

Location

The 2.43 ha subject lands as shown on Attachments #1 and #2, are located on the northeast corner of Major Mackenzie Drive and Cityview Boulevard, City of Vaughan. The subject lands are currently vacant.

Vaughan Official Plan 2010

The subject lands are designated “Employment Commercial Mixed-Use” by Vaughan Official Plan 2010 (VOP 2010), which permits office, hotel, cultural and entertainment, retail, and gas station uses, subject to specific criteria. The subject lands are located within a “Primary Intensification Corridor within Employment Areas” as identified by VOP 2010, which requires that a minimum of 30% of the total gross floor area of all uses in the development shall consist of uses other than retail. The proposed 3,450 m² office building represents 55% of the total gross floor area (6,240m²) of the development, thereby satisfying this criteria.

The property is also subject to Site Specific Policy 13.28 in Volume 2 of VOP 2010, which provides the following additional policies:

- i. Major Retail (as defined in VOP 2010 as retail uses greater than 10,000 m² per lot) is permitted; however, the proposed development has a total retail use area of 2,790.15 m², which does not qualify as Major Retail;
- ii. Retail units may exceed 3,500 m²; however, the proposed development does not have a retail unit above 3,500 m²;
- iii. Only lands within 100 m of Major Mackenzie Drive West will require a minimum of 30% of the total GFA of all uses to consist of uses other than retail. The proposal maintains a mix of office and retail uses, whereby office uses comprise 55% of the total GFA of all uses;
- iv. Low-Rise Buildings (maximum 3-storeys) are permitted on the entirety of the site. The proposal includes low-rise buildings; and,
- v. Outdoor storage and display shall be permitted subject to being screened by black metal architectural fencing and/or other materials and architectural details, to the satisfaction of the City. The Owner is not proposing any outdoor storage and display areas.

Therefore, as discussed above, the proposed office and commercial development conforms to the policies in Vaughan Official Plan 2010 and Site-Specific Policy 13.28.

Zoning By-law 1-88

The subject lands are zoned C2 General Commercial Zone by Zoning By-law 1-88, subject to site-specific Exception 9(1221), which permits a Bank or Financial Institution with or without a Drive-Through, a Business or Professional Office including for a Regulated Health Professional, a Convenience Eating Establishment with or without a Drive-Through, and a Retail Store, among other uses.

The following site-specific exceptions to Zoning By-law 1-88 are required to implement the proposed development:

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Table 1

	Zoning By-law Standard	By-law 1-88, C2 General Commercial Zone, Exception 9(1221) Requirements	Proposed Exceptions to C2 General Commercial Zone, Exception 9(1221)
a.	Maximum Building Height (Building 'A')	15 m	15.3 m
b.	Maximum Driveway Width (southerly entrance at Cityview Boulevard)	7.5 m	7.6 m
c.	Minimum Parking Requirement	414 parking spaces	405 parking spaces

The Vaughan Planning Department has no objections to the proposed variances. All three variances are minor in nature, are appropriate for the development of the subject lands, and meet the intent of Zoning By-law 1-88. The proposed maximum building height for Building 'A' is 15.3m, or 0.3 m above the maximum permitted building height. Building 'A' is also located towards the rear of the subject lands, meets all required setbacks and does not negatively impact the adjacent subject lands or buildings.

The maximum driveway width is required to ensure safe movement and access for trucks onto the subject lands and the variance is considered to be minor in nature. The Vaughan Development/Transportation Engineering Department has approved a Traffic Impact and Parking Study, prepared by Cole Engineering Group Ltd., which was submitted in support of the parking supply. This is discussed in further detail in the Vaughan Development/Transportation Engineering Department section of this report. Accordingly, the Vaughan Planning Department considers the proposed 9 parking space reduction to be minor in nature and appropriate for the development of the subject lands.

The Owner is also required to obtain a mutual and shared access easement for the northerly driveway through a Consent application, between the Owner and the adjacent landowner to the north. Home Depot Holdings Inc. (lands to the north) has successfully obtained from the Vaughan Committee of Adjustment, the necessary access easement over the Cambay Holdings Inc. portion of the driveway through Consent Applications B009/09 and B010/09.

Should this application be approved by Vaughan Council, the Owner is required to submit Minor Variance and Consent Applications for the above noted exceptions and easement, and successfully obtain the Committee's approval, and the Committee's decision shall be final and binding. The Owner will also be required to satisfy any conditions imposed by the Committee of Adjustment, if the applications are approved. A condition to this effect is included in the recommendation of this report.

Site Plan Review

The Owner is proposing to develop the subject lands with five buildings, including four multi-unit buildings, as shown on Attachment #3, to be used for commercial and office uses, as follows:

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i.	Building 'A' (office)	3,450.78 m ²
ii.	Building 'B' (commercial, multi-unit)	948.62 m ²
iii.	Building 'C' (eating establishment, single-unit)	415.00 m ²
iv.	Building 'D' (commercial, multi-unit)	371.61 m ²
v.	Building 'E' (commercial, multi-unit)	1,054.92 m ²
Total Gross Floor Area:		6,240.93 m ²

The Vaughan Planning Department has worked with the Owner to ensure that the internal layout of the site offers appropriate and safe pedestrian and accessible movement opportunities to each of the buildings, including providing visible markings, walkways and signage. Pedestrian walkway ramps lead down from the site to the transit stop located on Major Mackenzie Drive near the intersection with Cityview Boulevard, which will require the Owner to construct a small sidewalk connection from the walkway to the transit stop. Bicycle racks are also provided in appropriate locations near the main entrances to the proposed buildings to encourage multi-modal transportation options.

The five proposed building elevations are shown on Attachments #5 to #9. The proposed buildings range in height from one to three-storeys. Building 'A' (office building) is three-storeys with a height of 15.3 m, and is comprised of blue-tinted and clear glass windows in aluminum frames with aluminum decorative elements at the peak of the building. Buildings 'B' and 'E' (multi-unit commercial buildings) are single-storey buildings with a height of 9.1 m at its peak (two-storeys high along the ends of the building), and 7.3 m (one - ½ storeys high), respectively, and are comprised of blue-tinted and clear glass windows in aluminum frames and architectural precast with brick facing. Building 'C' (eating establishment) is a single-storey building for a McDonalds Restaurant with a height of 5.9 m. Building 'D' (multi-unit commercial building) is a single-storey building with a mezzanine (two-storeys high) with a height of 9.1 m, and is comprised of blue-tinted and clear glass windows in aluminum frames with architectural stone at the peak of the building.

The subject lands will maintain vehicular access at two locations, as shown on Attachment #3. The most southerly location will be a full-move access to Cityview Boulevard. The northerly location will also be a full-move access and will be shared between the subject lands and the adjacent lands to the north (owned by Home Depot Holdings Inc.). As discussed earlier, the Owner will be required to submit a consent application to the Committee of Adjustment to permit a mutual shared access between the subject lands and the adjacent lands to the north.

The proposed site plan has a total of 405 parking spaces, which includes 265 at-grade parking spaces and 140 below-grade parking spaces. The entrance and exit to the below-grade parking area is located to the west of the office building, as shown on Attachment #3. Two pedestrian stairways are provided to allow for a safe exit for pedestrians from the below-grade parking area. The exit stairs shall be covered with a permanent canopy, to the satisfaction of the Vaughan Planning Department, to ensure year round safety for pedestrians, which the applicant has agreed to undertake.

The proposed landscape plan, as shown on Attachment #4, consists of coniferous and deciduous trees, shrubs, flowers, and grasses. The Owner will also be planting street trees along Cityview Boulevard at the limit of the subject lands. The Owner has agreed to provide additional planting in the landscape strip adjacent to Major Mackenzie Drive.

The Vaughan Planning Department is generally satisfied with the proposed site plan, landscape plan and building elevations, subject to the comments and recommendations above, and will work with the Owner to finalize all details as discussed in this report. A condition to this effect is included in the recommendation to this report.

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Vaughan Public Works

The Vaughan Public Works Department has reviewed the proposal and has requested minor modifications to the internal garbage storage rooms for Building's 'A', 'C' and 'D'. The Owner has advised that they will make the necessary modifications to the proposal to fully comply with all requirements of the Public Works Department. A condition to this effect is included in the recommendation to this report.

Vaughan Development/Transportation Engineering

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

i. Development Engineering

Stormwater Management

The subject development is located within the Vellore Park Community industrial development area. The municipal drainage system is designed to convey a specific rate of peak runoff from the abutting industrial development lands. The runoff excess must be detained within the developed industrial site and a program of stormwater management implemented in order to contain the resulting runoff excess and satisfy the allowable release rate assigned to the subject lands. The on-site control is proposed via a 12.5 m - 200 mm diameter orifice tube located at the proposed manhole #1.

Site Servicing and Grading

The site servicing and grading plan shall be reviewed and certified by the Subdivision Block's consulting engineer (Cole Engineering Group Limited) responsible for the design of Registered Plan 65M-3885.

ii. Transportation Engineering

Parking Study

The Traffic Impact and Parking Study, prepared by Cole Engineering Group Ltd., and submitted in support of the parking supply has been reviewed and approved by the Development/Transportation Engineering Department. The parking supply of 405 total parking spaces is appropriate for the proposed development.

Signalized Intersection

As part the previous development application review for the adjacent lands to the north (Home Depot Holdings Inc.), the intersection of Cityview Boulevard and the shared access between the two sites, as shown on Attachment #3, was recommended to be signalized for future conditions after full build-out of both sites. Therefore, it is recommended that the Owner provide the City of Vaughan with a separate Letter of Credit, in the sum of \$87,500.00, as a cash security for its financial contribution towards the proposed traffic signalization required at the intersection. This amount represents half of the estimated cost for signalization; the other half is to be paid by Home Depot Holdings Inc. The final cost contribution by the Owner shall be confirmed once the traffic signal is designed and constructed. The City of Vaughan shall advise the Owner of the current estimate of cost at least thirty (30) days prior to the expiration of the Letter of Credit and the Owner shall file a replacement Letter of Credit in the revised amount prior

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to the expiration of the existing Letter of Credit. This procedure shall continue until the final costs are confirmed, at which time, the Owner shall pay the City of Vaughan its proportionate share or the City of Vaughan will draw upon the Letter of Credit. Since the need for the signal is solely being triggered by development and was not identified in the Block Plan, the cost shall be incurred entirely by the two developers. A condition to this effect is included in the recommendation of this report.

The Owners shall notify the Vaughan Development/Transportation Engineering Department once the intersection is constructed in order to monitor its operation upon full build-out.

Internal Pedestrian Circulation and Accessibility

The Owner has improved the internal site circulation and accessibility as per comments from Transportation Engineering. All buildings are accessible by a continuous sidewalk system internal to the site and all sidewalks continue at-grade to ensure an accessible sidewalk.

Cycle Parking

The Owner has provided sufficient short term cycle parking (for visitors) proposed for all buildings.

iii. Environmental Engineering

Previous environmental site assessment (ESA) review and clearance was provided through the related Draft Plan of Subdivision File 19T-03V08. No further environmental site assessment reports are noted at this time in order for the development application to proceed to a technical report to the Committee of the Whole.

The Vaughan Development/Transportation Engineering Department has no objection to the approval of Site Development File DA.14.020. The final site servicing, grading and stormwater management plans must be approved by the Vaughan Development/Transportation Engineering Department. Conditions of approval are included in this report.

Ministry of Transportation Ontario

The Ministry of Transportation Ontario (MTO) has reviewed the Site Development Application, and has no concerns with stormwater management, site servicing or grading. The MTO requires a minimum 14 m building setback along Major Mackenzie Drive, which is accommodated by the proposed site plan.

The MTO are agreeable in principle to a sidewalk on the north side of Major Mackenzie Drive, adjacent to the transit stop, as well as a pedestrian walkway through the MTO's required setback. The Owner shall construct this short sidewalk and pedestrian walkway, subject to approval from the MTO, the Region of York and the City of Vaughan. The Owner will also be required to obtain a Building and Land Use Permit from the MTO. The above noted requirements will be included as a condition in the recommendation to 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:

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- i. Lead and Promote Environmental Sustainability
The Owner will be incorporating the sustainable site and building features identified in this report.
- ii. 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.

Regional Implications

The York Region Transportation and Community Planning Department was circulated the application for comment, as the subject lands are located on a Regional Road (Major Mackenzie Drive West), and they have no objection to the proposal. The Owner shall satisfy all requirements of York Region.

Conclusion

Site Development File DA.14.020 has been reviewed in accordance with the policies of VOP 2010, the requirements of Zoning By-law 1-88, comments received from City Departments and external public agencies, and the surrounding area context. The Vaughan Planning Department is satisfied that the proposed development as shown in Attachments #3 to #9 is appropriate and compatible with the surrounding land uses, and conforms to the Official Plan. Accordingly, the Vaughan Planning Department recommends 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. Elevation – Building 'A'
6. Elevation – Building 'B'
7. Elevation – Building 'C'
8. Elevation – Building 'D'
9. Elevation – Building 'E'

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.)