

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017

Item 2, Report No. 45 of the Committee of the Whole (Public Hearing), which was adopted, as amended, by the Council of the City of Vaughan on December 11, 2017, as follows:

By receiving Communication C1 from Ms. Simone Barbieri, dated December 5, 2017.

2

**OFFICIAL PLAN AMENDMENT FILE OP.17.009
ZONING BY-LAW AMENDMENT FILE Z.17.025
LOBLAW PROPERTIES LIMITED ET AL
WARD 2 - VICINITY NORTHEAST OF LANGSTAFF ROAD AND REGIONAL ROAD 27**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Director of Development Planning and Senior Manager of Development Planning, dated December 5, 2017, be approved;**
- 2) That the following deputations be received:**
 - 1. Mr. Harry Froussios, Zelinka Priamo Ltd., Wellington Road, London, representing the applicant; and**
 - 2. Mr. Marc Di Piero, Milano Avenue, Woodbridge; and**
- 3) That Communication C1 from Ms. Simone Barbieri, Rescue Rainbow Creek West Inc., dated November 28, 2017, be received.**

Recommendation

The Director of Development Planning and Senior Manager of Development Planning recommend:

- 1. THAT the Public Hearing report for Official Plan and Zoning By-law Amendment Files OP.17.009 and Z.17.025 (Loblaws Properties Limited et al) BE RECEIVED; and that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.**

Contribution to Sustainability

The contribution to sustainability such as site and building design initiatives will be determined when the technical report is considered.

Economic Impact

This will be addressed when the technical report is completed.

Communications Plan

- a) Date the Notice of Public Hearing was circulated: November 10, 2017.**

The Notice of Public Hearing was also posted on the City's website at www.vaughan.ca and a Notice Signs were installed along both the Regional Road 27 and Langstaff Road frontages in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: To all property owners within 150 m of the subject lands plus the expanded notification area shown on Attachment #2 and to the West Woodbridge Homeowners Association.**

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017

Item 2, CW(PH) Report No. 45 – Page 2

c) Comments Received:

Any written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication. All written comments that are received will be reviewed by Vaughan Development Planning Department as input in the application review process and will be addressed in a technical report to be considered at a future Committee of the Whole meeting.

Purpose

To receive comments from the public and the Committee of the Whole on the following applications for the subject lands, as shown on Attachments #1 and #2, to permit the development of six new retail buildings on the subject lands (Buildings "A", "D", "E", "G", "F" and "H") and the demolition of one existing building as shown on Attachments #4 to #8. The proposed new buildings, together with the remaining existing buildings, will result in a total combined Gross Floor Area (GFA) of 20,625m² devoted to retail uses on the subject lands.

1. Official Plan Amendment File OP.17.009 to amend the "Low-Rise Mixed-Use" policies of VOP 2010 to permit only "Major Retail" (i.e. retail uses having a Gross Floor Area exceeding 10,000 m² per lot) on the subject lands, whereas VOP 2010 requires an integrated mix of residential, community and "small scale" retail uses intended to serve the local population.
2. Zoning By-law Amendment File Z.17.025 to amend Zoning By-law 1-88 as follows:
 - i) rezone Parts 1 and 2 as shown on Attachment #3 from A Agricultural Zone and C4 Neighbourhood Commercial Zone subject to Exception 9(750) to C4 Neighbourhood Commercial Zone, together with the site-specific exceptions identified in Table 1 below; and
 - ii) rezone Part 3 as shown on Attachment #3 from A Agricultural Zone and OS1 Open Space Conservation Zone to OS1 Open Space Conservation Zone;

Table 1

	Zoning By-law 1-88 Standard	C4 Neighbourhood Commercial Zone, Exception 9(750) Zone Requirements	Proposed Exceptions to the C4 Neighbourhood Commercial Zone Exception 9(750)
a.	Front Yard	Langstaff Road	Deem Regional Road 27 as the Front Yard
b.	Minimum Building Setback to a Residential Zone	22.5 m	15 m (Along the east lot line)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017

Item 2, CW(PH) Report No. 45 – Page 3

c.	Minimum Landscape Strip abutting Regional Road 27	6 m	5 m
d.	Minimum Parking Requirement	20,625 m ² @ 6 spaces/100 GFA= 1,238 parking spaces	20,625 m ² @ 3.93 spaces/100m ² GFA (including Garden Centre) = 810 spaces 20,625 m ² @ 4.27 space/ 100 m ² of GFA (Not including Garden Centre) = 881 spaces
e.	Minimum Parking Stall Size	2.7 m x 6 m	2.7 m x 5.9 m (in front of the existing Retail Building "B" - Fortinos)
f.	Minimum Aisle Width	6 m	5.9 m (in front of the existing Retail Building "B" - Fortinos)
g.	Maximum Gross Floor Area of the existing Shopping Centre	8,636 m ²	20,625 m ²

Additional zoning exceptions may be identified through the detailed review of the applications and will be considered in a technical report to a future Committee of the Whole meeting.

Background – Analysis and Options

Location	<ul style="list-style-type: none"> The subject lands are located on the northeast quadrant of Regional Road 27 and Langstaff Road, as shown on Attachments #1 and #2. The subject lands are comprised of multiple irregular shaped parcels with a total area of 12.24 ha and are municipally known as 8535, 8545 and 8585 Regional Road 27 (Part 1 as shown on Attachment #3). The northerly portion of the subject lands (Parts 2 and 3 as shown on Attachment #3), are currently vacant and do not have a municipal address.
Official Plan Designation	<ul style="list-style-type: none"> The subject lands are located within a "Community Area" and partially within the "Natural Heritage Areas and Countryside" designations as identified on Schedule 1 - Urban Structure of Vaughan Official Plan 2010 (VOP 2010).

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017

Item 2, CW(PH) Report No. 45 – Page 4

	<ul style="list-style-type: none">▪ The subject lands are designated “Low Rise Mixed-Use” and “Natural Areas” by VOP 2010. The “Low Rise Mixed-Use” designations permits an integrated mix of residential, community and small-scale retail uses intended to serve the local population. The maximum permitted building height and density is 4-storeys and a Floor Space Index (FSI) of 1.5 times the area of the lot.▪ The portion of the subject lands that are designated as “Natural Areas” are also identified as being within the “Core Features” of the Natural Heritage Network on Schedule 2 of VOP 2010. Section 3.2.3.8 states that development and or site alteration in Core Features shall be prohibited and any development or site alteration adjacent to Core Features shall ensure the feature is protected through an Environmental Impact Study. There is no development proposed for these lands.▪ The proposed development comprised of 20,625 m² of retail uses does not represent an integrated mix of residential, community and a small-scale retail development. Therefore, an amendment to VOP 2010 is required to permit the proposed development.
Zoning	<ul style="list-style-type: none">▪ The subject lands are zoned C4 Neighbourhood Commercial Zone (Part 1), subject to site-specific Exception 9(750), and A Agricultural Zone (Parts 2 and 3) by Zoning By-law 1-88, as shown on Attachment #2. The proposed zoning is shown on Attachment #3.▪ Parts 1 and 2 of the subject lands, as shown on Attachment #3, are proposed to be rezoned to C4 Neighbourhood Commercial Zone, subject to the site-specific zoning exceptions identified in Table 1 and are is currently developed with an existing commercial development (Buildings “B”, “C” and an existing building to be demolished), as shown on Attachment #4. <p>The Owner is proposing to redevelop the existing commercial site with 5 new buildings (Buildings “D”, “E”, “F”, “G”, and “H”, as shown on Attachment #4) and modify the site by reconfiguring the parking area and upgrading the landscaping. Part 2 of the subject lands, as shown on Attachment #3, is proposed to be developed with a new retail store (Canadian Tire - Building “A”), as shown on Attachment #4.</p>

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017

Item 2, CW(PH) Report No. 45 – Page 5

	<ul style="list-style-type: none"> ▪ The undevelopable portion of the lands located adjacent to the valley, shown as Part 3 on Attachment #3, will be rezoned from A Agricultural Zone to OS1 Open Space Conservation Zone to implement the “Natural Area Designation” of VOP 2010 ▪ Amendments to Zoning By-law 1-88 are required to permit the proposed development shown on Attachments #4 to #8.
Surrounding Land Uses	<ul style="list-style-type: none"> ▪ Shown on Attachment #2.
Background	<ul style="list-style-type: none"> ▪ In August 2002, the City received Zoning By-law Amendment and Site Development Files Z.17.025 and DA.02.005 to permit the development of a free-standing supermarket with an accessory garden centre on Part 2 of the subject lands, as shown on Attachment #3. On September 8, 2009, the Committee of the Whole (Public Hearing) received the applications and recommended that the Public hearing report be received, and that any issues identified be addressed by the Development Planning Department in a comprehensive report to a future Committee of the Whole. Subsequent to the Public Hearing, the Owner closed the files for the supermarket use.

Preliminary Review

Following a preliminary review of the applications, the Development Planning Department has identified the following matters to be reviewed in greater detail:

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Provincial Policies, York Region and City Official Plan Policies	<ul style="list-style-type: none"> ▪ The applications will be reviewed in consideration of the applicable Provincial policies and the York Region and Vaughan Official Plan policies.
b.	Appropriateness of the Proposed Rezoning and Site-Specific Zoning Exceptions	<ul style="list-style-type: none"> ▪ The appropriateness of the proposed rezoning of the subject lands, together with the site-specific exceptions, will be reviewed in consideration of the existing and planned surrounding land uses, with particular consideration given to land use, built-form, appropriate site design, reciprocal access easements, parking, and transition to existing uses.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017

Item 2, CW(PH) Report No. 45 – Page 6

		<ul style="list-style-type: none"> ▪ The development limits of the subject lands must be established to the satisfaction of the Toronto and Region Conservation Authority and the City. Any portion of the lands that may be located within the Natural Heritage Network will be zoned into an appropriate Open Space Zone and dedicated into public ownership, should the applications be approved.
c.	Traffic, Road Improvements, and Parking Adequacy	<ul style="list-style-type: none"> ▪ The subject lands are located in the northeast quadrant of Regional Road 27 and Langstaff Road. The existing access driveways from Langstaff Road and Regional Road 27 will be maintained. York Region must review and approve the proposed additional access driveways and confirm any required road widenings.
d.	Studies and Reports	<ul style="list-style-type: none"> ▪ The Owner has submitted the following reports and studies in support of the applications, which must be approved by City and/or respective public approval authority: <ul style="list-style-type: none"> - Traffic Impact Study - Tree Inventory and Preservation Plan - Planning Justification Report - Functional Servicing Report - Geotechnical Investigation Report - Slope Stability Report - Retail Market Demand and Impact Analysis - Noise Feasibility Report ▪ The Owner is required to submit a Parking Study to the satisfaction of York Region and the Development Engineering Department to support the proposed parking supply. ▪ Additional reports may be required as part of the development application review process.
e.	Toronto and Region Conservation Authority (TRCA)	<ul style="list-style-type: none"> ▪ The subject lands contain valleylands, which are vegetated and located within the TRCA's Regulated Area under O.Reg.166/06. The development limits must be established and approved by the TRCA and the City. The Owner will be required to address any comments received from TRCA.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017

Item 2, CW(PH) Report No. 45 – Page 7

f.	Sustainable Development	<ul style="list-style-type: none">▪ Opportunities for suitable design, including CEPTD (Crime Prevention Through Environmental Design), LEED (Leadership in Energy and Environmental Design), permeable pavers, bio-swales, drought tolerant landscaping, bicycle racks to promote alternative modes of transportation, energy efficient lighting, reduction in pavement and roof-top treatment to address the “heat island” effect, green roofs, etc., will be reviewed and implemented through the site plan approval process, if the subject applications are approved.
g.	Parkland Dedication	<ul style="list-style-type: none">▪ The Owner will be required to pay to the City of Vaughan, Cash-in-Lieu of the dedication of parkland equivalent to 2% of the value of the subject lands prior to the issuance of a Building Permit, in accordance with Section 42 of the <i>Planning Act</i> and the City of Vaughan's Cash-in-Lieu of Parkland Policy, should the applications be approved. The final value of the cash-in-lieu of parkland dedication will be determined by the Office of the City Solicitor, Real Estate Department.
h.	Future Site Development Application(s)	<ul style="list-style-type: none">▪ A future Site Development Application(s) will be required to implement the proposed development, should the subject applications be approved.▪ All issues identified through the review of the Site Development Application including, but not limited to, appropriate site function, opportunities for sustainable development, urban design, barrier-free accessibility, potential future trail connection, and pedestrian connection will be addressed in a technical report to a future Committee of the Whole meeting.

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

The applicability of this application to the Term of Council Service Excellence Strategy Map (2014-2018) will be determined when the technical report is considered.

Regional Implications

The applications have been circulated to the York Region Community Planning and Development Services Department for review and comment. Any issues will be addressed when the technical report is considered. The Owner has not requested that York Region exempt Official Plan Amendment File OP.17.009 from Regional approval, therefore York Region will be the approval authority for the implementing Official Plan Amendment, should the application be approved.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017

Item 2, CW(PH) Report No. 45 – Page 8

Conclusion

The preliminary issues identified in this report and any other issues identified through the processing of the applications will be considered in the technical review of the applications, together with comments from the public and Vaughan Council expressed at the Public Hearing or in writing, and will be addressed in a comprehensive report to a future Committee of the Whole meeting.

Attachments

1. Concept Location Map
2. Location Map
3. Proposed Zoning Map
4. Conceptual Site Plan
5. Conceptual Landscape Master Plan
6. Conceptual Building Elevations Building A (Canadian Tire)
7. Conceptual Elevations (Building "D")
8. Conceptual Elevations (Retail Buildings "E", "F", "G" and "H")

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.)