

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2012

Item 9, Report No. 48, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on December 11, 2012.

9

**SITE DEVELOPMENT FILE DA.11.119
WESTON – 400 COMMERCIAL INC.
WARD 3 – VICINITY OF WESTON ROAD AND CANADA DRIVE**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated November 27, 2012, be approved; and**
- 2) That the coloured renderings submitted by the applicant, be received.**

Recommendation

The Commissioner of Planning recommends:

1. THAT Site Development File DA.11.119 (Weston - 400 Commercial Inc.) BE APPROVED, to facilitate the development of the subject lands shown on Attachments #1 and #2 with two, multi-unit commercial buildings with a total gross floor area of 1,460.4 m² as shown on Attachments #3 to #6 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 and landscape plan shall be approved by the Vaughan Development Planning Department;
 - ii) the final site servicing and grading plans, and storm water management, traffic and noise reports shall be approved by the Vaughan Development/Transportation Engineering Department;
 - iii) the Owner shall satisfy all requirements of the Region of York Transportation and Community Planning Department; and,
 - iv) the Owner shall have applied for a Minor Variance Application, which shall have been approved by the Vaughan Committee of Adjustment to facilitate the required exceptions to Zoning By-law 1-88 as identified in Table 1 to this report, and the Committee's decision shall be final and binding.
2. THAT the Site Plan Letter of Undertaking include the following provision:
 - a) the Owner shall pay to 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 the issuance of a Building Permit, in accordance with the Planning Act and the City's Cash-in-Lieu Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the Planning Act, 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.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2012

Item 9, CW Report No. 48 – Page 2

Contribution to Sustainability

The Owner has advised that the proposed development will incorporate the following sustainable building and site features:

- i) Use of captured rainwater or recycled site water for irrigation;
- ii) Recycle and/or salvage 50-75% of non-hazardous construction debris;
- iii) Insulate perimeter walls and ceilings to Energuide Standards;
- iv) 10-20% of materials are extracted, processed and manufactured within 800 km of the site;
- v) 45-90% of materials are low emitting, including adhesives, sealants, paints and coatings, carpet systems, composite wood and agrifibre products;
- vi) The development will comply with ASHRAE 62-2004 Ventilation Standards;
- vii) 70% of fixtures are Energy Star compliant;
- viii) Energy Star certified heating and air conditioning system will be installed;
- ix) Use of wood-based materials/products, certified by Forest Stewardship Council; and,
- x) rapidly renewable building materials (made from species harvested within a ten year cycle or shorter) for 5% of the total value of the building materials will be used.

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.11.119 to facilitate the development of two, multi-unit commercial buildings with a total gross floor area of 1,460.4 m² GFA, as shown on Attachments #3 to #6 inclusive.

Background - Analysis and Options

Location

The 0.55 ha subject lands shown on Attachments #1 and #2, are located on the northeast corner of Weston Road and Canada Drive (10501 Weston Road), City of Vaughan. The surrounding land uses are shown on Attachment #2.

Official Plan and Zoning

The subject lands are designated "Medium Density Residential/Commercial", with a "Neighbourhood Commercial" overlay designation by the in-effect OPA #600, which permits the proposed commercial development. The property is designated "Low-Rise 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 is pending approval from the Ontario Municipal Board. The proposal conforms to the Official Plans.

The subject lands are zoned C3 Local Commercial Zone by Zoning By-law 1-88, subject to Exception 9(1218), which permits the proposed commercial uses, on the subject lands. The following site-specific zoning exceptions to the C3 Local Commercial Zone are required to facilitate the proposal:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2012

Item 9, CW Report No. 48 – Page 3

Table 1: Proposed Zoning Exceptions

	By-law Standard	By-law 1-88, C3 Local Commercial Zone Requirements	Proposed Exceptions to the C3 Local Commercial Zone
a.	Minimum Yard Requirements for an Institutional Use – (Daycare in Building “B”)	15 m - All Yards	i) Exterior Side Yard (Canada Drive) - 8.10 m ii) Rear Yard - 5 m (East)
b.	Minimum Setback from a Residential Zone	9 m	5 m (East) (Building “B”)
c.	Minimum Exterior Side Yard	11 m	i) 8.10 m - Canada Drive (Building “B”) ii) 4.5 m - Stark Crescent (Building “A”)
d.	Minimum Number of Parking Spaces	6 spaces/100 m ² GFA @ 1460.4 m ² (88 parking spaces)	4 spaces/100 m ² GFA @ 1460.4m ² (59 parking spaces, including 2 barrier free spaces)
e.	Minimum Landscape Strip Width Abutting a Street	6 m	i) 3 m - Canada Drive ii) 4.5 m - Stark Crescent

The proposed variance for a reduced setback for Building “A” is appropriate as this will facilitate the building located closer to Stark Crescent. The elevations facing Stark Crescent have been enhanced to facilitate double access to the building as shown on Attachment #5. The exterior side yard setback (Canada Drive) and landscape strip width deficiencies are minor in nature, and are consistent with recent site plan application approvals for similar developments. The variances for the rear yard setback and minimum yard setback for an institutional use (daycare) occur along the east property line of the subject lands. A 2.0 m high wood acoustic fence and landscaped area consisting of trees are proposed along the east lot line to buffer the commercial development from the existing residential uses.

The Owner is proposing 59 parking spaces whereas 88 spaces are required. The Owner has submitted a parking/traffic study in support of the application prepared by Cole Engineering, which concludes that 59 parking spaces can adequately support the proposed development. The study was reviewed and supported by the Vaughan Development/Transportation Engineering Department and is discussed later in this report.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2012

Item 9, CW Report No. 48 – Page 4

In consideration of the above, the Development Planning Department is satisfied that the proposed exceptions to Zoning By-law 1-88 identified in Table 1, are appropriate for the development of the subject lands. The Owner is required to address these deficiencies through a Committee of Adjustment Minor Variance Application. The Committee of Adjustment decision respecting the Minor Variance Application shall be final and binding prior to the execution of the implementing Site Plan Letter of Undertaking.

Site Plan Review

Vaughan Development Planning Department

The Development Planning Department has reviewed the proposed site plan, building elevations and landscape plan, as shown on Attachments #3 to #6 inclusive, and is satisfied with the proposal. The final site plan, building elevations and landscape plan must be approved by the Development Planning Department.

Vaughan Development/Transportation Engineering Department

The Vaughan Development/Transportation Engineering Department is satisfied with the servicing and grading plans, and storm water management, and noise reports. The Development/Transportation Engineering Department has reviewed the parking/traffic report prepared by Cole Engineering and is satisfied with the recommendations and findings.

The final site servicing and grading plans, and storm water management, traffic and noise reports must be approved by the Vaughan Development/Transportation Engineering Department.

Vaughan Real Estate Division

The Vaughan Real Estate Division has indicated that the Owner shall pay to 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 the issuance of a Building Permit, in accordance with the Planning Act and the City's Cash-in-Lieu Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the Planning Act, 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.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Vitality".

Regional Implications

The Region of York Transportation and Community Planning Department has reviewed the application and has no objections to its approval. The Owner will be required to satisfy all conditions of the Region of York.

Conclusion

The Site Development Application has been reviewed in accordance with OPA #600, 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 proposed commercial development is appropriate and compatible with the existing and permitted uses in the surrounding area, and conforms to the Official Plan. Accordingly, the Development Planning

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2012

Item 9, CW Report No. 48 – Page 5

Department can support the approval of the Site Development Application, subject to the conditions in this report.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Landscape Plan
5. Elevations - Building "A"
6. Elevations - Building "B"

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.)