

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 19, 2016

3

The Committee of the Whole (Public Hearing) recommends:

- ## Recommendation

1. THAT the Public Hearing report for Zoning By-law Amendment File Z.16.003 (Penguin-Calloway (Vaughan) Inc.) BE RECEIVED; and, that any issues identified be addressed by the Vaughan 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: March 11, 2016. The Notice of Public Hearing was also posted on the City's website at www.vaughan.ca, and two Notice Signs were installed on the property along Portage Parkway and Apple Mill Road, in accordance with the City's Notice Sign Procedures and Protocol.
- b) Circulation Area: 150 m
- c) The application was also advertised as follows:
 - on the City's On-line Calendar
 - included in the October e-news City Update, which was e-mailed to over 8,000 subscribers
 - on the City Page
 - posted on the City's Facebook and Twitter sites

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- d) 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 the 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 Zoning By-law Amendment File Z.16.003 to amend Zoning By-law 1-88, specifically the C10 Corporate District Zone, to permit on the subject lands shown on Attachments #1 and #2:

- a) the additional use of a six-storey, 37,982 m² stand-alone parking garage consisting of 1,167 parking spaces; and,
b) the site-specific exceptions to the C10 Corporate District Zone, identified in Table 1, to facilitate the permitted uses of office, commercial, community centre, library, and daycare within a nine-storey, 22,103 m² mixed-use building, as shown on Attachments #3 to #5:

Table 1: Zoning By-law Amendment File Z.16.003			
	Zoning By-law 1-88 Standard	C10 Corporate District Zone Requirements	Proposed Exceptions to the C10 Corporate District Zone
a.	Maximum Building Height	15 m	50 m
b.	Maximum Density (Floor Space Index)	0.6 FSI	3.2 FSI (including the parking garage and the mixed-use building)
c.	Parking Requirements	Access and parking to the subject lands shall be secured solely on the subject lands	Permit access and parking to the subject lands from the adjacent lands to the west
d.	Minimum Parking Space Size	2.7 m by 6 m	2.7 m by 5.7 m
e.	Minimum Barrier Free Parking Space Size	3.2 m by 6 m, adjacent to another barrier-free space	3.2 m by 5.7 m

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f.	Loading Space Requirements	Two loading spaces for every 10,000 m ² or portion thereof of Commercial Gross Floor Area (GFA) - 60,085 m ² GFA (22,103 m ² for mixed-use building; 37,982 m ² for parking garage) = 12 loading spaces	Permit a total of two loading spaces for the mixed-use building and the parking garage
g.	Definition of “Lot”	“Lot” means a parcel of land fronting on a street separate from any abutting land to the extent that a consent contemplated would not be required for its conveyance	The Subject Lands are deemed to be one lot, regardless of the number of buildings constructed thereon, the creation of separate units and/or lots by way of plan of condominium, consent, conveyance of private or public roads, strata title arrangements, or other permissions, and any easements or registrations that are granted, shall be deemed to comply with the provision of Zoning By-law 1-88

Background - Analysis and Options

Location	<ul style="list-style-type: none"> West of the Millway Avenue realignment, between Portage Parkway and Apple Mill Road, shown as “Subject Lands” on Attachments #1 and #2.
Official Plan Designation	<ul style="list-style-type: none"> “Corporate Centre District” by in-effect OPA #500 (Vaughan Corporate Centre Plan), as amended by OPA #528 and OPA #663 (The Avenue 7 Land Use Future Study Plan). The “Corporate Centre District” designation provides for opportunities to accommodate a wide range of land uses including office commercial, institutional, civic and cultural uses, community facilities, and retail uses of all types and sizes. Though a parking garage use is not specifically identified in the in-effect Official Plan, it is a use that is natural and incidental to the uses specifically listed. The development proposal meets the intent and conforms to OPA #500, as amended.

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	<ul style="list-style-type: none"> ▪ The subject lands are designated “Station Precinct” by the partially approved VMC Secondary Plan, which forms part of Volume 2 of Vaughan Official Plan 2010 (VOP 2010). A parking garage use in association with major civic and office facilities is permitted. The development proposal meets the intent of the partially approved VMC Secondary Plan. ▪ The Owner will be required to resolve their Ontario Municipal Board (OMB) appeal of the VMC Secondary Plan prior to consideration of this development proposal at a future Committee of the Whole meeting.
Zoning	<ul style="list-style-type: none"> ▪ C10 Corporate District Zone and C10 (H) Corporate District Zone with the Holding Symbol “(H)” on a portion of the subject lands, as shown on Attachment #2, subject to Exception 9(959) by Zoning By-law 1-88. ▪ The Owner is proposing a parking garage as an additional use to the permitted C10 Zone uses of office, commercial, community centre, library, and daycare within the proposed mixed-use building, together with the site-specific exceptions identified in Table 1, which does not comply with Zoning By-law 1-88, and requires an amendment to the Zoning By-law. ▪ The removal of the Holding Symbol “(H)” from the subject lands may occur upon Vaughan Council approval of the related Site Development File DA.16.007.
Surrounding Land Uses	<ul style="list-style-type: none"> ▪ Shown on Attachment #2.

Preliminary Review

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

	MATTERS TO BE REVIEWED	COMMENTS
a.	City Official Plan Policies	<ul style="list-style-type: none"> ▪ The application will be reviewed in consideration of the applicable City Official Plan policies.
b.	Vaughan Metropolitan Centre (VMC) Secondary Plan	<ul style="list-style-type: none"> ▪ The application will be reviewed in consideration of the following policies in the VMC Secondary Plan including, but not limited to: ▪ the identified vision and principles to create a new downtown area that is transit-oriented, walkable, accessible, diverse, vibrant, green and beautiful;

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		<ul style="list-style-type: none">▪ the streets and transportation policies as they pertain to the future Buttermill Road and the streetscaping along Portage Parkway▪ the planned enhanced streetscape treatment along Apple Mill Road, which includes street furnishings, lighting, paving, trees, public art and utilities consistent with the VMC Streetscape Open Space Plan;▪ the community services, cultural facilities and public art policies that encourage the integration of spaces for community services and amenities with other uses in mixed-use buildings and assist public agencies, non-governmental organizations and other institutions responsible for community and social services to secure suitable sites and spaces for their facilities;▪ the urban design and built form policies, together with the policies that pertain to parking, including parking structures, and servicing facilities;▪ the fine-grain street network and public transportation policies as they pertain to the requirement for a north/south 20m to 22m wide local road on the west side of the subject lands (the future Buttermill Avenue as shown on Attachment #3), the southerly half of which is planned to be constructed by the Owner and conveyed to the City at a mutually agreed time; and,▪ the structural concept of the VMC Secondary Plan, which provides for a maximum density of 4.5 to 5.0 FSI and a building height range of 5-storeys to 35-storeys.
c.	Appropriateness of Proposed Parking Garage	<ul style="list-style-type: none">▪ The appropriateness of permitting the proposed parking garage on the subject lands in association with the mixed-use building will be reviewed in consideration of the surrounding existing and planned land uses in the VMC. The external design of the parking garage will also be reviewed to ensure it can be appropriately integrated into the VMC downtown context, and any necessary changes will be identified in the future technical report.
d.	Related Site Plan Application	<ul style="list-style-type: none">▪ The related Site Development File DA.16.007 will be reviewed to ensure the appropriate building and site design, pedestrian accessibility, sustainability, barrier-free access, signage, lighting, access, internal traffic circulation, parking, landscaping, servicing and grading, and must conform to the urban design and built form policies in the partially approved VMC Secondary Plan;

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		<ul style="list-style-type: none">▪ The proposed landscape concept, public realm design and built form interface must be well coordinated with the planned York Region Rapid Transit Corporation (YRRTC) Bus Terminal located on the east side of the subject lands, as shown on Attachment #3;▪ The vertical strata arrangements internal to the mixed-use building between any municipal capital facilities (e.g. community centre, library, and daycare) and private uses (e.g. office and commercial spaces) will be considered at the site plan stage;▪ The proposed emergency access for the YRRTC Bus Terminal, identified on Attachment #3, must be coordinated with the Owner to ensure appropriate functionality, timing of construction and design;▪ Provisions for the timely conveyance to the City of Vaughan of the planned Buttermill Avenue road allowance on the west side of the subject lands, as shown on Attachment #3, must be identified and secured;▪ The boundary of the north limit of the subject lands must be finalized through the Portage Parkway Environmental Assessment (EA) process;▪ The review of the related site plan must take into consideration the planned enhanced level of streetscaping along Apple Mill Road, together with the streetscaping policies of the VMC Secondary Plan in addition to the VMC Streetscape Open Space Plan as it relates to street furnishings, lighting, paving, trees, public art, and utilities; and,▪ Opportunities for sustainable design including, but not limited to, CEPTD (Crime Prevention Through Environmental Design), LEEDS (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, will be reviewed and implemented through the site plan approval process, if approved.
e.	Future Site Plan Application on Lands to the West	<ul style="list-style-type: none">▪ The Owner must submit an application to amend the site plan on the lands immediately to the west of the subject lands (existing Walmart), specifically to address the new limits of the lands and the parking area (parking space and access) design. If required, the Owner must apply and successfully receive approval from the Vaughan Committee of Adjustment to facilitate any minor variances that are identified and, if approved, the Committee's decision must be final and binding prior to the final approval of the site plan, and the Owner shall satisfy any conditions of approval imposed by the Committee.

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f.	City of Vaughan Design Review Panel	<ul style="list-style-type: none">▪ The application will be reviewed in consideration of the recommendations of the City of Vaughan Design Review Panel of January 28, 2016.
g.	Community Improvement Plan (CIP)	<ul style="list-style-type: none">▪ The eligibility for the VMC CIP Program, specifically for the proposed office component within the mixed-use building, will be considered with the criteria set in the City of Vaughan CIP By-law, CIP Program Guide and CIP application.
h.	Functional Servicing, Stormwater Management, Transportation Memorandum	<ul style="list-style-type: none">▪ The Functional Servicing and Stormwater Management reports and the Transportation Memorandum submitted in support of the application must be approved to the satisfaction of the Vaughan Development Engineering and Infrastructure Planning (DEIP) Department. Review will also be given to determine if additional studies are required.
i.	Supporting Studies	<ul style="list-style-type: none">▪ The Owner has submitted a Planning Justification Report, an Urban Design Brief, pedestrian level wind study, and sun/shadow study, which must be reviewed and approved by the Vaughan Development Planning Department. Review will also be given to determine if additional studies are required.

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 application has been circulated to York Region for review and comment. Any issues will be addressed when the technical report is considered.

Conclusion

The preliminary issues identified in this report and any other issues identified through the processing of the application will be considered in the technical review of the application, 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.

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Attachments

1. Context Location Map
2. Location Map
3. Conceptual Site Plan
4. Conceptual Parking Garage Elevations
5. Rendered Elevation (9 - storey Mixed Use Building)

Report prepared by:

Stephen Lue, Senior Planner, ext. 8210

(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.)

COMMITTEE OF THE WHOLE (PUBLIC HEARING) APRIL 5, 2016

3. ZONING BY-LAW AMENDMENT FILE Z.16.003

P.2016.10

PENGUIN-CALLOWAY (VAUGHAN) INC.

WARD 4 - VICINITY OF MILLWAY AVENUE AND APPLE MILL ROAD

Recommendation

The Deputy City Manager, Planning & Growth Management, Director of Development Planning and Senior Manager of Development Planning recommend:

1. THAT the Public Hearing report for Zoning By-law Amendment File Z.16.003 (Penguin-Calloway (Vaughan) Inc.) BE RECEIVED; and, that any issues identified be addressed by the Vaughan Development Planning Department in a comprehensive report to the Committee of the Whole.

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Background - Analysis and Options

Location	<ul style="list-style-type: none">▪ West of the Millway Avenue realignment, between Portage Parkway and Apple Mill Road, shown as “Subject Lands” on Attachments #1 and #2.
Official Plan Designation	<ul style="list-style-type: none">▪ “Corporate Centre District” by in-effect OPA #500 (Vaughan Corporate Centre Plan), as amended by OPA #528 and OPA #663 (The Avenue 7 Land Use Future Study Plan). The “Corporate Centre District” designation provides for opportunities to accommodate a wide range of land uses including office commercial, institutional, civic and cultural uses, community facilities, and retail uses of all types and sizes. Though a parking garage use is not specifically identified in the in-effect Official Plan, it is a use that is natural and incidental to the uses specifically listed. The development proposal meets the intent and conforms to OPA #500, as amended.▪ The subject lands are designated “Station Precinct” by the partially approved VMC Secondary Plan, which forms part of Volume 2 of Vaughan Official Plan 2010 (VOP 2010). A parking garage use in association with major civic and office facilities is permitted. The development proposal meets the intent of the partially approved VMC Secondary Plan.▪ The Owner will be required to resolve their Ontario Municipal Board (OMB) appeal of the VMC Secondary Plan prior to consideration of this development proposal at a future Committee of the Whole meeting.
Zoning	<ul style="list-style-type: none">▪ C10 Corporate District Zone and C10 (H) Corporate District Zone with the Holding Symbol “(H)” on a portion of the subject lands, as shown on Attachment #2, subject to Exception 9(959) by Zoning By-law 1-88.▪ The Owner is proposing a parking garage as an additional use to the permitted C10 Zone uses of office, commercial, community centre, library, and daycare within the proposed mixed-use building, together with the site-specific exceptions identified in Table 1, which does not comply with Zoning By-law 1-88, and requires an amendment to the Zoning By-law.▪ The removal of the Holding Symbol “(H)” from the subject lands may occur upon Vaughan Council approval of the related Site Development File DA.16.007.
Surrounding Land Uses	<ul style="list-style-type: none">▪ Shown on Attachment #2.

Preliminary Review

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a.	City Official Plan Policies	<ul style="list-style-type: none">▪ The application will be reviewed in consideration of the applicable City Official Plan policies.
b.	Vaughan Metropolitan Centre (VMC) Secondary Plan	<ul style="list-style-type: none">▪ The application will be reviewed in consideration of the following policies in the VMC Secondary Plan including, but not limited to:<ul style="list-style-type: none">▪ the identified vision and principles to create a new downtown area that is transit-oriented, walkable, accessible, diverse, vibrant, green and beautiful;▪ the streets and transportation policies as they pertain to the future Buttermill Road and the streetscaping along Portage Parkway▪ the planned enhanced streetscape treatment along Apple Mill Road, which includes street furnishings, lighting, paving, trees, public art and utilities consistent with the VMC Streetscape Open Space Plan;▪ the community services, cultural facilities and public art policies that encourage the integration of spaces for community services and amenities with other uses in mixed-use buildings and assist public agencies, non-governmental organizations and other institutions responsible for community and social services to secure suitable sites and spaces for their facilities;▪ the urban design and built form policies, together with the policies that pertain to parking, including parking structures, and servicing facilities;▪ the fine-grain street network and public transportation policies as they pertain to the requirement for a north/south 20m to 22m wide local road on the west side of the subject lands (the future Buttermill Avenue as shown on Attachment #3), the southerly half of which is planned to be constructed by the Owner and conveyed to the City at a mutually agreed time; and,▪ the structural concept of the VMC Secondary Plan, which provides for a maximum density of 4.5 to 5.0 FSI and a building height range of 5-storeys to 35-storeys.
c.	Appropriateness of Proposed Parking Garage	<ul style="list-style-type: none">▪ The appropriateness of permitting the proposed parking garage on the subject lands in association with the mixed-use building will be reviewed in consideration of the surrounding existing and planned land uses in the VMC. The external design of the parking garage

	MATTERS TO BE REVIEWED	COMMENTS
		will also be reviewed to ensure it can be appropriately integrated into the VMC downtown context, and any necessary changes will be identified in the future technical report.
d.	Related Site Plan Application	<ul style="list-style-type: none"> ▪ The related Site Development File DA.16.007 will be reviewed to ensure the appropriate building and site design, pedestrian accessibility, sustainability, barrier-free access, signage, lighting, access, internal traffic circulation, parking, landscaping, servicing and grading, and must conform to the urban design and built form policies in the partially approved VMC Secondary Plan; ▪ The proposed landscape concept, public realm design and built form interface must be well coordinated with the planned York Region Rapid Transit Corporation (YRRTC) Bus Terminal located on the east side of the subject lands, as shown on Attachment #3; ▪ The vertical strata arrangements internal to the mixed-use building between any municipal capital facilities (e.g. community centre, library, and daycare) and private uses (e.g. office and commercial spaces) will be considered at the site plan stage; ▪ The proposed emergency access for the YRRTC Bus Terminal, identified on Attachment #3, must be coordinated with the Owner to ensure appropriate functionality, timing of construction and design; ▪ Provisions for the timely conveyance to the City of Vaughan of the planned Buttermill Avenue road allowance on the west side of the subject lands, as shown on Attachment #3, must be identified and secured; ▪ The boundary of the north limit of the subject lands must be finalized through the Portage Parkway Environmental Assessment (EA) process; ▪ The review of the related site plan must take into consideration the planned enhanced level of streetscaping along Apple Mill Road, together with the streetscaping policies of the VMC Secondary Plan in addition to the VMC Streetscape Open Space Plan as it relates to street furnishings, lighting, paving, trees, public art, and utilities; and, ▪ Opportunities for sustainable design including, but not limited to, CEPTD (Crime Prevention Through Environmental Design), LEEDS (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, will be reviewed and implemented through the site plan approval process, if approved.

	MATTERS TO BE REVIEWED	COMMENTS
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Attachments

1. Context Location Map
2. Location Map
3. Conceptual Site Plan
4. Conceptual Parking Garage Elevations
5. Rendered Elevation (9 - storey Mixed Use Building)

Report prepared by:

Stephen Lue, Senior Planner, ext. 8210

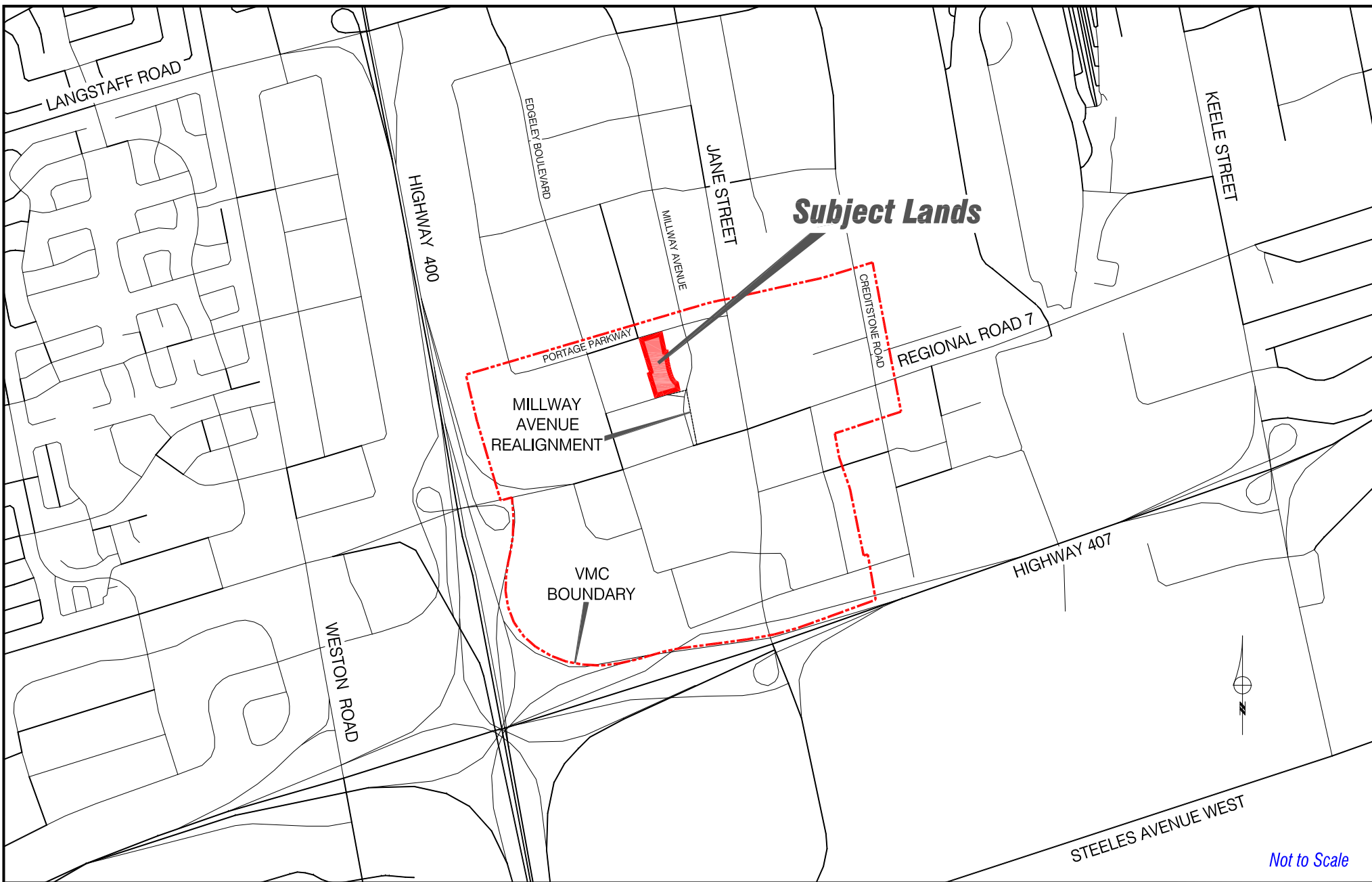
Respectfully submitted,

JOHN MACKENZIE
Deputy City Manager
Planning & Growth Management

GRANT UYEYAMA
Director of Development Planning

MAURO PEVERINI
Senior Manager of Development Planning

/LG



Context Location Map

LOCATION:
Part of Lots 6 and 7, Concession 5

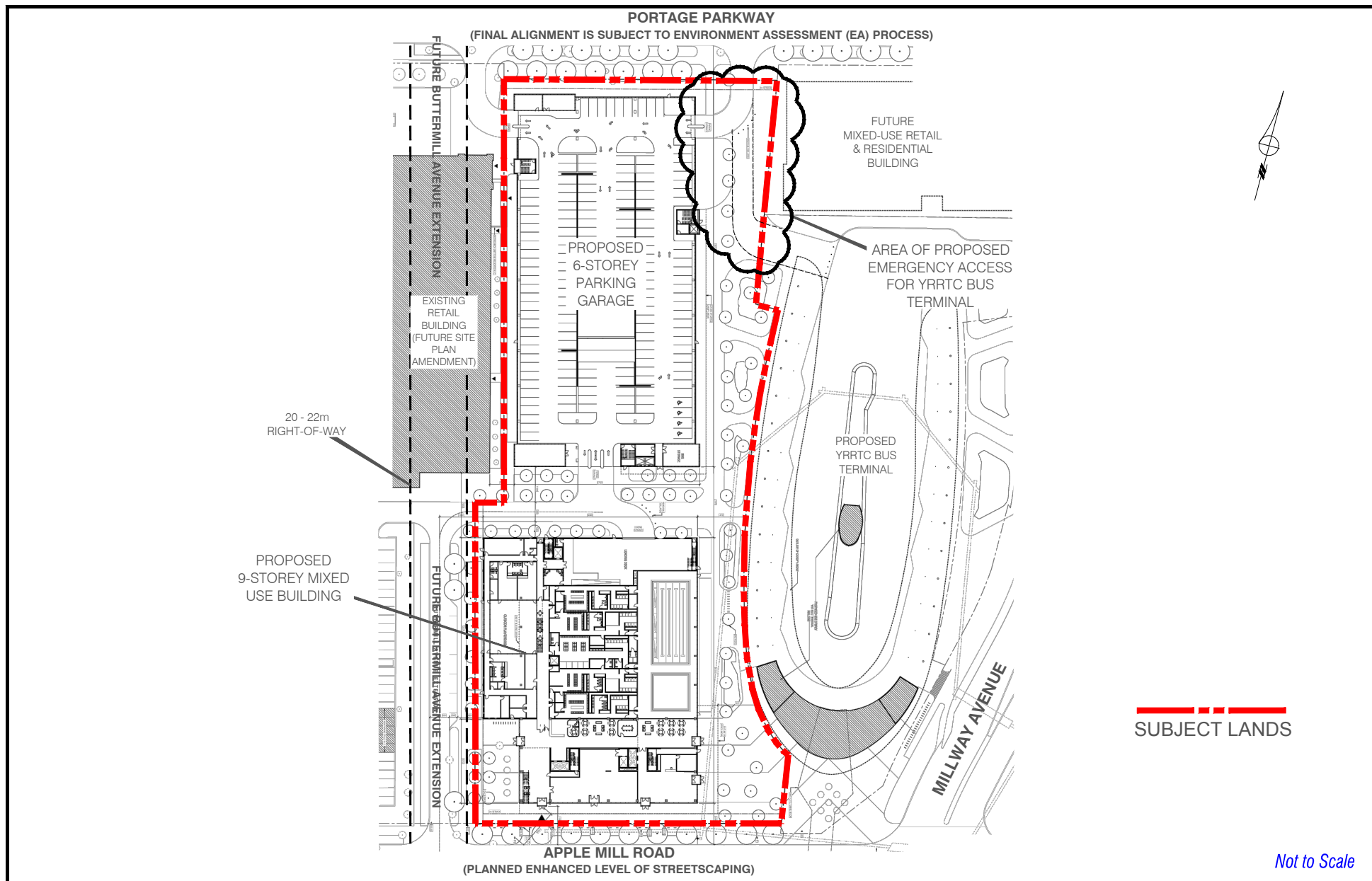
APPLICANT:
Penguin - Calloway (Vaughan) Inc.

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Attachment
FILE: Z.16.003
RELATED FILE: DA.16.007
DATE:
April 5, 2016





Not to Scale

Conceptual Site Plan

LOCATION:
Part of Lots 6 & 7, Concession 5

APPLICANT:
Penguin - Calloway (Vaughan) Inc.

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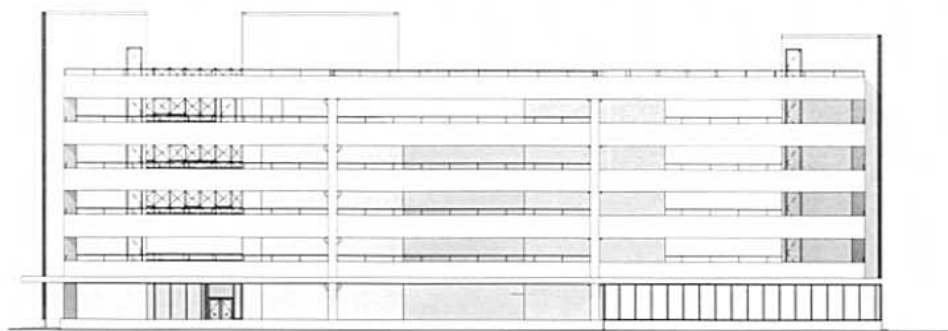


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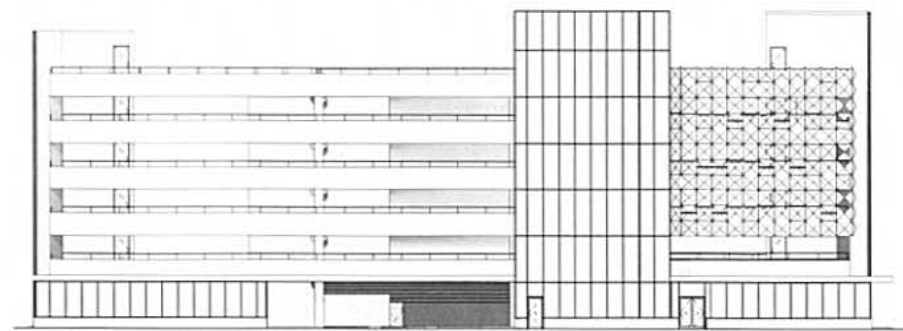
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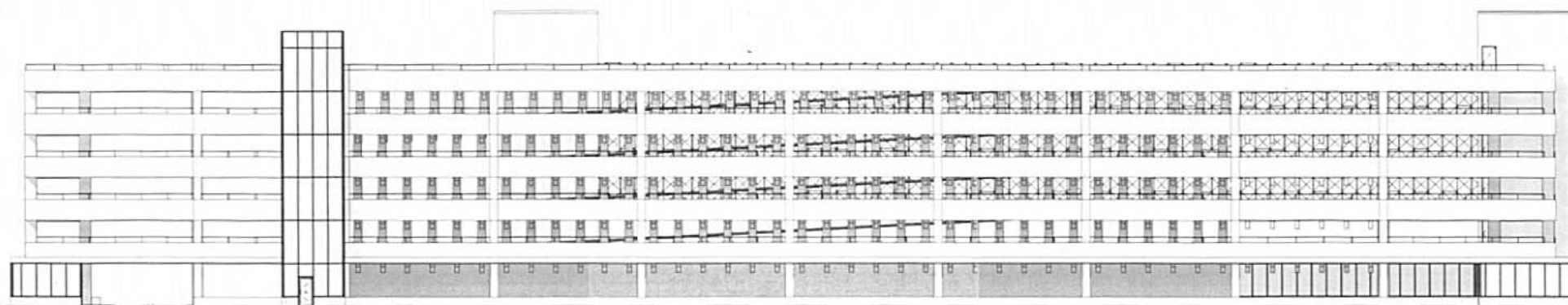
3



NORTH ELEVATION - FACING PORTAGE PARKWAY



SOUTH ELEVATION



EAST ELEVATION

Not to Scale

Conceptual Parking Garage Elevations

APPLICANT:
Penguin - Calloway (Vaughan) Inc.

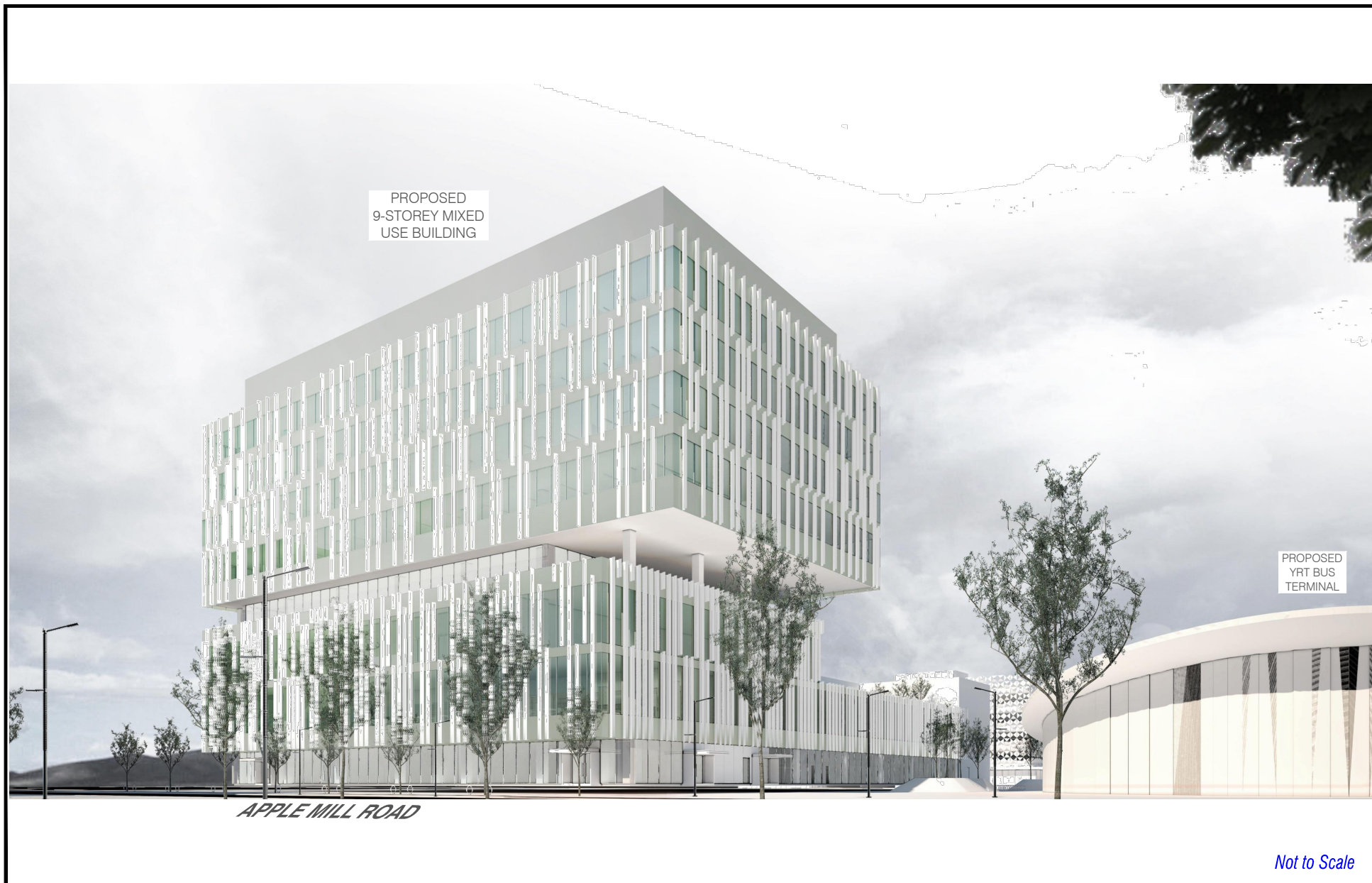
LOCATION: Part of Lots 6 & 7,
Concession 5



Attachment
FILE: Z.16.003
RELATED FILE: DA.16.007

DATE:
April 5, 2016

4



Rendered Elevation

LOCATION:
Part of Lots 6 & 7, Concession 5

APPLICANT:
Penguin - Calloway (Vaughan) Inc.

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Attachment

FILE: Z.16.003
RELATED FILE: DA.16.007

DATE:
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