

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 19, 2015

Item 1, Report No. 20, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on May 19, 2015, as follows:

By approving the recommendation contained in the report of the Commissioner of Planning, Director of Development Planning, and Manager of Development Planning, dated May 5, 2015, subject to the following:

That Recommendation 1. be deleted and replaced with the following in accordance with Communication C4 from the Commissioner of Planning, dated May 14, 2015, subject to removing the words "Convention Centre" and substituting the words "in Building A, B or C" in the first bullet of recommendation 1. i), and adding the words "as it relates to outdoor areas" to the end of the second bullet of recommendation 1. i), so that Recommendation 1. reads as follows:

"1. That Zoning By-law Amendment File Z.14.035 (1639722 Ontario Limited, et al.) BE APPROVED, to amend Zoning By-law 1-88, specifically to rezone the subject lands shown on Attachments #1 and #2 from C2 General Commercial Zone and C8 Office Commercial Zone, subject to site-specific Exception 9(654A), to C7 Service Commercial Zone together with site-specific zoning exceptions identified in Table 1 of this report to facilitate the development of the subject lands for commercial and industrial uses in the manner shown on Attachments #3 and #4, subject to the following:

i) The following uses shall not be permitted on the subject lands:

- Hotel, Motel, in Buildings A, B or C;***
- Recreational Uses as defined in Section 2, as it relates to outdoor areas; and***
- Parks and Open Space; and***

ii) An Outdoor Patio use shall be permitted on the lands, subject to the following:

- an outdoor patio must be accessory to an eating establishment use located in Building "A" and Unit "11" of Building "C"; as shown on Attachment #4; and***
- the total combined floor area of all outdoor patios on the subject lands shall not exceed 107.6 m²; and***

That the following additional recommendation be approved:

"3. That Attachment #7 contained in Item 1, of the May 5, 2015 Committee of the Whole Report from the Commissioner of Planning, Item 1 be deleted and replaced with a revised Attachment #7, attached hereto as Attachment #7, to reflect the revised east elevation for Building "B" as outlined in this Communication".

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**ZONING BY-LAW AMENDMENT FILE Z.14.035
SITE DEVELOPMENT FILE DA.14.060
1639722 ONTARIO LIMITED, ET AL.
WARD 2 - VICINITY OF REGIONAL ROAD 7 AND REGIONAL ROAD 27**

- 1) That consideration of this matter be deferred to the Council meeting of May 19, 2015, to permit the proponent, deputants and staff to meet and negotiate a mutually agreeable resolution, if possible;
- 2) That the following deputations be received:
 1. Mr. Gerald S. Swinkin, Blake, Cassels & Graydon LLP, Bay Street, Toronto; and
 2. Mr. Eros Fiacconi; and
- 3) That the coloured elevations submitted by the applicant be received.

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

- .../3

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- 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 the 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 Services Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment; and,
- ii) Prior to the issuance of a Building Permit for any development on the subject lands, the Owner shall successfully obtain approval of a Consent Application from the Vaughan Committee of Adjustment to sever the subject lands and create a mutual access easement for the northerly driveway and the Committee's decision shall be final and binding and the Owner shall satisfy all conditions of the Committee.

Contribution to Sustainability

The applications implement the following Goals and Objectives of Green Directions Vaughan:

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
- Objective 3.3: Reduce single occupant vehicle (SOV) trips by supporting active transportation, car pooling and public transit

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
- Objective 4.3: To encourage the establishment of green businesses and sustainable business practices

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:

- locally sourced building materials
- low volatile organic compound adhesives, sealants and paints
- tinted low-e argon filled glazing panels
- outdoor lighting designed for safety, comfort and reduced light pollution
- high efficiency low-flow plumbing fixtures
- drought tolerant landscaping and plant material
- bicycle racks and pedestrian connections to Regional Road 27 to promote alternate modes of transportation

Economic Impact

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

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Communications Plan

On December 19, 2014, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands, and to the West Woodbridge Homeowners' Association. The Notice of Public Hearing was also posted on the City's website at www.vaughan.ca and a Notice Sign installed on the property in accordance with the City's Notice Sign Procedures and Protocol.

Prior to the Public Hearing, a written submission was received from Mr. Gerald S. Swinkin of Blakes, Cassels & Graydon LLP on behalf of their client Royal Building Products. Their client's concerns are with regard to the potential impact of the noise generated from their client's existing neighbouring industrial use that may generate complaints from certain noise-sensitive uses such as, but not limited to, hotels, motels, convention centre, outdoor patios, banquet halls, funeral home, day nurseries, and correctional or crisis care group homes, etc., that could be permitted on the subject lands.

On January 13, 2014, a Public Hearing was held for Zoning By-law Amendment File Z.14.035. At the meeting deputations and written submissions were received from the following:

- Mr. Gerald S. Swinkin, Blakes, Cassels & Graydon LLP, Bay Street, Toronto
- Mr. Nick Pinto, President, The West Woodbridge Homeowners' Association, Mapes Avenue, Woodbridge
- Mr. Christopher Cerone, SmartCentres, Applewood Crescent, Vaughan
- Ms. Sandra Patano, Senior Planner, Weston Consulting, Millway Avenue, Vaughan

The following is a summary of the concerns raised at the January 13, 2015, Public Hearing:

- i) The existing Industrial uses in the vicinity of the subject lands will impact noise sensitive uses that may be proposed by the zoning application;
- ii) The proposed development represents strip commercial development and is not the best use for the subject lands;
- iii) The proposed development will undermine the intent of the Employment Area;
- iv) The Owner should consider developing the subject lands with an office building; and,
- v) The Owner must ensure that all of the proposed uses are viable for the Employment Area.

These concerns will be addressed in the Official Plan, Zoning By-law, and Site Plan Review sections of this report.

The recommendation of the Committee of the Whole to receive the Public Hearing report of January 13, 2015, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council on January 20, 2015.

Purpose

Executive Summary

The Owner is proposing to develop the subject lands with one, one-storey and two, two-storey multi-unit buildings with proposed Prestige Employment and Employment/Commercial uses as shown on Attachments #3 to #8. The Vaughan Planning Department supports the proposed development since it implements Vaughan Official Plan 2010 (VOP 2010) and is compatible with the surrounding existing and planned land uses.

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Proposal

The purpose of this report is to seek approval from the Committee of the Whole for the following applications on the subject lands shown on Attachments #1 and #2:

1. Zoning By-law Amendment File Z.13.045, to amend Zoning By-law 1-88, specifically to rezone property from C2 General Commercial Zone and C8 Office Commercial Zone, subject to site-specific Exception 9(654A), to C7 Service Commercial Zone in the manner shown on Attachment #3, together with the following site-specific zoning exceptions in Table 1, to facilitate the development shown on Attachments #3 and #4:

Table 1:

By-law Standard		By-law 1-88 Requirements of C7 Service Commercial Zone	Proposed Exceptions to C7 Service Commercial Zone
a.	Permitted Uses	<p>The following uses are permitted in the C7 Service Commercial Zone:</p> <ul style="list-style-type: none"> - Automobile Service Station, Automobile Gas Bar, Car Wash - Automotive Retail Store - Bank and Financial Institution - Banquet Hall, including an eating establishment provided that said eating establishment does not exceed 20% of the GFA of the banquet hall - Business and Professional Office - Car Rental Service - Club or Health Centre - Day Nursery - Eating Establishment/Outdoor Patio, subject to Section 5.1.6 - Eating Establishment, Convenience with Drive-Through/Outdoor Patio subject to Section 5.1.6 - Eating Establishment, Take Out/Outdoor Patio, subject to Section 5.1.6 - Education or Training Facility - Hotel, Motel, Convention Centre - Office Building - Office and Stationary Supply, Sales, Service, Rental - Parks and Open Space - Pet Grooming Establishment, to be contained within a wholly enclosed building 	<p>i) Permit all of the C7 Service Commercial uses within Buildings "A" (Units 1-11), "B", and "C", save and except for:</p> <ul style="list-style-type: none"> • Automobile Service Station, Automobile Gas Bar, Car Wash • Parking Garage • Tavern • Video Store <p>ii) Permit a "Retail Store" use in Buildings "A" (Units 1-11), "B", and "C" (Units 1 and 2) without outside storage</p> <p>iii) Permit only the following uses in Building "A" (Units 12 to 19) and Building "C" (Units 3-11) and without outside storage:</p> <ul style="list-style-type: none"> - Car Brokerage - Office Building - Service and Repair Shop

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		<ul style="list-style-type: none"> - Print Shop, Accessory Retail Sales - Parking Garage - Place of Entertainment - Personal Service Shop - One (1) Convenience Retail Store - One (1) Pharmacy - Recreational Use as Defined in Section 2.0 - Service or Repair Shop - Tavern - Technical School - Video Store - Veterinary Clinic 	<p>iv) Permit a maximum of 43% of retail uses on the overall subject lands) Parts “A” and “B”), provided that ancillary retail uses shall be restricted to a maximum of 20% on the Part “B” lands.</p> <p>Note: Unit numbers are shown on Attachment #4</p>
b.	Minimum Parking Requirement	9,501.6 m ² Gross Floor Area (GFA) (including outdoor patio) @ 6 spaces/100 m ² of GFA = 570	9,501.6 m ² GFA @ 2.94 spaces/100 m ² of GFA = 280 spaces
c.	Access	The Owner of every building shall provide and maintain driveways and aisles on their own lot.	Permit shared driveways and aisles between the subject lands and the properties to the north and south of the subject lands.
d.	Minimum Landscape Strip Width (Regalcrest Court)	6 m	5 m
e.	Minimum Front Yard Setback on Regional Road 27 (Building “A”)	9 m	8.0 m
f.	Minimum Rear Yard Setback on Regalcrest Court (Building “C”)	22 m	20.75 m
g.	Maximum Patio Size Accessory to an Eating Establishment	An Outdoor Patio shall not exceed 50% of the gross floor area devoted to patron use of the eating establishment.	Permit one Outdoor Patio (Building “A” – adjacent to Unit 1) with a maximum area of 107.6 m ²

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2. Site Development File DA.14.060 to facilitate the development of one and two-storey multi-unit buildings adjacent to Regalcrest Court and a two-storey multi-unit building adjacent to Regional Road 27, for commercial and industrial uses, in the manner shown on Attachments #3 to #8.

Background - Analysis and Options

Location

The subject lands are located on the east side of Regional Road 27, south of Regional Road 7, municipally known as 7681 Regional Road 27, shown as “Subject Lands” on Attachments #1 and #2. The subject site forms the southern portion of Block 1 on Plan 65M-3033, and Parts 12 and 15 on Plan 65R-27567, as shown on Attachment #3.

Vaughan Official Plan 2010 (VOP 2010)

The subject lands are comprised of the southerly portion of Block 1 on Plan 65M-3033 (1.94 ha) and Parts 12 and 15 on Reference Plan 65R-27567, as shown on Attachment #3. Block 1 also includes non-participating lands to the north (up to Regional Road 7), which do not form part of the subject applications, and when combined with the southerly parcel has an area of 3.58 ha, frontage on Regional Roads 7 and 27, and is located within a “Regional Intensification Corridor within Employment Areas” (Regional Road 7). Once the subject lands are developed, the southerly portion of Block 1 is proposed to be severed from the larger block, leaving a 1.64 ha parcel of land to the north with frontage on Regional Roads 7 and 27 for future development.

“Intensification Areas” front onto major streets and are intended to accommodate the most intensive and greatest mix of development in the City and support transit investments. Once severed, the subject lands will not have frontage on Regional Road 7, and therefore, will not function as part of the intensification area. Thereafter, the northerly portion of Block 1 will be developed with a higher intensity mixed-use development that meets the development and locational criteria for lands located within “Intensification Areas” as set out in Sections 2.2.1.1.d., 2.2.5 and in 9.1.2.5. of VOP 2010. Accordingly, the subject lands do not need to be developed in accordance with the “Intensification Area” policies.

Parts “A” and “B” of the subject lands are designated “Employment Commercial Mixed-Use” and “Prestige Employment” respectively, by VOP 2010, as shown on Attachments #2 to #4. The “Employment Commercial Mixed-Use” (Part A) designation permits office, hotel, cultural and entertainment uses and retail uses provided that no retail unit exceeds a gross floor area (GFA) of 3,500 m² and a minimum of 30% of the GFA of all uses shall consist of uses other than retail uses. The Owner is proposing units smaller than 3,500 m² in size and a minimum of 45% of the total GFA of all uses will consist of uses other than retail uses.

The “Prestige Employment” designation on Part “B” permits manufacturing, warehousing, processing and distribution uses, without outside storage. Office uses not related to these employment uses are also permitted up to a maximum GFA of 10,000 m². Ancillary retail uses are also permitted in a “Prestige Employment” designation provided the GFA of any one retail unit does not exceed 185 m², the total GFA of all ancillary retail uses shall not exceed 20% of the total GFA of all uses on the lot, or 1,000 m², whichever is less; and, the ancillary retail use must be located within 200 m of the intersection of two arterial and/or collector streets.

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The Owner is proposing a maximum 734 m² for retail uses on Part “B” of the subject lands in units that do not exceed 185 m² in size. The total GFA of all retail uses do not exceed 20% of the total GFA of all uses on the lot and the ancillary retail uses are located within 200 m of the intersection of Regional Roads 7 and 27. The proposed retail uses on Part B of the subject lands are also consistent with the retail uses permitted in an EM1 Prestige Employment Area Zone in Zoning By-law 1-88.

To address the split Official Plan designations, the Owner has proposed that only the site-specific uses be permitted within the proposed building or portion of the building that are consistent with the respective Official Plan designations.

In consideration of the above, the proposed development conforms to the Official Plan.

Zoning By-law 1-88

The subject lands are zoned C2 General Commercial Zone and C8 Office Commercial Zone, subject to Exception 9(654A) by Zoning By-law 1-88, as shown on Attachment #2. The Owner is proposing to rezone the subject lands to C7 Service Commercial Zone together with the site-specific zoning exceptions identified in Table 1.

The C7 Service Commercial Zone permits the range of service commercial uses identified in Table 1. VOP 2010 designates Part “A” of the subject lands “Employment Commercial Mixed-Use” and Part “B” “Prestige Employment” as shown on Attachments #2 to #4.

The Owner is proposing to permit all of the permitted C7 Service Commercial Uses on Part “A” of the subject lands, save and except for those uses identified in Table 1, within Buildings “A” (Units 1-11), “B” and “C” (Units 1-2), which implements the “Employment Commercial Mixed-Use” designation. The C7 Zone uses are considered appropriate and compatible with the existing and planned surrounding land uses. However, the uses identified in Table 1 that have been excluded as permitted uses are considered inappropriate on the subject lands. The Automobile Service Station, Gas Bar and Car Wash uses cannot meet the development criteria identified in VOP 2010 for these uses. A Parking Garage is not proposed through the Site Development Application and the Tavern and Video Store uses are considered outdated uses and not necessary to serve the surrounding Employment Area, and therefore, are not appropriate on this portion of the subject lands.

Part “B” of the subject lands, designated “Prestige Employment”, is proposed to be restricted solely to the Prestige Employment uses identified in Table 1 for Buildings “A” (Units 12 to 19) and Building “C” (Units 3 to 11). These uses are considered appropriate for the development of the subject lands and compatible with the surrounding employment area.

The Owner has requested that all retail uses shall be restricted to 43% of the total gross floor area (GFA) of the subject lands (Parts “A” and “B”), of which a maximum of 20% shall be for ancillary retail uses on Part “B” as permitted by the “Prestige Employment” policies in VOP 2010. The Owner has confirmed that if the retail uses on the subject lands exceeded 50% of the total GFA, Regional Development charges would be calculated at a higher rate, and therefore, they have asked that retail uses be restricted to a maximum of 43%. The Vaughan Development Planning Department can support the proposed restriction of the retail GFA on the site, which conforms to the policies of VOP 2010.

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The subject lands are currently zoned C2 General Commercial Zone and C8 Office Commercial Zone by Zoning By-law 1-88, which permit a wide range of retail, commercial and office uses as-of-right, including noise sensitive uses such as a Day Nursery; Public, Technical or Private School; and a Funeral Home on the subject lands. The proposed buildings abutting Regalcrest Court provide a minimum 15 m setback as required by Zoning By-law 1-88 for institutional uses including a Day Nursery. Accordingly, the Vaughan Planning Department can support the proposed land uses as they are currently permitted on the subject lands as-of-right and throughout any employment area, are considered to be compatible with the surrounding land uses, and conform to the “Employment Commercial Mixed-Use” and “Prestige Employment” policies of VOP 2010.

The proposed parking standard can be supported as the Owner has submitted a Traffic Impact and Parking Study prepared by EXP Services Inc., which has been reviewed and approved by the Vaughan Development Engineering & Infrastructure Planning Services Department.

The Owner proposes to sever the northerly portion of the subject lands that forms part of Block 1 on Plan 65M-3033 from the larger Block. Consequently, the proposed north access and drive aisles will be shared with the property to the north, and therefore, the exception for shared access and drive aisles is required. A reciprocal access driveway already exists for the subject lands, through the lands to the south connecting to Royal Gate Boulevard.

In order to ensure that the subject lands are comprehensively developed and that appropriate access is secured, the Owner must successfully obtain approval of a Consent Application from the Vaughan Committee of Adjustment to sever Block 1, and create the necessary mutual driveway easement. The Committee's decision shall be final and binding and the Owner shall satisfy all conditions of the Committee prior to the issuance of a Building Permit. A condition of this effect is included in the recommendation of this report.

The proposed minimum landscape strip width, minimum front yard and rear yard setbacks are minor in nature, and are considered desirable for the appropriate development of the subject lands.

The Owner has proposed a 107.6 m² Outdoor Patio to be located to the north of Unit 1 in Building “A”. At this time, the Owner has not secured a tenant for the intended eating establishment use in this unit, however, wishes to ensure that the 107.6m² patio size is secured through the Zoning Amendment process. The Vaughan Planning Department can support this request as the patio will promote an active interface with Regional Road 27.

In consideration of the above, the Vaughan Planning Department can support the proposed rezoning of the subject lands and the site-specific zoning exceptions identified in Table 1 of this report.

Site Plan and Landscape Plan Review

The Owner is proposing to develop the subject lands, with one, one-storey and two, two-storey prestige industrial and commercial multi-unit buildings totaling 9,394 m² of GFA, as shown on Attachments #3 and #4. The proposed development is accessed from a right-in/right-out driveway from Regional Road 27 connecting to Regalcrest Court. The driveway will be shared with the lands to the north once developed. An existing access from Royal Gate Boulevard will provide access to the subject lands through the lands to the south. The Owner has confirmed that an easement is in place for the shared driveway to the south and an easement will be granted to the lands to the north once a severance occurs.

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The proposed multi-unit buildings will be constructed with beige stucco, clear and spandrel glass, grey composite board and aluminum paneling as shown on Attachments #6 to #8. The parking area is comprised of 280 parking spaces, including 6 barrier-free spaces. The development includes bicycle racks and a seating area on the west side of Building “C”, as shown on Attachment #4. An outdoor patio accessory to an eating establishment (Unit 1) is proposed on the north side of Building “A”.

The proposed landscape plan is shown on Attachment #5 and includes the addition of coniferous and deciduous trees, ornamental deciduous trees, shrub and perennial beds and sodded areas. Included among the proposed landscaping elements are drought tolerant, indigenous plantings, to reduce potable water consumption.

The final site plan, building elevations, and landscape plans must be approved to the satisfaction of the Vaughan Planning Department. The Vaughan Planning Department will continue to work with the Owner to finalize the details of the proposal.

Vaughan Development Engineering and Infrastructure Planning Services Department

The Development Engineering and Infrastructure Planning Services Department has reviewed the applications and provides the following comments:

a) Stormwater Management

The Owner has submitted a Stormwater Management Report, dated August 8, 2014, prepared by Urban Ecosystems Limited. The stormwater management design for the related subdivision was designed by G. M. Sernas & Associates Ltd. The subject lands were allocated an allowable discharge rate based on 169 litres/second/hectare (l/s/ha). On-site storage will also be required for quantity control up to and including the 100 year post development storm event. The Owner proposes to install a 200 mm diameter orifice tube at the existing control manhole located at the property line. The total actual release rate of 197.6 litres/second (l/s) in accordance with the report is less than the established maximum allowable release rate of 322.2 l/s and is acceptable.

b) Sanitary Services

There is an existing 200 mm diameter sanitary sewer connection from the existing 300 mm diameter sanitary sewer on Regalcrest Court. This development would connect to the existing sanitary manhole on the property.

c) Water Services

There is an existing 200 mm watermain on the subject lands which was constructed under Draft Plan of Subdivision File 19T-97084. The proposed development will be connected to the existing watermain on the subject lands.

d) Transportation Services

The Transportation Planning Section of the Development Engineering and Infrastructure Planning Services Department has reviewed the site plan by Giancarlo Garofalo Architect Inc. dated January 21, 2015, the Traffic/Parking Study by EXP Services Inc., dated August 11, 2014, and the updated Traffic Study by EXP Services Inc. dated February 4, 2015.

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The Parking Study concludes that the proposed 280 parking spaces for the subject development would be sufficient for the development. Since VOP 2010 promotes non-auto modal splits to encourage more sustainable travel, the Vaughan Development Engineering and Infrastructure Planning Services Department has no objection with the reduced parking supply as recommended by the study.

The future level of service conditions were determined for the study area intersections utilizing future background total traffic volumes plus the subject development for the planning horizon years of 2019 and 2024. Future background traffic consists of traffic growth from outside of the study area and traffic generated by other developments within the study area. The traffic consultant utilized the Regional model to estimate background traffic growth. In accordance with the analysis, all intersections and driveways will operate at an acceptable level of service. The Traffic Study concludes that the addition of the site traffic to background volumes does not significantly alter the performance of the surrounding intersections. The Transportation Planning Section of the Development Engineering and Infrastructure Planning Services Department concurs with the overall study and methodology and accepts its conditions and recommendation.

e) Engineering Summary

The Development Engineering and Infrastructure Planning Services Department must approve the final site grading and servicing plan and stormwater management report submitted in support of the applications. 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) 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 as the proposal to rezone the subject lands to C7 Service Commercial Zone with respective uses implements the in-effect land use designations.

Regional Implications

The York Region Transportation and Community Planning Department has advised that they have no objection to the proposed development. York Region requests that prior to receiving final site plan approval and prior to any conditional, partial and/or final Building Permits, the Owner must satisfy the requirements of York Region and obtain a fully executed Site Plan Agreement. A condition is included in the recommendation section of this report requiring the Owner to satisfy all requirements of the York Region Transportation and Community Planning Department.

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Conclusion

The Vaughan Planning Department has reviewed Zoning By-law Amendment File Z.14.035 and Site Development File DA.14.060 in consideration of the policies of VOP 2010, the requirements of Zoning By-law 1-88, comments from City Departments, external public agencies, and the surrounding land use context. The Vaughan Planning Department is satisfied that the proposed rezoning and development for commercial and industrial uses within multi-unit buildings is appropriate and compatible with the surrounding existing and planned land uses and conforms to the Official Plan. Accordingly, the Vaughan Planning Department recommends approval of the applications, subject to the comments and recommendations in this report.

Attachments

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

Report prepared by:

Mary Caputo, Senior Planner - OMB, ext. 8215
Carmela Marrelli, Senior Planner, ext. 8791

(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.)

DATE: MAY 14, 2015
TO: HONOURABLE MAYOR & MEMBERS OF COUNCIL
FROM: JOHN MACKENZIE, COMMISSIONER OF PLANNING
RE: COMMUNICATION - COUNCIL MEETING, MAY 19, 2015
ITEM #1 - COMMITTEE OF THE WHOLE – MAY 5, 2015

C	4
Item #	1
Report No.	20 (CW)
Council - May 19/15	

ZONING BY-LAW AMENDMENT FILE Z.14.035
SITE DEVELOPMENT FILE DA.14.060
1639722 ONTARIO LIMITED, ET. AL.
WARD 2 - VICINITY OF REGIONAL ROAD 7 AND REGIONAL ROAD 27

Recommendation

The Commissioner of Planning recommends:

1. THAT Recommendation #1 as contained in Item #1 of the Committee of the Whole Agenda dated May 5, 2015, be deleted and replaced with the following:
 - "1. THAT Zoning By-law Amendment File Z.14.035 (1639722 Ontario Limited, et al.) BE APPROVED, to amend Zoning By-law 1-88, specifically to rezone the subject lands shown on Attachments #1 and #2 from C2 General Commercial Zone and C8 Office Commercial Zone, subject to site-specific Exception 9(654A), to C7 Service Commercial Zone together with site-specific zoning exceptions identified in Table 1 of this report to facilitate the development of the subject lands for commercial and industrial uses in the manner shown on Attachments #3 and #4, subject to the following:
 - i) The following uses shall not be permitted on the subject lands:
 - Hotel, Motel, Convention Centre
 - Recreational Uses as defined in Section 2
 - Parks and Open Space
 - ii) An Outdoor Patio use shall be permitted on the lands, subject to the following:
 - an outdoor patio must be accessory to an eating establishment use located in Building "A" and Unit "11" of Building "C"; as shown on Attachment #4, and,
 - the total combined floor area of all outdoor patios on the subject lands shall not exceed 107.6 m²."
2. That the following additional recommendation be approved as Recommendation #3:
 - "3. That Attachment #7 contained in Item 1, of the May 5, 2015 Committee of the Whole Report from the Commissioner of Planning, Item 1 be deleted and replaced with a revised Attachment #7, attached hereto as Attachment #7, to reflect the revised east elevation for Building "B" as outlined in this Communication."

Background

At the May 5, 2015, Committee of the Whole meeting, the solicitor for Royal Building Products, owners of the lands on the east side of Regalcrest Court, directly opposite the subject lands, appeared before the Committee and advised that their client had concerns with the following proposed land uses characterized as "sensitive uses" within the meaning of the Ministry's Guideline NPC-300 and in consideration of their existing industrial operations:

- Banquet Hall
- Club or Health Centre
- Day Nursery
- Eating Establishment / Outdoor Patio
- Eating Establishment, Convenience with Drive-Through/Outdoor Patio
- Eating Establishment, Take Out/Outdoor Patio
- Hotel, Motel, Convention Centre
- Recreational Uses as defined in Section 2
- Parks and Open Space
- Education and Training Facility
- Technical School
- Place of Entertainment

At the May 5, 2015, meeting of the Committee of the Whole, the Committee adopted the following recommendation (in part) regarding Zoning By-law Amendment File Z.14.035 and Site Development File DA.14.060:

"That consideration of this matter be deferred to the Council meeting of May 19, 2015, to permit the proponent, deputants and staff to meet and negotiate a mutually agreeable solution, if possible."

As directed by Vaughan Council, the Owner, the solicitor for and representatives from Royal Building Products and Vaughan Development Planning Department staff met to determine if an agreement could be achieved regarding the proposed uses on the subject lands. The meeting occurred on Friday May 8, 2015. At the meeting, the following was discussed and subsequently confirmed through e-mail correspondence:

1. The parties agreed to maintain the following as permitted uses on the subject lands:

- Banquet Hall
- Club or Health Centre
- Day Nursery
- Eating Establishment
- Eating Establishment, Convenience with Drive-Through
- Eating Establishment, Take Out
- Education and Training Facility
- Technical School
- Place of Entertainment
- Outdoor Patios accessory to any eating establishment, provided that the combined total floor area of all outdoor patios on the site does not exceed 107.6 m² and that they are located only accessory to units in Building "A" and Unit 11 of Building "C" as shown on Attachment #4 of the report.

With regard to the outdoor patio use, Royal Building Products representatives clarified that their noise concern related to the outdoor patio use accessory to the eating establishment uses and not the actual eating establishment uses. Through discussion, the Owner agreed to limit the maximum floor area devoted to outdoor patio uses on the site to a maximum of 107.6 m² as

discussed in the Committee of the Whole report. However, the Owner has requested some flexibility to locate one or more outdoor patios on the site, specifically accessory to units in Building "A" and Unit 11 in Building "C" provided the total combined floor area of all outdoor patios on the site does not to exceed 107.6 m². These patio locations would be separated from the Royal Building Products lands by an appropriate distance and shielded by Buildings "B" and "C".

The Vaughan Planning Department has no objection to the request, as the total floor area devoted to the outdoor patio use does not exceed the original request thereby not increasing the parking requirement on the site.

2. The Owner agreed to remove the following from the list of requested uses on the site:
 - Hotel, Motel, Convention Centre
 - Recreational Uses as defined in Section 2
 - Parks and Open Space
3. The Owner agreed to change the construction of Building "B" to reduce the glazing on the east elevation by approximately 75-80% and to replace some of the glazing with solid precast panels, as shown on Attachment #7. It is expected that this measure will provide a significant reduction in noise transmission. A limited amount of glazing remains for each unit in order to allow natural light into the interior space. The Owner has also requested and the solicitor for Royal Building Products has agreed to allow for the potential redistribution of window panels on the east elevation provided that the amount of glazing will remain constant. A condition of approval is included in the original report requiring that the final building elevations be approved to the satisfaction of the Vaughan Planning Department.

Conclusion

The Vaughan Planning Department is satisfied with the conditions agreed to by the Owner and the adjacent landowner regarding the proposed land use permissions for the subject lands and the change to the east elevation of Building "B". Should the Committee concur, the recommendation can be approved to amend the proposed uses for the subject lands as identified in this Communication and the revised east elevation for Building "B".

Respectfully submitted,



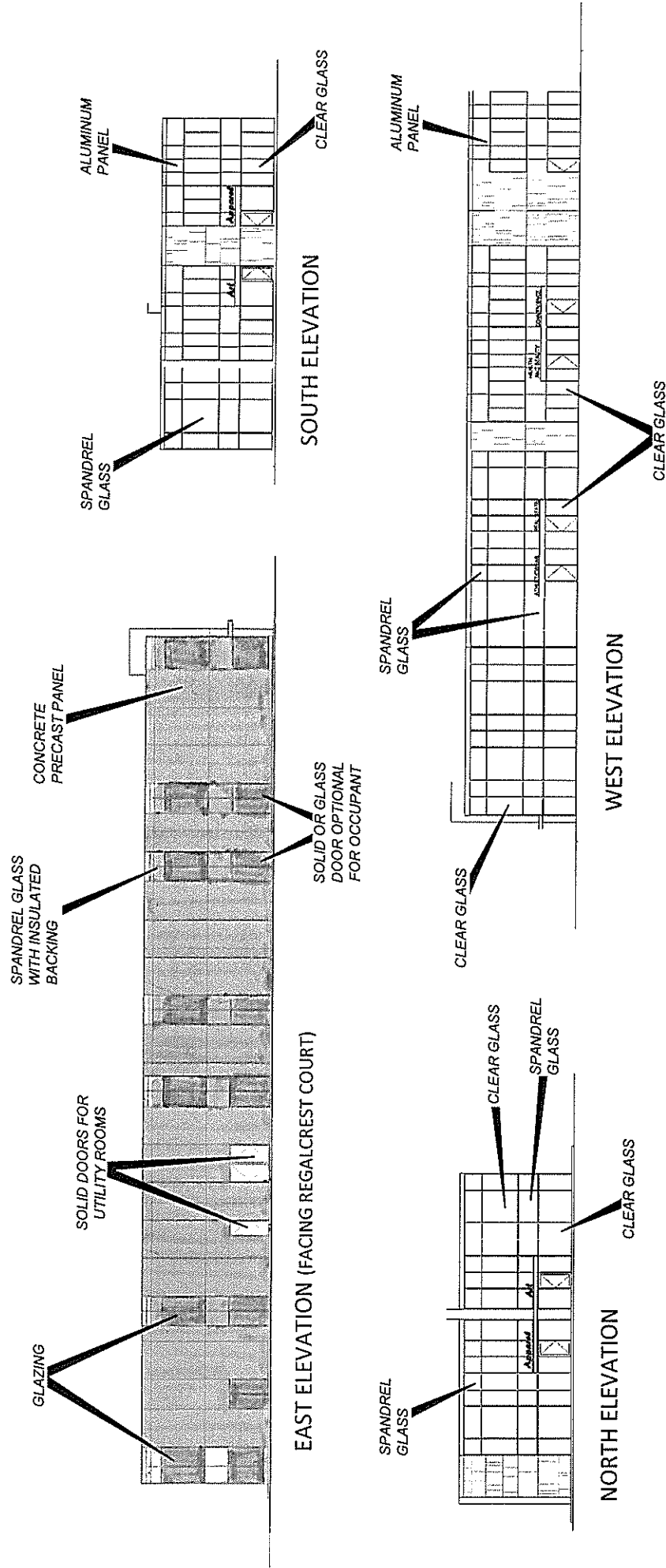
JOHN MACKENZIE
Commissioner of Planning

Attachments

7. Elevations – Building "B"

MP/cm

Copy to: Steve Kanellakos, City Manager
Barbara Cribbett, Interim City Manager
Jeffrey A. Abrams, City Clerk
Grant Uyeyama, Director of Development Planning



Elevations - Building 'B'

LOCATION:
Part of Lot 5, Concession 8

APPLICANT:
1639722 Ontario Limited, et al.
N:\OFT\1 ATTACHMENTS\3.14.0356.14.0506.dwg



Attachment

FILES: Z.14.035 &
DA.14.060

DATE:
May 14, 2015

7

ZONING BY-LAW AMENDMENT FILE Z.14.035

SITE DEVELOPMENT FILE DA.14.060

1639722 ONTARIO LIMITED, ET AL.

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

Recommendation

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

1. THAT Zoning By-law Amendment File Z.14.035 (1639722 Ontario Limited, et al.) BE APPROVED, to amend Zoning By-law 1-88, specifically to rezone the subject lands shown on Attachments #1 and #2 from C2 General Commercial Zone and C8 Office Commercial Zone, subject to site-specific Exception 9(654A), to C7 Service Commercial Zone together with site-specific zoning exceptions identified in Table 1 of this report to facilitate the development of the subject lands for commercial and industrial uses in the manner shown on Attachments #3 and #4.
2. THAT Site Development File DA.14.060 (1639722 Ontario Limited, et al.) BE APPROVED, to permit the development of one and two-storey multi-unit buildings adjacent to Regalcrest Court and a two-storey multi-unit building adjacent to Regional Road 27, for commercial and industrial uses in the manner identified on Attachments #3 to #8, subject to the following conditions:
 - a) that prior to the execution of the Site Plan Letter of Undertaking:
 - i) the Vaughan Planning Development shall approve the final site plan, landscape plan, and building elevations;
 - ii) the Vaughan Development Engineering & Infrastructure Planning Services Department shall approve the final site servicing and grading plan, and stormwater management report; and,
 - iii) the Owner shall satisfy all requirements of the York Region Transportation and Community Planning Department;
 - b) that the Site Plan Letter of Undertaking 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 the 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 Services Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment; and,
 - ii) Prior to the issuance of a Building Permit for any development on the subject lands, the Owner shall successfully obtain approval of a Consent Application from the Vaughan Committee of Adjustment to sever the subject lands and create a mutual access easement for the northerly driveway and the Committee's decision shall be final and binding and the Owner shall satisfy all conditions of the Committee.

Contribution to Sustainability

The applications implement the following Goals and Objectives of Green Directions Vaughan:

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
- Objective 3.3: Reduce single occupant vehicle (SOV) trips by supporting active transportation, car pooling and public transit

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
- Objective 4.3: To encourage the establishment of green businesses and sustainable business practices

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:

- locally sourced building materials
- low volatile organic compound adhesives, sealants and paints
- tinted low-e argon filled glazing panels
- outdoor lighting designed for safety, comfort and reduced light pollution
- high efficiency low-flow plumbing fixtures
- drought tolerant landscaping and plant material
- bicycle racks and pedestrian connections to Regional Road 27 to promote alternate modes of transportation

Economic Impact

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

Communications Plan

On December 19, 2014, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands, and to the West Woodbridge Homeowners' Association. The Notice of Public Hearing was also posted on the City's website at www.vaughan.ca and a Notice Sign installed on the property in accordance with the City's Notice Sign Procedures and Protocol.

Prior to the Public Hearing, a written submission was received from Mr. Gerald S. Swinkin of Blakes, Cassels & Graydon LLP on behalf of their client Royal Building Products. Their client's concerns are with regard to the potential impact of the noise generated from their client's existing neighbouring industrial use that may generate complaints from certain noise-sensitive uses such as, but not limited to, hotels, motels, convention centre, outdoor patios, banquet halls, funeral home, day nurseries, and correctional or crisis care group homes, etc., that could be permitted on the subject lands.

On January 13, 2014, a Public Hearing was held for Zoning By-law Amendment File Z.14.035. At the meeting deputations and written submissions were received from the following:

- Mr. Gerald S. Swinkin, Blakes, Cassels & Graydon LLP, Bay Street, Toronto
- Mr. Nick Pinto, President, The West Woodbridge Homeowners' Association, Mapes Avenue, Woodbridge
- Mr. Christopher Cerone, SmartCentres, Applewood Crescent, Vaughan
- Ms. Sandra Patano, Senior Planner, Weston Consulting, Millway Avenue, Vaughan

The following is a summary of the concerns raised at the January 13, 2015, Public Hearing:

- i) The existing Industrial uses in the vicinity of the subject lands will impact noise sensitive uses that may be proposed by the zoning application;
- ii) The proposed development represents strip commercial development and is not the best use for the subject lands;
- iii) The proposed development will undermine the intent of the Employment Area;
- iv) The Owner should consider developing the subject lands with an office building; and,
- v) The Owner must ensure that all of the proposed uses are viable for the Employment Area.

These concerns will be addressed in the Official Plan, Zoning By-law, and Site Plan Review sections of this report.

The recommendation of the Committee of the Whole to receive the Public Hearing report of January 13, 2015, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council on January 20, 2015.

Purpose

Executive Summary

The Owner is proposing to develop the subject lands with one, one-storey and two, two-storey multi-unit buildings with proposed Prestige Employment and Employment/Commercial uses as shown on Attachments #3 to #8. The Vaughan Planning Department supports the proposed development since it implements Vaughan Official Plan 2010 (VOP 2010) and is compatible with the surrounding existing and planned land uses.

Proposal

The purpose of this report is to seek approval from the Committee of the Whole for the following applications on the subject lands shown on Attachments #1 and #2:

1. Zoning By-law Amendment File Z.13.045, to amend Zoning By-law 1-88, specifically to rezone the property from C2 General Commercial Zone and C8 Office Commercial Zone, subject to site-specific Exception 9(654A), to C7 Service Commercial Zone in the manner shown on Attachment #3, together with the following site-specific zoning exceptions in Table 1, to facilitate the development shown on Attachments #3 and #4:

Table 1:

By-law Standard		By-law 1-88 Requirements of C7 Service Commercial Zone	Proposed Exceptions to C7 Service Commercial Zone
a.	Permitted Uses	<p>The following uses are permitted in the C7 Service Commercial Zone:</p> <ul style="list-style-type: none"> - Automobile Service Station, Automobile Gas Bar, Car Wash - Automotive Retail Store - Bank and Financial Institution - Banquet Hall, including an eating establishment provided that said eating establishment does not exceed 20% of the GFA of the banquet hall - Business and Professional Office - Car Rental Service - Club or Health Centre - Day Nursery - Eating Establishment/Outdoor Patio, subject to Section 5.1.6 - Eating Establishment, Convenience with Drive-Through/Outdoor Patio subject to Section 5.1.6 - Eating Establishment, Take Out/Outdoor Patio, subject to Section 5.1.6 - Education or Training Facility - Hotel, Motel, Convention Centre - Office Building - Office and Stationary Supply, Sales, Service, Rental - Parks and Open Space - Pet Grooming Establishment, to be contained within a wholly enclosed building - Print Shop, Accessory Retail Sales - Parking Garage - Place of Entertainment - Personal Service Shop - One (1) Convenience Retail Store - One (1) Pharmacy - Recreational Use as Defined in Section 2.0 - Service or Repair Shop - Tavern - Technical School - Video Store - Veterinary Clinic 	<p>i) Permit all of the C7 Service Commercial uses within Buildings "A" (Units 1-11), "B", and "C", save and except for:</p> <ul style="list-style-type: none"> • Automobile Service Station, Automobile Gas Bar, Car Wash • Parking Garage • Tavern • Video Store <p>ii) Permit a "Retail Store" use in Buildings "A" (Units 1-11), "B", and "C" (Units 1 and 2) without outside storage</p> <p>iii) Permit only the following uses in Building "A" (Units 12 to 19) and Building "C" (Units 3-11) and without outside storage:</p> <ul style="list-style-type: none"> - Employment Use - Accessory Retail Sales to an Employment Use, subject to Section 6.1.3 - Accessory Office Uses to an Employment Use, subject to Section 6.1.4 - Banquet Hall, - Bowling Alley - Business and Professional Office - Club, Health Centre - Convention Centre, Hotel, Motel - Car Brokerage - Office Building - Service and Repair Shop <p>iv) Permit a maximum of 43% of retail uses on the overall subject lands) Parts "A" and "B"), provided that ancillary retail uses shall be restricted to a maximum of 20% on the Part "B" lands.</p>

By-law Standard		By-law 1-88 Requirements of C7 Service Commercial Zone	Proposed Exceptions to C7 Service Commercial Zone
			Note: Unit numbers are shown on Attachment #4
b.	Minimum Parking Requirement	9,501.6 m ² Gross Floor Area (GFA) (including outdoor patio) @ 6 spaces/100 m ² of GFA = 570	9,501.6 m ² GFA @ 2.94 spaces/100 m ² of GFA = 280 spaces
c.	Access	The Owner of every building shall provide and maintain driveways and aisles on their own lot.	Permit shared driveways and aisles between the subject lands and the properties to the north and south of the subject lands.
d.	Minimum Landscape Strip Width (Regalcrest Court)	6 m	5 m
e.	Minimum Front Yard Setback on Regional Road 27 (Building "A")	9 m	8.0 m
f.	Minimum Rear Yard Setback on Regalcrest Court (Building "C")	22 m	20.75 m
g.	Maximum Patio Size Accessory to an Eating Establishment	An Outdoor Patio shall not exceed 50% of the gross floor area devoted to patron use of the eating establishment.	Permit one Outdoor Patio (Building "A" – adjacent to Unit 1) with a maximum area of 107.6 m ²

2. Site Development File DA.14.060 to facilitate the development of one and two-storey multi-unit buildings adjacent to Regalcrest Court and a two-storey multi-unit building adjacent to Regional Road 27, for commercial and industrial uses, in the manner shown on Attachments #3 to #8.

Background - Analysis and Options

Location

The subject lands are located on the east side of Regional Road 27, south of Regional Road 7, municipally known as 7681 Regional Road 27, shown as "Subject Lands" on Attachments #1 and #2. The subject site forms the southern portion of Block 1 on Plan 65M-3033, and Parts 12 and 15 on Plan 65R-27567, as shown on Attachment #3.

Vaughan Official Plan 2010 (VOP 2010)

The subject lands are comprised of the southerly portion of Block 1 on Plan 65M-3033 (1.94 ha) and Parts 12 and 15 on Reference Plan 65R-27567, as shown on Attachment #3. Block 1 also includes non-participating lands to the north (up to Regional Road 7), which do not form part of the subject applications, and when combined with the southerly parcel has an area of 3.58 ha, frontage on Regional Roads 7 and 27, and is located within a "Regional Intensification Corridor within Employment Areas" (Regional Road 7). Once the subject lands are developed, the southerly portion of Block 1 is proposed to be severed from the larger block, leaving a 1.64 ha parcel of land to the north with frontage on Regional Roads 7 and 27 for future development.

"Intensification Areas" front onto major streets and are intended to accommodate the most intensive and greatest mix of development in the City and support transit investments. Once severed, the subject lands will not have frontage on Regional Road 7, and therefore, will not function as part of the intensification area. Thereafter, the northerly portion of Block 1 will be developed with a higher intensity mixed-use development that meets the development and locational criteria for lands located within "Intensification Areas" as set out in Sections 2.2.1.1.d., 2.2.5 and in 9.1.2.5. of VOP 2010. Accordingly, the subject lands do not need to be developed in accordance with the "Intensification Area" policies.

Parts "A" and "B" of the subject lands are designated "Employment Commercial Mixed-Use" and "Prestige Employment" respectively, by VOP 2010, as shown on Attachments #2 to #4. The "Employment Commercial Mixed-Use" (Part A) designation permits office, hotel, cultural and entertainment uses and retail uses provided that no retail unit exceeds a gross floor area (GFA) of 3,500 m² and a minimum of 30% of the GFA of all uses shall consist of uses other than retail uses. The Owner is proposing units smaller than 3,500 m² in size and a minimum of 45% of the total GFA of all uses will consist of uses other than retail uses.

The "Prestige Employment" designation on Part "B" permits manufacturing, warehousing, processing and distribution uses, without outside storage. Office uses not related to these employment uses are also permitted up to a maximum GFA of 10,000 m². Ancillary retail uses are also permitted in a "Prestige Employment" designation provided the GFA of any one retail unit does not exceed 185 m², the total GFA of all ancillary retail uses shall not exceed 20% of the total GFA of all uses on the lot, or 1,000 m², whichever is less; and, the ancillary retail use must be located within 200 m of the intersection of two arterial and/or collector streets.

The Owner is proposing a maximum 734 m² for retail uses on Part "B" of the subject lands in units that do not exceed 185 m² in size. The total GFA of all retail uses do not exceed 20% of the total GFA of all uses on the lot and the ancillary retail uses are located within 200 m of the intersection of Regional Roads 7 and 27. The proposed retail uses on Part B of the subject lands are also consistent with the retail uses permitted in an EM1 Prestige Employment Area Zone in Zoning By-law 1-88.

To address the split Official Plan designations, the Owner has proposed that only the site-specific uses be permitted within the proposed building or portion of the building that are consistent with the respective Official Plan designations.

In consideration of the above, the proposed development conforms to the Official Plan.

Zoning By-law 1-88

The subject lands are zoned C2 General Commercial Zone and C8 Office Commercial Zone, subject to Exception 9(654A) by Zoning By-law 1-88, as shown on Attachment #2. The Owner is proposing to rezone the subject lands to C7 Service Commercial Zone together with the site-specific zoning exceptions identified in Table 1.

The C7 Service Commercial Zone permits the range of service commercial uses identified in Table 1. VOP 2010 designates Part "A" of the subject lands "Employment Commercial Mixed-Use" and Part "B" "Prestige Employment" as shown on Attachments #2 to #4.

The Owner is proposing to permit all of the permitted C7 Service Commercial Uses on Part "A" of the subject lands, save and except for those uses identified in Table 1, within Buildings "A" (Units 1-11), "B" and "C" (Units 1-2), which implements the "Employment Commercial Mixed-Use" designation. The C7 Zone uses are considered appropriate and compatible with the existing and planned surrounding land uses. However, the uses identified in Table 1 that have been excluded as permitted uses are considered inappropriate on the subject lands. The Automobile Service Station, Gas Bar and Car Wash uses cannot meet the development criteria identified in VOP 2010 for these uses. A Parking Garage is not proposed through the Site Development Application and the Tavern and Video Store uses are considered outdated uses and not necessary to serve the surrounding Employment Area, and therefore, are not appropriate on this portion of the subject lands.

Part "B" of the subject lands, designated "Prestige Employment", is proposed to be restricted solely to the Prestige Employment uses identified in Table 1 for Buildings "A" (Units 12 to 19) and Building "C" (Units 3 to 11). These uses are considered appropriate for the development of the subject lands and compatible with the surrounding employment area.

The Owner has requested that all retail uses shall be restricted to 43% of the total gross floor area (GFA) of the subject lands (Parts "A" and "B"), of which a maximum of 20% shall be for ancillary retail uses on Part "B" as permitted by the "Prestige Employment" policies in VOP 2010. The Owner has confirmed that if the retail uses on the subject lands exceeded 50% of the total GFA, Regional Development charges would be calculated at a higher rate, and therefore, they have asked that retail uses be restricted to a maximum of 43%. The Vaughan Development Planning Department can support the proposed restriction of the retail GFA on the site, which conforms to the policies of VOP 2010.

The subject lands are currently zoned C2 General Commercial Zone and C8 Office Commercial Zone by Zoning By-law 1-88, which permit a wide range of retail, commercial and office uses as-of-right, including noise sensitive uses such as a Day Nursery; Public, Technical or Private School; and a Funeral Home on the subject lands. The proposed buildings abutting Regalcrest Court provide a minimum 15 m setback as required by Zoning By-law 1-88 for institutional uses including a Day Nursery. Accordingly, the Vaughan Planning Department can support the proposed land uses as they are currently permitted on the subject lands as-of-right and throughout any employment area, are considered to be compatible with the surrounding land uses, and conform to the "Employment Commercial Mixed-Use" and "Prestige Employment" policies of VOP 2010.

The proposed parking standard can be supported as the Owner has submitted a Traffic Impact and Parking Study prepared by EXP Services Inc., which has been reviewed and approved by the Vaughan Development Engineering & Infrastructure Planning Services Department.

The Owner proposes to sever the northerly portion of the subject lands that forms part of Block 1 on Plan 65M-3033 from the larger Block. Consequently, the proposed north access and drive

aisles will be shared with the property to the north, and therefore, the exception for shared access and drive aisles is required. A reciprocal access driveway already exists for the subject lands, through the lands to the south connecting to Royal Gate Boulevard.

In order to ensure that the subject lands are comprehensively developed and that appropriate access is secured, the Owner must successfully obtain approval of a Consent Application from the Vaughan Committee of Adjustment to sever Block 1, and create the necessary mutual driveway easement. The Committee's decision shall be final and binding and the Owner shall satisfy all conditions of the Committee prior to the issuance of a Building Permit. A condition of this effect is included in the recommendation of this report.

The proposed minimum landscape strip width, minimum front yard and rear yard setbacks are minor in nature, and are considered desirable for the appropriate development of the subject lands.

The Owner has proposed a 107.6 m² Outdoor Patio to be located to the north of Unit 1 in Building "A". At this time, the Owner has not secured a tenant for the intended eating establishment use in this unit, however, wishes to ensure that the 107.6m² patio size is secured through the Zoning Amendment process. The Vaughan Planning Department can support this request as the patio will promote an active interface with Regional Road 27.

In consideration of the above, the Vaughan Planning Department can support the proposed rezoning of the subject lands and the site-specific zoning exceptions identified in Table 1 of this report.

Site Plan and Landscape Plan Review

The Owner is proposing to develop the subject lands, with one, one-storey and two, two-storey prestige industrial and commercial multi-unit buildings totaling 9,394 m² of GFA, as shown on Attachments #3 and #4. The proposed development is accessed from a right-in/right-out driveway from Regional Road 27 connecting to Regalcrest Court. The driveway will be shared with the lands to the north once developed. An existing access from Royal Gate Boulevard will provide access to the subject lands through the lands to the south. The Owner has confirmed that an easement is in place for the shared driveway to the south and an easement will be granted to the lands to the north once a severance occurs.

The proposed multi-unit buildings will be constructed with beige stucco, clear and spandrel glass, grey composite board and aluminum paneling as shown on Attachments #6 to #8. The parking area is comprised of 280 parking spaces, including 6 barrier-free spaces. The development includes bicycle racks and a seating area on the west side of Building "C", as shown on Attachment #4. An outdoor patio accessory to an eating establishment (Unit 1) is proposed on the north side of Building "A".

The proposed landscape plan is shown on Attachment #5 and includes the addition of coniferous and deciduous trees, ornamental deciduous trees, shrub and perennial beds and sodded areas. Included among the proposed landscaping elements are drought tolerant, indigenous plantings, to reduce potable water consumption.

The final site plan, building elevations, and landscape plans must be approved to the satisfaction of the Vaughan Planning Department. The Vaughan Planning Department will continue to work with the Owner to finalize the details of the proposal.

Vaughan Development Engineering and Infrastructure Planning Services Department

The Development Engineering and Infrastructure Planning Services Department has reviewed the applications and provides the following comments:

a) Stormwater Management

The Owner has submitted a Stormwater Management Report, dated August 8, 2014, prepared by Urban Ecosystems Limited. The stormwater management design for the related subdivision was designed by G. M. Sernas & Associates Ltd. The subject lands were allocated an allowable discharge rate based on 169 litres/second/hectare (l/s/ha). On-site storage will also be required for quantity control up to and including the 100 year post development storm event. The Owner proposes to install a 200 mm diameter orifice tube at the existing control manhole located at the property line. The total actual release rate of 197.6 litres/second (l/s) in accordance with the report is less than the established maximum allowable release rate of 322.2 l/s and is acceptable.

b) Sanitary Services

There is an existing 200 mm diameter sanitary sewer connection from the existing 300 mm diameter sanitary sewer on Regalcrest Court. This development would connect to the existing sanitary manhole on the property.

c) Water Services

There is an existing 200 mm watermain on the subject lands which was constructed under Draft Plan of Subdivision File 19T-97084. The proposed development will be connected to the existing watermain on the subject lands.

d) Transportation Services

The Transportation Planning Section of the Development Engineering and Infrastructure Planning Services Department has reviewed the site plan by Giancarlo Garofalo Architect Inc. dated January 21, 2015, the Traffic/Parking Study by EXP Services Inc., dated August 11, 2014, and the updated Traffic Study by EXP Services Inc. dated February 4, 2015.

The Parking Study concludes that the proposed 280 parking spaces for the subject development would be sufficient for the development. Since VOP 2010 promotes non-auto modal splits to encourage more sustainable travel, the Vaughan Development Engineering and Infrastructure Planning Services Department has no objection with the reduced parking supply as recommended by the study.

The future level of service conditions were determined for the study area intersections utilizing future background total traffic volumes plus the subject development for the planning horizon years of 2019 and 2024. Future background traffic consists of traffic growth from outside of the study area and traffic generated by other developments within the study area. The traffic consultant utilized the Regional model to estimate background traffic growth. In accordance with the analysis, all intersections and driveways will operate at an acceptable level of service. The Traffic Study concludes that the addition of the site traffic to background volumes does not significantly alter the performance of the surrounding intersections. The Transportation Planning Section of the Development Engineering and Infrastructure Planning Services Department concurs with the overall study and methodology and accepts its conditions and recommendation.

e) Engineering Summary

The Development Engineering and Infrastructure Planning Services Department must approve the final site grading and servicing plan and stormwater management report submitted in support of the applications. 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) **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 as the proposal to rezone the subject lands to C7 Service Commercial Zone with respective uses implements the in-effect land use designations.

Regional Implications

The York Region Transportation and Community Planning Department has advised that they have no objection to the proposed development. York Region requests that prior to receiving final site plan approval and prior to any conditional, partial and/or final Building Permits, the Owner must satisfy the requirements of York Region and obtain a fully executed Site Plan Agreement. A condition is included in the recommendation section of this report requiring the Owner to satisfy all requirements of the York Region Transportation and Community Planning Department.

Conclusion

The Vaughan Planning Department has reviewed Zoning By-law Amendment File Z.14.035 and Site Development File DA.14.060 in consideration of the policies of VOP 2010, the requirements of Zoning By-law 1-88, comments from City Departments, external public agencies, and the surrounding land use context. The Vaughan Planning Department is satisfied that the proposed rezoning and development for commercial and industrial uses within multi-unit buildings is appropriate and compatible with the surrounding existing and planned land uses and conforms to the Official Plan. Accordingly, the Vaughan Planning Department recommends approval of the applications, subject to the comments and recommendations in this report.

Attachments

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

Report prepared by:

Mary Caputo, Senior Planner - OMB, ext. 8215
Carmela Marrelli, Senior Planner, ext. 8791

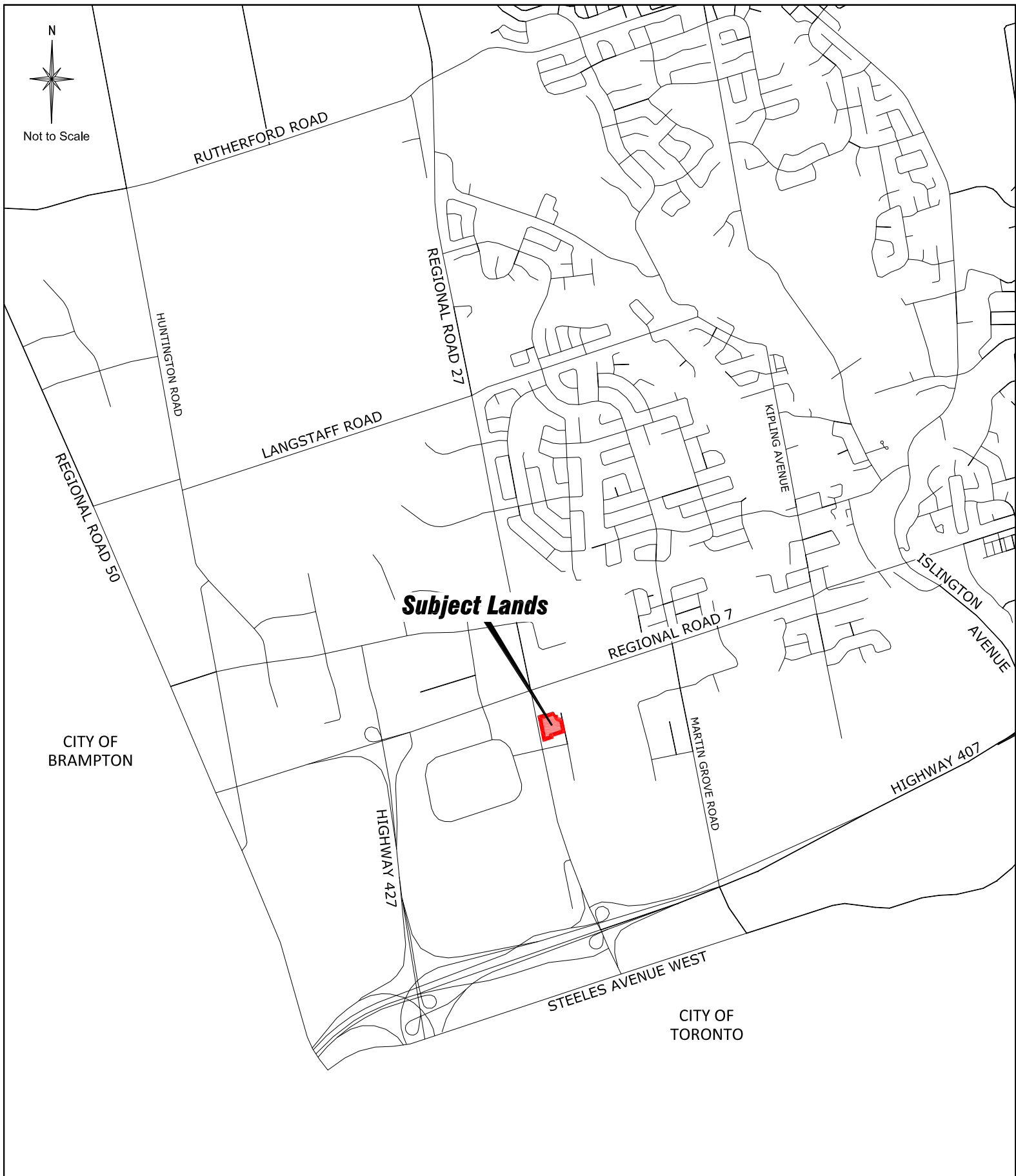
Respectfully submitted,

JOHN MACKENZIE
Commissioner of Planning

GRANT UYEYAMA
Director of Development Planning

/CM

MAURO PEVERINI
Manager of Development Planning



Context Location Map

LOCATION:
Part of Lot 5, Concession 8

APPLICANT:
1639722 Ontario Limited, et al.

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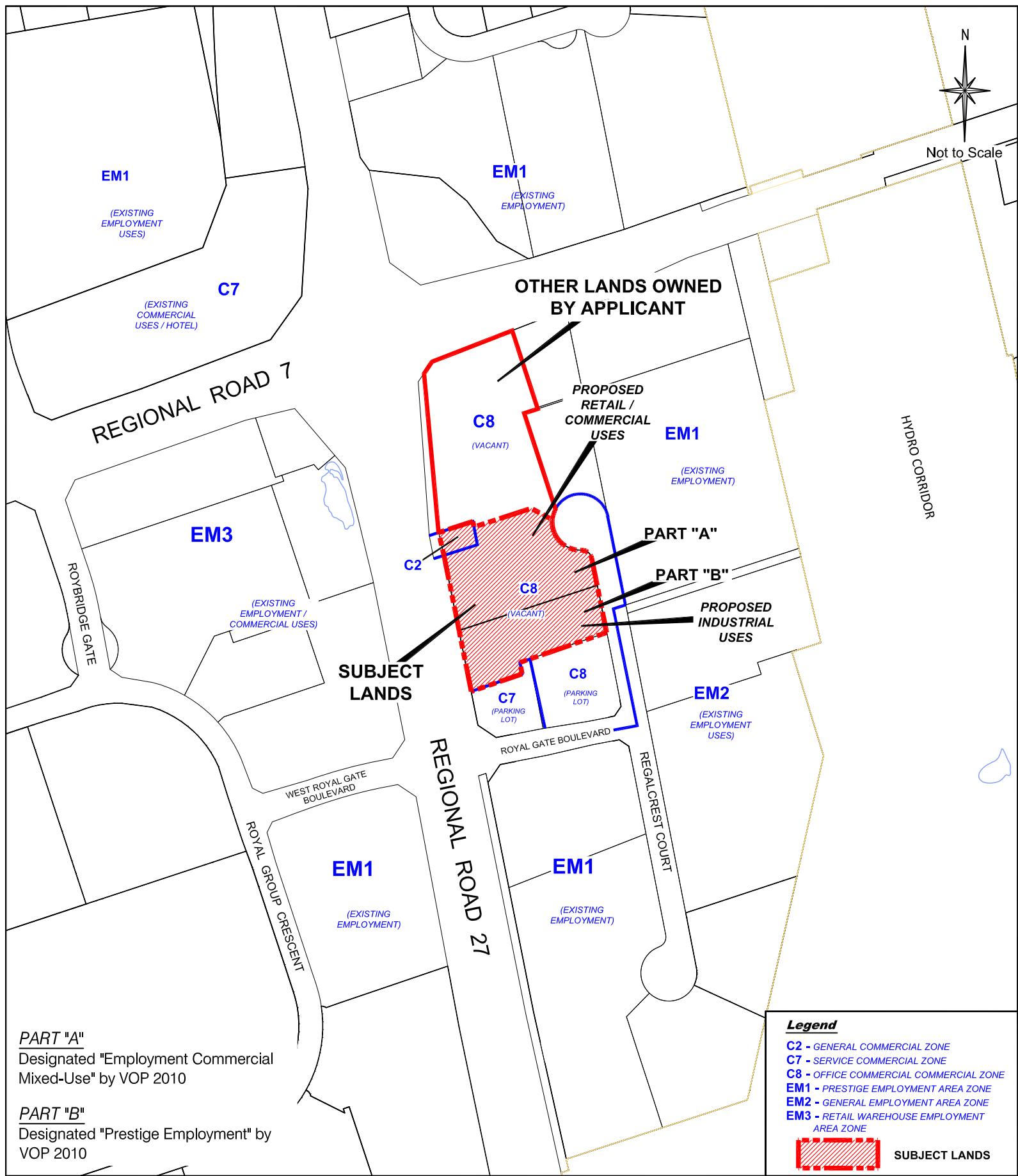


Attachment

FILES: Z.14.035 &
DA.14.060

DATE:
April 15, 2015

1



Location Map

LOCATION:
Part of Lot 5, Concession 8

APPLICANT:
1639722 Ontario Limited, et al.



Attachment

FILES: Z.14.035 &
DA.14.060

DATE:
April 15, 2015

2

REGIONAL ROAD 7



Not to Scale

OTHER LANDS OWNED BY APPLICANT
(No Current Applications)

REGIONAL ROAD 27

FUTURE DEVELOPMENT

Proposed Commercial / Restaurant Uses

BUILDING 'A' TWO-STOREY

PART "A"
"Employment Commercial Mixed-Use designation"

Proposed Industrial Uses

BLOCK 1
PLAN 65M-3033
PARTS 12 & 15 ON
PLAN 65R-27567

PART "B"
"Prestige Employment designation"

BUILDING 'B' TWO-STOREY

Proposed Commercial / Retail Uses

BLOCK 1
PLAN 65M-3033
PARTS 12 & 15 ON
PLAN 65R-27567

BOUNDARY BETWEEN
"EMPLOYMENT COMMERCIAL MIXED-USE" AND "PRESTIGE EMPLOYMENT" DESIGNATIONS

Proposed Industrial Uses

BUILDING 'C' ONE-STOREY & MEZZANINE INDUSTRIAL BLOCK

REGALCREST COURT

SUBJECT LANDS

ROYAL GATE BOULEVARD

ZONING BY-LAW AMENDMENT
AMEND ZONING BY-LAW 1-88 SPECIFICALLY TO REZONE THE SUBJECT LANDS FROM C2 GENERAL COMMERCIAL ZONE AND C8 OFFICE COMMERCIAL ZONE SUBJECT TO EXCEPTION 9(654A) TO C7 SERVICE COMMERCIAL ZONE WITH SITE SPECIFIC EXCEPTIONS.

Overall Site Plan and Proposed Zoning By-Law Amendment



APPLICANT:
1639722 Ontario Limited, et al.

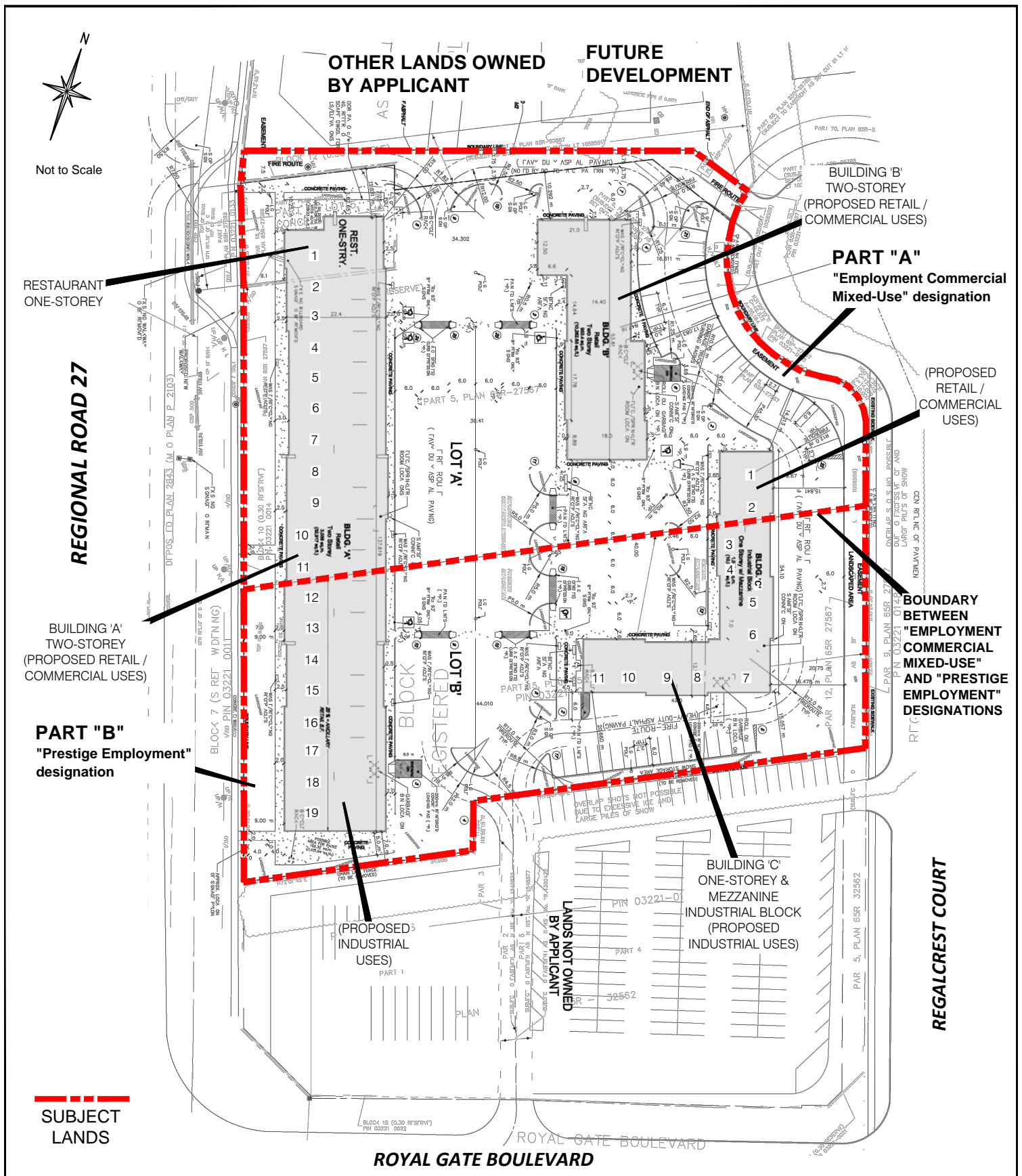
LOCATION:
Part of Lot 5, Concession 8

Attachment

FILES: Z.14.035 &
DA.14.060

DATE:
April 15, 2015

3



Site Plan

LOCATION:
Part of Lot 5, Concession 8

APPLICANT:
1639722 Ontario Limited, et al.

N:\DPT\1 ATTACHMENTS\2\2-14.0350-14.060s.dwg

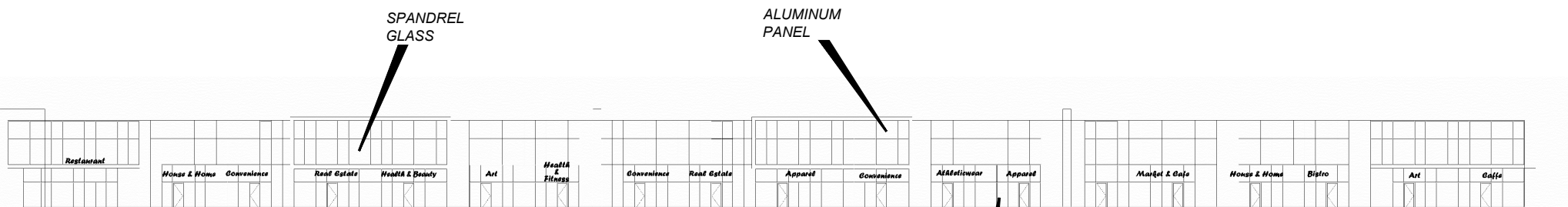


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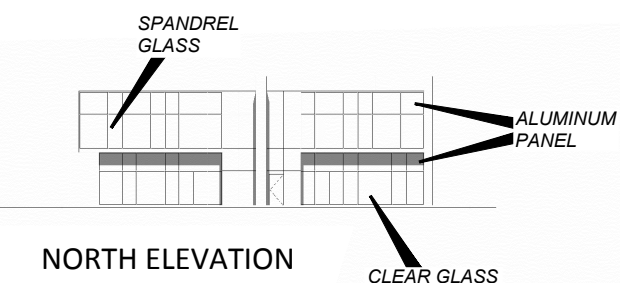
FILES: Z.14.035 &
DA.14.060

DATE:
April 15, 2015

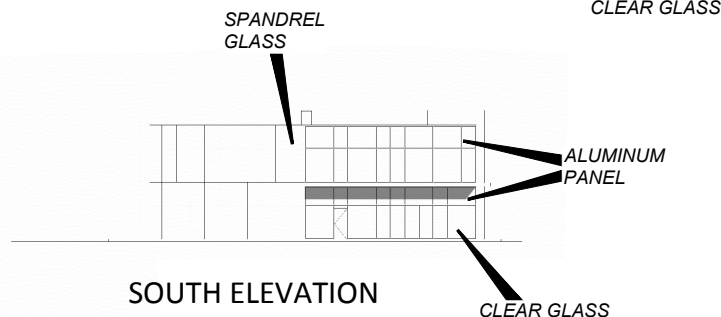
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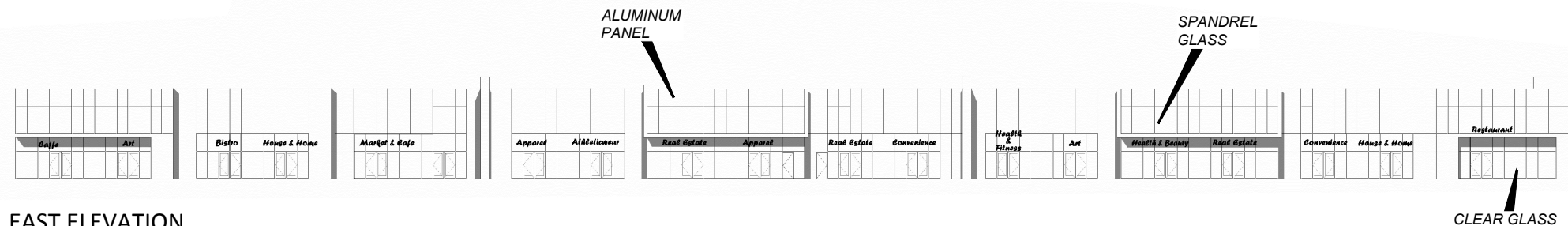
WEST ELEVATION (FACING REGIONAL ROAD 27)



NORTH ELEVATION



SOUTH ELEVATION



EAST ELEVATION

Not to Scale

Elevations - Building 'A'

LOCATION:
Part of Lot 5, Concession 8

APPLICANT:
1639722 Ontario Limited, et al.

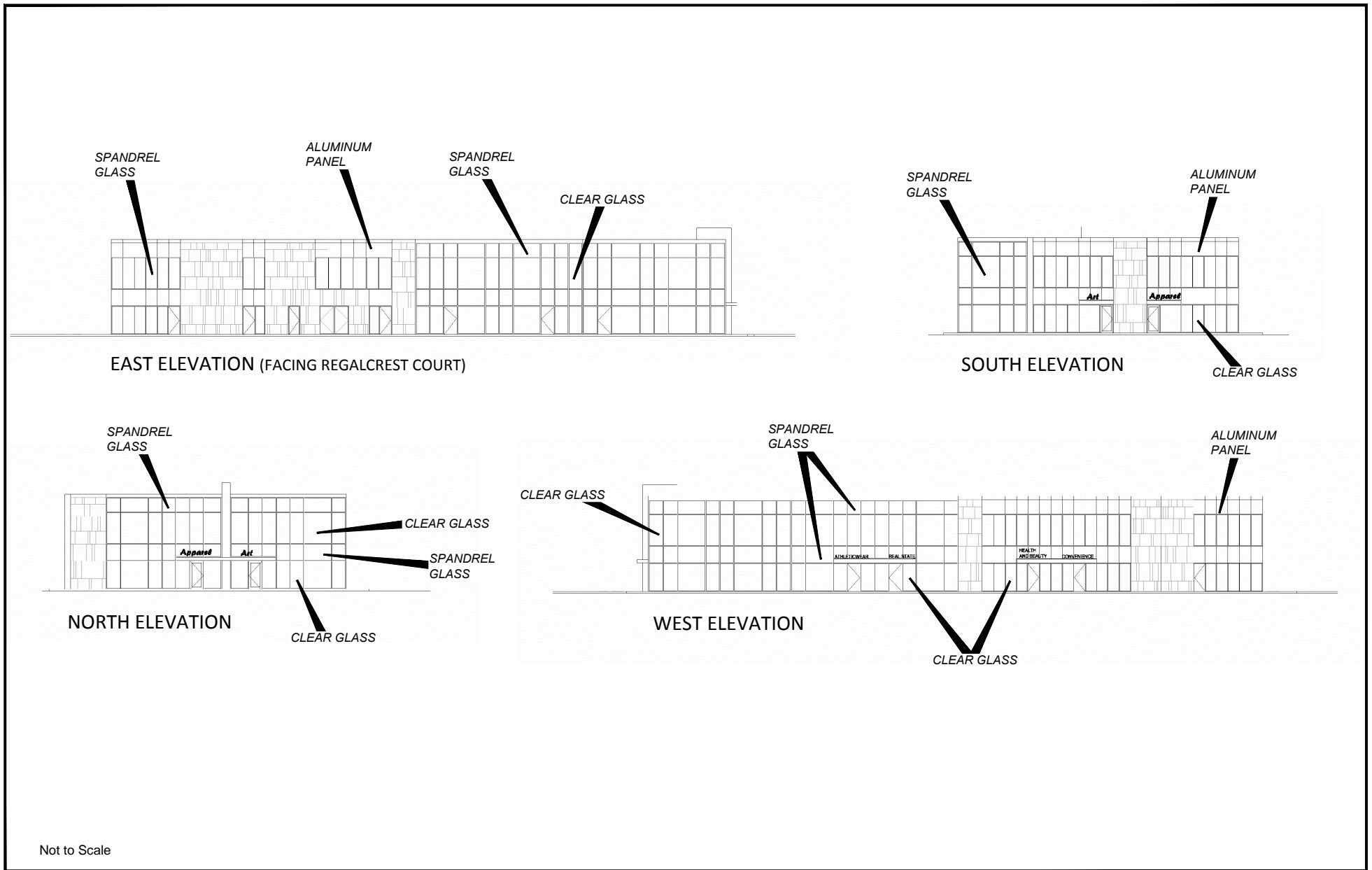


Attachment

FILES: Z.14.035 &
DA.14.060

DATE:
April 15, 2015

6



Elevations - Building 'B'

LOCATION:
Part of Lot 5, Concession 8

APPLICANT:
1639722 Ontario Limited, et al.

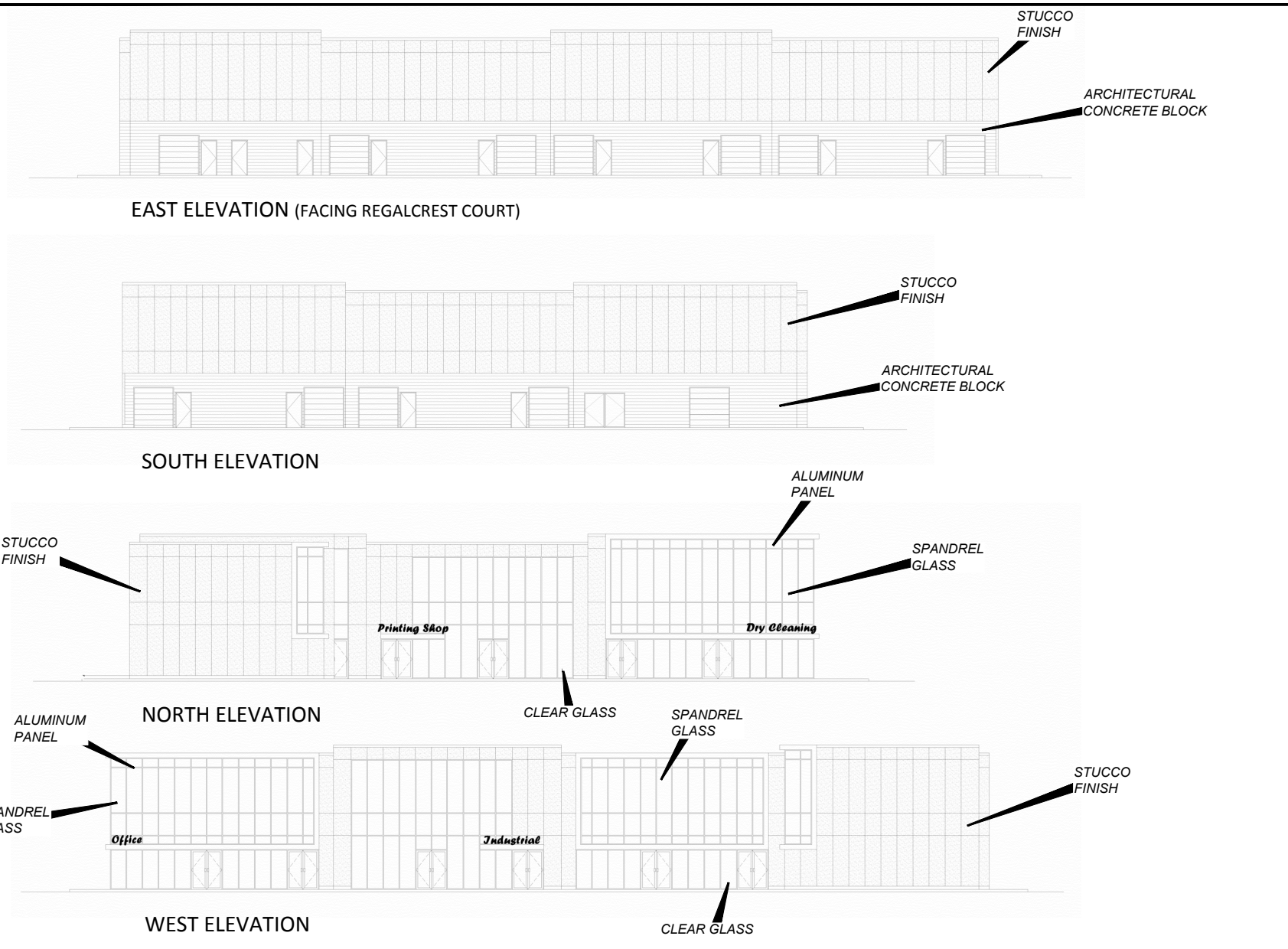


Attachment

FILES: Z.14.035 &
DA.14.060

DATE:
April 15, 2015

7



Elevations - Building 'C'

LOCATION:
Part of Lot 5, Concession 8

APPLICANT:
1639722 Ontario Limited, et al.



Attachment

FILES: Z.14.035 &
DA.14.060

DATE:
April 15, 2015

8