

Committee of the Whole Report

DATE: Tuesday, June 04, 2019

WARD: 4

**TITLE: VAUGHAN COURT LIMITED
SITE DEVELOPMENT FILE DA.16.065
VICINITY OF DUFFERIN STREET AND MAURIER BOULEVARD**

FROM:

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Site Development File DA.16.065 for the Subject Lands shown on Attachment 1, to permit the development of a 2-storey 1,888 m² commercial building consisting of a Montessori School occupying the ground level with an accessory outdoor play area, office uses on the second floor and 51 parking spaces, as shown on Attachments 2 to 4.

Report Highlights

- The Owner proposes to develop the subject lands with a 2-storey 1,888 m² commercial building consisting of a Montessori School occupying the ground floor and office uses on the second floor.
- The Development Planning Department supports approval of Site Development File DA.16.065 subject to the Recommendations of this report, as it conforms with the Official Plan, is a permitted use in Zoning By-law 1-88, and is compatible with the existing and planned uses in the surrounding area.
- The Owner must successfully obtain approval from the Committee of Adjustment for the necessary exceptions to Zoning By-law 1-88 identified in Table 1 of this report to permit the Development.

Recommendations

1. THAT Site Development File DA.16.065 (Vaughan Court Limited) BE DRAFT APPROVED SUBJECT TO THE FOLLOWING CONDITIONS, to the satisfaction of the Development Planning Department, to permit the development of a two-storey 1,888 m² commercial building consisting of a Montessori School occupying the ground level with an outdoor play area, office uses on the second floor and 51 parking spaces, as shown on Attachments 2 to 4:
 - a) That prior to the execution of the Site Plan Agreement:
 - i) The Development Planning Department shall approve the final site plan, building elevations (including bird friendly design treatments on the building elevations), landscape plan, landscape cost estimate, tree inventory and preservation plan, signage details and lighting plan;
 - ii) The Development Engineering Department shall approve the final site grading plan, erosion sediment control plan, site servicing plan, stormwater management plan, traffic impact and parking study, and record of site condition;
 - iii) The Owner will provide a letter from the Block 18 Land Owner's Group Trustee confirming that the Owner is a participating landowner in good standing;
 - iv) The Owner shall successfully obtain approval of a Minor Variance Application for the required exceptions to Zoning By-law 1-88, as identified in Table 1 of this report. The Committee's decision for the Minor Variance Application shall be final and binding, and the Owner shall satisfy any conditions of approved imposed by the Committee; and
 - v) The Owner shall satisfy all requirements and obtain all necessary approvals from York Region;
 - b) That the Site Plan Agreement include the following clauses:
 - i) "The Owner shall pay, to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the Subject Lands, prior to issuance of a Building Permit, in accordance with Section 42 of the *Planning Act*. The Owner shall submit an appraisal of the Subject Lands prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment."

- ii) “The Owner agrees that waste collection services for the Development will be the responsibility of the Owner.”

Background

The subject lands (the ‘Subject Lands’) shown on Attachment 1, are located on the northwest corner of Dufferin Street and Maurier Boulevard, municipally known as 9630 Dufferin Street. The 4,509.15 m² property contains a vacant building that was previously used for a sales office. The surrounding land uses are shown on Attachment 1.

A Site Development Application has been submitted to permit the Development

The Owner has submitted Site Development File DA.16.065 (‘the Application’) on the Subject Lands shown on Attachment 1, to permit the development of a two-storey 1,888 m² commercial building consisting of a Montessori School occupying the ground level with an outdoor play area, office uses on the second floor, and 51 parking spaces (the ‘Development’), as shown on Attachments 2 to 4.

Previous Reports/Authority

N/A

Analysis and Options

The Development is consistent with the Provincial Policy Statement (‘PPS’) 2014

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario shall be consistent with the Provincial Policy Statement, 2014 (the ‘PPS’). The PPS is applied province-wide and provides policy direction on matters of provincial interest related to land use planning and development. The policies support the goal of enhancing the quality of life for all Ontarians. The key policy objectives are: building strong, healthy communities; wise use and management of resources; and protecting public health and safety; and the quality of the nature and building environment are protected. Municipal land use planning decisions must be consistent with the PPS.

The Employment policies of Section 1.3.1 of the PPS indicate that planning authorities shall promote economic development and competitiveness by:

- “a) providing for an appropriate mix and range of employment and institutional uses to meet long-term needs;
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and considering the needs of existing and future businesses;

- c) encouraging compact, mixed-use development that incorporates compatible employment uses to support livable and resilient communities; and
- d) ensuring the necessary infrastructure is provided to support current and projected needs.”

The Development utilizes a vacant site within the Block 18 community and the proposed built form is compatible with the surrounding uses, provides a mix of office and institutional employment opportunities to support a livable and resilient community. The Development Planning Department is of the opinion that the Development is consistent with the PPS.

The Development conforms to the Growth Plan for the Greater Golden Horseshoe, 2019 (the ‘Growth Plan’)

The *Places to Grow - Growth Plan for the Greater Golden Horseshoe, 2019* (the ‘Growth Plan’) is intended to guide decision making on the development of land by encouraging compact built form, transit supportive communities, diverse land uses, and a range and mix of housing types. The Growth Plan encourages the concentration of population and employment growth within settlement areas, and promotes the development of complete communities that offer a mix of housing types, access to local amenities, and connections to municipal water and wastewater systems. In accordance with Section 3(5) of the *Planning Act*, Vaughan Council’s planning decisions “shall conform with” the Growth Plan.

“Section 2.2.1.4 Applying the policies of this Plan, will support the achievement of complete communities that (in part):

- a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;
- b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;
- e) provide for a more compact built form and a vibrant public realm including public open spaces;”

The Subject Lands are located within a Community Area by Schedule 1 - Urban Structure of Vaughan Official Plan 2010, Volume 1. The Development makes efficient use of a vacant municipally serviced site zoned “C3 Local Commercial Zone”, within an existing residential community. The Development provides office, institutional (Montessori School) employment opportunities within the existing community. In consideration of the above, the Development conforms with the Growth Plan.

The Development conforms to the York Region Official Plan, 2010

The York Region Official Plan, 2010 (the 'YROP 2010') guides economic, environmental and community building decision making across York Region, and describes how York Region will accommodate future growth and development while meeting the needs of existing residents and businesses.

The Subject Lands are located within the "Urban Area" by Map 1 - Regional Structure of YROP 2010, which permits a range of residential, commercial, employment and institutional uses, subject to additional policy criteria. The Subject Lands are located within an existing community within Block 18 and fronts onto Dufferin Street which is designated as "Special Study Area" by Map 11 - Transit Network, and "Cycling Facilities on Regional Roads and Right-of-Ways" by Map 10 - Regional Cycling Network of YROP 2010.

Chapter 5 Building Cities and Complete Communities of the YROP 2010 states:

"5.2.9 That retail, commercial, office, and institutional structures be carefully designed in a compact form and be pedestrian-oriented, transit-supportive, and multi-storey where appropriate."

The Development contributes to a complete community by providing a compact 2-storey built form that is pedestrian-oriented, cycling supportive with bicycle racks and abuts Dufferin Street, which is served by public transit.

The Development conforms to the policies of Vaughan Official Plan 2010 ('VOP 2010')

The Subject Lands are designated "Low-Rise Mixed-Use" by VOP 2010, which permits a mixed-use development with a maximum building height of 4-storeys and a maximum Floor Space Index ('FSI') of 1.5 times the area of the lot. The "Low-Rise Mixed-Use" designation is generally located on arterial or collector streets which allows for an integrated mix of residential, community and small-scale retail uses intended to serve the local population. The uses permitted include residential units, home occupations, small scale hotels, retail uses, and office uses. The building types permitted within this designated are townhouses, stacked townhouses, low-rise buildings and public and private institutional buildings.

The proposed 2-storey building has an FSI 0.42 times the area of the lot and the office and institutional uses are intended to serve the local population. The Development conforms to the "Low-Rise Mixed-Use" designation and to the policies of VOP 2010.

Amendments to Zoning By-law 1-88 are required to permit the Development

The Subject Lands are zoned "C3 Local Commercial Zone" by Zoning By-law 1-88, as shown on Attachment 2 and subject to site-specific Exception 9(1234), which permits the

proposed Montessori School and office uses. The following site-specific zoning exceptions to the “C3 Local Commercial Zone” are required to permit the Development:

Table 1

	Zoning By-law 1-88 Standard	C3 Local Commercial Zone Requirements, subject to Site- Specific Exception 9(1234)	Proposed Exceptions to the C3 Local Commercial Zone Requirements, subject to Site-Specific Exception 9(1234)
a.	Minimum Front Yard Setback	15 m	7.5 m (Maurier Boulevard)
b.	Minimum Exterior Yard Setback	15 m	- 6 m (site triangle) - 13.4 m (Dufferin Street)
c.	Maximum Lot Coverage	20%	21.4%
d.	Maximum Gross Floor Area	1,860 m ²	1,888 m ²
e.	Required Parking Spaces	1,888 m ² @ 6 spaces per 100 m ²) = 114 spaces	51 spaces
f.	Minimum Required Landscape Strip	6 m	- 0.3 m (outdoor play area) - 1 m (site triangle) - 3 m (Shanty Street)

The Development Planning Department can support the proposed zoning exceptions. The proposed building setbacks and landscaping are appropriate for a local commercial development, facilitate proper on-site functioning and provide an appropriate built form. The proposed additional GFA is considered to be minor in nature.

The Owner has submitted a Traffic Impact and Parking Study (Addendum dated May 13, 2019) which has been reviewed by the Transportation Division of the Development Engineering (‘DE’) Department that concludes 51 parking spaces are adequate to accommodate the Development. The Transportation Division of the Development Engineering Department has no objection to the proposed parking supply.

The Owner will be required to successfully obtain approval of a Minor Variance Application for the required site-specific exceptions to Zoning By-law 1-88 from the Committee of the Adjustment. The Committee's decision regarding the Minor Variance Application shall be final and binding. Should the Site Development Application be approved, the Owner shall satisfy any conditions of approval imposed by the Committee prior to the execution of the implementing Site Plan Agreement. A condition to this effect is included in the Recommendations of this report.

The Development Planning Department supports the Development, subject to the Recommendations in this report

Site Plan

The Development shown on Attachments 2 to 4 includes a 2-storey, 1,888 m² office building with the ground floor being occupied with a Montessori School and the second floor with office uses. An accessory 376.2 m² outdoor play area as shown on Attachment 2 is proposed abutting Maurier Boulevard. Access to the Subject Lands is proposed from Shanty Street. The main entrances to the building are located on the east and north elevations.

Landscape Plan

The landscape plan shown on Attachment 3 includes a mix of vegetation including coniferous and deciduous shrubs, trees, perennials and ornamental grasses. Bike racks are proposed on the Subject Lands adjacent to Dufferin Street. An outdoor play area is proposed at the south side of the building abutting Maurier Boulevard enclosed by a 1.2 m high decorative aluminum fence enclosure.

A gateway feature utilizing hard landscaping and a decorative fence with masonry piers (on the private property) is proposed at the intersection of Dufferin Street and Maurier Boulevard. A portion of this feature (e.g. walkway) is located within York Region's right-of-way must be finalized to the satisfaction of the City of Vaughan and York Region. An encroachment permit from York Region is required for all landscape features located in York Region's right-of-way.

Building Elevations

The proposed building elevations shown on Attachment 4 consist of a slate grey brick façade with a beige/ grey stone banding at the base of the building. The windows incorporate a bird friendly treatment.

Signage

A pylon sign is proposed abutting Dufferin Street. Details of the pylon sign must be to the satisfaction of the Development Planning Department. Building signage is proposed along the north and east wall facades, as shown on Attachment 4.

The Development Planning Department is generally satisfied with the Development shown on Attachments 2 to 4. The final site plan, building elevations, landscape plans, landscape cost estimate and lighting plan, tree inventory and preservation plan, signage details, and lighting plan must be approved by the Development Planning prior to the execution of the Site Plan Agreement. A condition to this effect is included in the Recommendations of this report.

The Vaughan Park Department has no objection to the Development

The Parks Development Department has advised there are no parks concerns respecting the Subject Lands.

The Development Engineering Department has no objection to the Development subject to the Recommendations in this report

The Development Engineering ('DE') Department, has reviewed the Application and advised they have no objection to the Development subject to the conditions in the Recommendations section of this report. The DE Department has identified the following matters to be addressed prior to final approval and the execution of a Site Plan Agreement:

Water and sanitary servicing connections

The Owner is required to contact the Development Inspection and Lot Grading Division directly, upon receipt of Site Plan Approval, to coordinate the proposed works. The watermain within the Subject Lands will be the responsibility of the Owner. The water meter will be owned by the City and shall be purchased from the City's Environmental Services Department by the Owner.

The Owner is required to contact the City of Vaughan Environmental Services directly at least 72 hours in advance of connecting to and/or disconnecting from any municipal water services to ensure that staff is present on site to observe the works and to provide any additional requirements to their sole satisfaction.

City's Right-of-Way

The Owner shall obtain any applicable permits and coordinate all inspections directly through the City's Development Inspection and Lot Grading Division upon receipt of Site Plan Approval for all proposed works within the City's right-of-way (i.e. curb cuts/fills, sidewalk installation, boulevard rehabilitation).

Storm Drainage

The storm control manhole must be relocated within the Subject Lands, within 1 m of the property line.

Stormwater Management

Further information is needed to confirm the infiltration rate and groundwater elevation in the vicinity of the proposed infiltration facility. The location and the design of the infiltration facility should be updated with the verified values (infiltration rate and groundwater elevation). A revised Stormwater Management Compliance Memo and accompanying engineering drawings shall be submitted to the satisfaction of the DE Department. This shall include a comprehensive stormwater analysis of the Development's systems. The revised report shall demonstrate that adequate stormwater management measures are provided for the Subject Lands.

Arband Subdivision

The site grading must match the approved drawings with the adjacent subdivision (Arband Draft Plan of Subdivision File 19T-00V19).

Environmental Engineering

Prior to the execution of the Site Plan Agreement, the Owner shall submit a letter acknowledging that a Record of Site Condition ('RSC') is required.

Transportation Engineering

The Owner has submitted a Parking Study, prepared by the BA Group, in support of the Application which concludes the proposed parking supply (51 spaces) is adequate. The DE Department supports the conclusions of the study.

The DE Department shall approve the final grading plan and erosion sediment control plan, site servicing plan, stormwater management plan, traffic impact and parking study and a record of site condition. A condition to this effect is included in the Recommendations of this report.

The Vaughan Environmental Services Department, Solid Waste Management Division has no objection to the Development

The Vaughan Environmental Services and Waste Management Department has no concerns with the Development.

Development Charges are applicable to the Development

The Owner will be required to pay all applicable development charges in accordance with the development charges by-laws of the City of Vaughan, York Region, York Region District School Board and York Catholic District School Board.

The Owner must enter into the Developers Group Agreement and Cash-in-lieu of the dedication of parkland is required for the Development

The Office of the City Solicitor, Real Estate Department has advised that the Owner shall enter into a Developers Group Agreement with the other participating landowners within Block 18 to the satisfaction of the City. The agreement shall be regarding, but not limited

to, all cost sharing for the provision of parks, cash-in-lieu of parkland, road and municipal services within Block 18. This agreement shall also provide a provision for additional developers to participate with the Developers Group Agreement when they wish to develop their lands.

The City requires a letter from the Block 18 Land Owner's Group Trustee confirming that the Owner is a participating landowner in good standing.

The Toronto and Region Conservation Authority ('TRCA') has no objection to the Development

The Subject Lands are located in a Source Water Protection vulnerable area referred to as Wellhead Protection Area-Q2 ('WHPA-Q'). The area was delineated to help manage activities that may reduce recharge to an aquifer (Prescribed Threat No. 20 under the *Clean Water Act, 2006*) and recommends the implementation of best management practices, such as Low Impact Development, with the goal to maintain pre-development recharge. The TRCA provides advice to the City of Vaughan with respect to water balance analysis. Having reviewed the site-specific water balance assessment submitted in support of the Application, TRCA staff have no objection to the Development.

Canada Post and Utility Companies have no objection to the Development

The Development has been reviewed by Canada Post and various utility companies, who advise they have no objection to the Development.

Financial Impact

N/A

Broader Regional Impacts/Considerations

York Region has no objection to the Development, subject to conditions

The York Region Community Planning and Development Services Department has no objection to the Application, subject to the Owner satisfying York Region's comments. A condition to this effect is included in the Recommendations of this report.

Conclusion

The Development Planning Department has reviewed Site Development File DA.16.065 (Vaughan Court Limited) in consideration of the policies of VOP 2010, the requirements of Zoning By-law 1-88, comments received from City Departments and external public agencies, and the surrounding area context. The Development shown on Attachments 2 to 4 conforms to VOP 2010, is a permitted use by Zoning By-law 1-88 and is appropriate and compatible with the existing and permitted uses in the surrounding area. Should Council approve Site Development File DA.16.065, conditions of approval are included in the Recommendations of this report.

For more information, please contact: Margaret Holyday, Senior Planner, Development Planning Department, ext. 8216.

Attachments

1. Location Map
2. Site Plan and Zoning
3. Landscape Plan
4. Building Elevations

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