

## Committee of the Whole Report

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**DATE:** Tuesday, May 07, 2019

**WARD:** 3

**TITLE: 2564454 ONTARIO INC.**

**SITE DEVELOPMENT FILE DA.18.038**

**VICINITY OF CITYVIEW BOULEVARD AND CANADA DRIVE**

**FROM:**

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

**ACTION:** DECISION

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**Purpose**

To seek approval from the Committee of the Whole for Site Development File DA.18.038 for the Subject Lands shown on Attachment 1, to permit the development of a 6-storey 10,677 m<sup>2</sup> hotel (Holiday Inn Express and Candlewood Suites) consisting of 190 suites, breakfast areas, swimming pool, fitness room and meeting rooms with 194 parking spaces, as shown on Attachments 2 to 6.

**Report Highlights**

- The Owner seeks approval for a 6-storey hotel with 190 suites.
- The Development Planning Department supports the development, subject to the Recommendations in this report, as it is consistent with the Provincial Policy Statement 2014, and conforms with the Growth Plan for the Greater Golden Horseshoe 2017, and the York Region and City of Vaughan Official Plans. The hotel 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 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.18.038 (2564454 Ontario Inc.) BE DRAFT APPROVED SUBJECT TO THE FOLLOWING CONDITIONS, to the satisfaction of the Development Planning Department, to permit the development of a 6-storey 10,677 m<sup>2</sup> hotel (Holiday Inn Express and Candlewood Suites) consisting of 190 suites, breakfast areas, swimming pool, fitness room and meeting rooms with 194 parking spaces, as shown on Attachments 2 to 5:
  - 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, lighting plan, landscape plan, landscape cost estimate, building elevations and signage plans;
    - ii) the Development Engineering Department shall approve the final site servicing plan, site grading plan, erosion and sediment control plan, functional servicing and stormwater management report, detailed noise control study, traffic impact and parking justification study;
    - iii) the Owner shall submit a geotechnical and/or hydrogeological report to determine on-site retention and water balance via infiltration to the satisfaction of the Development Engineering Department;
    - iv) the Owner shall pay the Development Engineering Site Plan fee of \$4,240 in accordance with By-law 022-2018, to the satisfaction of the Development Engineering Department;
    - v) 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, from the Committee of Adjustment. The Committee's decision for the Minor Variance Application shall be final and binding, and the Owner shall satisfy any conditions of approval imposed by the Committee;
    - vi) the Environmental Services Department, Solid Waste Management Division shall approve the final site plan;
    - vii) the Owner shall enter into a Developers Group Agreement with the other participating landowners within Block 33 West to the satisfaction of the City. This agreement shall be regarding, but not limited to, all cost sharing for the provision of parks, cash-in-lieu of

parkland, roads and municipal services in Block 33 West, and shall include a provision for additional developers to participate with the Developers Group Agreement when they wish to develop their lands;

- viii) the Owner shall provide a letter from the Block 33 West Land Owner's Group Trustee confirming that the Owner is a participating landowner in good standing;
  - ix) the Owner shall satisfy all requirements and obtain all necessary approvals from York Region; and
  - x) the Owner shall obtain all necessary approvals from the Ministry of Transportation;
- 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) "Occupants are advised that in order to achieve a suitable indoor noise environment, windows may have to remain closed; therefore, this suite has been equipped with a central air conditioning system".
  - iii) "Occupants are advised that despite the inclusion of noise control features within this development area and within the suites, sound levels from increasing road traffic may continue to be of concern, occasionally interfering with some activities of the suite occupants as the sound level exceeds the Municipality's and the Ministry of the Environment, Conservation and Parks noise criteria."
- c) that prior to the issuance of a Building Permit, the Owner agrees to pay all applicable Development Charges in accordance with the City of Vaughan, York Region, York Region District School Board and York Catholic District School Board Development Charge By-laws at the time of the issuance of a Building Permit.

## **Background**

The Subject Lands (the 'Subject Lands') are located on the east side of Cityview Boulevard, south of Canada Drive, as shown on Attachment 1.

### ***A Site Development Application has been submitted to permit the Development***

The Owner has submitted Site Development File DA.18.038 (the 'Application') on the Subject Lands shown on Attachment 1 to permit the development of a 6-storey 10,677 m<sup>2</sup> hotel (Holiday Inn Express and Candlewood Suites) consisting of 190 suites, breakfast areas, swimming pool, fitness room and meeting rooms with 194 parking spaces (the 'Development'), as shown on Attachments 2 to 6.

## **Previous Reports/Authority**

[North Maple Community Bridge Committee of the Whole \(Working Session\) Report](#)

## **Analysis and Options**

### ***The Development is consistent with the Provincial Policy Statement, 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 provides policy direction on matters of provincial interest related to land use planning and development. The PPS is applied province-wide and provides for appropriate development while ensuring public health and safety, and the quality of the natural and built environment are protected.

Section 1.1.1 - Healthy, liveable and safe communities are sustained by:

- “b. accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs.”

Section 1.1.3.1 - “Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.”

Section 1.3.1 - Employment of the PPS encourages planning authorities to promote economic development and competitiveness by:

- “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 take into account the needs of existing and future businesses;

- d. ensuring the necessary infrastructure is provided to support current and projected needs.”

The Subject Lands are located within a “Settlement Area”, as defined by the PPS, that are serviced by existing municipal water and wastewater systems. The Development utilizes a vacant lot that complements and is compatible with the existing uses within the area and provides diversified employment opportunities to help meet the City’s long-term employment needs. In consideration of the above, the Development is consistent with the PPS.

***The Development conforms to the Places to Grow - Growth Plan for the Greater Golden Horseshoe, 2017***

The Places to Grow - Growth Plan for the Greater Golden Horseshoe, 2017, (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, a range and mix of housing types. The Growth Plan encourages 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 waste water systems.

The Subject Lands are located within a Settlement Area that contributes to providing employment lands. Specifically, the Subject Lands are located within an employment area located along Highway 400 and other employment uses. The Development implements an employment use within a Settlement Area where municipal water and wastewater services are available. The Development conforms to the Growth Plan.

***The Development conforms to the York Region Official Plan 2010***

The York Region Official Plan 2010 (‘YROP 2010’) guides economic, environmental and community building decisions across York Region and encourages compact built form, transit supportive communities, diverse land uses, and a range and mix of housing types.

The Subject Lands are designated “Urban Area” on Map 1 - “Regional Structure” of the YROP 2010. The “Urban Area” designation permits a range of residential, commercial, employment and institutional uses. The Subject Lands are also located adjacent to a planned street Highway 400 overpass as shown on Map 12 - “Street Network” of YROP 2010.

Chapter 4.3 - Planning for Employment Lands requires (in part) development within lower-tier municipalities to conform with the YROP policies as follows:

- “4.3.15            That employment land development be designed to be both walkable and transit accessible where possible.
- 4.3.18            To require flexible and adaptable employment lands that include

street patterns and building design and siting that allow for redevelopment and intensification.”

The Subject Lands are located within an employment area accessible by active and public transportation (Bus Routes 165F and 21) and adjacent to a planned Highway 400 overpass. The Development is located on a vacant lot within a serviced employment area. In consideration of the above, the Development conforms to the YROP.

***The Development does not conform to Vaughan Official Plan 2010 (‘VOP 2010’), however, a hotel use is permitted as-of-right by Zoning By-law 1-88***

The Subject Lands are designated “Prestige Employment” by VOP 2010, which permits a wide range of employment uses including manufacturing, warehousing, processing and distribution uses that are located within wholly enclosed buildings and which do not require outside storage. A hotel is not a permitted use within the “Prestige Employment” designation; however, the Subject Lands are zoned “EM1 Prestige Employment Zone”, which permits a hotel use as-of-right. The “Prestige Employment” designation permits a variety of building types, including “Mid-Rise Buildings”, which is described in VOP 2010 as a building that is generally over 5-storeys in height up to a maximum 12-storeys. The proposed 6-storey hotel conforms to the permitted building height in a Prestige Employment designation.

Schedule 9 “Future Transportation Network” of VOP 2010 identifies the Subject Lands on a collector street and abutting a future 400 Series Road Crossing, as shown on Attachment 1. The following policies of VOP 2010 apply:

- “4.2.1.13 To encourage and support grade separated crossings of Provincial highways as needed at arterial and collector streets that would accommodate all modes of travel, and to encourage and support pedestrian and bicycle crossings of Provincial highways in areas of high demand or strategic need. The City will seek to secure land for such purposes, where warranted, through the development approval process.”
- “4.2.1.23 To provide a minimum of 2 north / south and 2 east / west collector streets in new development where feasible, including grade-separated crossings of 400-series highways and rail corridors. The purpose of these streets will be to provide for local travel between and within concession blocks without the necessity of traveling on arterial streets and to provide effective routing for transit vehicles.”

The Subject Lands are located within a designated Employment Area that abuts two collector roads, being Cityview Boulevard and a future east-west road designed to connect to the future road to bridge / Highway 400 overpass (‘Highway 400 Overpass’) as shown on Attachment 1. The Highway 400 overpass will facilitate local travel

between concession blocks, and provide effective routing for transit vehicles. No additional land for the Highway 400 overpass through this Application is required.

***Exceptions to Zoning By-law 1-88 are required through a Minor Variance Application to permit the Development***

The Subject Lands are zoned “EM1 Prestige Employment Area Zone” by Zoning By-law 1-88, as shown on Attachment 2, and subject to site-specific Exception 9(1218) for the north part of the Subject Lands, and Exception 9(1224) for the south part of the Subject Lands. The “EM1 Prestige Employment Area Zone” permits a hotel. The following exceptions to the “EM1 Prestige Employment Area Zone” are required to permit the Development:

Table 1:

	<b>Zoning By-law 1-88 Standard</b>	<b>EM1 Prestige Employment Area Zone Requirements, subject to Site-Specific Exception 9(1218) and 9(1224)</b>	<b>Proposed Exceptions to the EM1 Prestige Employment Zone Requirements, subject to Site-Specific Exception 9(1218) and 9(1224)</b>
a.	Minimum Required Parking	<ul style="list-style-type: none"> <li>• 190 suites @ 1 space / suite = 190 spaces</li> <li>• Meeting rooms (Convention Centre rate) - 250.8 m<sup>2</sup> @ 11 spaces / 100 m<sup>2</sup> = 28 spaces</li> </ul> <p>Total Required Parking = 218 spaces</p>	194 spaces for the hotel and convention centre
b.	Minimum Landscape Strip Width	6 m	3 m (north property line)
c.	Loading Space Requirements	Loading and unloading shall not be permitted between a building and a street	Loading shall be permitted between the building and Highway 400

The Development Planning Department can support the proposed zoning exceptions. The proposed landscape strip and loading space exceptions are appropriate for a hotel development, facilitate proper on-site functioning of the use, provide a significant setback distance from Highway 400 and is screened by extensive landscaping.

The Owner has submitted a Traffic Impact and Parking Justification Study ('Parking Study') prepared by Paradigm Transportation Solutions Limited and dated May 2018. The Transportation Division of the Development Engineering Department concurs with the conclusions of the Parking Study that 194 spaces are adequate to accommodate the Development.

The Owner has submitted Minor Variance Application A001/19 for the site-specific zoning exceptions identified in Table 1. The Owner shall successfully obtain approval of Minor Variance Application A001/19 from the Committee of the Adjustment ('Committee'). Should the Application be approved, the Committee's decision regarding Minor Variance Application A001/19 shall be final and binding, and 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 site plan shown on Attachment 2 includes a 6-storey 10,677 m<sup>2</sup> hotel building (Holiday Inn Express & Suites and Candlewood Suites) consisting of 190 suites, breakfast areas, swimming pool, fitness room and meeting rooms with 194 parking spaces. No suites are proposed on the ground level.

The Subject Lands are vacant and located adjacent to a future east-west road leading to the Highway 400 overpass, as shown on Attachment 1. Access to the Subject Lands is proposed from Cityview Boulevard. The main entrance to the hotel is identified by a covered canopy for drop-off and pick-up. Parking is located around the building with the majority of parking spaces located at the rear of the site.

#### Landscape Plan

The landscape plan shown on Attachment 3 includes a mix of vegetation including coniferous and deciduous shrubs, trees, perennials and ornamental grasses. Two outdoor patios are proposed on the north side of the hotel utilizing precast concrete pavers and a 2.2 m high sound barrier enclosure.



### Building Elevations

The proposed building elevations shown on Attachments 4 and 5 contain a mix of white Exterior Insulation and Finish System ('EIFS') panels, contrasting with dark masonry, charcoal EIFS panels and dark wood finish metal panels.

### Signage

A monument sign (Attachment 6) is proposed adjacent to Cityview Boulevard at the entrance to the site (Attachment 2). Illuminated building signage is proposed along the east and west wall facades, as shown on Attachments 4 and 5.

The Development Planning Department is satisfied with the Development shown on Attachments 2 to 5. The final site plan, building elevations, landscape plan, landscape cost estimate, signage details and lighting plan must be approved by the Development Planning Department prior to the execution of the Site Plan Agreement. A condition to this effect is included in the Recommendations of this report.

### ***There are no Cultural Heritage concerns with the Development***

The Cultural Heritage, Urban Design Department advise there are no cultural heritage concerns respecting the Subject Lands.

### ***The Policy Planning and Environmental Sustainability Department supports the Development, subject to a bird-friendly treatment being applied to the building***

The Policy Planning and Environmental Sustainability ('PPES') Department advise that they have no objection to the Development, subject to the Owner providing bird-friendly treatments to the building consistent with the Council approved City-Wide Urban Design Guidelines and the Sustainability Performance Metrics Program. A condition to this effect is included in the Recommendations of this report.

### ***The Development Engineering Department has no objection to the Development subject to the conditions in this report***

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

### Water Distribution

Water servicing is proposed for the Subject Lands via a new connection from the existing sanitary sewer located within Cityview Boulevard to service the Development.

### Storm Drainage

Stormwater servicing is proposed for the Subject Lands via a new connection from the existing storm sewer located within Cityview Boulevard to service the Development.

### Erosion and Sediment Control

Erosion and sediment control mitigation measures shall be implemented during construction to minimize silt laden runoff discharge from the Subject Lands in accordance with the "Erosion and Sediment Control Guidelines for Urban Construction (December 2006)".

### Functional Servicing Report ('FSR') and Stormwater Management ('SWM') Report

Further information is required to be included in the FSR and SWM report including:

- i) details of all stormwater drainage within the Subject Lands (i.e. no uncontrolled drainage permitted within the future road to the Highway 400 Overpass);
- ii) details of the required stormwater management on-site retention and water balance via infiltration through a Geotechnical and/or Hydrogeological Report; and
- iii) Hydrant Flow Testing results to be included in the FSR/SWM Report.

The final FSR and SWM report shall be to the satisfaction of the DE Department.

### Photometric Lighting Plan

The Owner is required to maintain a zero-cut-off light level distribution at the property lines.

### Environmental Engineering

Environmental Engineering staff advise there are no environmental engineering concerns respecting the Subject Lands.

### Transportation

The Transportation Division of the DE Department advise that the proposed parking of 194 spaces for the Development is adequate based on the Parking Study submitted in support of the Application.

### Detailed Noise Control Study

The Owner shall implement the recommendations provided through the Detailed Noise Control Study ('Noise Study') prepared by SS Wilson Associates Consulting Engineers and dated May 2018. Minor revisions to the Noise Study are required with regards to the recommended heights for the noise barrier walls.

The following warning clauses shall be included in the implementing Site Plan Agreement for the Subject Lands, as provided through the Noise Study:

- i) "Occupants are advised that in order to achieve a suitable indoor noise environment, windows may have to remain closed; therefore, this suite has been equipped with a central air conditioning system".
- ii) "Occupants are advised that despite the inclusion of noise control features within this development area and within the suites, sound levels from increasing road traffic may continue to be of concern, occasionally interfering with some activities of the suite occupants as the sound level exceeds the Municipality's and the Ministry of the Environment, Conservation and Parks noise criteria."

#### Review Fees

Prior to execution of the Site Plan Agreement, the Owner shall pay the Engineering Site Plan fee pursuant to the Fees and Charges By-law as amended (2019 fee of \$4,240).

The DE Department shall approve the final plan and studies noted above. Conditions to this effect are included in the Recommendations of this report.

#### ***The Infrastructure Planning and Corporate Asset Management Department has no objection to the Application***

Sanitary servicing is proposed for the Subject Lands via a new connection from the existing sanitary sewer located within Cityview Boulevard to service the Development.

The future east-west road leading to the Highway 400 overpass shown on Attachments 1 and 2 has been identified as the North Maple Community Bridge ('NMCB'). The Highway 400 overpass will connect Canada Drive and America Avenue over Highway 400. The NMCB Class Environmental Assessment Study for the bridge was commenced in 2009 and completed in 2013. A link to the NMCB Committee of the Whole (Working Session) Report can be found in the Previous Reports/Authority section of this report.

The Environmental Study Report (ESR) concluded that implementing a mid-block connection over Highway 400 between America Avenue and Canada Drive would not result in property impacts to the Subject Lands. The required property for the overpass was protected through the draft plan of subdivision approval process (File 19T-00V10) and is owned by the City.

***The Environmental Services Department, Solid Waste Management Division supports the Development, subject to Recommendations in the report***

The Environmental Services and Waste Management Department accepts the in-ground waste collection ('Molok') system provided the following additional information is provided:

- i) truck turning movements for a 12 m collection vehicle
- ii) sizes of each waste container
- iii) curb radius at the point of ingress/egress

A condition to this effect is included in the Recommendations of this report.

***The Parks Development Department has no objection to the Development***

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

***The Fire and Rescue Services Department have no objection to the Development***

The Fire and Rescue Services Department have no objection to the Development. Adequate provisions for fire safety and protection must be provided in accordance with the *Ontario Building Code*.

***Development Charges are applicable to the Development***

The Owner shall pay to the City 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.

***A 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 33 West 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 33 West. 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 will also require a letter from the Block 33 West Land Owner's Group Trustee confirming that the Owner is a participating landowner in good standing.

The Owner acknowledges that cash-in-lieu of parkland shall be paid in accordance with Section 42 of the *Planning Act* and conform to the City's "Cash-In-Lieu of Parkland Policy". A standard clause to this effect will be included in the Site Plan Agreement, as indicated in the Recommendations of this report.

***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-Q2'). This 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 technical 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.

***The Ministry of Transportation Ontario have no objection to the Development, subject to the conditions in this report***

The Development is located outside of the Ministry of Transportation ('MTO') Permit Control Area for building land use and construction; however, the Subject Lands are located within an MTO Permit Control Area for proposed signage. The Owner is required to obtain all necessary approvals from the MTO. A condition to this effect is included in the Recommendations of this report.

***Canada Post has no objection to the Development***

Canada Post has no objection to the Development. The Development is considered to be an institutional use by Canada Post. Therefore, mail for this building will be delivered to the reception area of the building. It is the responsibility of the building management to have mail distributed to all residents/guests, other departments or retail stores, if any. A centralized mail facility will not be required for the Development.

***The various utilities have no objection to the Development***

Enbridge Gas Inc., Alectra Utilities Corporation, Bell Canada and Rogers Communications Inc. have no objection to the Development, subject to the Owner

coordinating servicing, connections, easements and locates with the above noted utilities prior to the commencement of any site works.

### **Financial Impact**

N/A

### **Broader Regional Impacts/Consideration**

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

York Region have no objection to the Development, subject to the Owner satisfying the following conditions:

- i) The Region's 1800 mm water main must be shown on every drawing.
- ii) Physically locate the Region's water main as part of the design work to confirm the elevation and ensure there will not be conflicts.

The Owner must satisfy all requirements of York Region. A Condition to this effect is included in the Recommendations of this report.

### **Conclusion**

Site Development File DA.18.038 has been reviewed in consideration of the policies of the Provincial Policy Statement 2014, the Growth Plan 2017, York Region and City of Vaughan Official Plans, the development standards in Zoning By-law 1-88, comments from City Departments and external public agencies, and the surrounding area context. The hotel Development shown on Attachments 2 to 5 is a permitted use in Zoning By-law 1-88, and is appropriate and compatible with the existing and permitted uses in the surrounding area. Accordingly, the Development Planning Department supports the approval of Site Development File DA.18.038, subject to the Recommendations in this report.

**For more information**, please contact: Margaret Holyday, Planner, at extension 8216.

### **Attachments**

- 1. Location Map
- 2. Site Plan and Zoning
- 3. Landscape Plan
- 4. Elevation Plan (West & East)
- 5. Elevation Plan (North & South)
- 6. Monument Sign

**Prepared by**

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