

Committee of the Whole (1) Report

DATE: Tuesday, September 17, 2019

WARD: 5

**TITLE: KARTELLE 130 RACCO PARKWAY GP INC.
SITE DEVELOPMENT FILE DA.18.006
VICINITY OF DUFFERIN STREET AND HIGHWAY 407**

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.18.006 for the Subject Lands shown on Attachment 1, to permit 2, 4-storey office buildings with ground floor commercial uses and a 3-storey above ground parking garage, as shown on Attachments 2 to 6.

Report Highlights

- The Owner seeks approval for 2, 4-storey office buildings with ground floor commercial uses, and a 3-storey above ground parking garage.
- The Development Planning Department supports the approval of the development, subject to the Recommendations of the report, as it conforms to the Vaughan Official Plan 2010, the proposed uses are permitted by Zoning By-law 1-88, and the development is compatible with the existing and planned uses in the surrounding area.

Recommendations

1. THAT Site Development File DA.18.006 (Kartelle 130 Racco Parkway GP Inc.) BE DRAFT APPROVED SUBJECT TO THE FOLLOWING CONDITIONS; to the satisfaction of the Development Planning Department, to permit 2, 4-storey office buildings with ground floor commercial uses and a 3-storey above ground parking garage as shown on Attachments 2 to 6:
 - a) That prior to the execution of the Site Plan Agreement:

- i) the Development Planning Department shall approve the final site plan, landscape plan, landscape cost estimate, building elevations, photometric lighting plan and signage details;
- ii) the Owner shall pay the Development Engineering ('DE') Department Site Plan fee pursuant to the Fees and Charges By-law, as amended. If the fee is not paid in the calendar year in which it is calculated, the fee may be subject to increase in the next calendar year;
- iii) the Owner shall apply to the City's Environmental Services ('ES') Department of Public Works for temporary (construction) and permanent groundwater dewatering and enter into Discharge Agreement(s) as required with ES to the satisfaction of the City. Prior to filing a permanent dewatering application with ES, the Owner shall include the dewatering system as part of the overall site servicing design, complete with groundwater sampling port and flow monitoring device and shall be located on private property close to the property line and upstream of the storm control manhole. The design shall conform to City Standard(s) and applicable City By-law(s);
- iv) the Owner shall provide confirmation of a temporary (during the construction period) mutual parking agreement(s) for 50 parking spaces located on 200 Racco Parkway as identified in the Construction Phasing Plan, or provide a suitable alternative construction management measure to be approved by the Development Engineering Department to mitigate the potential lack of parking on the Subject Lands during construction activities. Should the mutual parking agreement(s) or alternative construction management measure result in a deficiency in the minimum parking requirements of Zoning By-law 1-88, the Owner shall successfully obtain approval of a Minor Variance Application for the lower parking requirement from the Vaughan Committee of Adjustment, and the Committee's decision shall be final and binding, and the Owner shall satisfy any conditions of approval imposed by the Committee;
- v) the DE Department shall approve the final site servicing and grading plan, erosion and sediment control plan, functional servicing/storm water management report, geotechnical report and hydrogeological report;
- vi) the Owner shall provide the DE Department with written confirmation that the construction and alignment of the shoring and retaining wall structures bounding the Subject Lands (including tie-backs) will not encroach the neighbouring properties, unless written

consent of the encroachment from the respective neighbouring property Owner(s) is obtained. Any written consent obtained shall be forwarded to the City for review and record prior to final approval;

- vii) the Owner shall satisfy all requirements of the Ministry of Transportation, including obtaining a Building and Land Use Permit; and
- viii) The Owner shall successfully obtain approval of a Minor Variance Application for the required site-specific zoning exceptions to Zoning By-law 1-88, as identified in this report, from the Vaughan Committee of Adjustment, and the Committee's decision shall be final and binding, and the Owner shall satisfy any conditions of approval imposed by the Committee.

Background

The subject lands (the 'Subject Lands') are located east of Dufferin Street and south of Highway 407, municipally known as 130 Racco Parkway, as shown on Attachment 1. The Subject Lands are currently developed with a 2-storey, 9,138.8 m² gross floor area ('GFA') sports complex.

A Site Development Application has been submitted to permit the proposed office buildings and above ground parking garage

The Owner has submitted Site Development File DA.18.006 (the 'Application') to permit the proposed development (the 'Development'), as shown on Attachments 2 to 6, which consists of:

- a) 2, 4-storey office buildings with ground floor commercial uses, measuring 5,096 m² in GFA for 'Building A' and 2,646 m² in GFA for 'Building B';
- b) A 3-storey above ground parking garage with one level of underground parking ('Building C'), measuring 4,724 m² in GFA and containing 295 parking spaces; and
- c) 172 surface parking spaces, inclusive of 70 existing parking spaces that will be maintained and 102 new parking spaces.

Previous Reports/Authority

N/A

Analysis and Options

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

The Subject Lands are designated 'Employment Commercial Mixed-Use' by VOP 2010 with a maximum permitted building height of 4-storeys and a maximum floor space

index ('FSI') of 1.5 times the area of the lot. The Subject Lands are located along a 'Regional Intensification Corridor within Employment Areas'. The Employment Commercial Mixed-Use designation recognizes existing areas of predominantly commercial uses within the 'Employment Area' designation as shown on Schedule 1 – Urban Structure of VOP 2010, and allows for a range of commercial uses, including office and retail.

Regional Intensification Corridors are a major focus for intensification on lands adjacent to major transit routes. Regional Intensification Corridors within Employment Areas require a minimum of 30% of the total GFA of all uses to consist of uses other than retail.

The Development will intensify the Subject Lands and implement office and retail uses which are permitted by the Employment Commercial Mixed-Use designation. The proposed commercial uses on the ground floor of Buildings A and B will account for 19% of the total existing and proposed GFA on the Subject Lands, which conforms with the Regional Intensification Corridor Policies within Employment Areas. The Development conforms to the policies of VOP 2010.

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

The Subject Lands are zoned 'C1 Restricted Commercial Zone' by Zoning By-law 1-88, subject to site-specific Exception 9(1073), as shown on Attachment 1. The following site-specific exceptions to Zoning By-law 1-88 are required to permit the Development, which will be addressed through a future Minor Variance Application:

Table 1

	Zoning By-law 1-88 Standards	C1 Restricted Commercial Zone Requirements, subject to Exception 9(1073)	Proposed Exceptions to the C1 Restricted Commercial Zone Requirements, subject to Exception 9(1073)
a.	Minimum Front Yard Setback for Building 'B' (Caraway Drive)	9 m	5.2 m

	Zoning By-law 1-88 Standards	C1 Restricted Commercial Zone Requirements, subject to Exception 9(1073)	Proposed Exceptions to the C1 Restricted Commercial Zone Requirements, subject to Exception 9(1073)
b.	Minimum Exterior Side Yard Setback (Racco Parkway)	9 m	5.5 m for 'Building A' 5.3 m for 'Building B'
c.	Maximum Building Height for Buildings 'A' and 'B'	11 m	16.8 m
d.	Minimum Number of Parking Spaces	862	467
e.	Minimum Landscape Strip Width (Racco Parkway)	6 m along a lot line abutting a street line	5.5 m for 'Building A' 5.2 m for 'Building B'

The proposed 4-storey office buildings include at-grade commercial uses permitted by the C1 Restricted Commercial Zone, subject to site-specific Exception 9(1073), which interact with the street through pedestrian connections to the proposed sidewalk along Racco Parkway, while maintaining appropriate landscaping. Potential commercial uses that would be permitted at-grade include, but are not limited to, retail, personal service shop, service or repair shop, bank or financial institution, and business or professional office uses, within 1,935.5 m² of ground floor area between Buildings 'A' and 'B'. The proposed building height enables 4-storeys and intensification on the Subject Lands at an overall FSI of 0.85 times the area of the lot, which conforms to the policies of VOP 2010.

On March 31, 2005, the Vaughan Committee of Adjustment approved Minor Variance Application A043/05 to permit a minimum of 446 parking spaces on the Subject Lands, whereas 575 parking spaces were required by Zoning By-law 1-88 for the sports complex currently existing on the Subject Lands.

The Transportation Division of the Development Engineering ('DE') Department has reviewed the submitted Parking Justification Study prepared by LEA Consulting Ltd., dated December 3, 2018, and conclude that the proposed parking supply of 467 spaces

is sufficient to service the existing and proposed Development. The proposed parking is further discussed in the Development Engineering section of this report.

The Development Planning Department is satisfied that the above noted variances are minor in nature, maintain the general intent and purpose of the Official Plan and Zoning By-law, and are desirable for the appropriate development of the land.

Should Council approve Site Development File DA.18.006, the Owner will be required to successfully obtain approval of a Minor Variance Application for the required exceptions to Zoning By-law 1-88, from the Committee of Adjustment. The Committee's decision shall be final and binding and the Owner shall satisfy any conditions of approval imposed by the Committee prior to the execution of the 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 comments and conditions in this report

The Development consists of 2, 4-storey office buildings with ground floor commercial uses. The office buildings measure 5,096 m² in GFA for Building 'A' and 2,646 m² in GFA for Building 'B', as shown on Attachment 2. A 3-storey above ground parking garage with an underground level and roof deck parking measuring 2,646 m² in GFA (Building 'C') is also proposed that will provide 295 parking spaces. 172 surface parking spaces will also be provided, comprising of 70 existing parking spaces that will be maintained (not inclusive of the 72 parking spaces existing within the MTO 14 m setback from the Highway 407) and 102 new parking spaces. 25 parking spaces are designated for carpooling.

The Subject Lands are developed with 3 driveways, two along Racco Parkway and one along Caraway Drive (shown on Attachment 2). The existing south access along Racco Parkway is proposed to be shifted slightly north to align with the new parking area. The Subject Lands are located within close proximity of York Region Transit ('YRT') Bus Route 105 which is accessible at the intersection of Dufferin Street and Caraway Drive. Existing sidewalks are available on one side of Racco Parkway and Caraway Drive which currently provide pedestrian connectivity to the site. Signed bike lanes are also provided on the east side of Dufferin Street which improves cycling connectivity to the site.

The proposed building elevations shown on Attachments 4 to 6 consist of precast concrete, double glazed panel windows and aluminum spandrel panels for Buildings 'A' and 'B', and precast concrete, aluminum screen panel and false window glazing panel for Building 'C'.

The Development Planning Department is satisfied with the Development, which is compatible with the surrounding land uses, and must approve the final site plan, building elevations and landscape plan. A condition to this effect is included in the Recommendations of this report.

The Development Engineering Department has no objections to the Development, subject to the comments and conditions in this report

The Development Engineering Department ('DE') has no objection to the Development, subject to the Recommendations of this report. The Owner is required to pay the DE Site Plan fee and address all remaining comments associated with the Application. The DE Department shall approve the final site servicing and grading plan, erosion and sediment control plan, functional servicing/ storm water management report, geotechnical report and hydrogeological report.

As a result of the underground parking level construction, the Owner shall apply to the City's Environmental Services ('ES') Department for temporary (construction) and permanent groundwater dewatering and enter into a Discharge Agreement with the City. A condition to this effect is included in the Recommendations of this report.

Municipal Servicing

130 Racco Parkway has been pre-serviced with sanitary, water and stormwater service connections from the existing municipal watermain and sewers located within Racco Parkway. Internal private servicing is proposed to be reconfigured as noted below:

a) Sanitary Servicing

Sanitary servicing is existing for the Subject Lands via connection from the existing sanitary sewer along Racco Parkway to an existing sanitary control manhole at the property line. Internal sanitary servicing within the Subject Lands are proposed to be reconfigured to accommodate Buildings 'A', 'B' and 'C' as part of this development application.

b) Water Servicing

Water servicing is existing for the Subject Lands via connection from the existing watermain along Racco Parkway to an existing valve chamber and valve & box (fire & domestic). Internal water servicing within the Subject Lands are proposed to be reconfigured to accommodate Buildings 'A', 'B' and 'C' as part of this development application including the addition of a meter and backflow chamber as per City Standards near the property line. Furthermore, internal fire hydrants are proposed to provide adequate fire coverage for the existing and proposed buildings.

c) Stormwater Servicing

Stormwater servicing is existing for the Subject Lands via connection from the existing storm sewer along Racco Parkway Parkway to an existing storm control manhole at the property line. Internal stormwater servicing within the Subject Lands are proposed to be reconfigured to accommodate Buildings 'A', 'B' and 'C' as part of this development application complete with appropriate stormwater

quantity controls (orifice tube). Stormwater quality remains to be treated via the existing downstream stormwater management pond.

Parking

The Development would increase the required parking on the Subject Lands to 862 spaces, whereas 467 parking spaces are currently proposed. The Owner has submitted a Parking Justification Study prepared by LEA Consulting Ltd., dated December 3, 2018. The Parking Justification Study concludes that the existing and proposed Development on the Subject Lands would have a peak parking demand of 440 parking spaces on weekdays and 403 parking spaces on weekends, which will be accommodated by the proposed 467 parking spaces between surface parking and the parking garage. An additional 72 parking spaces exist on the Subject Lands within the Ministry of Transportation Ontario ('MTO') 14 m setback from the Highway 407 on-ramp and stormwater management pond, which can be utilized but are not included in the overall parking supply.

The Transportation Division of the DE Department has reviewed the Parking Justification Study and conclude that the proposed parking supply of 467 spaces is sufficient to service the existing and proposed Development on the Subject Lands. The Owner prepared a Construction Phasing Plan, submitted July 4, 2019, for the proposed Development to identify how parking demand will be managed on-site to ensure the provision of adequate parking is provided for the existing uses during construction, including the temporary usage of 50 parking spaces located on 200 Racco Parkway, directly north of the Subject Lands. The Owner shall provide confirmation of a temporary mutual parking agreement(s) for 50 parking spaces with the Owner of 200 Racco Parkway, as identified in the Construction Phasing Plan to the satisfaction of the DE Department. Should the temporary use of 50 parking spaces on 200 Racco Parkway result in a parking deficiency in the minimum parking requirements of Zoning By-law 1-88, the Owner shall successfully obtain approval of a Minor Variance Application for the lower parking requirement from the Vaughan Committee of Adjustment, and the Committee's decision shall be final and binding, and the Owner shall satisfy any conditions of approval imposed by the Committee. The DE Department shall approve any alternative construction management measure to the above. A condition to this effect is included in the Recommendations of this report.

The Financial Planning and Development Finance Department has advised that Development Charges are required

The Owner will be required to pay applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board. A clause for the payment of Development charges will be included as a standard condition in the Site Plan Agreement.

The Real Estate Department has advised that no further Cash-in-Lieu of the Dedication of Parkland is required

The Cash-in-Lieu of the Dedication of Parkland requirements under Section 51 of the *Planning Act* have been previously satisfied through Registered Plan 65M-3135. As such, no further Cash-in-lieu is required.

The Environmental Services Department is satisfied with the Development

The Waste Management Division of the Environmental Services Department is satisfied with the Development. The waste rooms will be located internal to the buildings and are designed in accordance with the City of Vaughan Waste Collection Design Standards. The waste collection methods for the existing sports complex will remain unchanged.

The Subject Lands are located within the MTO Permit Control Area

The Subject Lands abut an MTO owned stormwater management pond to the north and a Highway 407 on-ramp to the west, as shown on Attachment 1. The Subject Lands are located within the MTO Permit Control Area. As a result, an MTO Building and Land Use Permit is required prior to the commencement of any on-site construction and execution of a site plan agreement. A condition to this effect has been included in the Recommendations of this report. As noted above, the 72 existing parking spaces within the MTO setback of Highway 407 are not included in the required parking calculations for the Subject Lands.

Financial Impact

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

Broader Regional Impacts/Considerations

The York Region Community Planning and Development Services Department has no comment or objection to the Development.

Conclusion

The Application has been reviewed in consideration of the policies of VOP 2010, the requirements of Zoning By-law 1-88, comments from City Departments and external public agencies, and the area context. The Development conforms to VOP 2010, the proposed and existing uses are permitted by Zoning By-law 1-88, and the Development is considered compatible with the surrounding land uses. Variances to Zoning By-law 1-88 are required to permit the Development, which are subject to approval by the Committee of Adjustment. Accordingly, the Development Planning Department can support the approval of the Site Development File DA.18.006, subject to the Recommendations in this report.

For more information, please contact: Chris Cosentino, Planner, at extension 8215.

Attachments

1. Location Map
2. Site Plan
3. Landscape Plan
4. Elevations – Building “A”
5. Elevations – Building “B”
6. Elevations – Building “C”

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