

Committee of the Whole (1) Report

DATE: Tuesday, December 03, 2019

WARD(S): 5

TITLE: EDWARD LETICHEVER

OFFICIAL PLAN AMENDMENT FILE OP.13.007

ZONING BY-LAW AMENDMENT FILE Z.13.019

SITE DEVELOPMENT FILE DA.13.042

VICINITY OF CENTRE STREET AND DUFFERIN STREET

FROM:

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

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Official Plan and Zoning By-law Amendment Files OP.13.007 and Z.13.019, and Site Development File DA.13.042 to permit a, 4-storey (1,943 m²) office building on the subject lands, as shown on Attachments 3 to 7.

Report Highlights

- The Owner proposes a, 4-storey (1,943 m²) office building as shown on Attachments 2 to 6.
- The Owner proposes to amend Vaughan Official Plan 2010 and Zoning By-law 1-88 and requires Site Development approval to permit the development.
- The Development Planning Department supports the approval of the development as it is consistent with the *Provincial Policy Statement 2014*, conforms to the Growth Plan 2019, the York Region Official Plan and Vaughan Official Plan 2010 and is compatible with the existing and planned land uses in the surrounding area.

Recommendations

1. THAT Official Plan Amendment File OP.13.007 (Edward Letichever) BE APPROVED, to amend in-effect OPA 210 (Thornhill Vaughan Community Plan), amended by OPA 672 (Centre Street Corridor Plan) to redesignate the subject lands from “Low Density Residential” with a “Special Policy Area” overlay to “General Commercial” to permit a 4-storey office building, as shown on Attachments 5 to 7.
2. THAT Zoning By-law Amendment File Z13.019 (Edward Letichever) BE APPROVED, to amend Zoning By-law 1-88, to rezone the subject lands from “R1 Residential Zone” to “C1 Restricted Commercial Zone” in the manner shown on Attachment 5, together with the site-specific zoning exceptions identified in Table 1 of this report.
3. Prior to the enactment of the implementing Zoning By-law, the final Arborist report and Phase Two Environmental Site Assessment report shall be approved to the satisfaction of the City.
4. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the subject lands comes into effect, to permit minor adjustments to the implementing Zoning By-law, if required.
5. THAT Site Development File DA.13.042 (Edward Letichever) BE DRAFT APPROVED SUBJECT TO THE CONDITIONS and warning clauses included on Attachment 1, to the satisfaction of the Development Planning Department, to permit the development of a 4-storey (1,943 m²) office building and 66 parking spaces as shown on Attachments 5 to 7.

Background

The subject lands (the ‘Subject Lands’) are vacant and are located on the south side of Centre Street east of Dufferin Street, and are municipally known as 1445 Centre Street, as shown on Attachment 3. The surrounding land uses are shown on Attachment 4.

Official Plan and Zoning By-law Amendment and Site Development Applications have been submitted to permit the proposed development

The Owner has submitted the following applications (the ‘Applications’) to permit a 4-storey (1,943 m²) office building and 66 parking spaces (the ‘Development’), as shown on Attachments 5 to 7:

1. Official Plan Amendment File OP.13.007 to amend the in-effect OPA 210 (Thornhill Vaughan Community Plan), as amended by OPA 672 (Centre Street Corridor Plan), to redesignate the Subject Lands from “Low Density Residential” with a “Special Policy Area” overlay to “General Commercial” to permit a 4-storey office building.
2. Zoning By-law Amendment File Z.13.019 to amend Zoning By-law 1-88, to rezone the Subject Lands from “R1 Residential Zone” to “C1 Restricted Commercial Zone” in the manner shown on Attachment 5, together with the site-specific zoning exceptions identified in Table 1 of this report.
3. Site Development File DA.13.042 (Edward Letichecker) to permit the Development.

Public Notice was provided in accordance with the Planning Act and Council’s Notification Protocol

The City on August 9, 2013, and April 12, 2019, circulated a Notice of Public Hearing (the “Notice”) to all property owners within 150 m of the Subject Lands and to the Brownridge Ratepayers Association. A copy of the Notice was also posted on the City’s website at www.vaughan.ca and a notice sign was installed along the Centre Street frontage, in accordance with the City’s Notice Sign Procedures and Protocols.

Vaughan Council on September 17, 2013, and May 14, 2019, ratified the recommendations of Committee of the Whole to receive the Public Hearing reports of September 3, 2013, and May 7, 2019, respectively, and to forward a comprehensive technical report to a future Committee of the Whole meeting.

At the September 3, 2013, and May 7, 2019 Public Hearings written comments were provided by the Brownridge Ratepayers Association, summarized as follows:

- Office uses may not be appropriate for the Subject Lands, residential uses may be more compatible
- Consideration must be given to the potential redevelopment of the vacant land south of the Subject Lands owned by the Province
- The building height should be limited to two-storeys
- The character of the area on the south side of Centre Street would change
- Should the applications be approved the commercial uses should be limited to the following uses: business and professional office, art gallery, banking institution, video store, pharmacy, photography studio
- Significant landscaping should be provided

- Parking and loading should be located further away from the existing residential properties
- Bicycle racks should be included
- Cash-in-lieu of parkland payments should be used to improve landscaping in the Centre Street area

These comments are addressed throughout this report.

On November 22, 2019, a notice of this Committee of the Whole meeting was sent to all individuals who made a deputation before the Committee or submitted written correspondence to the City regarding the Applications.

Previous Reports/Authority

<https://pub-vaughan.escrimemeetings.com/filestream.ashx?DocumentId=15918>

[https://www.vaughan.ca/council/minutes_agendas/AgendaItems/CW\(PH\)0903_3.pdf](https://www.vaughan.ca/council/minutes_agendas/AgendaItems/CW(PH)0903_3.pdf)

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 directions on matters of provincial interest related to land use planning and development which ensures public health and safety and the quality of the natural and built environment are protected.

Vaughan Council's planning decisions are required by the *Planning Act* to be consistent with the PPS. The Development Planning Department has reviewed the Development in consideration of the policies of the PPS, specifically Sections 1.1.1 and 1.3 regarding promoting efficient development with a range of residential, employment uses to meet the long terms needs to support livable and resilient communities.

The Subject Lands are located within a "Settlement Area" as defined by the PPS. The development utilizes a vacant site with a built form and use that is compatible with the surrounding uses and will provide employment opportunities to help meet the City's long-term employment needs (Section 1.1.1). The Subject Lands are also located in an area where servicing and infrastructure are available to the Development. (Section 1.1.3.2). The Development is transit supportive as the Subject Lands are located on Centre Street which will be served by the York Region Rapid Transit Highway 7 Rapidway when construction is completed in 2019 (Section 1.1.3.2). The Development is consistent with the PPS.

The Development conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019

A Place to Grow - Growth Plan for the Greater Golden Horseshoe 2019 (the 'Growth Plan') is intended to guide decisions on a wide range of issues, including economic development, land-use planning, urban form, and housing. 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 Applications are consistent with the policy framework of the Growth Plan by directing growth to a built-up area and makes efficient use of existing infrastructure. The Subject Lands are located on a Regional Intensification Corridor as designated on VOP 2010, Schedule 1 – Urban Structure that supports the Growth Plan policy to direct development to delineated built-up areas. The Development conforms to the “Moving People” policies of the Growth Plan by supporting existing and planned transit initiatives such as the York Region Rapid Transit Highway 7 Rapidway which is under construction on Centre Street. The Development conforms to the Growth Plan by promoting a more efficient utilization of the Subject Lands and infrastructure, including transit.

The Development conforms to the York Region Official Plan 2010

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. Section 5.0 of the YROP states that growth will occur in new community areas throughout the Region.” The Subject Lands are located on Centre Street which is designated as a Regional Corridor on YROP 2010, Map 1, “Regional Structure”.

YROP 2010 Chapter 4.2 “City Building” requires that local municipalities support the development of Regional Centres and Corridors by encouraging attractive, compact, community design and the clustering of economic activities and culture in York Region. The Development conforms with the objectives of Chapter 4.2 by encouraging economic activities on a Regional Corridor which is supported by regional rapid transit.

An amendment to the Thornhill Vaughan Official Plan 210 is required to permit the Development

The Subject Lands are designated “Low Density Residential” with a “Special Policy Area” overlay by the in-effect OPA 210 (Thornhill Vaughan Community Plan), as

amended by OPA 672 (Centre Street Corridor Plan). The proposed office building is not permitted in the “Low Density Residential” designation, which only permits single detached dwellings, therefore, an Official Plan Amendment is required.

The 2003 Thornhill Centre Street Study, which resulted in OPA 672, did not provide a detailed land use analysis for the Dufferin Street and Centre Street intersection (i.e. the “Western Gateway”), as shown on Attachment 4. Therefore, the land use plan and policies for the “Western Gateway” have not been reviewed comprehensively and a “Special Policy Area” overlay has been placed on the southwest and southeast quadrants of Dufferin Street and Centre Street. Section 2.2.6 of OPA 672 does not identify permitted uses in the Special Policy Area, but states (in part):

“Lands within the Special Policy Area” shall be subject to further study by the applicant. Prior to the submission of any development proposal, the applicant shall provide a planning study, including a traffic report, public participation component, rational for proposed density and land uses, noise study and a height and massing study demonstrating consistency with the urban design principles of OPA 672. This Study shall provide the justification for any proposed Official Plan Amendment to redesignate the lands. Until such Official Plan Amendment is submitted in accordance with the aforementioned Special Policy Area requirements, the current OPA 210 (Thornhill Community Plan) “Low Density Residential” designation shall apply to the subject lands.”

Schedule 14-A of the Vaughan Official Plan (VOP 2010), Volume 1, identifies the Dufferin Street and Centre Street intersection as a “Required Secondary Plan Area”. Council, in April 2013, directed staff to conduct the Dufferin Street and Centre Street Intersection Land Use Study (the ‘Study Report’). The Policy Planning and Environmental Sustainability (‘PPES’) Department on June 20, 2017, brought forward the Study Report and the amendment to VOP 2010 to Committee of the Whole for consideration. The Study Report and amendment to the VOP 2010 proposed a “Low-Rise Mixed-Use” designation with a maximum building height and Floor Space Index (‘FSI’) of 4-storeys and 1.5 times the area of the lot for the Subject Lands, which would permit the Development. Council on June 27, 2017, deferred the Study Report and amendment to VOP 2010 until the completion of the 407 ETR Centre Street Interchange Feasibility Study (‘Interchange Feasibility Study’).

The Ministry of Transportation Ontario (‘MTO’) and 407 ETR recently completed an assessment of the interchange options for Centre Street. The 407 ETR Centre Street Interchange Study was released in September 2018 and concluded that the Centre Street interchange be removed from future consideration. Infrastructure Planning and Corporate Asset Management Department, on February 5, 2019, brought forward a

report to inform Council that the 407 ETR Centre Street Interchange Study was completed and a further update on the status of Dufferin Street and Centre Street Area Specific Plan would be brought forward by the PPES Department in a future report to Committee of the Whole.

The PPES Department, on September 17, 2019, brought forward a status update report on the Dufferin Street and Centre Street Area Specific Plan and an overview of the outcome of the Highway 407 ETR Interchange Study, as well as recent changes to Provincial Plans and policies that impact the Plan area since Council's deferral of the Area Specific Plan in June 2017. The report also provided a recommendation to evaluate a potential boundary expansion and scoped update of the deferred Area Specific Plan to ensure a comprehensive policy framework is in place to assess potential future development.

Council on October 2, 2019, endorsed the recommendation that the Dufferin and Centre Street Area Specific Plan be included in the 2020 PPES Department's budget for review, having a funding request of approximately \$200,000, and to include an evaluation to expand the Plan Area, as deferred by Council on June 17, 2017, to align with the draft Major Transit Station Area ('MTSA') boundary and policies, which includes the Subject Lands.

Draft MTSA's and policies have been identified by York Region as part of the Region's Municipal Comprehensive Review ('MCR') which is in process. The Subject Lands are within a draft MTSA boundary, as shown on Attachment 4. City staff are currently working with York Region staff to confirm the draft boundaries and allocate minimum density targets for all MTSA's in Vaughan. The Development will add office uses to the area increasing the opportunities for employment within the draft MTSA. On this basis, the Development Planning Department can support the approval of Official Plan Amendment File OP.13.007.

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

The Subject Lands are zoned "R1 Residential Zone", which does not permit the 4-storey office building use. The Owner proposes to rezone the Subject Lands to "C1 Restricted Commercial Zone" in the manner shown on Attachment 5, together with the following site-specific zoning exceptions:

Table 1

	Zoning By-law 1-88	C1 Restricted Commercial Zone Requirements	Proposed Exceptions to the C1 Restricted Commercial Zone Requirements
a.	Permitted Uses	By-law 1-88 C1 Restricted Commercial Zone Uses	Permit only the following uses: <ul style="list-style-type: none"> - Business and Professional Office - Office Building - Print Shop
b.	Min. Front Yard Setback	9 m	2.4 m (Centre Street)
c.	Min. Building Setback Below Grade	1.8 m	0.7 m (Centre Street)
d.	Min. Lot Depth	60 m	47 m (existing)
e.	Min. Setback to a Residential Zone	9 m	1.2 m (west side yard)
f.	Max. Building Height	11 m	18.8 m
g.	Loading Space	One loading space	No loading space
h.	Min. Landscape Strip Width	6 m	2.4 m (Centre Street)
i.	Min. Landscape Strip Width abutting a Residential Zone	2.4 m	0.7 m (west side yard)
j.	Min. Landscape Area	10%	6.4%
k.	Min. Parking Space Size	2.7 m x 6 m	2.7 m x 5.8 m
l.	Min. Number of Parking Spaces	1,943 m ² @ 3.5 spaces/100 m ² = 69 spaces Total Parking Required = 69 spaces	1,943 m ² @ 3.4 spaces/100 m ² = 66 spaces Total Parking Required = 66 spaces

The Development Planning Department supports the proposed site-specific exceptions in Table 1. The orientation of the building close to Centre Street with parking behind the building implements the Centre Street Urban Design Guidelines and Streetscape Plan to promote the creation of a pedestrian-friendly environment with adjacent built form. The 'Avenue' typology of the Centre Street Urban Design Guidelines and Streetscape Plan apply to the Subject Lands which permits for continuous at grade retail/commercial uses. The proposed building setbacks and landscaping permits the built form to be located closer to the street.

The Subject Lands are located within a draft MTSA and has frontage on Centre Street where a bus rapidway is under construction, which supports the redevelopment of the property and adjacent lands for non-residential uses or mixed-lands use at a higher density than currently exists in the area. On this basis, the Development Planning Department can support the approval of Zoning By-law Amendment File Z.13.019, subject to the Recommendations in this report.

The Development Planning Department is satisfied with the proposed site plan and building elevations, subject to the Recommendations in this report

Site Plan

The Development shown on Attachments 4 to 7 includes a 4-storey (1,943m²) office building with driveway access from Centre Street. The driveway access will be restricted to right-in right-out movements only, once York Region's VivaNext Rapidway project is completed. A walkway connects to the proposed 2 m sidewalk on Centre Street to the proposed building and the parking area. Thirteen at grade parking spaces, inclusive of one barrier free space, and 53 underground parking spaces, inclusive of two barrier free spaces, are provided for a total of 66 parking spaces. A 1.8 m high wood privacy fence, retaining walls and landscaping (including deciduous and coniferous trees, and ornamental shrubs) are proposed to screen at the at-grade parking spaces from the adjacent properties.

Building Elevations and Signage

The proposed building elevations shown on Attachment 7 consist primarily of brick veneer with stone veneer across the first floor. The building design includes a 5.34 m high vehicular drive through which provides access to the parking spaces at the back of the property. Three building entrances are located on the north elevation that lead to the building lobby and individual ground floor units. Additional building entrances are located on the east and south elevations. An overhead door located on the south elevation provides access to the interior garbage room.

Large first floor glass windows are located on the north, south and east elevations. Signage will be located above the first floor windows within a dedicated stucco faced sign area. Smaller vision glass windows are located on the second to fourth floors of each elevation as shown on Attachment 7.

Landscape Plan

The landscape plan shown on Attachment 6 includes unit paving along the front of the building which extends to the parking spaces at the back of the property. A bicycle parking area is located at the northwest corner of the building. Colorado Blue Spruce line the east and west property line in front of the building. Deciduous and coniferous trees and ornamental shrubs will be located in a 2.5 m landscape strip along the rear property line. Sod is proposed along a portion of the east property line.

Tree Protection Protocol

Prior to the enactment of the Zoning By-law, the Owner shall provide an updated arborist report to the satisfaction of the City and enter into a "Tree Protection Agreement" with the City in accordance with the Vaughan Council enacted Tree Protection By-law 052-2018 and the City's Tree Protection Protocol. The Development may result in the removal of trees on the adjacent property to the west and east. The Owner must obtain approval through the updated arborist report for removal of any neighbouring trees that are located less than 6 m outside of the Subject Lands. A condition to this effect is included in Attachment 1 of this report.

The Subject Lands are clear of any built heritage or cultural heritage landscapes

The Subject Lands are cleared of any built heritage or cultural heritage landscapes, however, are located in an area identified in the City's database of archaeological resources as being of high archaeological potential. The appropriate warning clauses regarding archaeological resources will be included in the Site Plan Agreement.

The Development Engineering (DE) Department has no objection to the Development, subject to conditions

Water Servicing

The Subject Lands will be serviced for municipal water via a connection to the existing watermain located on the north side of Centre Street. Dedicated fire and domestic, private watermains will be provided within the Subject Lands to service the proposed building.

Sanitary Servicing

The Subject Lands will be serviced for sanitary drainage via a new connection with manhole to the existing sewer located on the north side of Centre Street. A new sanitary control manhole will be located within 1.0m of the property line, on private lands.

Storm Drainage

Stormwater is proposed to be captured and released in a controlled fashion at the south-east corner of the Subject Lands to the Fisherville Creek Channel. This outlet for the Subject Lands is the same as the existing overland flow pattern for the area. Stormwater quantity control will be provided by surface storage of water and the release of stormwater via an orifice tube. Quality control is proposed to be achieved to Enhanced Level 1 standards (80% total suspended solids ('TSS') removal) by installation of an oil-grit separator. However, the oil-grit separators shall be installed downstream of the control maintenance hole and influent flow velocity shall comply with manufacturer's specifications. Oil-grit separators shall be designed for 80% TSS removal based on manufacturer's specifications, however, will only receive credit for 50% TSS removal. Oil-grit separators are not permitted within the municipal right-of-way.

Oil-grit separators only qualify for 50% maximum TSS removal, therefore, the Owner shall explore a treatment train approach to quality control on the Subject Lands to restore the deficit. Post-development stormwater flows will be controlled to less than flows in the pre-development condition; however, this is still greater than the prescribed unit flow rate of 70 litres/second/hectare for the area of the City. The Owner shall meet the unit flow rate prescribed for the area, to the satisfaction of the DE Department.

Erosion and Sediment Control

The Erosion & Sediment Control Guidelines for Urban Construction (December 2006) was created as a consolidated document that best suits jurisdictions within the Greater Golden Horseshoe Area Conservation Authorities for common usage in land development, construction and water management. Erosion and sediment control mitigation measures are to be implemented during construction to minimize silt laden runoff discharge from the Subject Lands in accordance with the aforementioned document and the erosion control plan prepared by Valdor Engineering.

Environmental Site Assessment

A Phase One Environmental Site Assessment ('ESA') report was submitted and reviewed by the DE Department. The findings of the Phase One ESA identified potential contaminating activities mainly associated with offsite adjacent commercial properties and recommended a Phase Two ESA. The Phase Two Environmental Site Assessment report and, if required and as applicable, a Remedial Action Plan ('RAP'), Risk Evaluation, and Risk Assessment report(s) shall be provided in accordance with Ontario Regulation (O. Reg.) 153/04 (as amended) or its intent, for the Subject Lands, to the satisfaction of the DE Department. Reliance on the report(s) from the Owner's environmental consultant shall be provided to the City. A condition to this effect has been included in the Recommendation of this report.

Transportation

The Development Transportation Engineering Division has no concerns with the Development.

Development Charges are applicable

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. A condition to this effect shall be included in the Site Plan Agreement.

The Environmental Services Department, Waste Management Division has no objection to the Development, subject to conditions

The Environmental Services ('ES') Department have no objection to the Development. Prior to final approval and execution of a Site Plan Agreement, the Owner must satisfy

all requirements of the Environmental Services Department. A condition to this effect is included in Attachment 1 of this report.

Cash-in-lieu of the Dedication of Parkland is required for the Development

The Owner is required to 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, as shown on Attachment 3, 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 Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment.

Alectra Corporation, Enbridge Distribution Inc., Rogers and Bell Canada have no objection to the Development

The above noted utilities have no objection to the Development, subject to the Owner coordinating servicing connections, easements and locates with the above noted utilities prior to commencement of any site works.

Canada Post has no objection to the Development, subject to conditions

Canada Post has no objection to the Development, subject to the Owner satisfying their requirements for the provision of mail box facilities for the Development.

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

The TRCA has no objection to the Development, subject to the Owner obtaining a TRCA permit pursuant to the Development Interface with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 166/06). Site Plan Agreement conditions to address the TRCA's requirements are included in Attachment 1.

Financial Impact

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

Broader Regional Impacts/Considerations

York Region has reviewed the Official Plan Amendment Application and has determined that the proposed amendment is a matter of local significance and, in accordance with Regional Official Plan Policy 8.3.8, does not adversely affect Regional planning policies or interest. York Region has exempted the Official Plan Amendment Application from approval by Regional Planning Committee and Council.

York Region has reviewed the Zoning By-law Amendment and Site Development Applications and has no objection to their approval. The Owner is required to satisfy all

requirements of York Region including entering into a Site Plan Agreement with the Region. A condition to this effect is included in Attachment 2 of this report.

Conclusion

The Development Planning Department has reviewed Official Plan and Zoning By-law Amendment Files OP.13.007 and Z.13.019 and Site Development File DA.13.042 in consideration of the applicable provincial policies, the policies of YROP 2010 and VOP 2010, the requirements of Zoning By-law 1-88, comments from the City Departments and external public agencies and the surrounding area context.

The Development shown on Attachments 3 to 7 is consistent with provincial plans and policies, conforms to YROP 2010. The Development is considered to be appropriate and compatible with the existing and planned uses in the surrounding area. Accordingly, the Vaughan Planning Department supports the approval of Official Plan and Zoning By-law Amendment Files OP.13.007 and Z.13.019 and Site Development File DA.13.042, subject to the Recommendations in this report.

For more information, please contact: Carol Birch, Planner, ext. 8485.

Attachments

1. Conditions of Site Plan Approval (City of Vaughan)
2. Conditions of Site Plan Approval (Region of York)
3. Location Map
4. Excerpt from OPA 672 Schedule 'A'
5. Site Plan and Proposed Zoning
6. Landscape Plan
7. Building Elevations

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