

RECOMMENDATION

That, ~~on the recommendation of the Managing Director, Planning and City Planner,~~ the following actions be taken with respect to the application of PenEquity Realty Corporation relating to the property located at 3130 and 3260 Dingman Drive and the rear portion of 4397/4407 Wellington Road South:

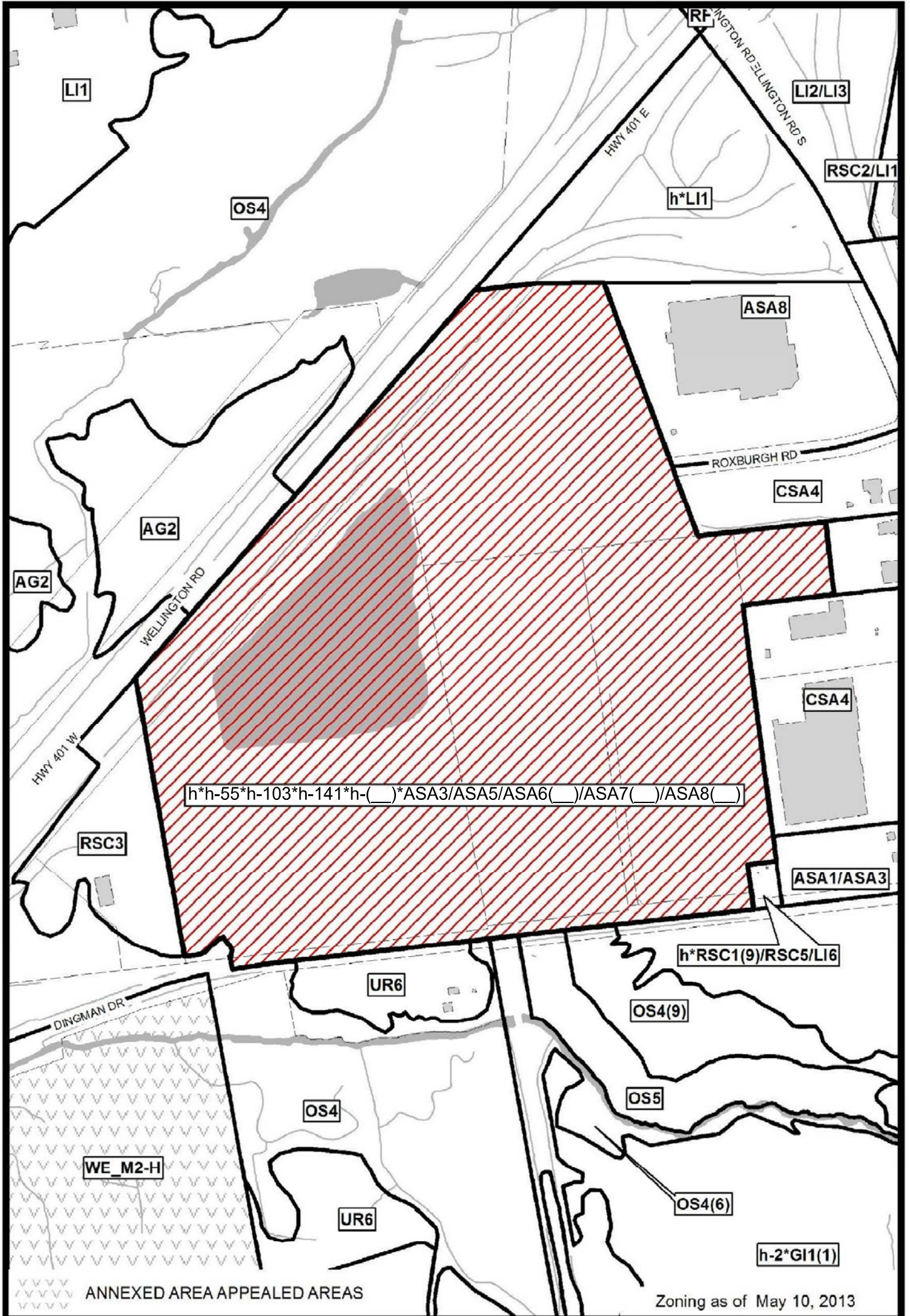
- a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on June 25, 2013 to amend the Official Plan by **ADDING** a special policy in Chapter 10 – “Policies for Specific Areas” to permit cinema use outside of the downtown area in the New Format Regional Commercial Node; and
- b) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on June 25, 2013 to amend the Official Plan to:
 - i) ~~Amend Schedule “A” Land Use to change the designation FROM New Format Regional Commercial Node TO Open Space to allow for the protection of the existing Significant Woodland;~~
 - ii) Amend Schedule B-1- Natural Heritage Features, TO DELETE Unevaluated Vegetation Patch, ~~and TO ADD “Significant Woodlands”;~~ and
- c) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on June 25, 2013, to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in parts (a) and (b) above, **FROM** a Holding Restricted Service Commercial Special Provision/Light Industrial (h*RSC1(9)/RSC5/LI6) Zone, a Holding Restricted Service Commercial Special Provision (h*RSC1(9)/RSC3/RSC4(5)/RSC5) Zone which permits a wide range of service commercial uses such as automobile services, home and auto supply, service repair and light industrial uses and a Community Shopping Area (CSA6) which allows for a large range of commercial uses **TO** ~~an Open Space (OS5) Zone and~~ a Holding Associated Shopping Area Commercial Special Provision (h*h-2*h-18*h-55*h-103*h-141*h-(_) *ASA3/ASA5/ASA6(_)/ASA7(_)/ASA8(_)) Zone to allow for ~~50,183m² of~~ commercial ~~retail~~ uses, ~~13,600,564m² of~~ commercial recreational use, ~~4,000,392m² of~~ cinema use, a gas bar use, hotels, home improvement and furnishing stores, factory outlets, commercial schools, liquor, beer and wine stores, and places of entertainment and a passive recreational use, subject to holding provisions to ensure the provision of municipal servicing, ~~an EIS be completed, archaeological evaluation be completed,~~ a transportation study be completed, Ministry of Transportation permits be obtained, ~~and~~ urban design issues are implemented and an agreement be entered into addressing the removal of Unevaluated Patch 10102 from Schedule B-1 of the Official Plan through the dedication of six (6) acres of land for public purposes and a financial contribution of \$250,000 towards the City’s Million Tree Challenge; that if the woodland is maintained substantive redesign will be required; and
- d) The Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan process:
 - ensure a high level of architectural and landscape quality on all portions of the site with visual exposure to Highway 401;
 - ensure that the design of the buildings located along Highway 401 and Dingman Drive are of a high design standard and do not appear as “the back of house”;
 - screen all parking areas visible from Highway 401 as well as Dingman Drive using enhanced landscaping;
 - create a block pattern on the site in order to allow for future redevelopment; create a high quality main street concept through the centre of the site that includes (where possible):
 - on-street parking;
 - wide sidewalks;
 - street trees;
 - landscaping as well as street furniture (i.e.: lamp posts, signage, benches, garbage bins, etc...);
 - improved pedestrian experience and access throughout the site;

- where possible, locate buildings along the main street that are oriented towards the street with accented main pedestrian entry points, ~~transparent glass~~, articulated facades and rooflines, in order to create an active frontage;
- ~~include a key building at the view terminus of the proposed main street (e.g., proposed movie theatre);~~
- where possible, provision of a variety of high quality materials (such as ~~transparent glass~~, brick, stone, etc..) on all proposed buildings, in particular the elevations facing Highway 401, Dingman Drive and the mainstreet;
- ~~create a centralized public space, located along the main street;~~
- provide for continuous pedestrian connections through the site;
- ~~ensure all buildings have a walkway to the proposed on site main street commercial corridor as well as continuous walkways connecting to other buildings on the site;~~
- include adequately sized landscape islands to break up large surface parking areas, these landscape islands should include trees as well as ~~enhanced~~ landscaping; and
- submit an updated urban design brief to the Urban Design Review Panel for a more comprehensive review of the final proposal through the site plan process.

~~e) the request to amend Zoning By-law No. Z-1 from a Holding Restricted Service Commercial Special Provision/Light Industrial (h*RSC1(9)/RSC5/LI6) Zone, a Holding Restricted Service Commercial Special Provision (h*RSC1(9)/RSC3/RSC4(5)/RSC5) Zone which permits a wide range of service commercial uses such as automobile services, home and auto supply, service repair and light industrial uses and a Commercial Shopping Area (CSA6) which allows for a large range of commercial uses to an Associated Shopping Area Commercial Special Provision (ASA3/ASA5/ASA6 (-)/ASA7(-)/ASA8) Zone and an Open Space (OS1) Zone to allow for 50,183m² of commercial retail use, 13,564m² of commercial recreational use, 3,921m² cinema use, a gas bar use and a passive recreational use, BE REFUSED for the following reasons;~~

- ~~i) the requested amendment is not consistent with the Provincial Policy Statement, 2005, including Wise Use and Management of Resources policies; and~~
- ~~ii) the requested amendment is not consistent with the Environmental policies of the Official Plan.~~

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



Zoning as of May 10, 2013

File Number: OZ-8120

Planner:

Date Prepared: 2013/06/18 MHBC

Technician:

By-Law No: Z.-1-

SUBJECT SITE 

1:5,000

0 25 50 100 150 200 Meters

