

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 21, 2018**

Item 2, Report No. 7, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on February 21, 2018.

#### **2                      ZONING BY-LAW AMENDMENT FILE Z.17.036                             IVANHOE CAMBRIDGE                             VICINITY OF JANE STREET AND RUTHERFORD ROAD**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management, dated February 6, 2018, be approved; and
- 2) That the deputation of Mr. Scott Pomeroy, Pomeroy Architecture Inc., Carlaw Avenue, Toronto, representing the applicant, be received.

#### **Purpose**

To receive comments from the public and the Committee of the Whole on Zoning By-law Amendment File Z.17.036 for the subject lands shown on Attachments #1 and #2, to amend Zoning By-law 1-88 to permit a Financial Institution (Tangerine Bank), for a temporary period of three (3) years, within the parking lot of the Vaughan Mills Shopping Centre, as shown on Attachments #3 and #4.

#### **Recommendation**

1. THAT the Public Hearing report for File Z.17.036 (Ivanhoe Cambridge) BE RECEIVED; and that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

#### **Report Highlights**

- To receive input from the public and the Committee of the Whole regarding a proposal to permit a Financial Institution (Tangerine Bank), for a temporary period of three (3) years on the subject lands.
- A Zoning By-law Amendment is required to permit the proposed development.
- A technical report to be prepared by the Development Planning Department will be considered at a future Committee of the Whole meeting.

#### **Background**

The subject lands are located south of Rutherford Road and west of Jane Street, and are municipally known as 1 Bass Pro Mills Drive, and more specifically within the

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Vaughan Mill Shopping Centre parking area, shown as “Subject Lands” on Attachments #1 and #2. The surrounding land uses are shown on Attachment #2.

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

- a) Date the Notice of Public Hearing was circulated: January 12, 2018.

The Notice of Public Hearing was also posted on the City’s web-site at [www.vaughan.ca](http://www.vaughan.ca) and a Notice Sign was installed on the property in accordance with the City’s Notice Signs Procedures and Protocols.

- b) Circulation Area: 150 m

Any additional written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication. All written comments that are received will be reviewed by the Development Planning Department as input in the application review process and will be addressed in a technical report to be considered at a future Committee of the Whole meeting.

#### **Previous Reports/Authority**

Not applicable.

#### **Analysis and Options**

#### ***The proposal conforms to the in-effect Official Plan, Official Plan Amendment #600 (OPA #600)***

The subject lands are designated “Vaughan Centre Shopping Centre District” by in-effect OPA #600, which requires that all uses be located within a fully enclosed shopping mall. Limited outside display, storage and sales accessory to a permitted use, outdoor seating areas associated with restaurant uses and uses for the entertainment and recreation of mall patrons are also permitted, subject to the standards set out in the implementing zoning by-law.

OPA #600 permits temporary uses, subject to the following policies:

- the proposed use does not require municipal water or sanitary services
- proposed buildings are of a temporary nature
- the proposed use is not automotive or industrial in nature
- the proposed use does not require outside storage
- the temporary use does not conflict with the road pattern
- any such proposed use shall be subject to a Zoning By-law Amendment, and the amendment shall be for a temporary use only

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The proposed structure, as shown on Attachment #4, is temporary in nature. It is a refurbished shipping container that is easily removed and transported to other shopping mall parking lot locations throughout Ontario. The proposed banking use is compatible with surrounding existing land uses and does not require any municipal services. The proposed temporary banking facility meets the intent of the temporary use policies of the Official Plan.

The subject lands are also designated “Area Requiring a Tertiary Plan” by the Vaughan Official Plan 2010 (VOP 2010), specifically the Vaughan Mills Centre Secondary Plan, Volume 2 (Section 11.7), which is pending approval from the Ontario Municipal Board and not in full force and effect. The Vaughan Mills Centre Secondary Plan was adopted by Vaughan Council on March 18, 2014, and York Region on July 11, 2014. There are several appellants and parties to the OMB appeals, including Ivanhoe Cambridge which owns the subject lands.

#### ***A Zoning By-law Amendment is required to permit the proposed use***

The subject lands are zoned SCD Shopping Centre District Zone by Zoning By-law 1-88, subject to site-specific Exception 9(1030), which permits a full range of commercial uses, including a financial institution, provided that all uses are located within the enclosed shopping centre (Vaughan Mills) and no outdoor storage is permitted. The Tangerine Bank is proposed to be located within the parking area outside of the enclosed shopping centre, as shown on Attachment #2 to #4, therefore an amendment to Zoning By-law 1-88 is required to permit the proposal. The Owner has submitted Zoning By-law Amendment File Z.17.036 to permit the Financial Institution use (Tangerine Bank) for a temporary 3-year period.

#### ***Following a preliminary review of the application, the Development Planning Department has identified the following matters to be reviewed in greater detail:***

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
a.	City Official Plan Policies	<ul style="list-style-type: none"><li>▪ The proposed development will be reviewed in consideration of the applicable Vaughan Official Plan 2010 policies.</li></ul>
b.	Appropriateness of the Proposed 3-Year Temporary Use	<ul style="list-style-type: none"><li>▪ The appropriateness of the proposed 3-year temporary use will be reviewed in consideration of, but not limited to, the policies of the Official Plan, and the existing and planned surrounding land uses.</li></ul>

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c.	Related Site Development File DA.17.083	<ul style="list-style-type: none"><li>▪ The related Site Development File DA.17.083 will be reviewed in consideration of, but not limited to:<ul style="list-style-type: none"><li>- the appropriate building design and materials (shipping container)</li><li>- pedestrian and barrier free accessibility</li><li>- signage</li><li>- site organization</li></ul></li><li>▪ All issues identified through the review of the Site Development File must be addressed to the satisfaction of the City.</li></ul>
d.	Vaughan Mills Urban Design Guidelines	<ul style="list-style-type: none"><li>▪ The proposal is subject to the Vaughan Mills Urban Design Guidelines and must be consistent with the requirements of the Guidelines.</li></ul>
e.	Sustainable Development	<ul style="list-style-type: none"><li>▪ Opportunities for sustainable design, including CPTED (Crime Prevention Through Environmental Design), LEED (Leadership in Energy and Environmental Design), will be reviewed and implemented through the site plan approval process, if the applications are approved.</li></ul>

#### **Financial Impact**

Not applicable.

#### **Broader Regional Impacts/Considerations**

The application has been circulated to the York Region Community Planning and Development Services Department for review and comment. Any issues will be addressed when the technical report is considered.

#### **Conclusion**

The preliminary issues identified in this report and any other issues identified through the processing of the application will be considered in the technical review of the application, together with comments from the public and Vaughan Council expressed at the Public Hearing or in writing, and will be addressed in a comprehensive report to a future Committee of the Whole meeting.

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This report was prepared in consultation with Mauro Peverini, Director of Development Planning and Bill Kiru, Senior Manager of Development. For more information, please contact Margaret Holyday, Planner, Development Planning Department, at Extension 8216.

#### **Attachments**

1. Context Location Map
2. Location Map
3. Site Plan
4. Elevations

#### **Prepared by**

Margaret Holyday, Planner, ext. 8216  
Christina Napoli, Senior Planner, ext. 8483

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)