

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 19, 2016

Item 13, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 19, 2016.

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**ZONING BY-LAW AMENDMENT FILE Z.15.020
VGI PROPERTIES LIMITED
WARD 3 – VICINITY OF WESTON ROAD AND CARLAUREN ROAD**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Planning & Growth Management, Director of Development Planning and Senior Manager of Development Planning, dated April 5, 2016:

Recommendation

The Deputy City Manager, Planning & Growth Management, Director of Development Planning and Senior Manager of Development Planning recommend:

1. THAT Zoning By-law Amendment File Z.15.020 (VGI Properties Limited) BE APPROVED, to amend Zoning By-law 1-88, specifically to rezone the subject lands shown on Attachments #1 and #2 from EM1 Prestige Employment Area Zone to C7 Service Commercial Zone, in the manner shown on Attachment #3, together with the site-specific exceptions to Zoning By-law 1-88 identified in Table 1 of this report to permit the additional uses of a Retail Store and Supermarket;
2. THAT the implementing Zoning By-law include a provision to permit a maximum gross floor area (GFA) of any retail unit to 3,500 m² in accordance with VOP 2010; and
3. THAT the implementing Zoning By-law include a provision stipulating that parking for uses provided in combination on the site will be calculated at 6 spaces/100 m² or at the rate applicable to the specific use should a building be occupied by a single user.

Contribution to Sustainability

The application implements the following Goal and Objective of Green Directions Vaughan:

Goal 4: To create a vibrant community where citizens, businesses and visitors thrive

- Objective 4.2: Ensure that the City of Vaughan attracts businesses and investment that will result in well-paying jobs for Vaughan citizens, a sustainable tax base and continuing prosperity into the 21st century

Economic Impact

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

Communications Plan

On December 18, 2015, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands. The Notice of Public Hearing was also posted on the City's website at www.vaughan.ca and a Notice Sign was installed on the property in accordance with the City's Notice Sign Procedures and Protocol. To date, no comments have been received.

The recommendation of the Committee of the Whole to receive the Public Hearing report of January 12, 2016, and to forward a comprehensive technical report to a future Committee of the Whole meeting was ratified by Vaughan Council on January 19, 2016.

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Purpose

To seek approval from the Committee of the Whole for Zoning By-law Amendment File Z.15.020 to amend Zoning By-law 1-88, specifically to rezone the subject lands shown on Attachments #1 and #2 from EM1 Prestige Employment Area Zone to C7 Service Commercial Zone, with site-specific exceptions to permit the additional uses of a Retail Store and a Supermarket as follows:

Table 1:

	By-law Standard	By-law 1-88 Requirements of C7 Service Commercial Zone	Proposed Exceptions to the C7 Service Commercial Zone
a.	Permitted Uses	<p>The following uses are permitted in the C7 Service Commercial Zone (with no outside storage):</p> <ul style="list-style-type: none"> - Automobile Service Station, Automobile Gas Bar, Car Wash - Automotive Retail Store - Bank and Financial Institution - Banquet Hall, including an eating establishment provided that said eating establishment does not exceed 20% of the GFA of the banquet hall - Business and Professional Office - Car Rental Service - Club or Health Centre - Day Nursery - Eating Establishment/Outdoor Patio, subject to Section 5.1.6 - Eating Establishment, Convenience with Drive-Through/Outdoor Patio subject to Section 5.1.6 - Eating Establishment, Take Out/Outdoor Patio, subject to Section 5.1.6 - Education or Training Facility - Hotel, Motel, Convention Centre - Office Building - Office and Stationery Supply, Sales, Service, Rental - Parks and Open Space - Pet Grooming Establishment, to be contained within a wholly enclosed building - Print Shop, Accessory Retail Sales - Parking Garage - Place of Entertainment - Personal Service Shop - One (1) Convenience Retail Store - One (1) Pharmacy 	<p>Permit the following additional uses:</p> <ul style="list-style-type: none"> - Retail Store to a maximum Gross Floor Area (GFA) of 3,500 m² per unit - Supermarket

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		<ul style="list-style-type: none">- Recreational Use- Service or Repair Shop- Technical School- Video Store- Veterinary Clinic	
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Background - Analysis and Options

Synopsis

The Owner is proposing to rezone the subject lands from EM1 Prestige Employment Area Zone to C7 Service Commercial Zone and expand the permitted uses on the subject lands to include a Retail Store (maximum 3,500 m² per unit) and a Supermarket. The Vaughan Development Planning Department supports the Zoning By-law Amendment Application as it will facilitate development that it is compatible with the surrounding land uses and implements VOP 2010.

Location

The subject lands are located on the east side of Weston Road, north of Regional Road 7, municipally known as 8055 Weston Road, shown as “Subject Lands” on Attachments #1 and #2. The site is currently developed with the Montecassino Banquet Hall.

Official Plan

The subject lands are designated “Employment Commercial Mixed-Use” by Vaughan Official Plan 2010 (VOP 2010), which permits: Office Uses to a maximum of 12,500 m² of Gross Floor Area (GFA) per lot, Cultural and Entertainment Uses, Retail Uses provided that no retail unit shall exceed a Gross Floor Area of 3,500m², and gas stations subject to Policy 5.2.3.10. VOP 2010 defines “Retail” as retail, restaurant and commercial uses. At this point in time, the Owner has not proposed a redevelopment of the site, and therefore, the existing 1,905.48 m² building as shown on Attachment #3, will be utilized for the proposed uses.

The proposed rezoning of the subject lands to C7 Service Commercial Zone would implement the “Employment Commercial Mixed-Use” designation of the Official Plan and permit a Retail Store to a maximum unit size of 3,500m² and a Supermarket on the subject lands, which conforms to the policies of VOP 2010.

Zoning By-law 1-88

The subject lands are zoned EM1 Prestige Employment Area Zone by Zoning By-law 1-88, which permits a range of employment uses provided that they are located within a wholly enclosed building and with no outside storage. The EM1 Prestige Employment Area Zone does not permit all of the proposed commercial uses in the C7 Service Commercial Zone, or a Retail Store or Supermarket. The existing banquet hall is a permitted use in the C7 Service Commercial Zone. Accordingly, a Zoning By-law Amendment is required to rezone the lands to C7 Zone and permit the proposed additional uses.

Proposed Rezoning and Site-Specific Exceptions

a) Proposed Rezoning and Uses

The Owner is proposing to rezone the subject lands to C7 Service Commercial Zone, to permit the range of commercial and retail uses as identified in Table 1 of this report. The proposed rezoning of the subject lands would implement land uses that are permitted in the “Employment

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Commercial Mixed-Use” designation of VOP 2010. There are other properties located within the vicinity of the subject lands that have been rezoned from EM1 Prestige Employment Area Zone to C7 Service Commercial Zone and are similarly designated “Employment Commercial Mixed-Use”.

The proposed rezoning and site-specific uses are considered to be appropriate and compatible with the surrounding land uses and would implement VOP 2010.

b) Proposed Maximum Permitted Retail Unit Size of 3,500m²

The “Employment Commercial Mixed-Use” designation in VOP 2010 limits the GFA of a retail unit to a maximum of 3,500 m². The Owner has confirmed that at this time there is no confirmed redevelopment plan for the site, and that the existing 1,905.48 m² building (Attachment #3) will be utilized for the proposed uses, therefore, the GFA of any one retail unit will not exceed 3,500 m². Should the application be approved by Vaughan Council, the implementing zoning by-law will include a provision capping the maximum GFA of any retail unit at 3,500 m². A condition of approval is included in the recommendation to implement a maximum GFA provision.

c) Proposed Minimum Parking

The existing building has a total GFA of 1905.48 m² and 156 parking spaces exist on the property. The C7 Service Commercial Zone permits parking for uses provided in combination to be calculated at the shopping centre parking standard of 6 spaces/ 100m². Based on the current GFA of the building, 115 parking spaces would be required to accommodate a combination of the proposed uses, in the existing building. However, the Owner is requesting that the property be rezoned in conformity with VOP 2010, which permits a maximum of 3,500 m for any retail unit. Based on the existing parking available on the site, a maximum 2,600 m² retail unit (156 parking spaces / 6 x 100 m²) would be permitted on the property.

A Parking Utilization Study prepared by C.F. Crozier and Associates was submitted in order to demonstrate that the number of existing parking spaces is sufficient for the range of commercial/retail uses proposed for the existing building on the site. The Development Engineering and Infrastructure Planning Services (DEIP) Department has reviewed the Parking Utilization Study and concurs with the study findings. However, should the GFA of the existing building be increased or the site redeveloped with a GFA that exceeds 2,600 m², the parking study must be updated and reviewed by the DEIPS Department.

The proposed C7 Service Commercial Zone would permit a variety of uses, which if developed as a single use on the lands would be subject to a wide range of parking standards (e.g. Business or Professional Office - 3.5 spaces/100m² to an Eating Establishment at 16 spaces/100m²).

In order to ensure that adequate parking is provided on the site in the future should the site be redeveloped or the existing building expanding, a clause will be included in the implementing Zoning By-law clearly identifying that parking for uses provided in combination on the site will be calculated at 6 spaces/100 m² or at the rate applicable to the specific use should a building be occupied by a single user.

d) Shared Parking Arrangement

The Owner has advised that a parking agreement, which is registered on title, allows guests at the Montecassino Banquet Hall (subject lands) to park at the adjacent plaza (to the north) after 5 p.m. on weekdays and all day on weekends and holidays. It is noted that Clause 3.11 of the Parking Agreement is specific to the Montecassino Banquet Hall only. In addition, the City is not a party to this agreement, and therefore, would not have the ability to enforce this agreement.

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Relationship to Term of Council Service Excellence Strategy Map (2014-2018)

This report is consistent with the following initiative set forth in the Term of Council Service Excellence Strategy Map (2014-2018):

- Attract investment and create jobs

Regional Implications

The Zoning By-law Amendment application was circulated to the York Region Transportation and Community Planning Department for review and comment. The subject lands are accessed by a full movement access on Weston Road and on Jevlan Drive, as shown on Attachment #3. York Region has no objection to the approval of the Zoning By-law Amendment application. Should a Site Development application be submitted by the Owner in the future, York Region will require a road widening along Weston Road sufficient to provide 21.5m from the centreline, and a Phase 1 Environmental Site Assessment in accordance with Reg. 153/04.

Conclusion

The Vaughan Development Planning Department has reviewed Zoning By-law Amendment File Z.15.020 in consideration of the policies of the Official Plan, Zoning By-law 1-88, comments received from City departments and external public agencies, and the area context. The Vaughan Development Planning Department is satisfied that the proposal to rezone the subject lands from EM1 Prestige Employment Area Zone to C7 Service Commercial Zone with the site-specific zoning exceptions outlined in Table 1 of this report, conforms to Vaughan Official Plan 2010, and is therefore appropriate and would facilitate land uses that are compatible with the existing and permitted uses in the surrounding area. Accordingly, the Vaughan Development Planning Department can support the approval of the Zoning By-law Amendment application, subject to the recommendations in this report.

Attachments

1. Context Location Map
2. Location Map
3. Existing Site Plan and Proposed Zoning

Report prepared by:

Kathryn Moore, Planner, ext. 8813
Clement Messere, Senior Planner, ext. 8409

(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.)