

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 5, 2017**

Item 14, Report No. 21, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 5, 2017.

**14**

**ZONING BY-LAW AMENDMENT FILE Z.16.041  
TONLU HOLDINGS LIMITED  
WARD 3 - VICINITY OF LANGSTAFF ROAD AND WESTON 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 May 23, 2017:**

**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.16.041 (Tonlu Holdings Limited) BE APPROVED, to amend Zoning By-law 1-88, specifically to:
  - i) 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 uses and exceptions to Zoning By-law 1-88 identified in Table 1 of this report; and
  - ii) permit a Retail Store and Supermarket as additional permitted uses on the subject lands; and
2. That the implementing Zoning By-law include the following provisions:
  - i) that the total gross floor area (GFA) devoted to retail uses on the subject site shall not exceed 3,050 m<sup>2</sup>; and
  - ii) include site-specific definitions as identified on Table 1 for the following uses:
    - Automotive Retail Store
    - Parking Garage
    - Personal Service and Repair Shop.

**Contribution to Sustainability**

The application implements the following Goals and Objectives 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.

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 5, 2017

Item 14, CW Report No. 21 – Page 2

#### Communications Plan

On December 16, 2016, 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](http://www.vaughan.ca) and a Notice Sign was installed on the property in accordance with the City's Notice Sign Procedures and Protocols. To date, no comments have been received.

The recommendation of the Committee of the Whole to receive the Public Hearing report of January 17, 2017, and to forward a comprehensive technical report to a future Committee of the Whole meeting was ratified by Vaughan Council on January 24, 2017.

#### Purpose

To seek approval from the Committee of the Whole for Zoning By-law Amendment File Z.16.041 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, together with the following site-specific exceptions to Zoning By-law 1-88 noted in Table 1:

Table 1

	<b>Zoning By-law 1-88 Standard</b>	<b>C7 Service Commercial Zone Requirements of Zoning By-law 1-88</b>	<b>Proposed Exceptions (Additional Uses) to the C7 Service Commercial Zone Requirements of Zoning By- law 1-88</b>
a.	Permitted Uses	<p>The following uses are permitted in the C7 Service Commercial Zone:</p> <ul style="list-style-type: none"><li>- Church or Synagogue</li><li>- Community Centre</li><li>- Day Nursery</li><li>- Public, Technical or Private School</li><li>- Recreational Uses (as defined in Section 2.0)</li><li>- Veterinary Clinic provided all boarding of animals is within a wholly enclosed building</li><li>- Automotive Service Station</li><li>- Automotive Gas Bar, Car Wash</li><li>- Automotive Retail Store</li><li>- Bank and Financial Institution</li><li>- Banquet Hall, including an eating establishment provided that said eating establishment does not exceed 20% of the gross floor area of the Banquet Hall</li><li>- Business and Professional Office</li></ul>	<p>Permit the following additional uses in the C7 Service Commercial Zone, as follows:</p> <ul style="list-style-type: none"><li>- Retail Store</li><li>- Supermarket</li></ul>

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 5, 2017**

Item 14, CW Report No. 21 – Page 3

		<ul style="list-style-type: none"> <li>- Car Rental Service</li> <li>- Club or Health Centre</li> <li>- Eating Establishment/Outdoor Patio, subject to Section 5.1.6</li> <li>- Eating Establishment, Convenience with Drive Through/Outdoor Patio subject to Section 5.1.6</li> <li>- Eating Establishment, Take Out/Outdoor Patio, subject to Section 5.1.6</li> <li>- Education or Training Facility</li> <li>- Hotel, Motel, Convention Centre</li> <li>- Office Building</li> <li>- Office and Stationary Supply, Sales, Service, Rental</li> <li>- Parking Garage</li> <li>- Parks and Open Space</li> <li>- Pet Grooming Establishment, to be contained within a wholly enclosed building</li> <li>- Print Shop, Accessory Retail Sales</li> <li>- Place of Entertainment</li> <li>- Personal Service Shop</li> <li>- One (1) Convenience Retail Store</li> <li>- One (1) Pharmacy</li> <li>- Service or Repair Shop</li> <li>- Tavern</li> <li>- Video Store</li> </ul>	
b.	Definitions	<p>Zoning By-law 1-88 includes the following definitions:</p> <p>Automotive Retail Store - Means a building of part of a building primarily engaged in the retail of vehicle parts, accessories, and tools where accessory uses may include service bays for performing specialized automotive related work, but do not include autobody repair work or paint work.</p>	<p>Permit the following site-specific definitions:</p> <p>Automotive Retail Store - Means a building of part of a building primarily engaged in the retail of vehicle parts, accessories, and tools, but does not include service bays for performing specialized automotive related work, autobody repair or paint work or the retail sale of any vehicle.</p>

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 5, 2017**

Item 14, CW Report No. 21 – Page 4

		<p>Parking Garage - Means a structure used for the parking of motor vehicles, including aisles, lanes for the movement of vehicles and a way of access to and from a public highway.</p> <p>Service or Repair Shop - Means a building or part of a building used for the servicing or repairing of furnace or oil burners, water and air coolers, lawn care equipment, appliances including small household appliances, dry cleaners and shall include the shop of a painter, plumber, carpenter, electrician, locksmith, tool sharpener and other similar trades; but shall not include the repair or servicing of motor vehicles and heavy equipment, nor the manufacturing of articles, goods and materials, nor any other use otherwise classified or defined by this By-law. Accessory sales will be permitted, provided the display area does not exceed ten percent (10%) of the total gross floor area devoted to the Service or Repair Shop, if separated by a solid wall.</p>	<p>Parking Garage - Means a structure used for the parking of motor vehicles, including aisles, lanes for the movement of vehicles and a way of access to and from a public highway, provided it shall only be permitted below ground and service only the uses on the subject lands.</p> <p>Service or Repair Shop - Means a building or part of a building used for the servicing of small household appliances, dry cleaning depot and shall include the shop of a painter, plumber, carpenter, electrician, locksmith, tool sharpener and other similar trades; but shall not include the repair of motor vehicles and heavy equipment, the manufacturing of articles, goods and materials, or any other use otherwise classified or defined by this By-law. Accessory sales will be permitted, provided the display area does not exceed ten percent (10%) of the total gross floor area of the unit and is located within the building.</p>
c.	Minimum Landscaping Strip (abutting Jevlan Drive)	6 m	3 m
d.	Minimum Width of a One Way Driveway (Weston Road)	5.4 m at the lot line	5 m at the lot line

**Background - Analysis and Options**

*Synopsis:*

*The Owner is proposing to amend Zoning By-law 1-88 to rezone the subject lands from EM1 Prestige Employment Area Zone to C7 Service Commercial Zone and expand the permitted uses*

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 5, 2017

#### Item 14, CW Report No. 21 – Page 5

*on the subject lands to include a retail store and supermarket. The Development Planning Department supports the Zoning By-law Amendment Application, subject to the recommendations in this report, as the proposed rezoning will facilitate additional uses on the subject lands that are compatible with the surrounding lands uses and implements Vaughan Official Plan 2010.*

#### Location

The subject lands are located on the east side of Weston Road, south of Langstaff Road, and are municipally known as 8311 Weston Road, shown as “Subject lands” on Attachments #1 and #2. The lands are currently developed with the Supreme Banquet Hall and Facilities.

#### Official Plan

The subject lands are located within a Stable Employment Area as identified on Schedule 1 - Urban Structure and are designated “Employment Commercial Mixed-Use” on Schedule 13 - Land Use by Vaughan Official Plan 2010 (VOP 2010). Policy 9.2.2.7a. states, in part, that the “Employment Commercial Mixed-Use” designation is “planned to be developed with commercial buildings that allow for a variety of business uses to occur in close proximity to each other”. Additionally, policy 9.2.2.7b.iii states this designation “provides a focus for business activity providing for the largest and most comprehensive concentrations of supporting ancillary uses and amenities in the Employment Areas, including larger scale ancillary uses”. The Employment Commercial Mixed-Use designation permits Office Uses to a maximum of 12,500 m<sup>2</sup> of gross floor area (GFA) per lot, Cultural and Entertainment Uses, Retail Uses, provided that no Retail Unit shall exceed a GFA of 3,500 m<sup>2</sup>, and Gas Stations subject to Policy 5.2.3.10.

Retail uses in VOP 2010 are defined as retail, restaurant and service commercial uses. Major Retail is defined as Retail Uses greater than 10,000 m<sup>2</sup> per lot, including but not limited to big-box retail, retail stores, retail warehouses, and shopping centres. Major Retail is not a permitted use in the “Employment Commercial Mixed-Use” designation of VOP 2010.

The proposed rezoning of the subject lands from EM1 Prestige Employment Area Zone to C7 Service Commercial Zone, the zone category typically used to implement the policies of the “Employment Commercial Mixed-Use” designation, is consistent with the policies of VOP 2010.

The Owner is not proposing to redevelop the site, and therefore the existing 1,904.28 m<sup>2</sup> building will be utilized for the proposed uses identified in Table 1 of this report.

#### 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 existing banquet hall on the subject lands is a permitted use within the EM1 Prestige Employment Area Zone and the C7 Service Commercial Zone. The EM1 Prestige Employment Area Zone does not permit the uses permitted within the C7 Service Commercial Zone or the retail store or supermarket uses being proposed. Accordingly, an amendment to Zoning By-law 1-88 is required to permit the proposed rezoning of the subject lands.

#### Proposed Rezoning and Site-Specific Zoning Exceptions

##### a) Proposed Rezoning and Uses

The Owner is proposing to rezone the subject lands from EM1 Prestige Employment Area Zone to C7 Service Commercial Zone and permit the uses identified in Table 1 of this report. The

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 5, 2017

#### Item 14, CW Report No. 21 – Page 6

intent of the rezoning is to implement the permissions of the “Employment Commercial Mixed-Use” land use designation and polices of VOP 2010. The C7 Service Commercial Zone is typically used to implement the “Employment 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 Development Planning Department supports the Automotive Retail Store, Service and Repair Shop and Parking Garage uses on the subject lands, provided the definition for each of these uses in Zoning By-law 1-88 is modified in the manner shown in Table 1 of this report. The modified definitions would result in uses that would be more compatible with the other proposed uses on the lands and more in keeping with the polices of VOP 2010.

The request to permit the proposed retail store and supermarket (by definition a minimum of 1,000 m<sup>2</sup>) is consistent with the retail use permissions as defined by VOP 2010. A site-specific exception will be included in the implementing Zoning By-law restricting the total retail gross floor area permitted on the subject lands to a maximum of 3,050 m<sup>2</sup> to ensure that the intent of the Employment Commercial Mixed-Use designation is maintained, as discussed in the subsequent section of this report, should the application be approved by Vaughan Council.

The site-specific request to the reduce in the minimum landscape strip from 6 m to 3 m along Jevlan Drive recognizes the existing on-site condition and is consistent with the width of the existing landscape strips of adjacent properties. The reduction in the driveway width from 5.4 m to 5 m along Weston Road represents the current right-in only driveway condition, which was previously approved by York Region.

The Development Planning Department is of the opinion that the proposed rezoning of the subject lands together with the site-specific amendments to Zoning By-law 1-88, as identified in Table 1 of this report, are appropriate and consistent with the policies in VOP 2010, subject to the recommendations in this report.

#### b) Proposed Maximum Permitted Retail Unit Size

The “Employment Commercial Mixed-Use” designation of VOP 2010 limits the gross floor area of a retail unit to a maximum of 3,500 m<sup>2</sup>. The Owner has confirmed that at this time there is no intention to redevelop the site, and that the existing 1,904.28 m<sup>2</sup> building shown on Attachment #3 will be utilized for the proposed uses, identified in Table 1 of this report, thereby conforming to the maximum unit size requirement of VOP 2010. Should the application be approved by Vaughan Council, the site-specific implementing zoning by-law will include a provision capping the maximum GFA devoted to retail uses on the subject lands to 3,050m<sup>2</sup> based on available parking on the subject lands and the Traffic Impact Study (TIS) as discussed in the following section of this report.

#### c) Parking

The Traffic Impact Study (TIS) submitted in support of the subject application identified the current parking supply can accommodate the proposed uses. However, the TIS notes that should the site be redeveloped and the GFA exceeds 3,050 m<sup>2</sup>, the parking study must be updated.

The existing building on the subject land is 1,904.28 m<sup>2</sup> in size and is served by 183 parking spaces. The C7 Service Commercial Zone requires parking for multi-unit commercial buildings to be provided based on the shopping centre parking standard of Zoning By-law 1-88, which is 6

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 5, 2017**

#### **Item 14, CW Report No. 21 – Page 7**

spaces per 100 m<sup>2</sup> of GFA. Based on the current GFA of the existing building, 115 must be provided to accommodate a multi-use building. However, the Owner is requesting that the property be rezoned to implement the policies of VOP 2010, which permits a maximum 3,500 m<sup>2</sup> GFA for any retail unit. Based on the existing parking available on the site (183 spaces), the total retail GFA permitted on the site would be 3,050 m<sup>2</sup> (183 spaces/6 spaces x 100 m<sup>2</sup>), without the need for a zoning exception. Accordingly, it is recommended that the implementing zoning by-law cap the maximum permitted GFA on the site to 3050 m<sup>2</sup>, should the application be approved. A condition in this regard is included in the Recommendation of this report.

#### **Development Engineering & Infrastructure Planning (DEIP) Department**

DEIP Staff have advised there are existing services (water service and sanitary/storm sewer connections) available to the subject site from Jevlan Drive and the existing municipal services can adequately support the proposed rezoning of the subject lands.

The Transportation Planning Section of the DEIP Department has reviewed the TIS submitted in support of the development application, which concludes that the traffic volumes generated by the proposed uses would represent a small component of the total area traffic and is deemed a minor factor in the operation of local intersections. Transportation Planning Section staff concur with the overall study methodology and accept its conclusions, noting that there will be no significant impacts to existing traffic volumes.

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

This report supports the following priority set forth in the Term of Council Service Excellence Strategy Map (2014-2018):

- Attract investment and create jobs

#### **Regional Implications**

The subject application was circulated to the York Region Transportation and Community Planning and Development Services Departments for review and comment. Regional staff have indicated they have no objection to the rezoning application seeking to permit additional uses because it conforms to the VOP 2010 "Employment Commercial Mixed Use" designation.

#### **Conclusion**

The Development Planning Department has reviewed Zoning By-law Amendment File Z.16.041, in consideration of the policies of VOP 2010, Zoning By-law 1-88, comments received from City Departments, external agencies and the area context. The 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 exception outlined in this report, is consistent with VOP 2010, and is therefore appropriate and would permit additional uses on the subject lands that are compatible with the existing and permitted uses in the surrounding area. Accordingly, the 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

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 5, 2017**

Item 14, CW Report No. 21 – Page 8

**Report prepared by:**

Eugene Fera, Senior Planner OMB, ext. 8003

(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.)