

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 7, 2016**

Item 1, Report No. 25, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on June 7, 2016.

**1**

**ZONING BY-LAW AMENDMENT FILE Z.16.007  
STEELE VALLEY DEVELOPMENTS LTD.  
WARD 4 - VICINITY OF REGIONAL ROAD 7 AND BOWES ROAD**

**The Committee of the Whole (Public Hearing) 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 31, 2016:**

**Recommendation**

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

1. THAT the Public Hearing report for File Z.16.007 (Steele Valley Developments Ltd.) BE RECEIVED; and that any issues identified be addressed by the Vaughan Development Planning Department in a comprehensive report to the Committee of the Whole.

**Contribution to Sustainability**

The contribution to sustainability such as site and building design initiatives will be determined when the technical report is considered.

**Economic Impact**

This will be addressed when the technical report is completed.

**Communications Plan**

- a) Date the Notice of a Public Hearing was circulated: May 6, 2016. 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 Sign Procedures and Protocol.
- b) Circulation Area: 150 m
- c) Comments Received:

Any 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 Vaughan 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.

**Purpose**

To receive comments from the public and the Committee of the Whole on Zoning By-law Amendment File Z.16.007 to amend Zoning By-law 1-88, specifically the EM1 Prestige Employment Area Zone, subject to Exception 9(688), on the subject lands shown on Attachments #1 and #2, to permit the following site-specific zoning exceptions:

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	By-law Standard	By-law 1-88, EM1 Prestige Employment Area Zone Requirements, Subject to By-law Exception 9(688)	Proposed Exceptions to the EM1 Prestige Employment Area Zone Requirements
a.	Permitted Uses	<ul style="list-style-type: none"> <li>Eating Establishment, provided it does not include a drive-through or take-out restaurant;</li> <li>Bank, including other financial institutions;</li> <li>Offices;</li> <li>Long term auto leasing but not including the outside storage of vehicles</li> <li>A drive-through eating establishment is not permitted within a standalone building</li> <li>The site-specific Exception identifies an existing building with a Gross Floor Area (GFA) of 256 m<sup>2</sup></li> </ul>	<p>To maintain the following uses on the subject lands:</p> <ul style="list-style-type: none"> <li>Bank, including other financial institutions;</li> <li>Office, Business and Professional;</li> <li>Long term auto leasing but not including the outside storage of vehicles</li> </ul> <p>To permit the following additional uses on the subject lands:</p> <ul style="list-style-type: none"> <li>Eating Establishment, Convenience with a Drive-Through</li> <li>Eating Establishment, Take-Out with a Drive-Through</li> <li>Eating Establishment, with a Drive-Through</li> <li>Bank, including other financial institutions plus the addition of a Drive-Through</li> </ul> <p>Recognize the existing building with a GFA of 268 m<sup>2</sup></p>
b.	Minimum Number of Parking Spaces	<ul style="list-style-type: none"> <li>Eating Establishment, Convenience - 268m<sup>2</sup> @ 20 parking spaces per 100m<sup>2</sup> = 54 parking spaces (an Eating Establishment, Convenience would yield the highest number of minimum parking spaces required for the proposed uses and the uses to be maintained on the site)</li> </ul>	To permit all of the proposed uses with a total of 32 parking spaces

The Owner is not proposing additional Gross Floor Area (GFA) to the existing building, but is proposing site modifications to accommodate a drive-through use, if the Zoning By-law Amendment application is approved. A future Site Development Application will be required to permit the physical changes to the existing site.

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**Background - Analysis and Options**

Location	<ul style="list-style-type: none"><li>2030 Regional Road 7, west of Bowes Road, shown as “Subject Lands” on Attachments #1 and #2.</li></ul>
Official Plan Designation	<ul style="list-style-type: none"><li>The subject lands are designated “Employment Commercial Mixed-Use” and are identified as being located in a Regional Intensification Corridor within an Employment Area by Vaughan Official Plan 2010 (VOP 2010), which permits an eating establishment use provided it does not exceed a gross floor area (GFA) of 3,500 m<sup>2</sup>.</li><li>Section 10.2.1.4 in VOP 2010 allows for minor extensions and expansions of legally existing land uses without amendment to VOP 2010, provided that the intent of VOP 2010 is not compromised. The proposal to permit a drive-through and two additional eating establishment types is considered a minor expansion to an existing use, and therefore, maintains the intent of VOP 2010.</li><li>The Zoning By-law Amendment application would facilitate additional uses on the subject lands, which conform to the Official Plan.</li></ul>
Zoning	<ul style="list-style-type: none"><li>The subject lands are zoned EM1 Prestige Employment Area Zone by Zoning By-law 1-88, subject to Exception 9(688), which permits the following uses:<ul style="list-style-type: none"><li>an eating establishment on the subject lands, provided it does not include a drive-through or take-out eating establishment</li><li>Bank, including other financial institutions</li><li>Offices</li><li>Long term auto leasing office, but not including the outside storage of vehicles</li><li>a maximum gross floor area of 256 m<sup>2</sup></li></ul></li></ul> <p>The Owner proposes to maintain these uses on the subject lands and permit the following additional uses:</p> <ul style="list-style-type: none"><li>a Drive-Through with the permitted Eating Establishment and Bank and other Financial Institutions</li><li>Take-Out Eating Establishment with a Drive-Through</li><li>Convenience Eating Establishment with a Drive-Through</li><li>The Owner also proposes to recognize the existing building having a maximum gross floor area of 268m<sup>2</sup> and permit the development of the site with 32 parking spaces.</li></ul> <ul style="list-style-type: none"><li>A Zoning By-law Amendment is required to permit the proposed site-specific exceptions to Zoning By-law 1-88.</li></ul>

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Surrounding Land Uses	▪ Shown on Attachment #2.
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**Preliminary Review**

Following a preliminary review of the application, the Vaughan 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.	Appropriateness of the Proposed Zoning By-law Amendments	▪ The appropriateness of permitting the proposed drive-through, and take-out and convenience eating establishment uses and maintain the existing uses permitted by site-specific zoning Exception 9(688) on the subject lands will be reviewed with regard to the policies in VOP 2010, compatibility with the surrounding existing and planned uses, if there is sufficient parking to serve the proposed uses, traffic impact, and the physical and safe functioning of the site with the drive-through and combination of proposed and permitted uses as further discussed in e) below.
b.	Urban Design Policies	▪ Section 5.2.3.8 in VOP 2010 allows for drive-through facilities in areas where it can be demonstrated that the unique sense of place, characteristic of or envisioned for the area, will be maintained and enhanced. Proposed drive-through facilities must also maintain consistency with the objectives of the Official Plan; not preclude the planned function and intensification of the site; conforms to the Urban Design policies of the Plan; not conflict with the planned character of the area by accommodating the operational and functional requirements of a drive-through use; not conflict with planned urban design and architectural characteristics of the predominate uses on the development parcel if located in a mixed-use development; maintains the planned scale of the urban environment; and, gives priority to the comfort, safety and efficient movement of pedestrians and cyclists. The proposed drive-through facility will be reviewed in consideration of the applicable Urban Design policies in VOP 2010.
c.	Supporting Reports	<ul style="list-style-type: none"><li>▪ The Owner has submitted a Functional Servicing Assessment in support of the application, which must be approved to the satisfaction of the Vaughan Development Engineering and Infrastructure Planning (DEIP) Department.</li><li>▪ The Owner will be required to submit a parking study to demonstrate the feasibility of a parking reduction from 54 required parking spaces to 32 provided parking spaces, to the satisfaction of the DEIP Department.</li></ul>

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		<ul style="list-style-type: none"><li>▪ If required, the Owner must submit a Traffic Impact Study to the satisfaction of York Region.</li></ul>
d.	Future Site Development Application	<ul style="list-style-type: none"><li>▪ In order to facilitate the proposed drive-through, a Site Development application is required, should the subject zoning application be approved.</li><li>▪ The site development application will need to consider opportunities to enhance existing landscaping and to implement the findings of the Concord West Urban Design Framework and Streetscape Plan.</li></ul>
e.	The Proposed Design of Drive-Through Use	<ul style="list-style-type: none"><li>▪ The design of the proposed drive-through facility will be reviewed particularly with regard to the proper on-site functioning of the facility including the potential for vehicles in the stacking lane of the drive through to spill over into the parking aisle and preventing parked cars from backing out of the stalls to exit the site in the opposite direction.</li></ul>

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

The applicability of this application to the Term of Council Service Excellence Strategy Map (2014-2018) will be determined when the technical report is considered.

**Regional Implications**

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.

**Attachments**

1. Context Location Map
2. Location Map
3. Overall Conceptual Site Plan
4. Conceptual Site Plan

**Report prepared by:**

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(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.)