#### **EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 10, 2013**

Item 8, Report No. 54, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on December 10, 2013.

# ZONING BY-LAW AMENDMENT FILE Z.13.032 SUNCOR ENERGY WARD 3 - VICINITY OF MAJOR MACKENZIE DRIVE AND WESTON ROAD

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning and the Director of Development Planning, dated November 26, 2013, be approved;
- 2) That the proponent meet with the Vellore Woods Ratepayers Association and the local Ward Councillor to discuss design in the site plan process;
- 3) That the deputation by Mr. Claudio Brutto, Brutto Consulting Limited, Highway 7, Concord, on behalf of the applicant, be received; and
- 4) That the following communications be received:
  - C2. Ms. Helen A. Mihailidi, BRATTYS LLP, Keele Street, Vaughan, dated November 18, 2013; and
  - C11. Ms. Paula Bustard, Senior Director, Land Development, Smart!Centres, Applewood Crescent, Vaughan, dated November 25, 2013.

#### **Recommendation**

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The Commissioner of Planning and the Director of Development Planning recommend:

1. THAT the Public Hearing report for File Z.13.032 (Suncor Energy) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

## **Contribution to Sustainability**

The contribution to sustainability 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 Meeting was circulated: November 1, 2013
- b) Circulation Area: 150 m and to the Vellore Woods Ratepayers' Association
- c) Comments Received as of November 12, 2013: None

#### **Purpose**

The Owner has submitted Zoning By-law Amendment File Z.13.032 on the subject lands shown on Attachments #1 and #2, to amend Zoning By-law 1-88, specifically the C5(H) Community Commercial Zone with the Holding Symbol "(H)" and subject to Exception 9(1238), to permit a drive-through facility accessory to a permitted automobile gas bar on the subject lands, whereas a drive-through is not permitted. Zoning By-law 1-88 permits an automobile gas bar, convenience eating establishment, convenience retail store and car wash uses on the subject lands.

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# **Background - Analysis and Options**

Location	<ul> <li>Northwest corner of Major Mackenzie Drive and Vellore Park Avenue, shown as "Subject Lands" on Attachments #1 and #2.</li> </ul>
Official Plan Designation  a) In-effect Official Plan	"Village Core" by in-effect OPA #600, as amended by OPA #650 (Vellore Village District Centre), which permits a service station and gas bar at the intersections of Major Mackenzie Drive with a primary road (Vellore Park Avenue) at the outer edges of the Village Core. The application conforms to the ineffect Official Plan.
	Subsection 4.2.2.7, Service Stations and Gas Bars of OPA #600, which incorporates the policies of OPA #424, the Official Plan Amendment that established City-wide policies and criteria for evaluating development applications for automobile gas bar and service stations requires, but not limited to, the following:
	<ul> <li>i) that convenience retail store uses be sensitively designed and integrated on the site and be compatible with the surrounding development;</li> </ul>
	<ul> <li>ii) that outside storage be limited and that development standards be provided in the implementing zoning by-law. However, OPA #650 prohibits outside storage within the Village Core located within the District Centre, which is not permitted on the subject lands;</li> </ul>
	iii) requiring lots intended to accommodate an automobile gas bar, service station and other related uses to be of an appropriate shape and size, and that landscaping be provided to mitigate the impact on the adjacent lands; and,
	iv) requires that an automobile gas bar and service station, be located at major intersections such as Major Mackenzie Drive with a primary road.
	The proposal conforms to the in-effect Official Plan.
b) VOP 2010	"Mid-Rise Mixed-Use" with a maximum building height of 6 storeys and a maximum Floor Space Index (FSI) of 2.0 by the new Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified September 27, 2011, March 20, 2012, and April 17, 2012), as further modified and endorsed by Region of York Council on June 28, 2012, and approved, in part, by the Ontario Municipal Board on July 23, 2013. The proposal does not conform to VOP 2010, as there is no mix of residential, commercial, and/or institutional uses being contemplated on the subject lands. The application is being considered under the current in-effect Official Plan.

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Zoning	<ul> <li>The subject lands are zoned C5(H) Community Commercial Zone with the addition of the Holding Symbol "(H)" by Zoning By-law 1-88, subject to Exception 9(1238), which does not permit the proposed drive-through use only, and therefore an amendment to Zoning By-law 1-88 is required.</li> <li>The Holding Symbol "(H)" cannot be removed until Vaughan Council approves a Site Development application for the subject lands. The Owner has submitted Zoning By-law Amendment File Z.07.058 to remove the Holding Symbol "(H)".</li> </ul>
Surrounding Land Uses	■ Shown on Attachment #2.

# **Preliminary Review**

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

	MATTERS TO BE REVIEWED	COMMENT(S)	
a.	City Official Plan Policies	<ul> <li>The application will be reviewed in consideration of applicable City Official Plan policies.</li> </ul>	
b.	Appropriateness of the Proposed Drive- Through Use	■ The appropriateness of permitting the proposed drive-through use on the subject lands will be reviewed with respect to compatibility with other uses proposed as-of-right on the site, and the surrounding land use context.	
C.	Related Site Development File DA.07.090	Related Site Development File DA.07.090 will be reviewed to ensure appropriate internal traffic circulation as a result of the drive-through component, as well as, building and site design, pedestrian connectivity, access, universal accessibility, parking, landscaping, signage, stormwater management, servicing and grading.	
		Opportunities for sustainable design, including CEPTD (Crime Prevention Through Environmental Design), LEEDS (Leadership in Energy and Environmental Design), permeable pavers, bio-swales, drought tolerant landscaping, bicycle racks to promote alternative modes of transportation, energy efficient lighting, reduction in pavement and roof-top treatment to address the "heat island" effect, etc, will be reviewed and implemented through the site plan approval process, if approved.	
		All issues identified through the review of Site Development File DA.07.090 will be addressed together with the subject Zoning By-law Amendment Application in a comprehensive technical report to a future Committee of the Whole meeting.	

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d.	Traffic Impact Study	<ul> <li>The Traffic Impact Study submitted in support of the application must be reviewed and approved by the Region of York and the Vaughan Development/Transportation Engineering Department.</li> </ul>
		York Region shall require sufficient property to provide 18 m from the centreline of Major Mackenzie Drive, and an additional 2 m widening, 40 m in length, together with a 60 m taper for the purpose of a westbound right-turn lane at the intersection of Major Mackenzie Drive and Vellore Park Avenue. The Owner must satisfy all requirements of the Region of York.

## Relationship to Vaughan Vision 2020/Strategic Plan

The applicability of this application to the Vaughan Vision will be determined when the technical report is considered.

## **Regional Implications**

The application has been circulated to the Region of York 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. Site Plan
- 4. South and East Elevations
- West and North Elevations
- 6. Car Wash Elevations
- 7. Canopy Elevations
- 8. Landscape Plan

## Report prepared by:

Judy Jeffers, Planner, ext. 8645 Carmela Marrelli, Senior Planner, ext. 8791 Mauro Peverini, Manager of Development Planning, ext. 8407

(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.)