

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 24, 2015

Item 5, Report No. 13, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on March 24, 2015.

5

**OFFICIAL PLAN AMENDMENT FILE OP.15.001
ZONING BY-LAW AMENDMENT FILE Z.15.001
SEVEN 427 DEVELOPMENTS INC.
WARD 2 - VICINITY OF REGIONAL ROAD 7 AND HIGHWAY 427**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, Director of Development Planning and Manager of Development Planning, dated March 3, 2015, be approved; and**
- 2) That the deputation by Ms. Christine Cote, Director of Development, SmartCentres, Applewood Crescent, Vaughan, on behalf of the applicant, be received.**

Recommendation

The Commissioner of Planning, Director of Development Planning, and Manager of Development Planning recommend:

1. THAT the Public Hearing report for Files OP.15.001 and Z.15.001 (Seven 427 Developments Inc.) BE RECEIVED; and, that any issues identified be addressed by the Vaughan 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 Hearing was circulated: February 6, 2015
- b) Circulation Area: 150 m and to the West Woodbridge Homeowners' Association. 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 subject lands in accordance with the City's Notice Sign Procedures and Protocol.
- c) Comments Received as of February 17, 2015: None

Purpose

To receive comments from the public and the Committee of the Whole on the following applications on the subject lands shown on Attachments #1 and #2, to facilitate the future development of a low rise commercial building with surface parking located between a building and a street and to permit an accessory gas station to a permitted retail store use:

1. Official Plan Amendment File OP.15.001 to amend the policies of Vaughan Official Plan 2010 (VOP 2010), specifically as follows:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 24, 2015

Item 5, CW(PH) Report No. 13 – Page 2

	VOP 2010 Official Plan Policy	Proposed Amendment
a.	<p>Section 5.2.3.10 (a) states, in part:</p> <p><i>“New Gas Stations are not permitted in Regional Intensification Corridors within Employment Areas”</i></p> <p>Section 5.2.3.10(e) states, in part:</p> <p><i>“Gas Stations shall be located on an arterial street as indicated on Schedule 9.”</i></p>	<p>Notwithstanding policy 5.2.3.10 (a), (e), or anything else in this Plan, one Gas Station is permitted as an accessory use to a permitted Retail Store use, subject to the following:</p> <ul style="list-style-type: none"> - The Gas Station shall be appropriately screened.
b.	<p>Section 9.2.3.9 states, in part:</p> <p><i>“Automobile repair and service facilities are only permitted as part of Gas Stations if located in an Employment Area.”</i></p>	<p>Notwithstanding Policy 9.2.3.9, or anything else in this Plan, automobile repair and service facilities are permitted as an accessory use to a permitted use.</p>
c.	<p>Section 9.1.2.6(e) states, in part:</p> <p><i>“That in Intensification Areas, new development will locate and organize vehicle parking, access and service areas to minimize their impact on surrounding properties and the public realm by (in part):</i></p> <p><i>e. prohibiting surface parking between the front face of a building and the public sidewalk, except in the case of gas stations.”</i></p> <p>And, Section 9.2.3.4(c) states, (in part):</p> <p><i>“Surface parking is not permitted between the front or side of a Low-Rise Building and a public street. Surface parking elsewhere on a lot with a Low-Rise Building shall generally be setback from any property line by a minimum of three metres and shall be appropriately screened through landscaping. The minimum width of the landscaped area shall be established in the Zoning By-law. All surface parking areas must provide a high level of landscaping treatment and pedestrian pathways and it is encouraged that the grading and landscaping materials for</i></p>	<p>Policies 9.1.2.6(e) and 9.2.3.4(c) shall not apply to the subject lands.</p>

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 24, 2015

Item 5, CW(PH) Report No. 13 – Page 3

	<i>surface parking lots be designed as part of the site's stormwater management system."</i>	
d.	<p>Section 9.2.2.7(e) states, in part:</p> <p><i>"The following building types are permitted in areas designated as Employment Commercial Mixed Use:</i></p> <p><i>i. Low Rise Buildings (only in Employment Commercial Mixed Use areas not located in Regional Intensification Corridors within Employment Areas)."</i></p>	Notwithstanding Policy 9.2.2.7(e), Low-Rise Buildings shall be permitted.

2. Zoning By-law Amendment File Z.15.001 to amend Zoning By-law 1-88, specifically the C5 Community Commercial Zone, subject to site-specific Exception 9(1392), as follows:

	By-law Standard	By-law 1-88 Requirements of C5 Community Commercial Zone, subject to Site-Specific Exception 9(1392)	Proposed Exceptions to C5 Community Commercial Zone, subject to Site-Specific Exception 9(1392)
a.	Permitted uses	Automobile Gas Bar, Automobile Service Station, and Automotive Retail Store are not permitted uses	Permit an Automobile Gas Bar, Automobile Service Station, and Automotive Retail Store as accessory uses to the permitted uses on the subject lands

Background - Analysis and Options

Site-specific Exception 9(1392) on the subject lands currently permits the development of a retail store with no maximum size restrictions. The subject applications for an Official Plan Amendment and Zoning By-law Amendment are to provide for the form, site layout, and additional accessory uses necessary to support the development of a retail store. The proposed retail store will be a low-rise building, with surface parking between the building and the public street. The site will also include one gas station, the location of which the Owner proposes should be determined at the site development application stage, and which may include a convenience retail component. The development will also include accessory automobile service station and automotive retail uses to be located within the retail store. All proposed additional uses will function as accessory uses to the permitted retail store.

Though the proposed additional permitted uses include both an Automobile Service Station and Automobile Gas Bar, the site will maintain only one gas station. The Automobile Service Station and Automobile Gas Bar definitions each permit the sale of gasoline or other motor fuels and

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 24, 2015

Item 5, CW(PH) Report No. 13 – Page 4

related accessory uses (e.g. convenience retail store, convenience eating establishment, and performance of minor vehicle repairs). The Owner proposes to permit any combination of the defined and accessory uses on the subject lands.

Location	<ul style="list-style-type: none">Northwest corner of Regional Road 7 and Highway 427, (Part of Block 28 Registered Plan 65M-3992 and Part of Lot 6, Concession 9, being Parts 17, 18, 19, 21 & 26 on Plan 65R-34359 and Blocks 30 and 32 on Registered Plan 65M-3992 and Part of Lots 6 and 7, Concession 9, being Parts 19, 20 & 21 on Plan 65R-34327), shown as “Subject Lands” on Attachments #1 and #2.
Official Plan Designation	<ul style="list-style-type: none">The subject lands are designated “Employment Commercial Mixed-Use” by City of Vaughan Official Plan 2010 (VOP 2010), Volume 2 - Area Specific Plan “Huntington Business Park”, which was approved by the Ontario Municipal Board on December 2, 2013, and are located in a Regional Intensification Corridor (Regional Road 7) within an Employment Area that does not permit low rise building forms, gas stations or parking located between a building and a street.The Owner is proposing to amend the Official Plan to permit the following:<ul style="list-style-type: none">a low rise building form on the subject lands, which is consistent with the current site-specific zoning exception on the subject lands;a gas station as an accessory use to a permitted retail store use on the subject lands; and,permit surface parking between a low-rise building and a public sidewalk or a public street. As the subject lands will have frontage on a public street on three sides, surface parking may be required to be located between a low-rise building and a street.
Zoning	<ul style="list-style-type: none">The subject lands are zoned C5 Community Commercial Zone, by Zoning By-law 1-88, subject to site-specific Exception 9(1392).The C5 Zone and site-specific exception do not permit an Automobile Service Station, an Automobile Gas Bar, or an Automotive Retail Store. The Owner is proposing one stand-alone Automobile Service Station on the subject lands with a possible Convenience Retail component as an accessory use to a permitted retail store use. In addition, the Owner is proposing automobile service and automotive retail uses to be located within the permitted retail store.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 24, 2015

Item 5, CW(PH) Report No. 13 – Page 5

	<ul style="list-style-type: none">▪ An amendment to Zoning By-law 1-88 is required to implement the proposal.
Surrounding Land Uses	<ul style="list-style-type: none">▪ Shown on Attachment #2.

Preliminary Review

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

	MATTERS TO BE REVIEWED	COMMENTS
a.	Conformity with Provincial policies, Regional and City Official Plans	<ul style="list-style-type: none">▪ The applications will be reviewed in consideration of the applicable Provincial policies, and the Regional and City Official Plan policies, particularly the gas station policies.
b.	Appropriateness of Proposed Uses	<ul style="list-style-type: none">▪ The appropriateness of permitting the proposed uses and parking between a building and a street will be reviewed in consideration of compatibility with the other permitted uses on the site and the surrounding land use context.
c.	Location of Gas Station	<ul style="list-style-type: none">▪ Given the planned prominence of the subject lands on Regional Road 7, consideration will be given to the appropriate location of a gas station, if the use is considered to be appropriate for the site.
d.	Future Site Development Application	<ul style="list-style-type: none">▪ A future Site Development Application will be required, if the subject applications are approved, and will be reviewed to ensure appropriate building and site design, gas pump locations, and landscaping measures. Whether mitigating measures must be included in the implementing Zoning By-law or be addressed through the future Site Development Application will also be considered.

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

These applications have been circulated to York Region for review and comment, and the Owner has applied for an exemption from York Region approval of the Official Plan Amendment. Any issues will be addressed when the technical report is considered.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 24, 2015

Item 5, CW(PH) Report No. 13 – Page 6

Conclusion

The preliminary issues identified in this report and any other issues identified through the processing of the applications will be considered in the technical review of the applications, together with comments from the public and 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

Report prepared by:

Gillian McGinnis, Planner, ext. 8003
Carmela Marrelli, Senior Planner, ext. 8791

(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.)

MARCH 3, 2015

- P.2015.16**

Recommendation

The Commissioner of Planning, Director of Development Planning, and Manager of Development Planning recommend:

1. THAT the Public Hearing report for Files OP.15.001 and Z.15.001 (Seven 427 Developments Inc.) BE RECEIVED; and, that any issues identified be addressed by the Vaughan 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 Hearing was circulated: February 6, 2015
- b) Circulation Area: 150 m and to the West Woodbridge Homeowners' Association. 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 subject lands in accordance with the City's Notice Sign Procedures and Protocol.
- c) Comments Received as of February 17, 2015: None

Purpose

To receive comments from the public and the Committee of the Whole on the following applications on the subject lands shown on Attachments #1 and #2, to facilitate the future development of a low rise commercial building with surface parking located between a building and a street and to permit an accessory gas station to a permitted retail store use:

1. Official Plan Amendment File OP.15.001 to amend the policies of Vaughan Official Plan 2010 (VOP 2010), specifically as follows:

	VOP 2010 Official Plan Policy	Proposed Amendment
a.	<p>Section 5.2.3.10 (a) states, in part:</p> <p><i>“New Gas Stations are not permitted in Regional Intensification Corridors within Employment Areas”</i></p> <p>Section 5.2.3.10(e) states, in part:</p>	<p>Notwithstanding policy 5.2.3.10 (a), (e), or anything else in this Plan, one Gas Station is permitted as an accessory use to a permitted Retail Store use, subject to the following:</p> <ul style="list-style-type: none"> - The Gas Station shall be appropriately screened.

	VOP 2010 Official Plan Policy	Proposed Amendment
	<i>"Gas Stations shall be located on an arterial street as indicated on Schedule 9."</i>	
b.	Section 9.2.3.9 states, in part: <i>"Automobile repair and service facilities are only permitted as part of Gas Stations if located in an Employment Area."</i>	Notwithstanding Policy 9.2.3.9, or anything else in this Plan, automobile repair and service facilities are permitted as an accessory use to a permitted use.
c.	Section 9.1.2.6(e) states, in part: <i>"That in Intensification Areas, new development will locate and organize vehicle parking, access and service areas to minimize their impact on surrounding properties and the public realm by (in part): e. prohibiting surface parking between the front face of a building and the public sidewalk, except in the case of gas stations."</i> And, Section 9.2.3.4(c) states, (in part): <i>"Surface parking is not permitted between the front or side of a Low-Rise Building and a public street. Surface parking elsewhere on a lot with a Low-Rise Building shall generally be setback from any property line by a minimum of three metres and shall be appropriately screened through landscaping. The minimum width of the landscaped area shall be established in the Zoning By-law. All surface parking areas must provide a high level of landscaping treatment and pedestrian pathways and it is encouraged that the grading and landscaping materials for surface parking lots be designed as part of the site's stormwater management system."</i>	Policies 9.1.2.6(e) and 9.2.3.4(c) shall not apply to the subject lands.
d.	Section 9.2.2.7(e) states, in part: <i>"The following building types are permitted in areas designated as Employment Commercial Mixed Use:</i>	Notwithstanding Policy 9.2.2.7(e), Low-Rise Buildings shall be permitted.

	VOP 2010 Official Plan Policy	Proposed Amendment
	<i>i. Low Rise Buildings (only in Employment Commercial Mixed Use areas not located in Regional Intensification Corridors within Employment Areas)."</i>	

2. Zoning By-law Amendment File Z.15.001 to amend Zoning By-law 1-88, specifically the C5 Community Commercial Zone, subject to site-specific Exception 9(1392), as follows:

	By-law Standard	By-law 1-88 Requirements of C5 Community Commercial Zone, subject to Site-Specific Exception 9(1392)	Proposed Exceptions to C5 Community Commercial Zone, subject to Site-Specific Exception 9(1392)
a.	Permitted uses	Automobile Gas Bar, Automobile Service Station, and Automotive Retail Store are not permitted uses	Permit an Automobile Gas Bar, Automobile Service Station, and Automotive Retail Store as accessory uses to the permitted uses on the subject lands

Background - Analysis and Options

Site-specific Exception 9(1392) on the subject lands currently permits the development of a retail store with no maximum size restrictions. The subject applications for an Official Plan Amendment and Zoning By-law Amendment are to provide for the form, site layout, and additional accessory uses necessary to support the development of a retail store. The proposed retail store will be a low-rise building, with surface parking between the building and the public street. The site will also include one gas station, the location of which the Owner proposes should be determined at the site development application stage, and which may include a convenience retail component. The development will also include accessory automobile service station and automotive retail uses to be located within the retail store. All proposed additional uses will function as accessory uses to the permitted retail store.

Though the proposed additional permitted uses include both an Automobile Service Station and Automobile Gas Bar, the site will maintain only one gas station. The Automobile Service Station and Automobile Gas Bar definitions each permit the sale of gasoline or other motor fuels and related accessory uses (e.g. convenience retail store, convenience eating establishment, and performance of minor vehicle repairs). The Owner proposes to permit any combination of the defined and accessory uses on the subject lands.

Location	<ul style="list-style-type: none"> Northwest corner of Regional Road 7 and Highway 427, (Part of Block 28 Registered Plan 65M-3992 and Part of Lot 6, Concession 9, being Parts 17, 18, 19, 21 & 26 on Plan 65R-34359 and Blocks 30 and 32 on Registered Plan 65M-3992 and Part of Lots 6 and 7, Concession 9, being Parts 19, 20 &
----------	--

	21 on Plan 65R-34327), shown as "Subject Lands" on Attachments #1 and #2.
Official Plan Designation	<ul style="list-style-type: none"> ▪ The subject lands are designated "Employment Commercial Mixed-Use" by City of Vaughan Official Plan 2010 (VOP 2010), Volume 2 - Area Specific Plan "Huntington Business Park", which was approved by the Ontario Municipal Board on December 2, 2013, and are located in a Regional Intensification Corridor (Regional Road 7) within an Employment Area that does not permit low rise building forms, gas stations or parking located between a building and a street. ▪ The Owner is proposing to amend the Official Plan to permit the following: <ul style="list-style-type: none"> - a low rise building form on the subject lands, which is consistent with the current site-specific zoning exception on the subject lands; - a gas station as an accessory use to a permitted retail store use on the subject lands; and, - permit surface parking between a low-rise building and a public sidewalk or a public street. As the subject lands will have frontage on a public street on three sides, surface parking may be required to be located between a low-rise building and a street.
Zoning	<ul style="list-style-type: none"> ▪ The subject lands are zoned C5 Community Commercial Zone, by Zoning By-law 1-88, subject to site-specific Exception 9(1392). ▪ The C5 Zone and site-specific exception do not permit an Automobile Service Station, an Automobile Gas Bar, or an Automotive Retail Store. The Owner is proposing one stand-alone Automobile Service Station on the subject lands with a possible Convenience Retail component as an accessory use to a permitted retail store use. In addition, the Owner is proposing automobile service and automotive retail uses to be located within the permitted retail store. ▪ An amendment to Zoning By-law 1-88 is required to implement the proposal.
Surrounding Land Uses	<ul style="list-style-type: none"> ▪ Shown on Attachment #2.

Preliminary Review

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

	MATTERS TO BE REVIEWED	COMMENTS
a.	Conformity with Provincial policies, Regional and City Official Plans	<ul style="list-style-type: none"> The applications will be reviewed in consideration of the applicable Provincial policies, and the Regional and City Official Plan policies, particularly the gas station policies.
b.	Appropriateness of Proposed Uses	<ul style="list-style-type: none"> The appropriateness of permitting the proposed uses and parking between a building and a street will be reviewed in consideration of compatibility with the other permitted uses on the site and the surrounding land use context.
c.	Location of Gas Station	<ul style="list-style-type: none"> Given the planned prominence of the subject lands on Regional Road 7, consideration will be given to the appropriate location of a gas station, if the use is considered to be appropriate for the site.
d.	Future Site Development Application	<ul style="list-style-type: none"> A future Site Development Application will be required, if the subject applications are approved, and will be reviewed to ensure appropriate building and site design, gas pump locations, and landscaping measures. Whether mitigating measures must be included in the implementing Zoning By-law or be addressed through the future Site Development Application will also be considered.

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

These applications have been circulated to York Region for review and comment, and the Owner has applied for an exemption from York Region approval of the Official Plan Amendment. 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 applications will be considered in the technical review of the applications, together with comments from the public and 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

Report prepared by:

Gillian McGinnis, Planner, ext. 8003
Carmela Marrelli, Senior Planner, ext. 8791

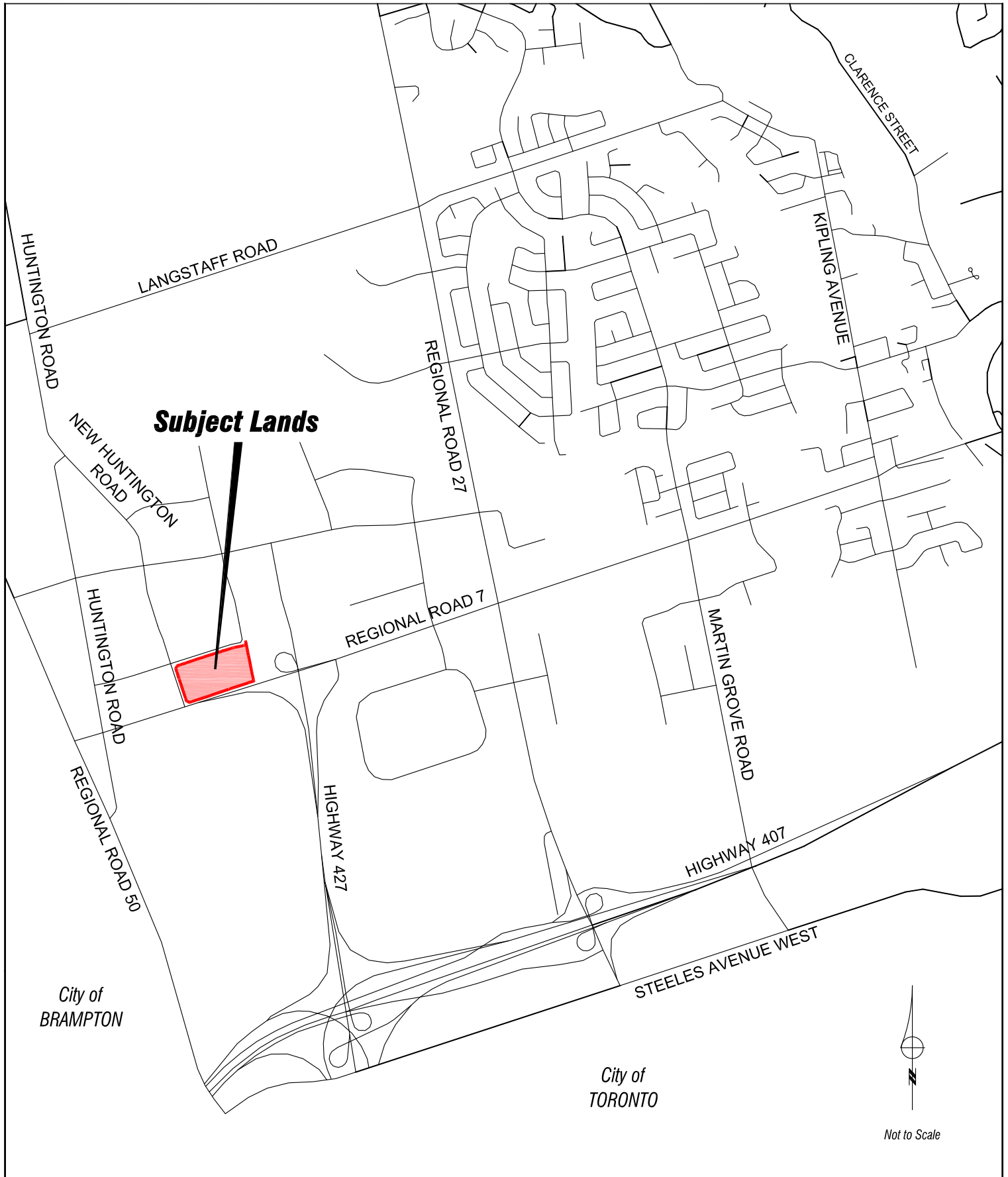
Respectfully submitted,

JOHN MACKENZIE
Commissioner of Planning

GRANT UYEHAMA
Director of Development Planning

/CM

MAURO PEVERINI
Manager of Development Planning



Context Location Map

LOCATION:
Part of Lot 6, Concession 9

APPLICANT:
Seven 427 Developments Inc.

N:\DFT\1 ATTACHMENTS\Z\z.15.001_op.15.001.dwg

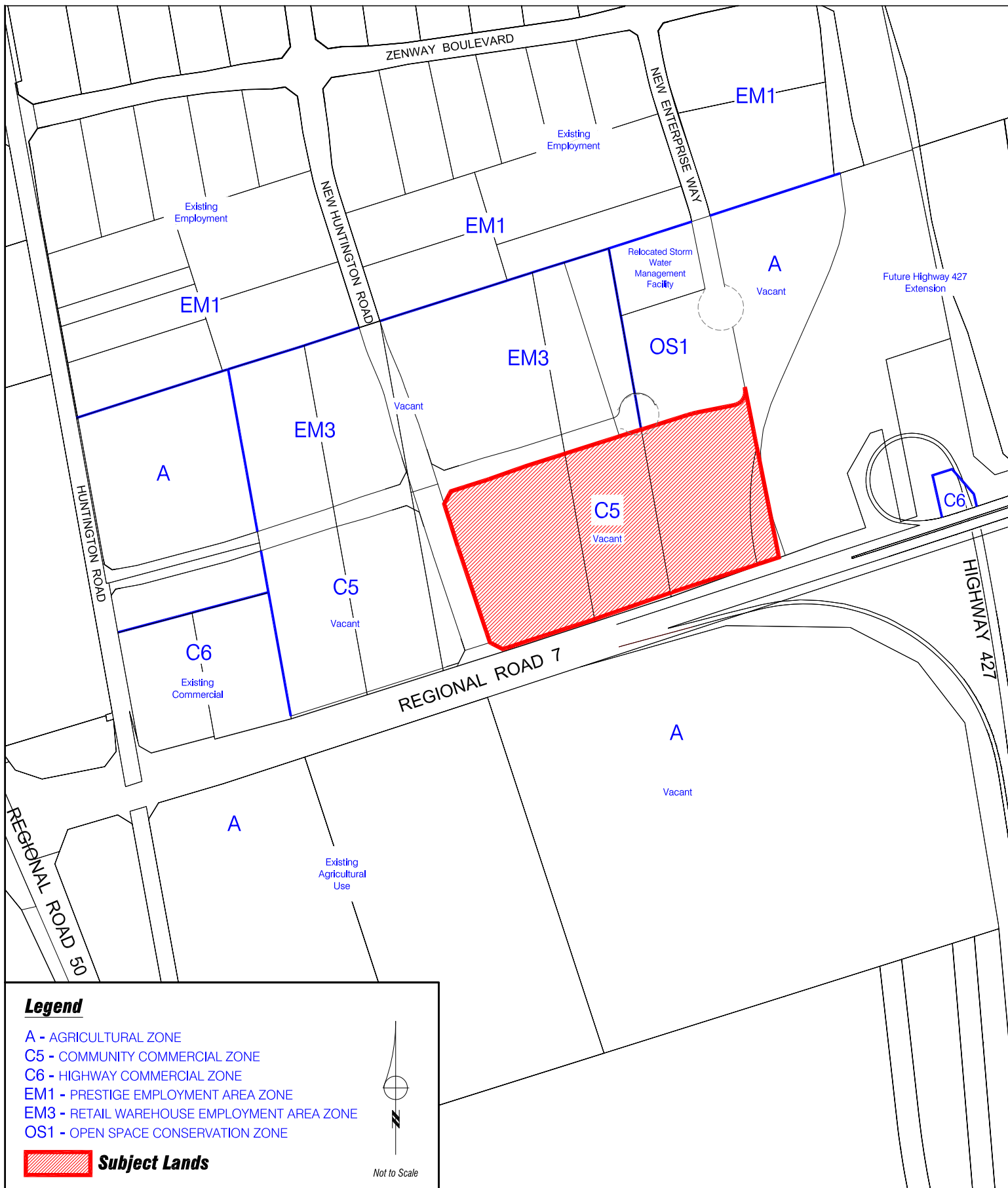


Attachment

FILE(S): OP.15.001 ,Z.15.001
RELATED FILE(S): Z.06.077, Z.13.011

DATE:
February 18, 2015

1



Location Map

LOCATION:
Part of Lot 6, Concession 9

APPLICANT:
Seven 427 Developments Inc.

N:\DFT\1 ATTACHMENTS\Z\z.15.001_op.15.001.dwg



Attachment

FILE(S): OP.15.001, Z.15.001
RELATED FILE(S): Z.06.077, Z.13.011

DATE:
February 18, 2015

2