

**3. ZONING BY-LAW AMENDMENT FILE Z.11.020
SHELL CANADA LIMITED ET AL
WARD 1**

P.2011.30

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for File Z.11.020 (Shell Canada Limited et al.) 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: August 19, 2011
- b) Circulation Area: 150 m
- c) Comments Received as of August 31, 2011: None

Purpose

The Owner has submitted Zoning By-law Amendment File Z.11.020, specifically to amend Zoning By-law 1-88 to rezone the easterly portion of the subject lands shown on Attachments #1 and #2 from A Agricultural Zone to C6 Highway Commercial Zone together with the following site-specific zoning exceptions (applicable to the entirety of the subject lands) to facilitate the development of an Automobile Gas Bar as shown on Attachments #3 and #4:

	By-law Standard	By-law 1-88 Requirements - C6 Highway Commercial Zone	Proposed Exceptions to C6 Highway Commercial Zone of By-law 1-88
a.	Definition of a Lot	Means a parcel of land fronting onto a street separate from any abutting land.	For the purpose of zoning conformity, the subject lands shown on Attachments #1 and #2 shall be deemed to be one lot.
b.	Minimum Parking Requirement	5.5 spaces/100 m ²	3.5 spaces/100 m ²

	By-law Standard	By-law 1-88 Requirements - C6 Highway Commercial Zone	Proposed Exceptions to C6 Highway Commercial Zone of By-law 1-88
c.	Minimum Landscape Strip width Abutting Lands Zoned Open Space (north lot line)	2.4 m	1 m
d.	Minimum Landscape Strip Width along a Lot Line which abuts a Street Line (Major Mackenzie Drive)	6 m	2 m
e.	Maximum Driveway Width (Major Mackenzie Drive)	9 m	13 m
f.	Minimum Lot Frontage (Jane Street)	60 m	18 m (existing situation)
g.	Minimum Interior Side Yard Setback (north)	10 m	1.6 m
h.	Minimum Exterior Side Yard Setback (Major Mackenzie Drive)	15 m	2.4 m

Other zoning exceptions may be identified through the detailed review of the application.

Background - Analysis and Options

Location	<ul style="list-style-type: none"> ▪ Northeast corner of Jane Street and Major Mackenzie Drive, shown as subject lands on Attachments #1 and #2. ▪ The subject lands consist of two properties as shown on Attachments #2 and #3. The westerly property is owned by Shell Canada Limited et al (Shell lands) and is municipally known as 3000 Major Mackenzie Drive. The easterly property is owned by 937533 Ontario Inc. ▪ The Owners have consented to a comprehensive development over the two properties (Attachment #4). The Shell lands are currently developed with an automobile gas bar and drive-through which are no longer in operation. The easterly property is vacant.
Official Plan Designation	<ul style="list-style-type: none"> ▪ "Community Commercial Centre" with a Service Centre overlay by OPA #350 (Maple Community Plan), which permits an automobile gas bar use. The proposal conforms to the Official Plan. ▪ "Mid-Rise Mixed-Use" by the new City of Vaughan Official Plan

	<p>2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010, and is pending approval from the Region of York. An automobile gas bar use is permitted under this designation, provided that the use is located on an arterial street, is limited to one gas station per intersection, and that no gas stations shall be permitted at the intersection of two arterial streets. The proposal does not conform to the locational criteria for gas stations identified in VOP 2010. However, the westerly parcel has an as-of-right C6 zoning on the property that permits an automobile gas bar use, and when combined with the easterly parcel, allows for a more larger parcel that is conducive to appropriate development opportunities, and therefore, conforms to the intent of the Official Plan.</p>
Zoning	<ul style="list-style-type: none"> ▪ The Shell lands are zoned C6 Highway Commercial Zone by Zoning By-law 1-88, which permits the automobile gas bar use. ▪ The 937533 Ontario Limited lands are zoned A Agricultural Zone by Zoning By-law 1-88. ▪ The proposed rezoning of the 937533 Ontario Limited lands from A Agricultural Zone to C6 Highway Commercial Zone, together with the proposed site-specific zoning exceptions (applicable over the entire subject lands) to permit the development of an automobile gas bar, require amendments to Zoning By-law 1-88.
Surrounding Land Uses	<ul style="list-style-type: none"> ▪ 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:

a.	City Official Plan Policies	<ul style="list-style-type: none"> ▪ The application will be reviewed in consideration of the applicable City Official Plan policies.
b.	Appropriateness of Proposed Rezoning and Site-Specific Zoning Exceptions	<ul style="list-style-type: none"> ▪ The appropriateness of rezoning the 937533 Ontario Limited lands to C6 Highway Commercial Zone together with the proposed site-specific zoning exceptions for the entire subject lands, to facilitate the development of the site with an automobile gas bar will be reviewed in consideration of compatibility with the surrounding land uses.
c.	Consent Application	<ul style="list-style-type: none"> ▪ The Owners will be required to submit Consent Applications for the creation of reciprocal access easements over the two properties. The applications must be approved by the Vaughan Committee of Adjustment.

d.	Site Development Application	<ul style="list-style-type: none"> ▪ The Owners have submitted a related Site Development File DA.11.068. The zoning and site plan applications will be reviewed to ensure the following matters, but not limited to, are addressed: appropriate building and site design; built form; pedestrian accessibility; vehicle access; servicing and grading; signage; and landscaping. This will include if the proposed building can be moved further eastward to facilitate opportunities to increase the amendment of landscaping adjacent to the Jane and Major Mackenzie intersection area, if physically possible. ▪ The development will be reviewed in consideration of the Maple Streetscape and Urban Design Guidelines.
e.	Sustainable Development	<ul style="list-style-type: none"> ▪ 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, energy efficient lighting, and reduction in pavement to address the "heat island" effect, etc, will be reviewed and implemented through the site plan approval process.

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. The road widening along Major Mackenzie Drive and the proposed driveway access locations and designs must be approved by the Region of York Transportation Services Department.

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 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. Proposed Zoning
4. Site Plan
5. Landscape Plan
6. Elevation Plan (Convenience Store)

Report prepared by:

Mary Caputo, Planner, ext. 8215

Christina Napoli, Senior Planner, ext. 8483

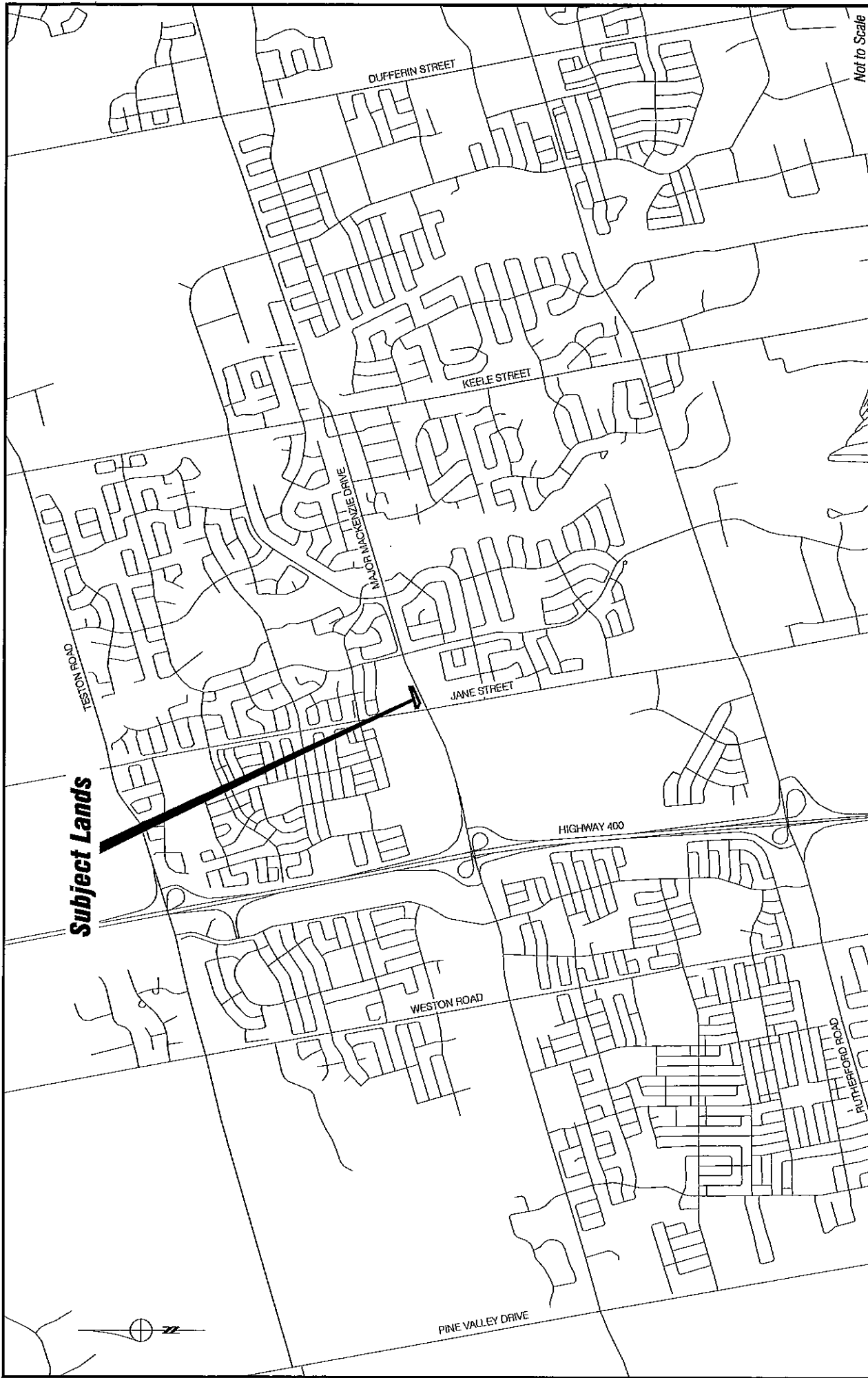
Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN MACKENZIE
Commissioner of Planning

GRANT UYEVAMA
Director of Development Planning

/CM



Context Location Map

LOCATION:
Part of Lots 20 & 21, Concession 4

APPLICANT:
Sheff Canada Limited et al

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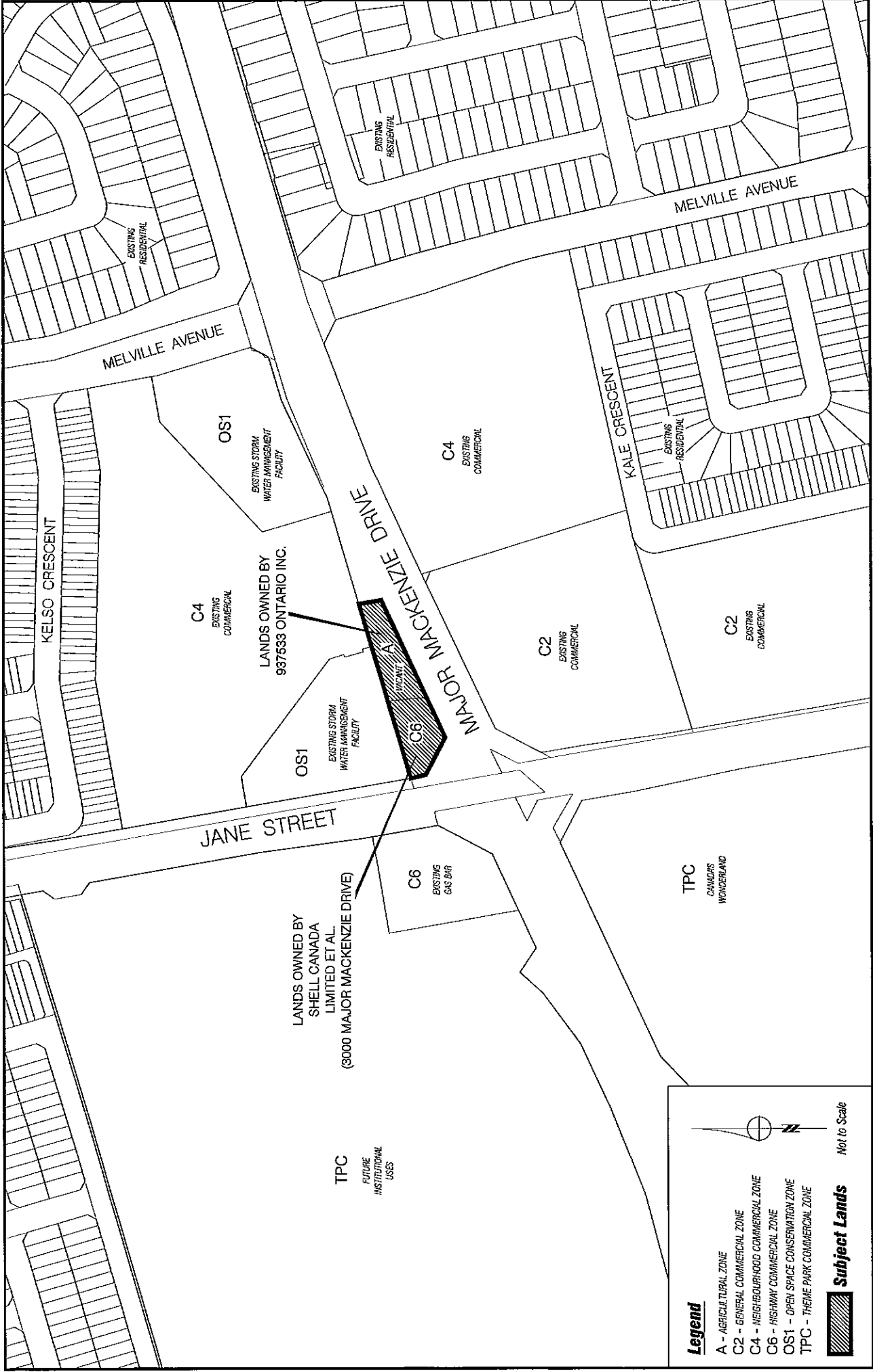


Attachment

FILE: Z.11.020
RELATED FILE: DA.11.068


DATE:
August 03, 2011


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Legend

- A - AGRICULTURAL ZONE
- C2 - GENERAL COMMERCIAL ZONE
- C4 - NEIGHBOURHOOD COMMERCIAL ZONE
- C6 - HIGHWAY COMMERCIAL ZONE
- OS1 - OPEN SPACE CONSERVATION ZONE
- TPC - THEME PARK COMMERCIAL ZONE

Subject Lands  Not to Scale



Location Map

LOCATION:
Part of Lots 20 & 21, Concession 4

APPLICANT:
Shell Canada Limited et al

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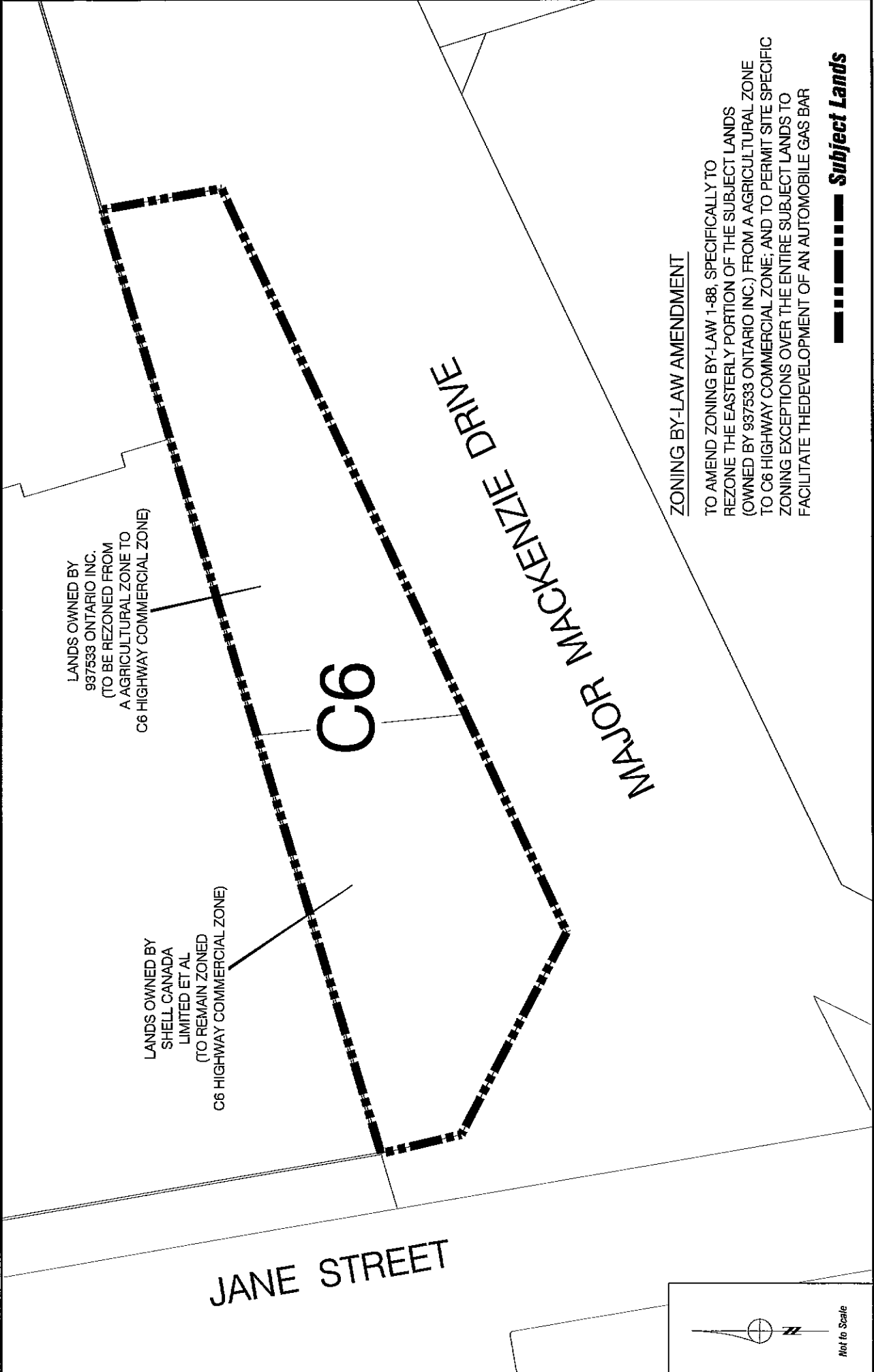


Attachment

FILE: Z.11.020
RELATED FILE: DA.11.068

DATE:
August 03, 2011

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LANDS OWNED BY
937533 ONTARIO INC.
(TO BE REZONED FROM
A AGRICULTURAL ZONE TO
C6 HIGHWAY COMMERCIAL ZONE)

LANDS OWNED BY
SHELL CANADA
LIMITED ET AL
(TO REMAIN ZONED
C6 HIGHWAY COMMERCIAL ZONE)

C6

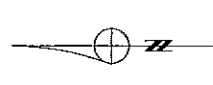
MAJOR MACKENZIE DRIVE

JANE STREET

ZONING BY-LAW AMENDMENT

TO AMEND ZONING BY-LAW 1-88, SPECIFICALLY TO REZONE THE EASTERLY PORTION OF THE SUBJECT LANDS (OWNED BY 937533 ONTARIO INC.) FROM A AGRICULTURAL ZONE TO C6 HIGHWAY COMMERCIAL ZONE; AND TO PERMIT SITE SPECIFIC ZONING EXCEPTIONS OVER THE ENTIRE SUBJECT LANDS TO FACILITATE THE DEVELOPMENT OF AN AUTOMOBILE GAS BAR

----- Subject Lands



Proposed Zoning

LOCATION:
Part of Lots 20 & 21, Concession 4

APPLICANT:
Shell Canada Limited et al

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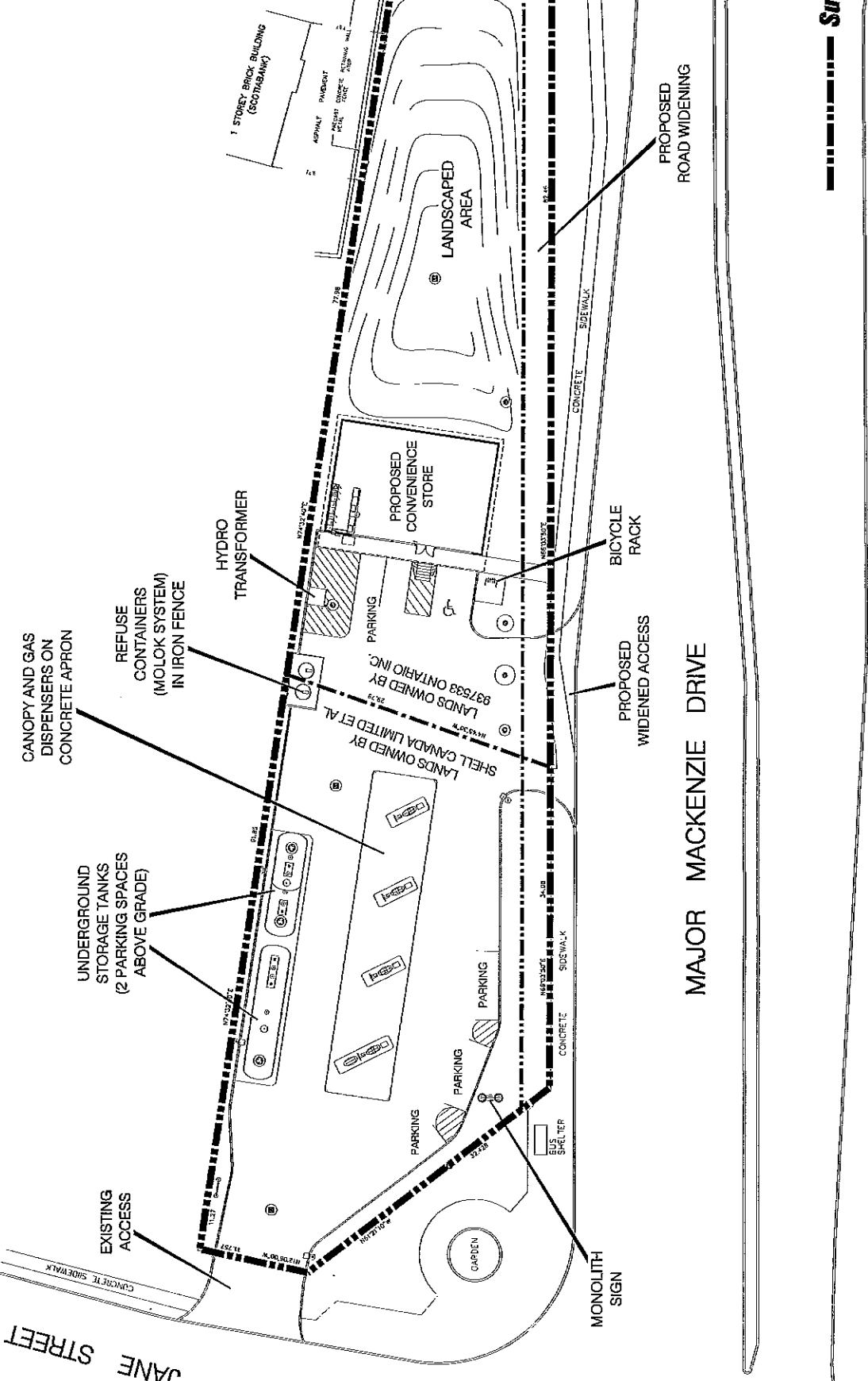
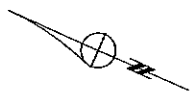


Attachment

FILE: Z.11.020
RELATED FILE: DA.11.068

DATE:
August 03, 2011

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Subject Lands

Not to Scale

Site Plan

LOCATION:
Part of Lots 20 & 21, Concession 4

APPLICANT:
Shell Canada Limited et al

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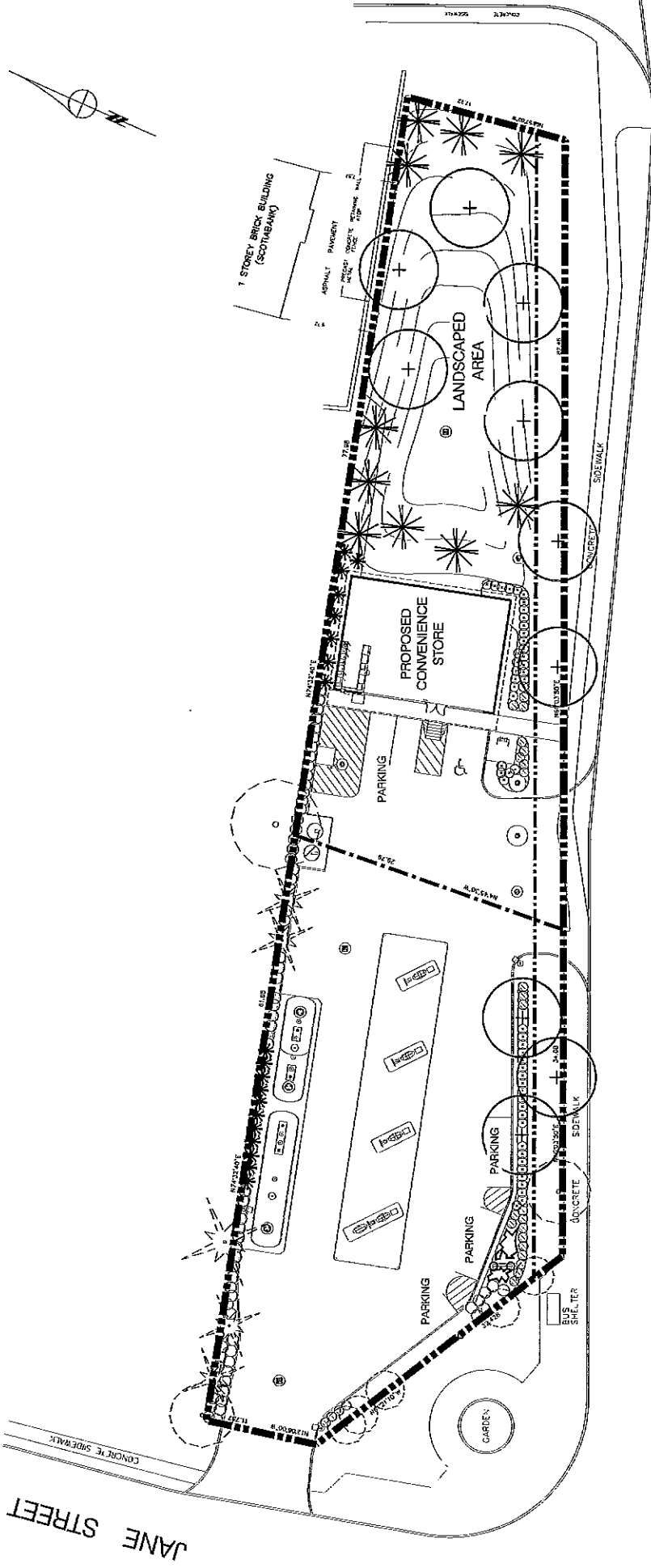
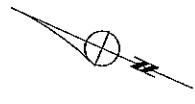


Attachment

FILE: Z.11.020
RELATED FILE: DA.11.068

DATE:
August 03, 2011

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MAJOR MACKENZIE DRIVE

----- Subject Lands

Not to Scale

Landscape Plan

LOCATION:
Part of Lots 20 & 21, Concession 4

APPLICANT:
Shell Canada Limited et al

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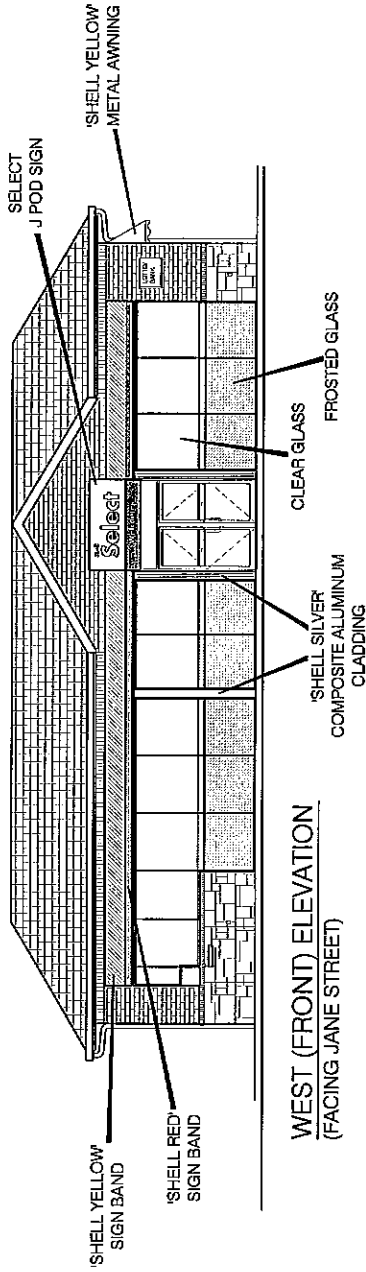


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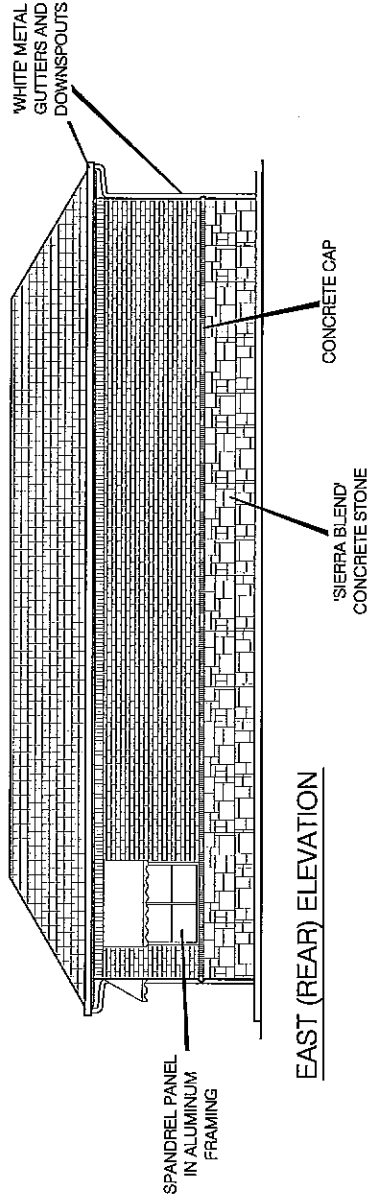
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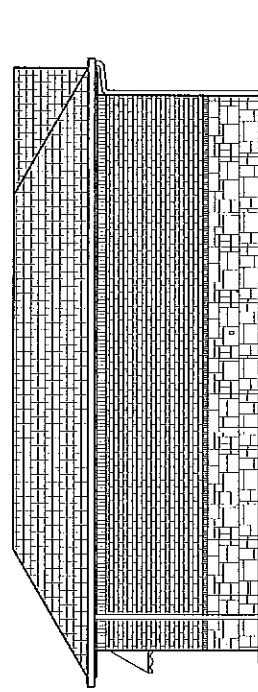
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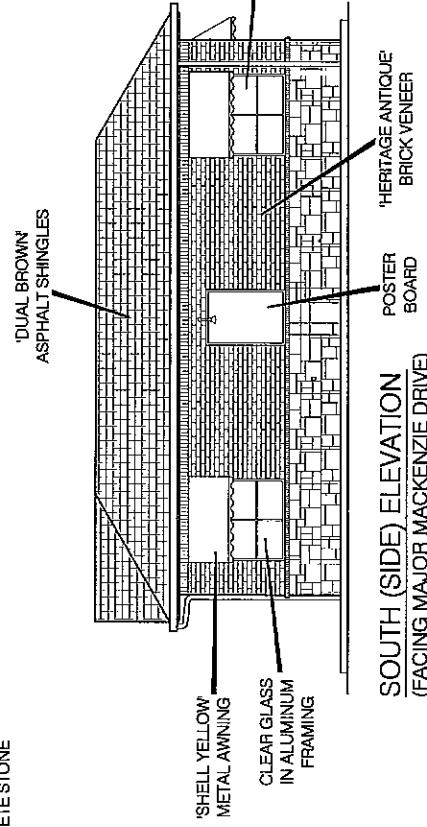
WEST (FRONT) ELEVATION
(FACING JANE STREET)



EAST (REAR) ELEVATION



NORTH (SIDE) ELEVATION



SOUTH (SIDE) ELEVATION
(FACING MAJOR MACKENZIE DRIVE)

Not to Scale

Elevation Plan (Convenience Store)

APPLICANT: Shell Canada Limited et al
 LOCATION: Part of Lots 20 & 21, Concession 4
 N:\DFT\1 ATTACHMENTS\Z\z-11.020da.11.068.dwg



Attachment

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