

COMMITTEE OF THE WHOLE - MAY 22, 2001

**ZONING BY-LAW AMENDMENT FILE Z.00.037
REPORT #P.2000.100
METRUS PROPERTIES LTD.**

Recommendation

The Commissioner of Planning & Urban Design recommends:

THAT Zoning By-law Amendment File Z.00.037 (Metrus Properties Ltd.) BE APPROVED, subject to the following conditions:

1. That the implementing by-law:
 - a) rezone the subject lands to C7 Service Commercial Zone, restricted to the following uses:
 - i) Automotive Service Station, Automobile Gas Bar, Car Wash
 - ii) Automotive Retail Store
 - iii) Bank and Financial Institution
 - iv) Business and Professional Office
 - v) Convenience Retail Store
 - vi) Eating Establishment/Outdoor Patio
 - vii) Eating Establishment/Convenience with Drive-Through/Outdoor Patio
 - viii) Eating Establishment, Take Out/Outdoor Patio
 - b) provide any necessary exceptions to implement the approved site plan.
2. That prior to the enactment of the implementing by-law:
 - a) a Traffic Impact Study shall be approved by the City of Vaughan and the Region of York to determine the required location and configuration of the private road, and to confirm the range of permitted uses for the subject lands;
 - b) an Edge Management Plan, ensuring the protection of the woodlot, shall be approved by the Region of York and City of Vaughan; and,
 - c) a site development application shall be approved by Council.

Purpose

On April 20, 2000, the Owner submitted an application to amend the Zoning By-law to rezone a 0.46 ha site to C7 Service Commercial Zone, to permit the following uses:

- Automotive Service Station, Automobile Gas Bar, Car Wash
- Automotive Retail Store
- Bank and Financial Institution
- Business and Professional Office
- Convenience Retail Store
- Eating Establishment/Outdoor Patio
- Eating Establishment/Convenience with Drive-Through/Outdoor Patio
- Eating Establishment, Take Out/Outdoor Patio

A related Official Plan Amendment application was also considered at the public hearing on December 11, 2000. Subsequent review of the site's qualification as a Service Node, as defined in OPA #450, established that an Official Plan Amendment was not required, and the application was closed.

Background- Analysis and Options

Location

- West side of Dufferin Street, south of Rutherford Road
- Block 1, Registered Plan 65M-2523 (30 Floral Parkway)
- Part of Part 8, Reference Plan 65R-14527
- Lot 13, Concession 3, City of Vaughan

Land Use Status

- Designation - "Prestige Area" by OPA #450
- Zoning - EM1 Prestige Employment Area Zone by By-law 1-88

Site Description

- 0.46 ha vacant site at the northeast corner of a larger lot; the remainder of the larger lot is developed with an industrial/office building and includes a woodlot
- 69 m frontage on Dufferin Street and 78 m depth
- the site is surrounded by a mature woodlot to the south and west
- the north side of the site abuts a driveway, providing access to the industrial building on the larger portion of the lot
- the surrounding land uses are:

North - residential (RVM1(A) and RVM1(B) Residential Urban Village Multiple Dwelling Zone One)

South - woodlot, office (EM1 Prestige Employment Area Zone)

East - Dufferin Street; City of Toronto Water Reservoir (A Agricultural Zone)

West - woodlot, employment (EM1 Prestige Employment Area Zone)

Public Hearing

On November 20, 2000, a notice of public hearing was circulated to all property owners within 120m of the subject lands, and to the Concord West Ratepayers Association. To date, no comments have been received. The recommendation of the Committee of the Whole at the Public Hearing on December 11, 2000, to receive the public hearing and forward a comprehensive report to a future Committee meeting, was ratified by Council on December 17, 2000.

Official Plan

The "Prestige Area" designation accommodates uses requiring high visual exposure, good accessibility and an attractive working environment, with no outside storage, at locations adjacent to arterial roads.

The site is also subject to the Service Node policies of OPA #450, which provides for uses which serve the day-to-day convenience and service needs of business, industries and their employees, generally located at the intersection of arterial and or collector roads, or in other convenient locations.

The site is conveniently and prominently situated on Dufferin Street, which is a major north-south arterial providing a direct link to the surrounding employment area. A service commercial use on the subject lands would service the adjacent employment area.

The site location and proposed uses conform to the "Service Node" policies in OPA #450. The OPA provides for the detailed range of service commercial uses to be established in the Zoning By-law.

Conceptual Site Plan

A preliminary concept plan (Attachment #2) has been submitted which illustrates the most restrictive development scenario for these lands, based on a use with the highest parking standards. One (1) 336 m² commercial building is proposed, which abuts Dufferin Street and the northern private driveway. A south-bound, right-out access onto Dufferin Street is proposed at the south end of the site. The parking area for 57 parking spaces is generally located west of the building, away from Dufferin Street.

Urban Design

A woodlot provides a backdrop on the north and east sides of the site. The Owner advises that the intention is to maintain and protect the woodlot. The Region of York requires the preparation of an edge management plan to ensure that the proposed development does not impact the woodlot.

The Urban Design Department requires a Landscape Plan to be submitted at the site plan stage, consisting of upgraded entry features and landscaping to be implemented along the frontage of Dufferin Street, and along the private road at the north perimeter of the site. A detailed tree inventory and assessment plan will also be required for the interface between the proposed site and the existing woodlot. The Applicant is to adhere to the perimeter landscape requirements for Dufferin Street, as identified in the approved Landscape Master Plan for the residential subdivision to the north (Block 17). Cash-in-lieu of parkland dedication will be required, as a condition of site plan approval.

Traffic and Access

a) Region of York

The conceptual site plan proposes full access from the private driveway off Dufferin Street and a right-out access at the southern end of the site onto Dufferin Street. The Region of York has indicated that access to the site shall be provided only from the private driveway along the north limit of the site, with no direct access to Dufferin Street. The applicant will need to address the Region's comments upon submission of a site plan application.

b) Engineering Department

The Engineering Department has provided the following comments:

1. Based upon the Region's initial comments, it appears that access into the proposed plaza site will be restricted to use of the existing private road that borders the northern fringe of the subject property. Currently, this road serves primarily as a 'truck use only' access into the rear of the existing industrial property. That site has its main access oriented from the north end of Floral Parkway. The subject private road was built quite wide and it physically resembles a public road. If there should be any expectation by the Owner to have the City assume it as a public road right-of-way (ROW), there will be conditions. This road would need to conform to full City of Vaughan standards regarding ROW width, construction standards, street lamping, underground utility coordination and similar items.

2. The proposal significantly increases use of this existing private road access onto a Regional jurisdiction road (Dufferin St). That will result in enough additional traffic movements to warrant a need for traffic signal control, either initially or at some future date. Therefore, if this application matures into the expected site plan approval process, the Owner will need to submit a consultant prepared traffic impact study. That study would confirm design parameters for the expected traffic control signals. The study should be submitted to the Region of York and City Transportation staff for comment and approval.
3. The existing private road has a 8.5 m wide curb-face to curb-face width, which would accommodate a one lane in (westbound) one lane out (eastbound) arrangement. However, the Traffic Impact Study may prove a need for traffic control where it intersects Dufferin Street. At that time, widening for some multiple lane operation may be recommended.

Servicing

The subject lands have access to municipal servicing, including storm and sanitary sewers and water. The final site grading and servicing plan and stormwater management report shall be approved by the Engineering Department.

Zoning

a) Proposed Uses

The subject lands are zoned EM1 Prestige Employment Area Zone by By-law 1-88. Rezoning the lands to C7 Service Commercial Zone would permit the lands to be developed as a service commercial centre, with no outside storage. The applicant proposes the following uses from the Service Commercial Zone:

- Automotive Service Station, Automobile Gas Bar, Car Wash
- Automotive Retail Store
- Bank and Financial Institution
- Business and Professional Office
- Convenience Retail Store
- Eating Establishment/Outdoor Patio
- Eating Establishment/Convenience with Drive-Through/Outdoor Patio
- Eating Establishment, Take Out/Outdoor Patio

Staff can support the above-noted uses, which were chosen by the applicant from the broader list of C7 Zone uses. The uses are considered to be appropriate to provide a service commercial function, and to be a realistic development for the site in light of access and parking constraints, given the limited site size. The site is physically and functionally compatible with the employment lands to the south and west, and are buffered by the woodlot and berm and fence combination to the north, which will minimize impact upon the residential uses in Block 17.

b) Parking

Staff evaluated the required parking for the site by applying the most restrictive parking requirement, from the above list of uses. The proposed Eating Establishment Convenience with Drive-Through

would generate the most parking, and the parking was calculated as follows:

Parking Required (336.03 m ² @16spaces /100 m ²)	= 54 spaces
Proposed Parking	= 57 spaces

Using the most restrictive parking standard of 16 spaces per 100 m² demonstrates that parking for a convenience eating establishment with drive-through can be accommodated on the site. Since all the other proposed uses have a lower parking standard, Staff are satisfied that the proposed uses can be accommodated on the site.

c) Additional Exceptions

Through the site plan process, and as part of the urban design exercise, it is possible that additional exceptions may be identified which will need to be incorporated into the by-law. Once a more detailed proposal for the site has been submitted at site plan stage, the specific design and site, layout will be more thoroughly examined.

Conclusion

Staff have reviewed the proposed zoning by-law amendment application and are satisfied that the proposed uses conform with the policies of OPA #450. The subject lands are located at a convenient location to service the needs of the surrounding employment area. The proposed uses are functionally and physically compatible with the uses in the surrounding employment and residential areas.

The area of the site is limited, and can only accommodate a smaller-scale development. The site plan review process would ensure that the development will be appropriate for the site and the surrounding area, and would address all concerns of the City and Region regarding site access and traffic.

The Engineering Department requires the submission of a Traffic Impact Study for approval at the site plan stage, which will confirm design parameters for the private road, as well traffic signal control where it intersects Dufferin Street.

It is Staff's opinion that the results of the Traffic Impact Study may further refine the range of commercial uses which can be accommodated on the subject lands. If, for example, the traffic generated by a drive-through facility cannot properly access or function on the site the list of recommended uses will be revised at the site plan stage.

The Owner advises that the abutting woodlot is to be maintained. Both the Region of York and Vaughan require the submission of an Edge Management Plan for approval at the site plan stage, to ensure measures will be undertaken to protect the woodlot.

For these reasons, Staff recommends approval of Zoning Amendment Application Z.00.037, subject to conditions. Prior to the enactment of the implementing by-law, a Traffic Impact Study and Edge Management Plan must be approved by the City and the Region of York, and a site development application be approved by Council. Should the Committee concur, the recommendation in this report can be adopted.

Attachments

1. Location Map

2. Conceptual Site Plan

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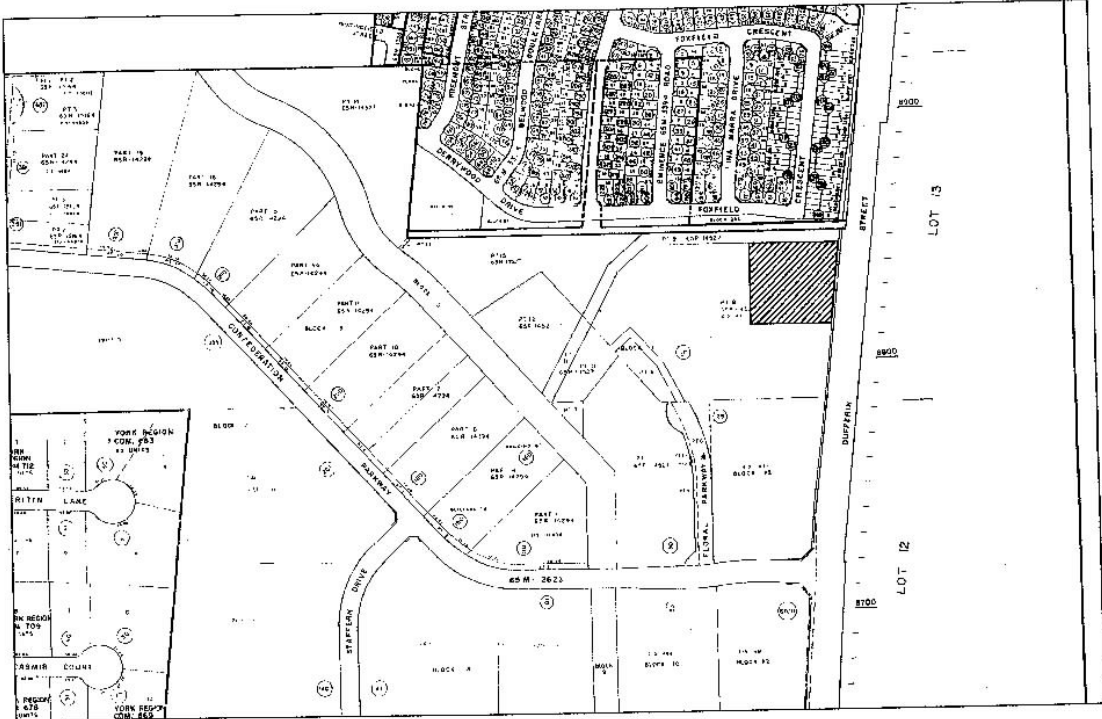
Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning & Urban Design

JOANNE R. ARBOUR
Director of Community Planning

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 SUBJECT LANDS

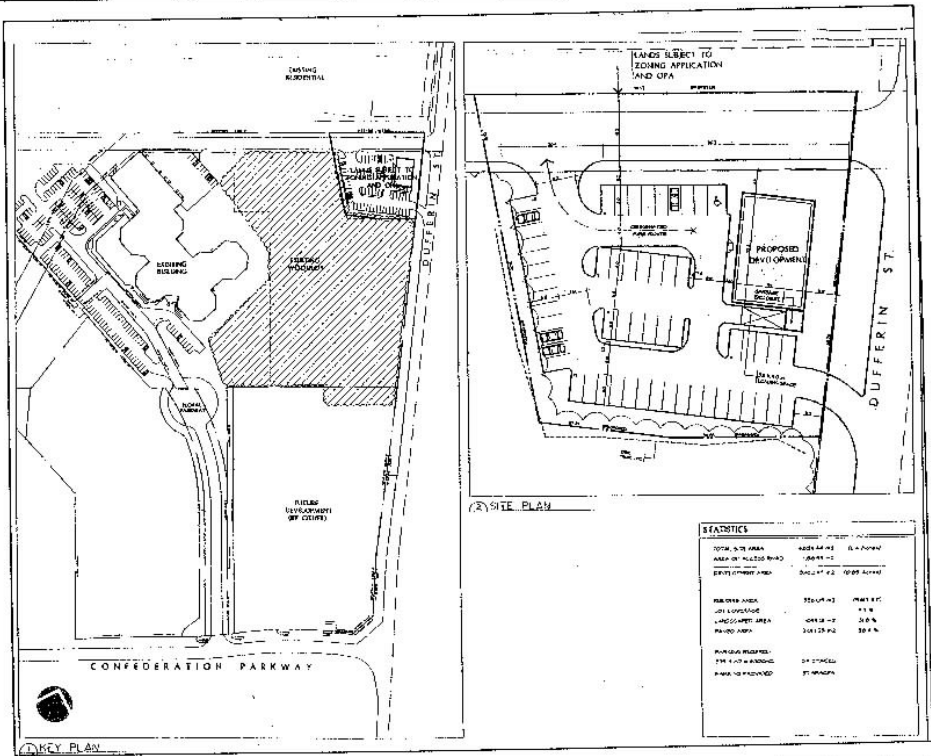


METRUS PROPERTIES LTD.

ATTACHMENT "1"
LOCATION MAP

CITY OF VAUGHAN PLANNING DEPARTMENT

FILE #	LOCATION:
Z.00.037	LOT 13 CONC. 3
REPORT #	00/11/16
	NOT TO SCALE



STATISTICS

TOTAL GROSS AREA	488,841 sq ft	11.4 Acres
AREA BY ZONING BOARD	488,841 sq ft	11.4 Acres
DEVELOPMENT AREA	362,112 sq ft	8.28 Acres
LANDSCAPE AREA	126,729 sq ft	2.9 Acres
PARKING AREA	31,000 sq ft	0.7 Acres
PARKING SPACES	24 SPACES	
LANDSCAPING	BY OTHERS	



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ATTACHMENT "2" PRELIMINARY SITE PLAN	FILE #	LOCATION:
	Z.00.037	LOT 13 CONC. 3
CITY OF VAUGHAN PLANNING DEPARTMENT	REPORT #	00/11/15
		NOT TO SCALE