

COMMITTEE OF THE WHOLE APRIL 8, 2002

**ZONING BY-LAW AMENDMENT FILE Z.99.013
SITE DEVELOPMENT FILE DA.01.048
MAJORWEST DEVELOPMENT CORP.**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment Application Z.99.013 (Majorwest Development Corp.) BE APPROVED, to add an automobile gas bar as a permitted use on the subject lands, and to permit required exceptions to the zoning standards.
2. THAT Site Development Application DA.01.048 (Majorwest Development Corp.) BE APPROVED, provided that prior to the execution of the site plan agreement:
 - i) the site plan shall be to the satisfaction of the Community Planning and Urban Design Departments;
 - ii) the site servicing and grading plan shall be to the satisfaction of the Engineering Department;
 - iii) the landscaping plan shall be to the satisfaction of the Urban Design Department;
 - iv) the elevations shall be to the satisfaction of the Urban Design Department and the Architectural Control Architect; and,
 - v) the access to Major Mackenzie Drive shall be approved by the Region of York.
3. The Owner shall pay to the City by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands in accordance with the Planning Act, prior to the issuance of a building permit. The Owner shall submit an appraisal prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.

Purpose

On February 16, 1999, the Owner submitted a zoning by-law amendment application, and on June 21, 2001, submitted the related site development application to permit the development of a gas bar with a convenience store/kiosk, car wash and drive-through eating establishment. A zoning amendment application is required to add a gas bar as a permitted use and other exceptions to implement the site plan.

Background - Analysis and Options

The site is located on the south side of Major Mackenzie Drive, between Weston Road and Highway #400, in Lot 20, Concession 5, City of Vaughan. The 7885 sq.m site has approximately 89m of frontage on Major Mackenzie Drive and is currently vacant. The surrounding land uses are:

- North - Major Mackenzie Drive; farmland (A Agricultural Zone)
- South - detached residential and street townhouses (RV4 Residential Urban Village Zone Four, RVM1 (WS-A) Residential Urban Village Multiple Dwelling Zone One)
- East - fire station (C2 General Commercial Zone)

West - Vellore Woods Boulevard; future mixed commercial/residential (RVM2 –(H)
Residential Urban Village Multiple Dwelling Zone Two (Holding))

On July 27, 2001, a notice of public hearing was circulated to all property owners within 120 m of the subject lands. On August 27, 2001, Council received the applications and recommended that any issues identified be addressed by Staff in a comprehensive report to the Committee of the Whole. Council also resolved "That the applicant meet with the ratepayers and Local Councillor to address the issues identified", which has occurred.

Official Plan

The lands are designated "General Commercial" by OPA #600. The Ontario Municipal Board decision of August 14, 1998 (Order #2020) declared that gas bars were a permitted use in the "General Commercial" designation. The proposed development conforms to the Official Plan.

Zoning

The lands are zoned C2 General Commercial Zone by By-law 1-88, subject to Exception 9(1019). The C2 General Commercial Zone permits a car wash and a drive-through convenience eating establishment. A zoning by-law amendment is required to permit the gas bar use.

A number of exceptions to the zoning standards are also required to facilitate the proposed site plan. The side yard of the restaurant is 5m, rather than the required 6m. The loading space adjacent to the convenience store is shown as 3.6m x 9m, whereas 3.9m x 9m is required, and the stacking lane is not delineated by the required curb. The by-law requires that car washes be 60m from the nearest residential zone, whereas 30m is provided, although the distance between the dwellings and the car wash building is approximately 47m. Also, an exception is required to permit a 3m rather than 6m landscape strip along Eagleview Heights.

Site Plan

The proposed development consists of 3 buildings and a pump island with a canopy. The first building is a 236.2 sq.m gas bar/convenience store at the southwest corner of the site, together with a pump island for 6 pumps covered by a canopy. The second building, located in the middle of the site, is a 103.6 sq.m car wash. The third building, along the east side, is a convenience eating establishment with a drive-through.

Access and Parking

The proposed full movement access to Major Mackenzie Drive is subject to approval by the Region of York, which has previously agreed to a right-in/right-out entrance. Full movement accesses are proposed for Vellore Woods Boulevard and Eagleview Heights and must be to the satisfaction of the Engineering Department.

The plan shows 67 parking spaces, whereas 41 are required by the zoning by-law. The by-law requires that the stacking lane for the drive-through restaurant have a curb for the entire length. Due to the arrangement on the site, this is not possible and an exception is required.

Traffic

A Traffic Impact Study is being reviewed by the Engineering Department. Any requirements that may be identified by this report will be incorporated into the site plan agreement.

Services

Full municipal services are available to the development. The final Grading and Servicing Plan must be approved by the Engineering Department prior to the execution of the site plan agreement.

Landscaping

A significant amount of landscaping is being provided around the perimeter of the site, in a combination of deciduous (Honey Locust, Oak, Maple) and coniferous (Spruce, Cedar) trees, and low shrubbery. Each entrance will feature both plantings and decorative metal fences.

An entrance feature into the residential subdivision at Vellore Woods Boulevard and Major Mackenzie Drive (Attachment #4) consists of a stone wall with a "Vellore Woods" sign. Materials include decorative metal fencing and stone pillars.

A zoning exception for the landscape strip along Eagleview Heights is required. The landscape strip is shown at 3m, rather than 6m, along the staff parking area for the restaurant and at the stacking lane for the car wash.

Pedestrian connections have been provided from Vellore Woods Boulevard to the gas bar/convenience store, and from both Eagleview Heights and Major Mackenzie Drive to the restaurant and car wash. Final landscaping plans must be approved by the Urban Design Department.

Elevations

The gas bar/convenience store is finished in a light-grey stucco with bradstone course around the base and a light orange stucco band around the top of the building. The pitched roof will be shingled. The front elevation features the main glass door, with large windows to both sides. The west elevation, facing Vellore Woods Boulevard, must be upgraded in accordance with comments from the Urban Design Department.

The car wash is clad in a combination of light-grey stucco on the north, west and south sides, and architectural concrete block on the east side, facing the restaurant. The Urban Design Department has requested a trellis be added to this elevation to support a vine. A light-grey stucco band runs around the top of the building, and the roof will be finished with shingles. The west elevation features a large window area for almost its entire length. The north and south elevations have large doors, for vehicle entry and exit.

The pump island canopy is dominated by a red band running around the top, with "ESSO" signs at each end.

The drive-through restaurant has a brick facade on all 4 elevations, enhanced by a stucco band around the top. A shingle system is used for the peaked roof.

All elevations must be approved by the Urban Design Department and the Architectural Control Architect for Block 32 prior to the execution of the site plan agreement.

Conclusion

Staff have reviewed the proposed site plan in accordance with the policies of the Official Plan and the requirements of the Zoning By-law, and have no objections, subject to conditions.

Should Committee concur, the "Recommendation" of this report can be adopted

Attachments

1. Location Map
2. Site Plan
3. Landscape Plan
- 4a. Elevations - Gas Bar
- 4b. Elevations - Car Wash
- 4c. Elevations - Canopy
- 4d. Elevations - Restaurant

Report prepared by:

Todd Coles, Planner, ext. 8634
Art Tikiryán, Senior Planner, ext. 8212

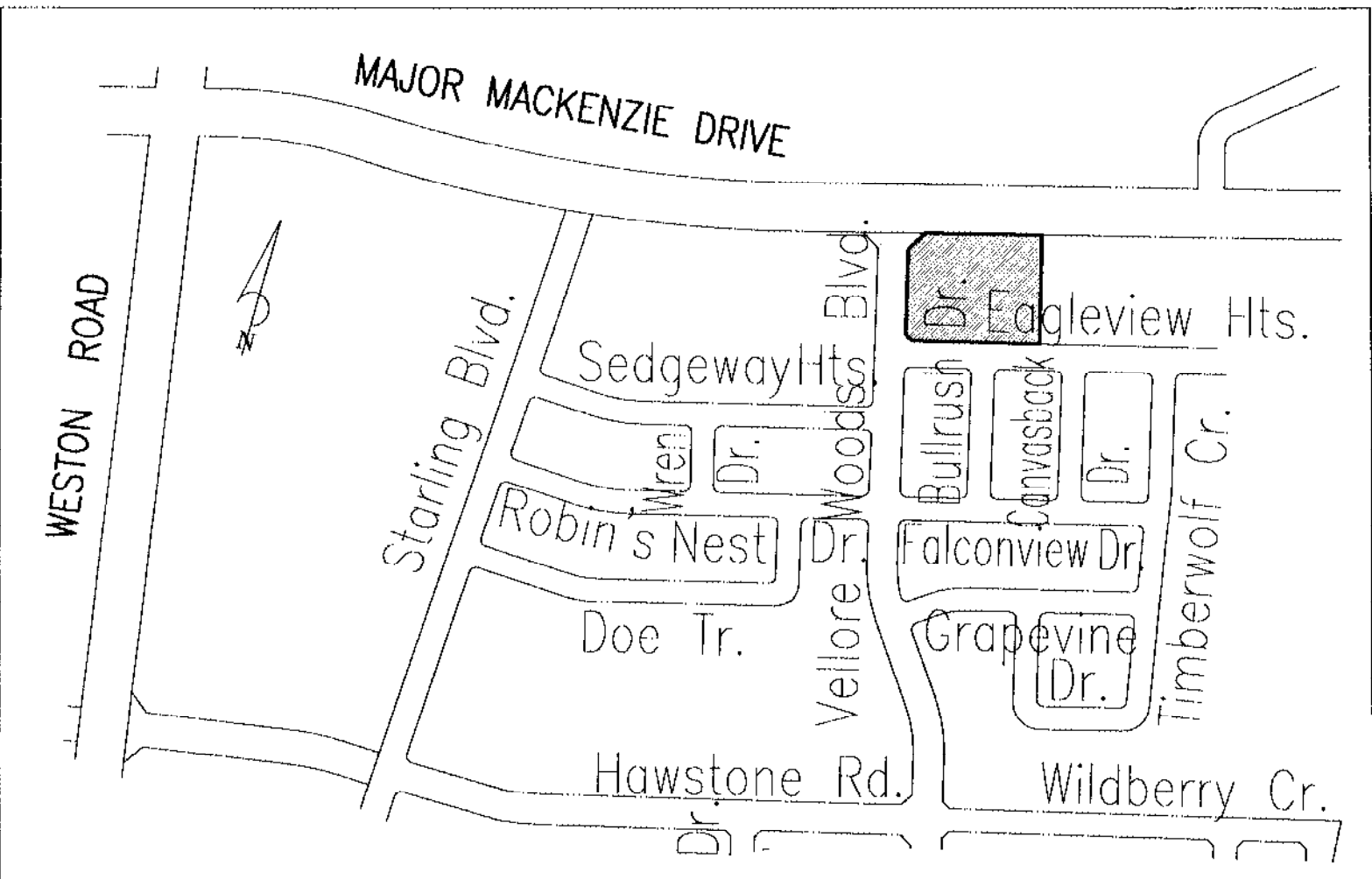
Respectfully submitted,


MICHAEL DeANGELIS
Commissioner of Planning

JOANNE R. ARBOUR
Director of Community Planning

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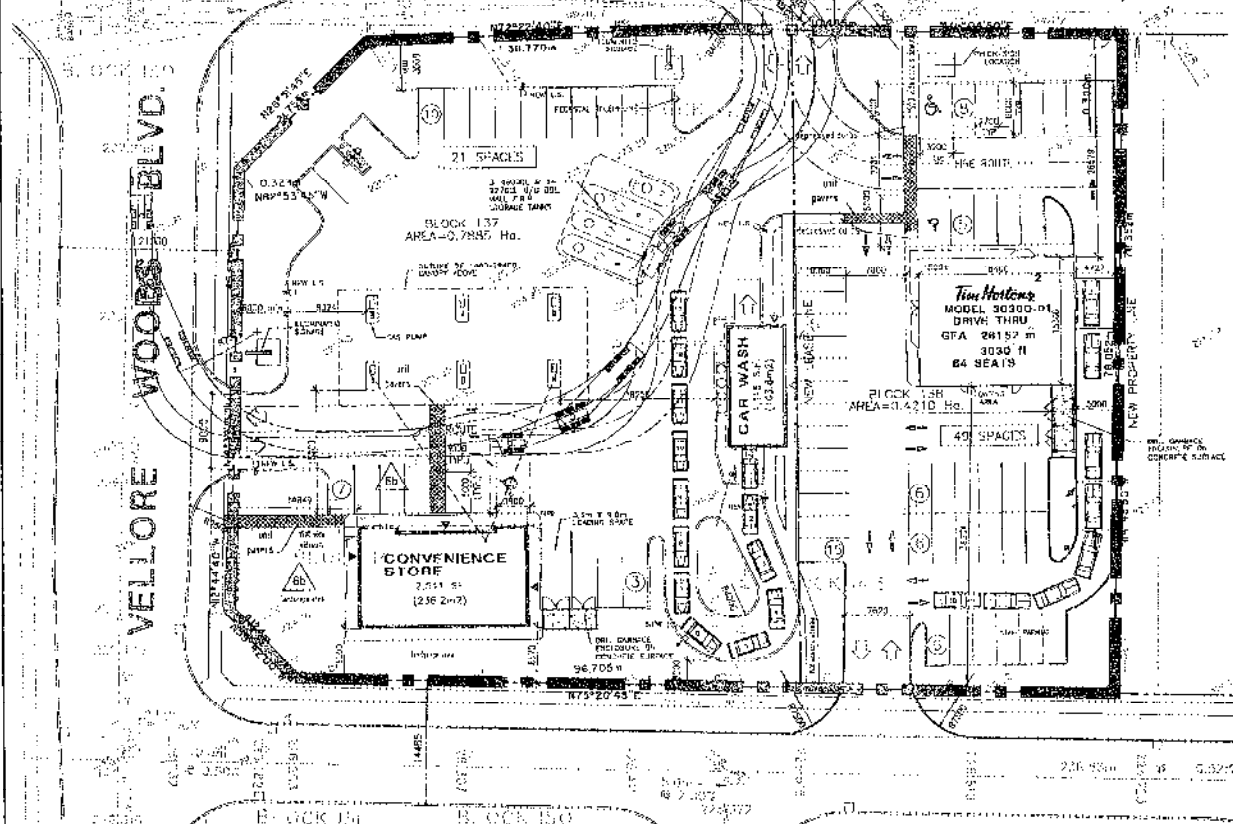
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ATTACHMENT '1' LOCATION MAP	FILE #:	REPORT #:	 SUBJECT LANDS	DATE: 03/25/2002
	DA.01.048 Z.99.013	LOCATION: Part Lot 20, CON. 5		CITY OF VAUGHAN PLANNING DEPARTMENT

SCALE: NOT TO SCALE

MAJOR MACKENZIE DRIVE



SITE STATISTICS

BLOCK NO.	799
TOTAL LOT AREA	7789 m ²
CROSS-CURION AREA	
RESTAURANT TOTAL AREA	281.52 m ²
RESTAURANT TOTAL	324.79 m ²
RESTAURANT	291.22 m ²
LOT COVERAGE	7.9 %
LANDSCAPE OPEN SPACE	1524.49 m ² 19.3 %
HARD SURFACE AREA	5593.28 m ² 71.8 %
PARKING	
BY STANDARD	11 spaces 11.3%
BY SPACES	24 SPACES
BY TOTAL	14 SPACES
TOTAL PROVIDED	41 SPACES
TOTAL PROVIDED	27 SPACES
SPACES	
FRONT YARD	26.8 m
EXTENSION SIDE YARD	14.5 m
SET BACK	8.5 m
REAR YARD	8.0 m



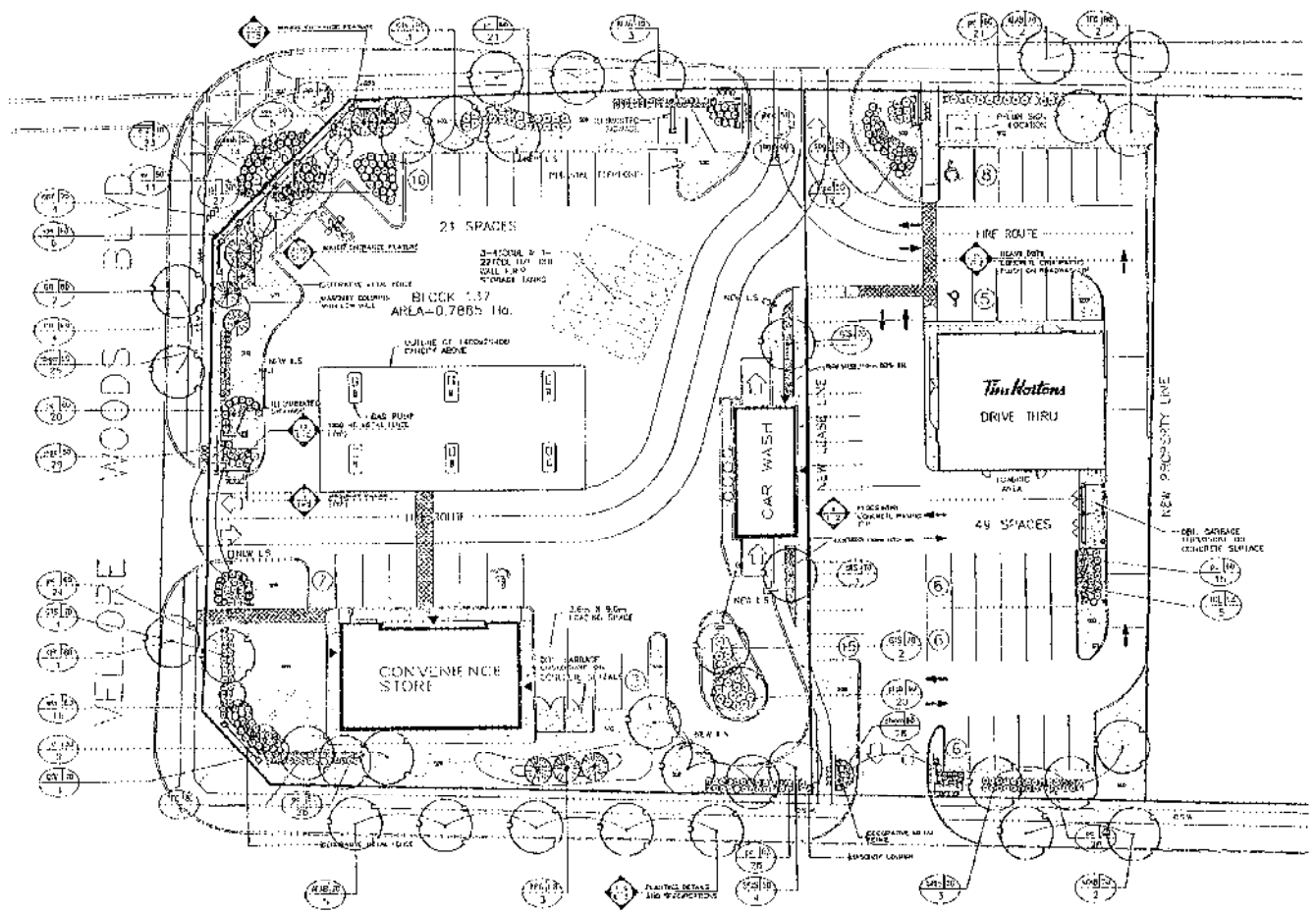
ATTACHMENT '2' SITE PLAN

FILE #:	REPORT #:
DA.01.048	LOCATION:
7.99.015	Part Lot 20, CON. 5

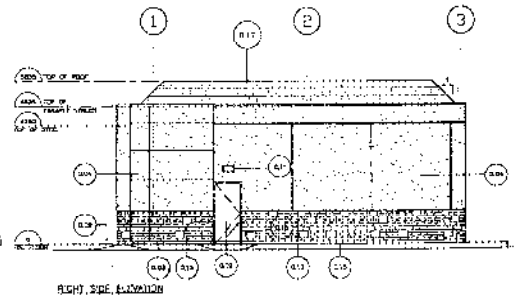
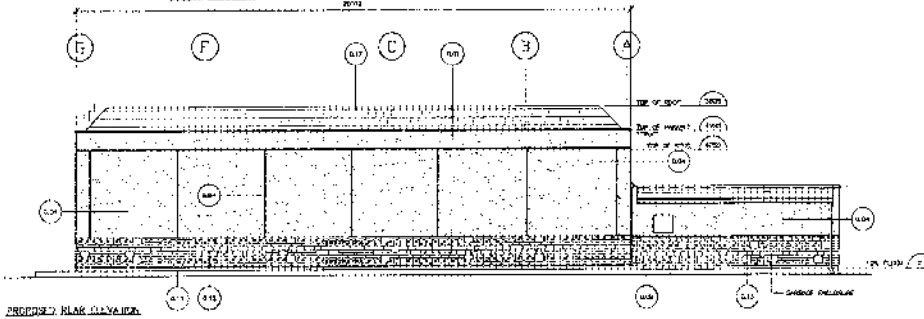
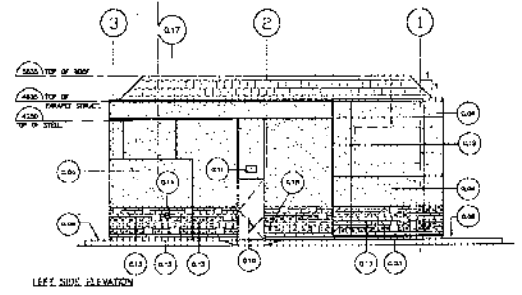
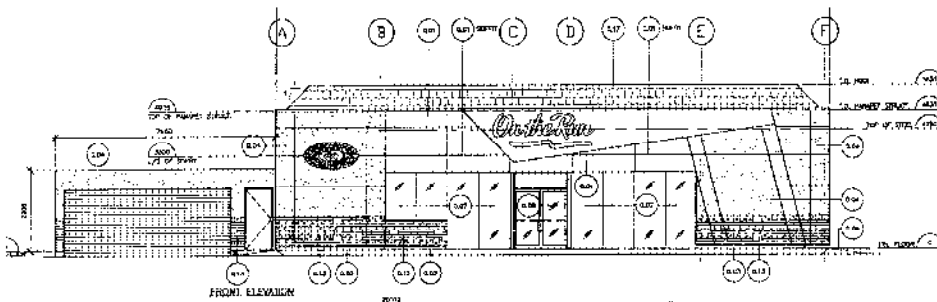
SUBJECT LANDS
CITY OF VAUGHAN
PLANNING DEPARTMENT

DATE:	03/25/2002
APPLICANT:	MAJORWEST DEVELOPMENT CORPORATION
SCALE:	NOT TO SCALE

MAJOR MACKENZIE DRIVE



<h2 style="margin: 0;">ATTACHMENT '3'</h2> <h3 style="margin: 0;">LANDSCAPE PLAN</h3>	FILE #:	REPORT #:		DATE: 03/25/2002
	DA.01.048 Z.99.013	LOCATION: Part Lot 20, CON. 5	CITY OF VAUGHAN PLANNING DEPARTMENT	APPLICANT: MAJORWEST DEVELOPMENT CORPORATION

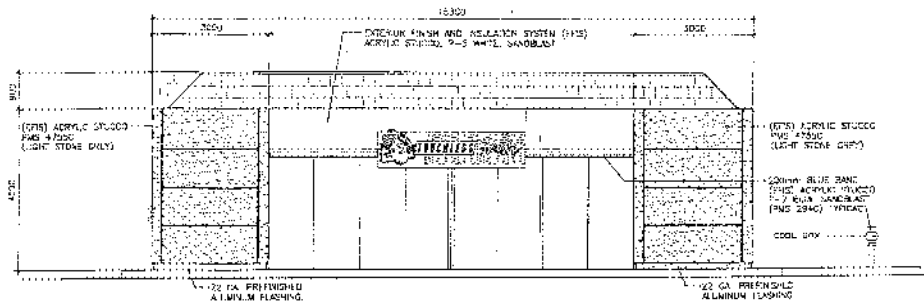


ATTACHMENT '4A'
CAS BAR ELEVATIONS

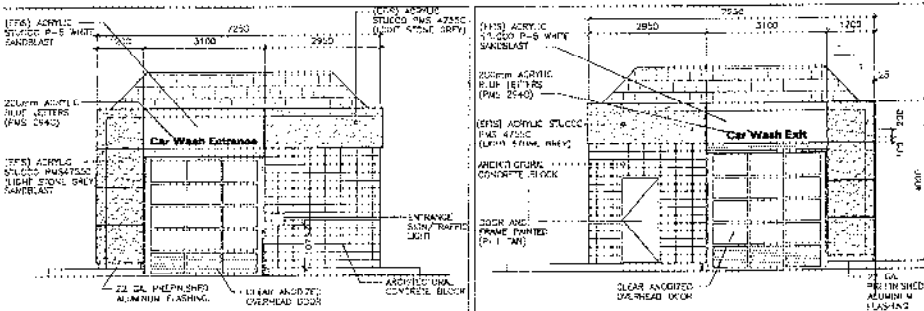
FILE #:	REPORT #:
DA.01.048 Z.99.013	LOCATION: Part Lot 20, CON. 5

CITY OF VAUGHAN
PLANNING DEPARTMENT

DATE:	03/25/2002
SCALE:	NOT TO SCALE
APPLICANT:	MAJORWEST DEVELOPMENT CORPORATION

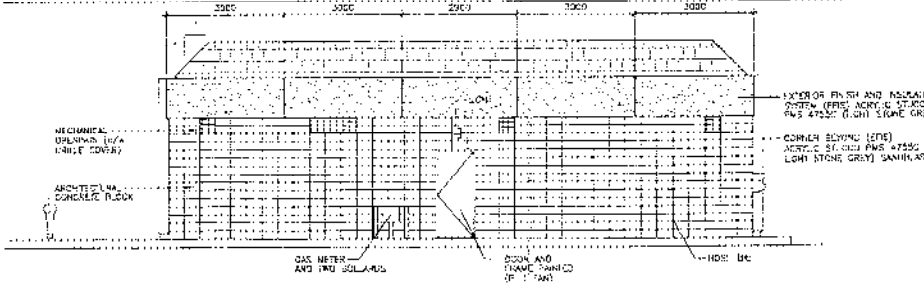


FRONT ELEVATION



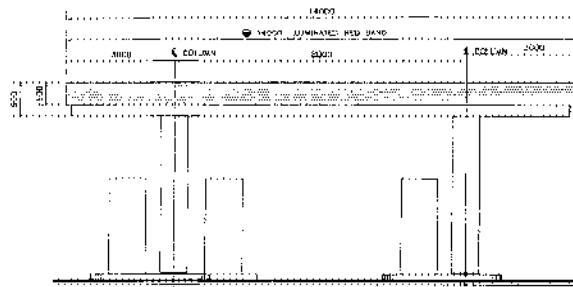
LEFT ELEVATION

RIGHT ELEVATION

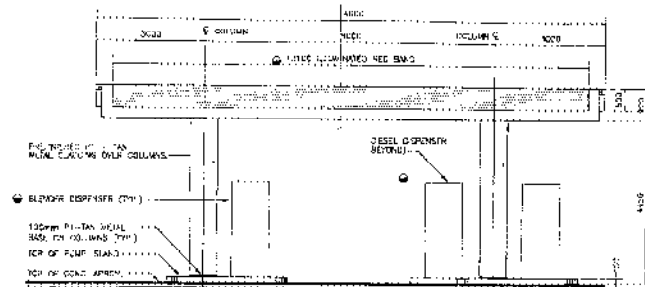


REAR ELEVATION

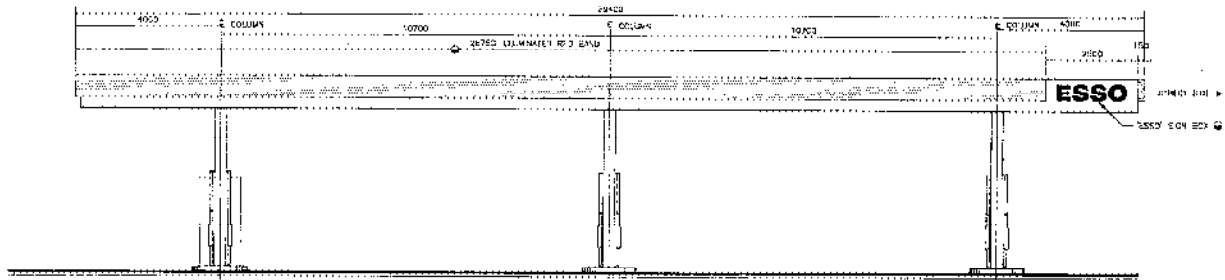
<p>ATTACHMENT '4B'</p> <p>CAR WASH ELEVATIONS</p>	FILE #:	REPORT #:	DATE: 03/25/2002
	DA.01.048 Z.99.013	LOCATION: Part Lot 20, CON. 5	CITY OF VAUGHAN PLANNING DEPARTMENT
			SCALE: NOT TO SCALE



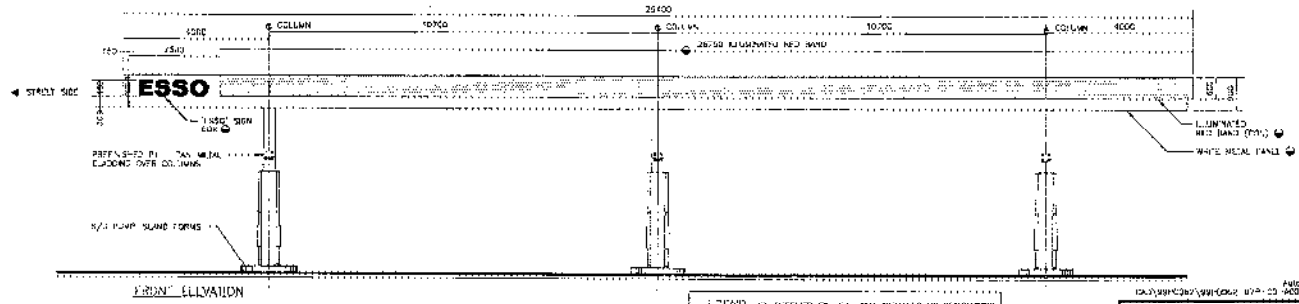
RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION

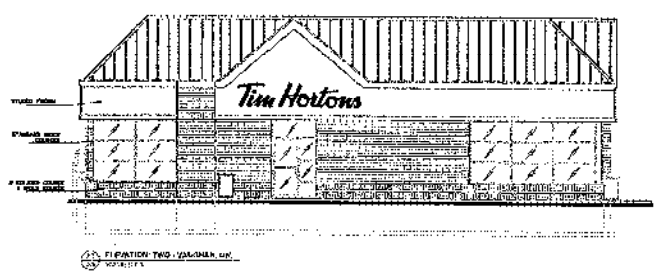
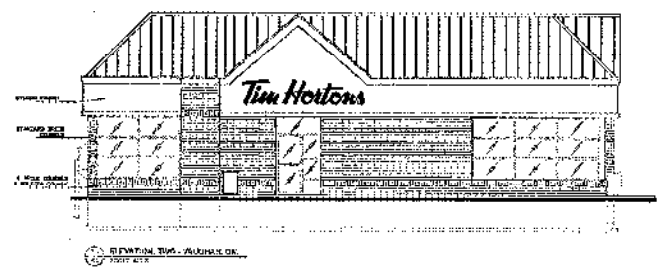
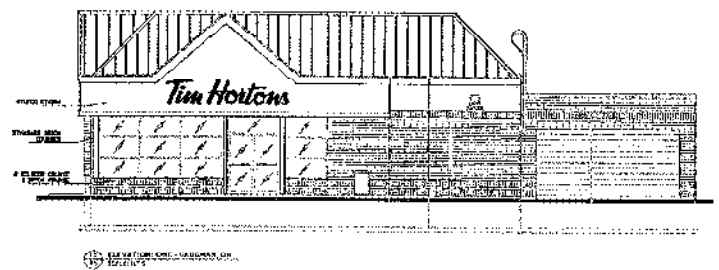
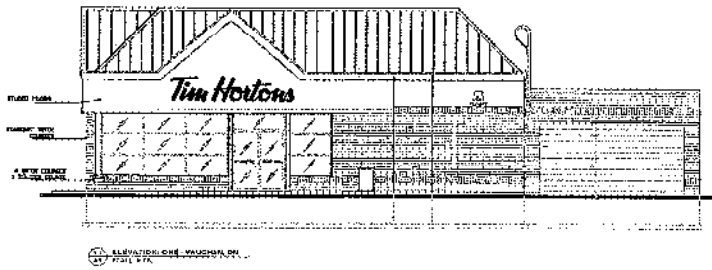


REAR ELEVATION



FRONT ELEVATION

<h2>ATTACHMENT '4C'</h2> <h3>CANOPY ELEVATIONS</h3>	FILE #:	REPORT #:	DATE: 03/25/2002
	DA.01.048 Z.99.013	LOCATION: Part Lot 20, CON. 5	APPLICANT: CITY OF VAUGHAN PLANNING DEPARTMENT
		MAJORWEST DEVELOPMENT CORPORATION	



ATTACHMENT '4D'
RESTAURANT

FILE #:	REPORT #:
DA.01.048 Z.99.013	LOCATION: Part Lot 20, CON. 5

CITY OF VAUGHAN
PLANNING DEPARTMENT

DATE:	03/25/2002
SCALE:	NOT TO SCALE
APPLICANT:	MAJORWEST DEVELOPMENT CORPORATION