

COMMITTEE OF THE WHOLE MARCH 7, 2005

**ZONING BY-LAW AMENDMENT FILE Z.05.002
SITE DEVELOPMENT FILE DA.04.079
INTONACO INVESTMENT CORP.**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.05.002 (Intonaco Investments Corp.) BE APPROVED, to lift the Holding Symbol "H" from the subject lands, shown on Attachment #1.
2. THAT Site Development Application (Intonaco Investments Corp.) BE APPROVED, subject to the following conditions:
 - a) That prior to the execution of site plan agreement:
 - i) the Development Planning Department shall approve the final site plan, building elevations, landscape plan, and signage plan;
 - ii) the Engineering Department shall approve the final site servicing and grading plans and stormwater management report;
 - iii) the Holding Zone applicable to the subject lands shall be lifted;
 - iv) all requirements of the Region of York Transportation and Works Department shall be satisfied; and,
 - v) all hydro requirements shall be fulfilled to the satisfaction of PowerStream Inc.

Purpose

The Owner has submitted a Site Development Application to develop a 0.58ha parcel of land for a Sunoco gas bar with an accessory 142.3m² convenience retail store and 11 parking spaces, as shown on Attachment #2. In addition, the Owner has submitted an application to amend the Zoning By-law to lift the "H" Holding Zone from the subject property.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located west of Jane Street, on the south side of Rutherford Road, and north of Vaughan Mills Circle, being Part of Block 1 on Registered Plan 65M-3696, in Lot 15, Concession 5, City of Vaughan. The vacant property, has 70m of frontage on Rutherford Road, a depth of 74.19m and is located within one of the six out-parcel sites around the Vaughan Mills Shopping Centre.

The surrounding land uses are:

- North - Rutherford Road; existing commercial (C5 Community Commercial Zone)
- South - approved commercial (C1 Restricted Commercial Zone); Vaughan Mills Circle; Vaughan Mills Shopping Centre (SCD Vaughan Centre Shopping Centre District Zone)
- East - approved commercial (C1 Restricted Commercial Zone)

West - Vaughan Mills entry road; vacant land/proposed commercial (C1 Restricted Commercial Zone)

Official Plan

The subject property is designated "General Commercial (Special Policy)" by OPA #600, which permits one automobile gas bar on Rutherford Road as part of the Vaughan Mills development. The proposed site development conforms to the Official Plan.

Zoning

The subject lands are zoned C1(H) Restricted Commercial Zone with the Holding Symbol "H" by By-law 1-88, subject to Exception 9(1030), which permits one automobile gas bar to be located adjacent to Rutherford Road, provided it is not located within 150m of the intersection of Rutherford Road and Jane Street. The proposed site development complies with the requirements of the C1 Zone.

The site was zoned with a Holding "H" symbol to ensure that it did not develop without site plan approval and in advance of the main enclosed Vaughan Mills Mall structure. Upon site plan approval, these conditions will be satisfied and the Holding provision can be lifted from the site. The Owner has filed an application to lift the Holding Zone, and an implementing by-law will be forwarded to Council prior to the execution of a site plan agreement.

Site Design

The site will be served by a driveway access on Rutherford Road and from the entry road to the Vaughan Mills Mall, as shown on Attachment #2. Both accesses are over 11m wide and restricted to right-in/right-out movements only. The final location and design of the driveway accesses will be subject to the approval of the City and the Region of York Transportation and Works Department.

The fueling station is centrally located on the property, and consists of 4 self-service stations accommodating 2 vehicles at each station. The 142.3m² gas bar/convenience retail store is located north of the fueling station, with the main entrance facing south towards the fueling station. An enclosed garbage storage room is attached to the east side of the convenience store.

Eleven parking spaces are provided in front of the convenience retail store. Landscaping will be provided along the perimeter of the site, with over 11m wide strips being provided along the street frontages of Rutherford Road and the internal street to the west, and along the south property line.

Parking

The required parking for the proposed convenience retail store is 8 spaces (142.3m² GFA @ 5.5 spaces/100 m²). The site plan proposes a total of 11 parking spaces, including 1 handicapped space, in compliance with the minimum by-law requirements.

Building Elevations

The convenience retail store elevations are shown on Attachment #4. The gas bar/convenience retail store building will be constructed with a pitched roof to a maximum height of 5.3m. The material used for the roof consists of cedar coloured asphalt shingles. Clear windows have been provided on the south elevation along with double garage doors for the enclosed garbage room that face the fueling stations, and the main entrance is comprised of clear anodized aluminum double doors. The materials used on the remainder of the building is a combination of light and

dark beige coloured durock with a pebble coated finish. Architectural accent treatment resembling windows is proposed on the east, west and north facades.

The fueling station canopy is shown in Sunoco's corporate colours of blue and gold, as shown on Attachment #5. The canopy has been designed to a height of 6.03m and incorporates the company logo at both the east and west ends of the structure.

Landscaping

The site will be landscaped with an extensive mix of deciduous and coniferous trees and shrubs, ground planting and sodded areas around the perimeter of the site, as shown on Attachment #3. Specific attention has been given to the planting at the northwest and northeast corners of the site surrounding the entrance feature and the 7.5m high pylon sign (Attachment #6) abutting Rutherford Road.

Staff is reviewing the landscape plan to ensure the landscaping treatment is co-ordinated between the Sunoco site and the adjacent easterly commercial lands owned by Intonaco Corp., specifically, the continuation of the staggered rows of trees abutting Rutherford Road. The final landscape plan must be approved to the satisfaction of the Development Planning Department.

Vaughan Mills Urban Design Guidelines

The site is subject to the Vaughan Mills Urban Design Guidelines (VMUDG'S), approved by Council on April 26, 1999, as amended. These guidelines outline peripheral parcel development standards, including but not limited to building setbacks to the street, building orientation and site plan design and architecture. Staff is satisfied that subject to the recommendations and comments in this report, the proposal meets the general intent of the Guidelines.

On November 16, 2004, the Vaughan Mills Design Review Committee approved the proposed plans, as required by the VMUDG's.

Parkland Dedication

Cash-in-lieu of parkland dedication is not required as it was paid as part of the Vaughan Mills approvals.

Servicing

The site has access to hydro, water and sanitary and storm sewer services. The Owner has submitted detailed engineering drawings, including site servicing and grading plans and a storm water management report, which must be approved by the Engineering Department. All hydro requirements must be addressed to the satisfaction of PowerStream Inc.

Relationship to Vaughan Vision 2007

This staff report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'A-5', "Plan and Manage Growth".

Conclusion

Staff has reviewed the Site Plan application in accordance with the Official Plan policies and requirements of the Zoning By-law. The proposed site plan would facilitate the construction of an automobile gas/bar convenience retail store, which is considered to be an appropriate development at this location. For these reasons, Staff can recommend approval of the Site Plan application, subject to conditions. Staff can also recommend approval of the Zoning By-law

Amendment application to lift the "H" Holding provision, which will facilitate the proposed site development. Should the Committee concur, the recommendations in this report can be adopted.

Attachments

1. Location Map
2. Site Plan
3. Landscape Plan
4. Store Elevations
5. Canopy Elevations
6. Pylon Sign

Report prepared by:

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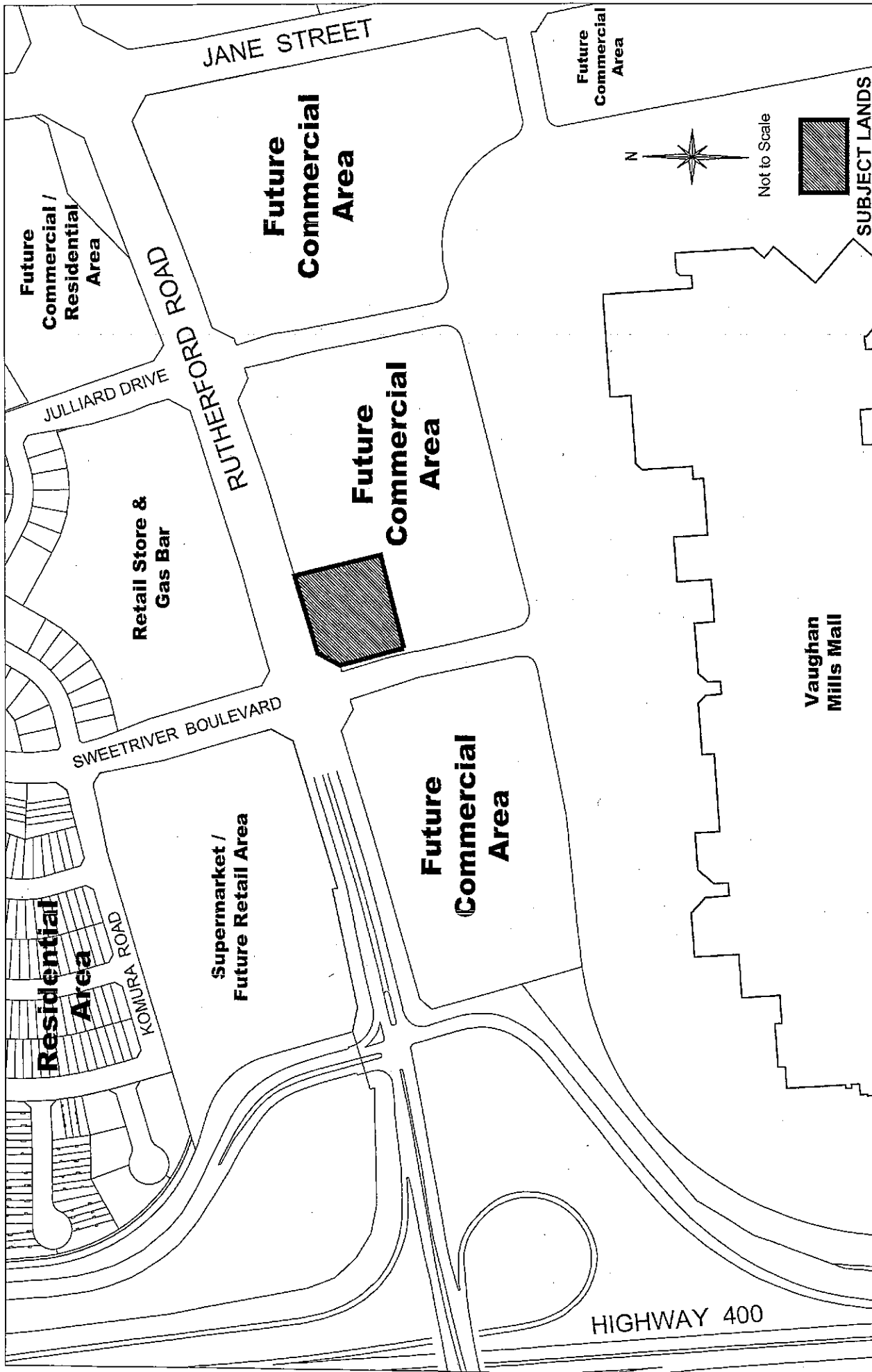
Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

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Location Map

Part Lot 15,
Concession 5

APPLICANT:
INTONACO INVESTMENTS CORP.

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City of
Vaughan

Development Planning Department

Attachment

FILE No's:
DA.04.079 &
Z.05.002

February 2, 2005

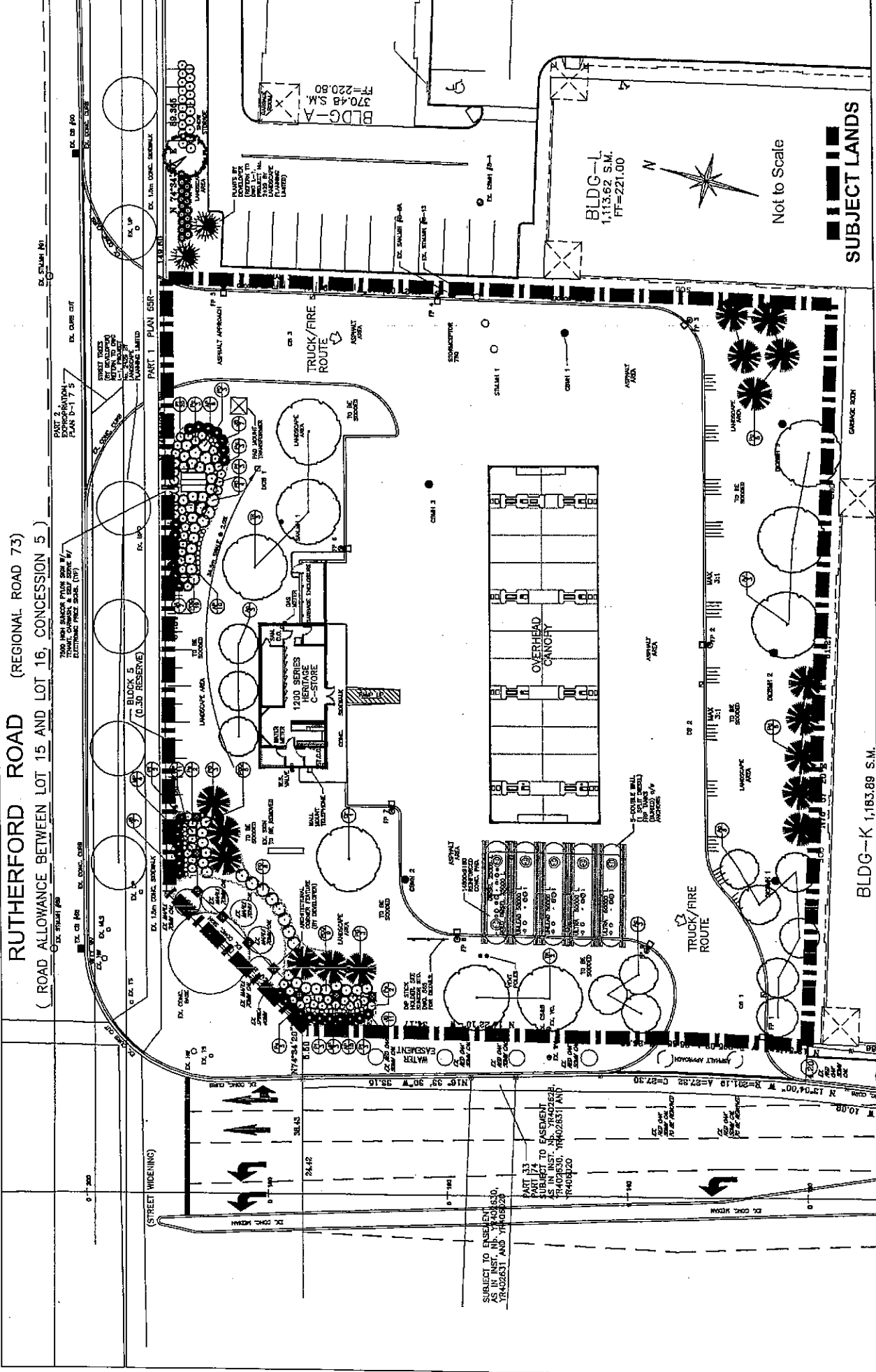
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RUTHERFORD ROAD
(REGIONAL ROAD 73)

City of Vaughan

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Attachment



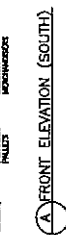
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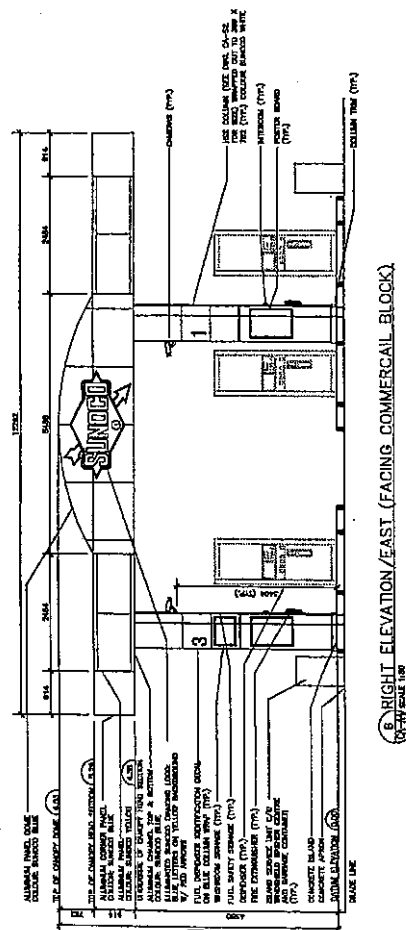
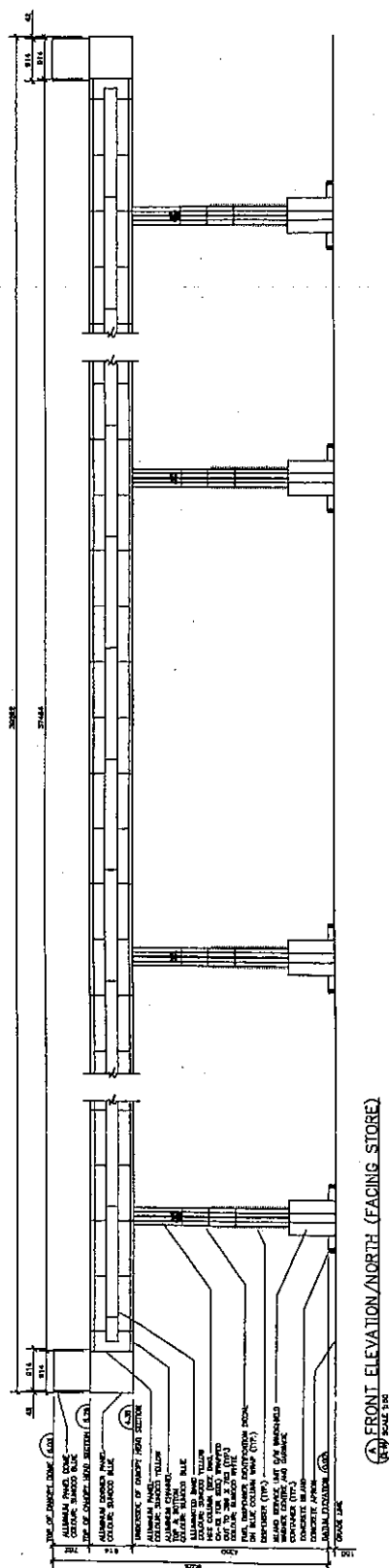
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Canopy Elevations

Part Lot 15,
Concession 5
APPLICANT:
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City of Vaughan

Development Planning Department

Attachment 5

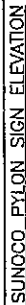
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Development Planning Department

February 2, 2005



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