

**COMMITTEE OF THE WHOLE MAY 16, 2005**

**SITE DEVELOPMENT FILE DA.04.048**  
**MARIO AND NICK CORTELLUCCI**

**Recommendation**

The Commissioner of Planning recommends:

1. THAT should the Committee concur, the following resolution be adopted:

"THAT Council deems that the exception to Zoning By-law Amendment File Z.94.095 (Mario and Nick Cortellucci) to permit a car wash use on the subject lands is minor, and that a further Public Hearing is not required."

2. THAT Site Development File DA.04.048 (Mario and Nick Cortellucci) BE APPROVED, subject to the following conditions:

- a) That prior to the execution of the site plan agreement:

- i) the final site plan, building elevations, landscape plan, and signage plan shall be approved by the Development Planning Department;
- ii) the final site servicing and grading plans and stormwater management report shall be approved by the Engineering Department;
- iii) all requirements of the Region of York Transportation and Works Department shall be satisfied;
- iv) all hydro requirements shall be fulfilled to the satisfaction of PowerStream Inc.;
- v) the Owner shall submit elevations for the proposed eating establishment (donut shop) for approval by Council at a future date; and
- vi) the an implementing zoning by-law shall be in full force and effect.

- b) That the site plan agreement include the following provision:

- i) The Owner shall pay to Vaughan by ways of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands prior to the issuance of a Building Permit, in accordance with Section 42 of the Planning Act. The Owner shall submit an appraisal of the subject lands 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

**Economic Impact**

There are no requirements for a new funding associated with this report. The proposed development will add new assessment to the local tax base.

**Purpose**

The Owner has submitted a Site Development Application to develop a 1.459 ha parcel of land shown on Attachment #1 for a Petro Canada gas bar, with an accessory 220m<sup>2</sup> convenience

retail store/gas bar kiosk, a 242m<sup>2</sup> mechanical car wash, and a 232m<sup>2</sup> donut shop with drive through donut shop, as shown on Attachment #2.

### **Background - Analysis and Options**

The subject lands shown on Attachment #1 are located on the northwest corner of Keele Street and Kirby Road, in Part of Lot 31, Concession 4, City of Vaughan. The vacant property has 90m frontage on Kirby Road 150m flankage on and Keele Street.

The subject lands are designated "Agricultural" by OPA #600, as amended by OPA #525 to permit the proposed use, and zoned A Agricultural Zone by By-law 1-88. The surrounding land uses are:

- North - vacant land (A Agricultural Zone)
- South - Kirby Road; vacant land (A Agricultural Zone)
- West - vacant land (A Agricultural Zone)
- East - Keele Street; vacant land (A Agricultural Zone)

On July 6, 1998, Council approved Official Plan Amendment Application OP.94.025 and Zoning By-law Amendment Application Z.94.095 (Mario & Nick Cortellucci) to permit the use of the subject lands for a gas bar/service station and a donut shop. On October 20, 2000, Council adopted OPA #525 to implement the proposed uses. The provisions of OPA #525 are included in OPA #600 as a site-specific exception. The implementing zoning by-law will be enacted, should Council approve the site plan application.

On January 27, 2000, the Region of York Council adopted Official Plan Amendment No. 16 (ROPA #16) to redesignate the subject lands from "Agricultural Policy Area" to "Rural Policy Area". ROPA #16 permits an automobile gas bar, automobile service station, and an eating establishment-convenience, provided such latter use is operated in conjunction with an automobile gas bar or automobile service station on the subject lands. The proposed development conforms to the Regional Official Plan.

### **Official Plan**

The subject lands are designated "Agricultural Area" by OPA #600, which includes site-specific OPA #525, which permits the following uses: an automobile gas bar, automobile service station, and an eating establishment – convenience, provided such latter use is operated in conjunction with an automobile gas bar and/or an automobile service station.

OPA #525 specifies that "within an Automobile Gas Bar and Automobile Service Station site only the sale of fuel, oil and lubricant, and other related products, and the provision of repair and maintenance services for vehicles shall be permitted". The proposed development includes a car wash which is not specifically listed as a permitted use. However, this is consistent with the service station policies in Vaughan's Official Plan in which a car wash use is considered to be an associated use to a gas bar or service station, and therefore permitted as-of-right. Accordingly, the proposal conforms to the Official Plan.

### **Zoning**

The subject lands are zoned A Agricultural Zone by By-law 1-88. On July 6, 1998, Council approved Zoning By-law Amendment Application Z.94.095 (Mario & Nick Cortellucci) to permit the development of a gas bar/service station and donut shop. The implementing zoning by-law is to be enacted upon approval of a Site Development Application. The proposed car wash use shown on the current site plan on Attachment #2 was not applied for in the original zoning application, and therefore, was not specifically identified in the Notice of Public Hearing dated July 25, 1997 or considered in the Public Hearing report dated August 18, 1997.

Unlike the Official Plan, which allows for flexibility in interpretation, By-law 1-88 includes separately defined uses of a car wash and gas bar, thereby making a distinction between the two uses. As a car wash use is usually associated with the development of gas bar sites, Staff considers the permission of the car wash use on the subject lands to be minor, and not requiring a further public hearing. A resolution to this effect is provided in the recommendation of this report.

### Site Design

The proposed 1.459 ha site consists of 3 buildings and one gas pump canopy as shown Attachment #2. The gross floor area of each building is as follows:

Convenience Store/Gas Bar Kiosk:	219.81m <sup>2</sup>
Eating Establishment(Donut Shop)	231.88m <sup>2</sup>
<u>Car Wash</u>	<u>241.66m<sup>2</sup></u>
 Total GFA:	 693.35m <sup>2</sup>

The site is to be served by two, 9m wide access driveways, one each on Kirby Road and Keele Street, as shown on Attachment #2. The final location and design of each driveway access is subject to the approval of the Region of York Transportation and Works Department. The Region of York has advised that the access points may be restricted to right-in/right-out movements, upon the ultimate design and future reconstruction of Keele Street and Kirby Road.

The pump islands are located in the southeast portion of the site, with an overhead canopy that connects to the convenience store/gas bar located further to the north. A total of 4 pump islands are proposed. The proposed car wash is located west of the convenience store/gas bar kiosk, and a drive-through eating establishment is located to the north. The eating establishment is separated from the gas bar by parking and landscaping, however, a 1.5m wide pedestrian walkway has been provided to connect these buildings. A fully enclosed garbage storage room is attached to the west side of the convenience store/gas bar kiosk, and constructed with the same materials and colours as the main buildings.

Two (2) vacuum stations with associated parking spaces, and a tire inflation pump are located on the east side of the proposed car wash. The stacking lane for the car wash will be identified with painted lines to separate it from the on-site traffic accessory the gas bar.

The convenience eating establishment (donut shop) is designed with 42 seats with a drive-through along the south side of the building. Vehicle stacking will occur to the west of this building.

Directional signage will be provided throughout the site. A pylon sign is proposed on both Keele Street and Kirby Road having a height of 7.5m as shown on Attachment #8.

### Parking

By-law 1-88 calculates the required parking for the site as follows:

• Convenience Eating Establishment:	231.88m <sup>2</sup> x 16 spaces/100m <sup>2</sup> GFA =	38 spaces
• Convenience Store/ Gas Bar Kiosk:	219.81m <sup>2</sup> x 4.5 spaces/100m <sup>2</sup> GFA =	10 spaces
• Car Wash:	5 spaces	= <u>5 spaces</u>
	TOTAL Required Parking	= 53 spaces

A total of 56 parking spaces are proposed including 2 spaces for the physically challenged. The site plan also shows 2 spaces for the vacuum stations, and the required 10 stacking spaces for the car wash, and 8 stacking spaces for the convenience eating establishment. The proposal exceeds the minimum parking requirements of By-law 1-88, with a surplus of 3 spaces.

### Building Elevations

The 4.2m high convenience store/gas bar kiosk and the associated 3.7m high attached garbage feature a white alucobond cladding, as shown on Attachments #4 and #7. A red accent band will run along the top of the Store/Kiosk building. The front elevation (south) features the main entrance which is surrounded by glass. A large company logo sign is located over the main doors. The remaining elevations feature white alucobond cladding with light fixtures, non-illuminated signage and access doors. A surface mounted "Building Leaf" (Petro Canada company logo) is proposed on the front and side elevations and Staff is also working with the applicant to provide this feature on the north elevations, to address this blank wall. The garbage room includes two metal roll-up door. The elevations for the convenience store/gas bar kiosk shows roof-top mechanical equipment that is screened with a white alucobond material. Prior to the execution of the site plan agreement, the Owner must submit the proposed screening details for review and approval.

The car wash has vehicle entrance and exit openings on the north and south sides, respectively, as shown on Attachment #5. The east side of the building features a stretch of windows, as well as a sign and wall mounted leaf logo. The façade of this building will be finished in a split-faced crystal white block. Staff is working with the applicant to provide signage on the west elevation, to address this blank wall.

The fueling station canopy is clad in Petro Canada's corporate colours of red with a white band around the base as shown on Attachment #6. Two "Petro Canada" logos are identified on the south and east sides of the canopy. The canopy will be 5.5m in height, with the logos increasing the canopy height to 6.5m.

The Owner has not submitted elevations for the proposed eating establishment. The Owner is required to either submit these elevations for approval by the Committee of the Whole at a future date.

### Landscaping

The landscape plan shown on Attachment #3 identifies a minimum landscape strip of 6.0m along the Keele Street and Kirby Road frontages. Significant landscaping consisting of a combination of low shrubs and plants, Silver Firs, Colorado Spruce, Sugar Maples and Ash trees are proposed. Landscaping is also proposed in the westerly portion of the site, and adjacent to the stacking lanes for the car wash and eating establishment. Staff will work with the applicant to provide opportunities for additional landscaping in the northerly area, to screen the parking area. The final landscape plan must be approved to the satisfaction of the Development Planning Department.

### Parkland Dedication

The Owner will be required to pay to Vaughan, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, prior to issuance of a Building Permit, in accordance with Section 42 of the Planning Act. A condition to this effect is provided in the recommendation of this report.

### Servicing

The proposed development will be serviced on full municipal water and sanitary and storm sewers. 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 applicable Official Plan policies and the requirements of By-law 1-88. Staff is satisfied that the proposed site plan is appropriate, and will facilitate development of the site for an automobile gas bar/convenience retail store, car wash, and an eating establishment. The car wash use was not specifically considered at the Public Hearing August 1997, but given this use is usually associated with the development of gas bar sites, Staff considers the permission of the car wash use on the subject lands to be minor, and not requiring a further public hearing. A resolution to this effect is provided in the recommendation of this report. For these reasons, Staff can recommend approval of the Site Plan application, subject to conditions.

### Attachments

1. Location Map
2. Site Plan
3. Landscape Plan
4. Gas Bar/Convenience Store Elevations
5. Car Wash Elevations
6. Canopy Elevation
7. Refuse Enclosure (Attached to Convenience Store/Gas Bar Kiosk)
8. Pylon Sign

### Report prepared by:

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Grant A. Uyeyama, Manager of Development Planning, ext. 8635

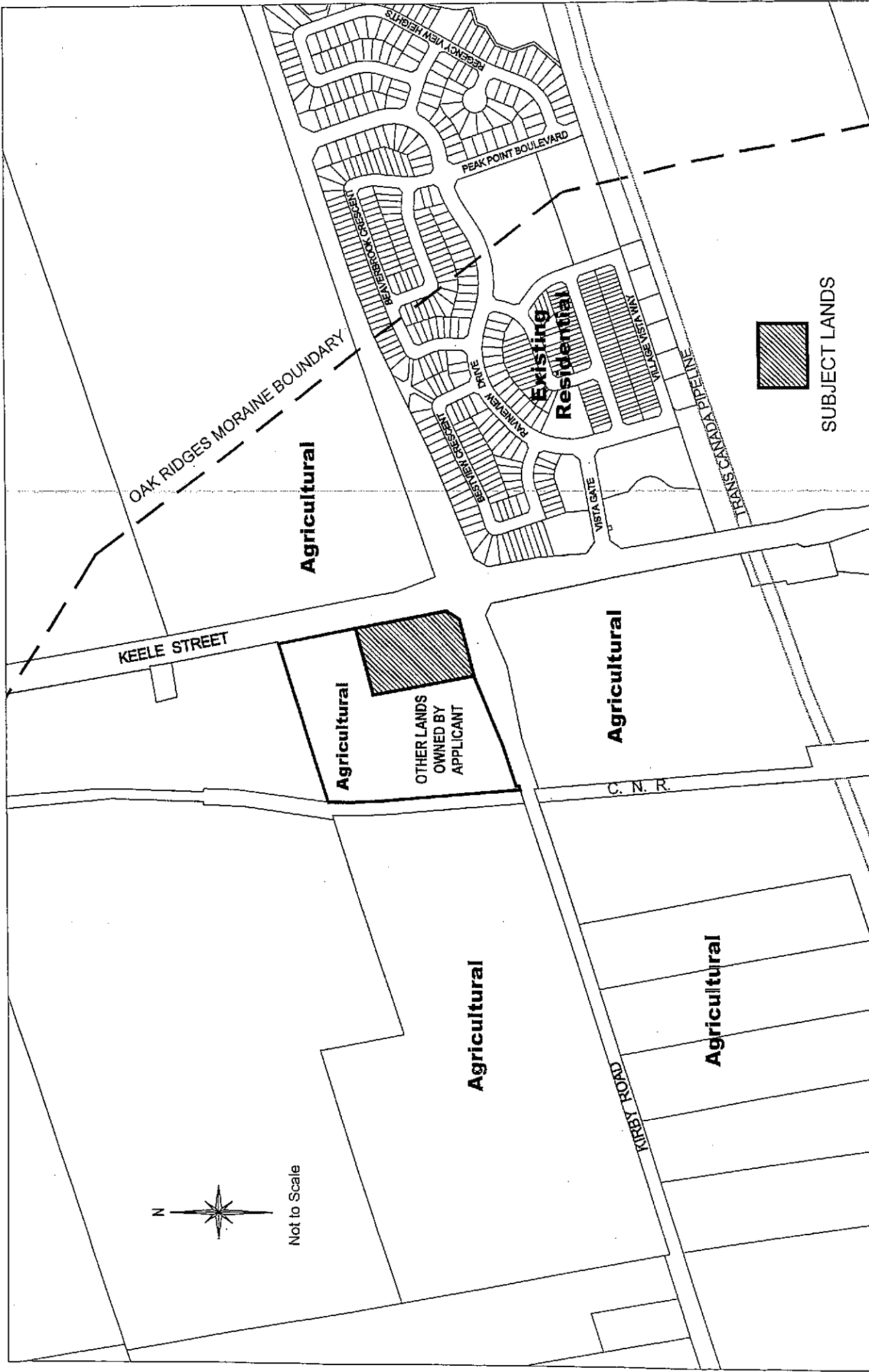
Respectfully submitted,

JOHN ZIPAY  
Commissioner of Planning

MARCO RAMUNNO  
Director of Development Planning

/LG

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# Location Map

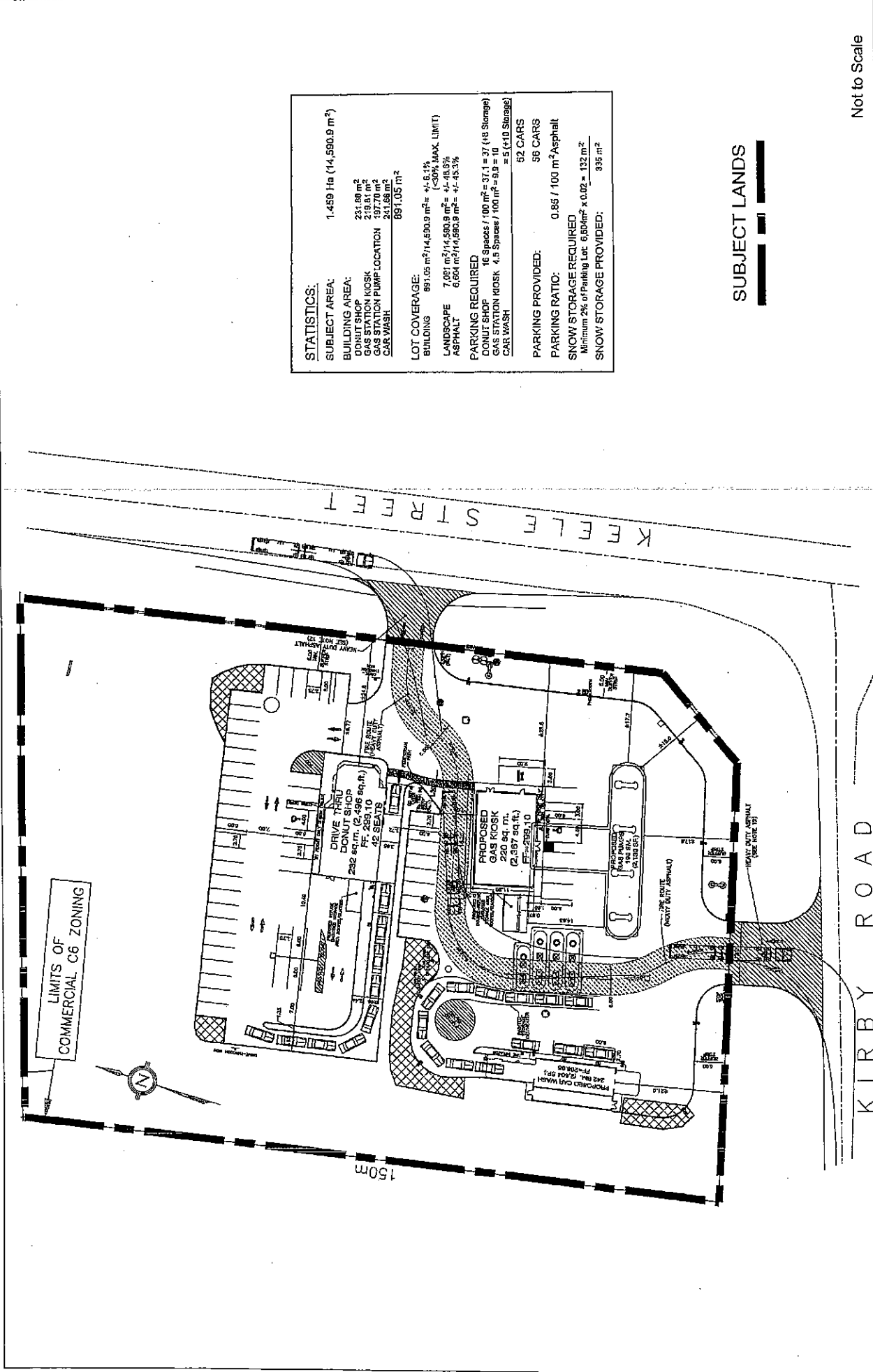
Part of Lot 31,  
Concession 4  
APPLICANT:  
MARIO & NICK CORTELLUCCI



Development Planning Department

# Attachment 1

FILE No.:  
DA.04.048  
RELATED FILES:  
Z.94.095 & OP.94.025  
May 2, 2005



<b>STATISTICS:</b>	1,450 Ha (14,500.9 m <sup>2</sup> )
<b>SUBJECT AREA:</b>	231.60 m <sup>2</sup>
<b>BUILDING AREA:</b>	219.91 m <sup>2</sup>
<b>DONUT SHOP</b>	197.70 m <sup>2</sup>
<b>GAS STATION KIOSK</b>	241.56 m <sup>2</sup>
<b>GAS STATION PUMP/LOCATION</b>	891.05 m <sup>2</sup>
<b>CAR WASH</b>	
<b>LOT COVERAGE:</b>	891.05 m <sup>2</sup> /14,500.9 m <sup>2</sup> = +/- 6.1% (~50% MAX. LIMIT)
<b>LANDSCAPE</b>	7,051 m <sup>2</sup> /14,500.9 m <sup>2</sup> = +/- 48.9%
<b>ASPHALT</b>	6,664 m <sup>2</sup> /14,500.9 m <sup>2</sup> = +/- 45.3%
<b>PARKING REQUIRED:</b>	16 Spaces / 100 m <sup>2</sup> = 37.1 = 37 (+8 Storage)
<b>CAR WASH</b>	4.5 Spaces / 100 m <sup>2</sup> = 9.9 = 10 = 5 (+10 Storage)
<b>PARKING PROVIDED:</b>	52 CARS
<b>PARKING RATIO:</b>	0.85 / 100 m <sup>2</sup> Asphalt
<b>SNOW STORAGE REQUIRED</b>	Minimum 2% of Parking Lot: 6,664m <sup>2</sup> x 0.02 = 133 m <sup>2</sup>
<b>SNOW STORAGE PROVIDED:</b>	395 m <sup>2</sup>

**SUBJECT LANDS**

Not to Scale

# Attachment 2

FILE No.:  
DA.04.048  
RELATED FILES:  
Z.94.095 & OP.94.025  
April 27, 2005



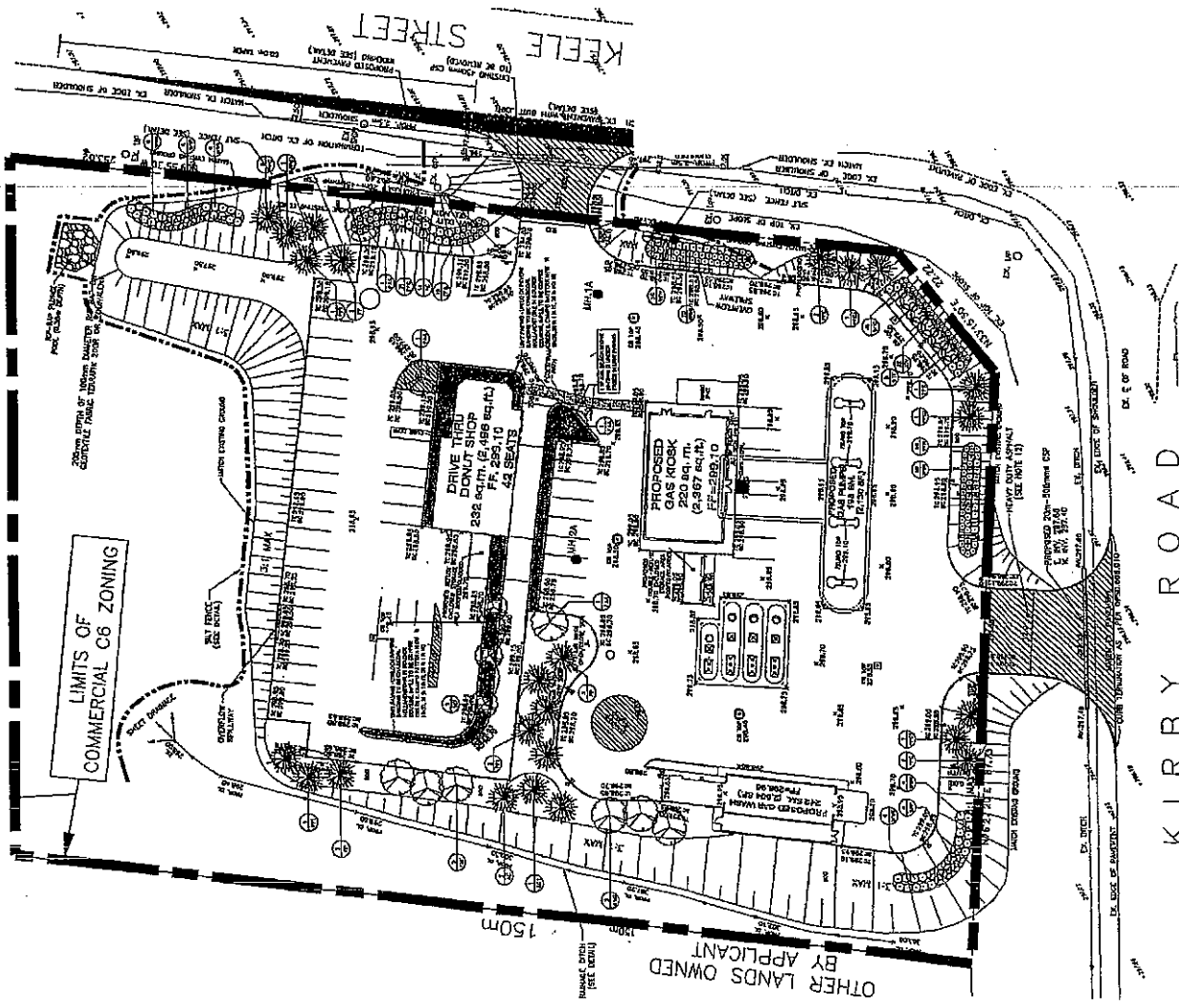
Development Planning Department

## Site Plan

Part of Lot 31,  
Concession 4

APPLICANT:  
MARIO & NICK CORTELLUCCI

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Not to Scale

SUBJECT LANDS



# Landscape Plan

Part of Lot 31,  
Concession 4

APPLICANT:  
MARIO & NICK CORTELLUCCI



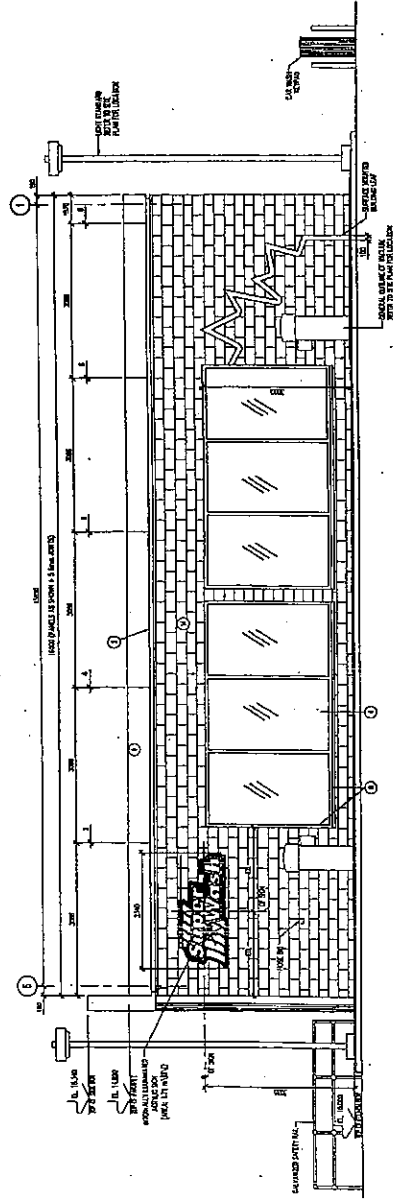
Development Planning Department

# Attachment 3

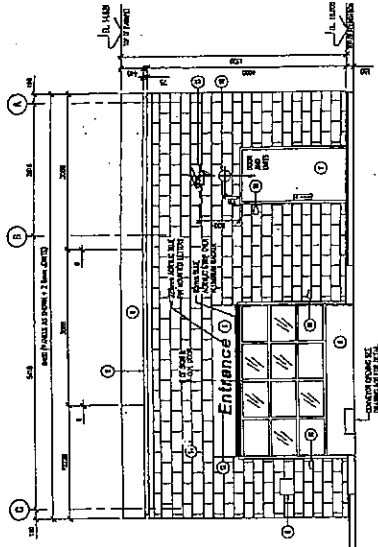
FILE No.:  
DA.04.048  
RELATED FILES:  
Z.94.095 & OP.94.025  
May 2, 2005



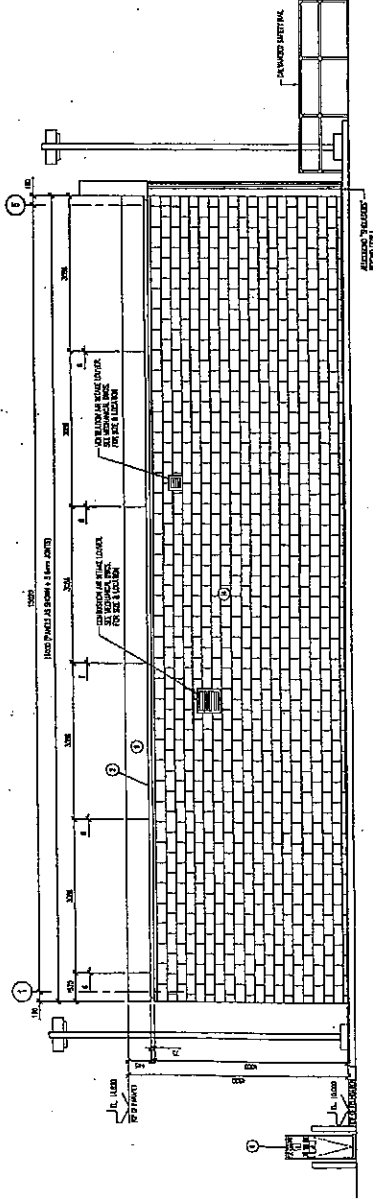




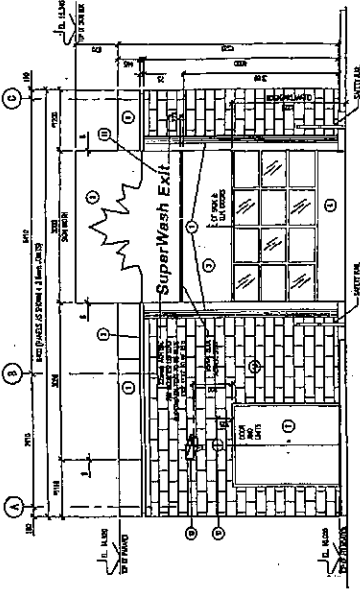
**EAST ELEVATION OF CAR WASH**



**NORTH ELEVATION OF CAR WASH**



**WEST ELEVATION OF CAR WASH**



**SOUTH ELEVATION OF CAR WASH**

Not to Scale

**Car Wash Elevations**

Part of Lot 31,  
Concession 4

APPLICANT:  
MARIO & NICK CORTELLUCCI

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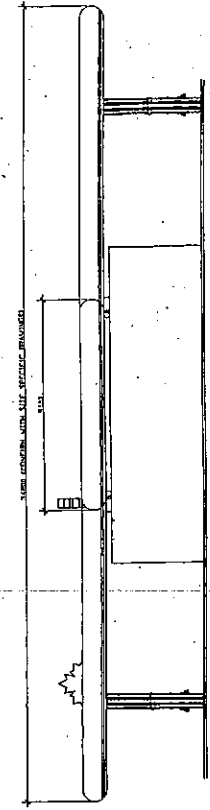


Development Planning Department

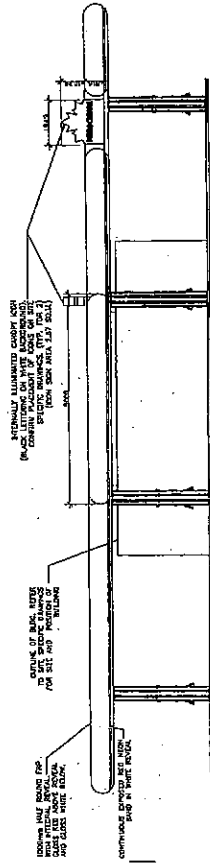
**Attachment 5**

FILE No.:  
DA.04.048  
RELATED FILES:  
Z.94.095 & OP.94.025

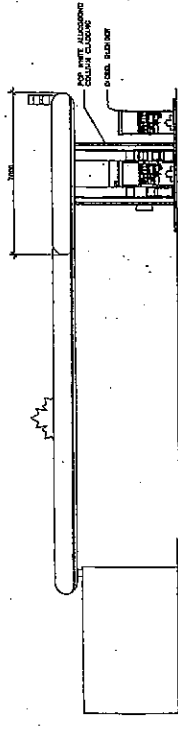
April 21, 2005



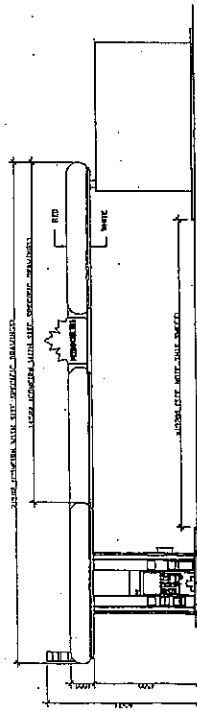
NORTH ELEVATION OF CANOPY



SOUTH ELEVATION OF CANOPY



WEST ELEVATION OF CANOPY



EAST ELEVATION OF CANOPY

\* NOTE PREFERRED DIMENSIONS:  
 13200mm WHERE PARKING IS PROVIDED IN FRONT OF G-STORE,  
 8200mm WHERE NO PARKING IS PROVIDED IN FRONT OF G-STORE

Not to Scale

# Canopy Elevations

Part of Lot 31,  
 Concession 4

APPLICANT:  
 MARIO & NICK CORTELLUCCI

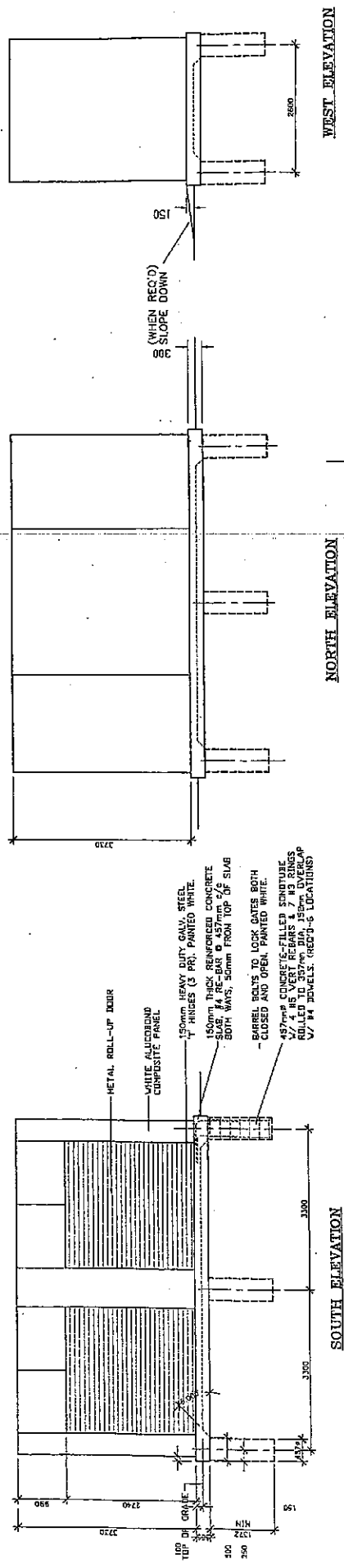
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Development Planning Department

# Attachment 6

FILE No.:  
 DA.04.048  
 RELATED FILES:  
 Z.94.095 & OP.94.025  
 April 21, 2005



Not to Scale

# Attachment 7

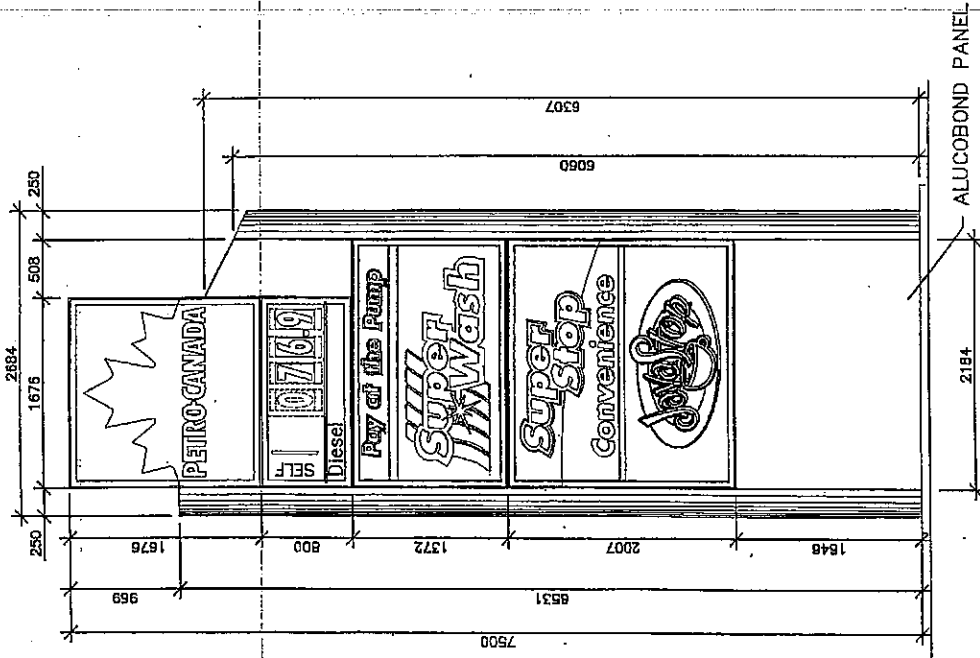
FILE No.:  
 DA.04.048  
 RELATED FILES:  
 Z.94.095 & OP.94.025  
 May 2, 2005

# CITY OF Vaughan

Development Planning Department

# Refuse Enclosure

Part of Lot 31,  
 Concession 4  
 APPLICANT:  
 MARIO & NICK CORTELLUCCI  
 N:\DFT\1 ATTACHMENTS\DA.04.04.048



ELEVATION  
 3 7.50m HIGH PYLON SIGN  
SCALE 1:25

AREA = 11.5 sq.m. PER SIGN FACE

Not to Scale

# Pylon Sign

Part of Lot 31,  
 Concession 4

APPLICANT:  
 MARIO & NICK CORTELLUCCI

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# City of Vaughan

Development Planning Department

# Attachment 8

FILE No.:  
 D.A.04.048  
 RELATED FILES:  
 Z.94.095 & O.P.94.025  
 May 2, 2005