

COMMITTEE OF THE WHOLE JUNE 20, 2005

**ZONING BY-LAW AMENDMENT FILE Z.04.058
SITE DEVELOPMENT FILE DA.04.059
COLAVECCHIA GARDEN LTD.**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.04.058 (Colavecchia Garden Ltd.) BE APPROVED, subject to the following conditions:
 - a) That the implementing by-law:
 - i) rezone a portion of the subject lands (\pm 1.24ha) from A Agricultural Zone to C7 Service Commercial Zone, in the manner shown on Attachment #1; and,
 - ii) provide any necessary exceptions to the C7 Service Commercial Zone to implement the approved site plan.
2. THAT Site Development final File DA.04.059 (Colavecchia Garden Ltd.) BE APPROVED, subject to the following:
 - a) That prior to the execution of the site plan agreement:
 - i) the final site plan, building elevations, landscaping and signage plans shall be approved by the Development Planning Department;
 - ii) the final site servicing and grading plans, stormwater management report, access, parking and on-site vehicular circulation 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 final archaeological assessment shall be approved by the Ministry of Culture and the Vaughan Cultural Services Division; and,
 - vi) The lot severance shall be approved by the Committee of Adjustment and shall be final and binding;
 - b) That the site plan agreement include the following provision:
 - i) The Owner shall pay to the City of Vaughan by way 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 payment.

Economic Impact

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

Purpose

The Owner has submitted an application to amend the Zoning By-law to rezone a portion (1.24ha) of the subject lands as shown on Attachment #1 from A Agricultural Zone to C7 Service Commercial Zone. The rezoning will facilitate the development of a Petro Canada automobile gas bar, convenience retail store/eating establishment with drive-through, and a car wash, as shown on Attachment #2.

Background - Analysis and Options

The subject lands (Attachment #1) are located at the southwest corner of Langstaff Road and Regional Road 27, in Part of Lot 10, Concession 9, City of Vaughan.

The rectangular 4.04 ha site has 109.6m frontage on Regional Road 27 and 376.81m flankage on Langstaff Road. The Owner is proposing to sever the lot, resulting in a flankage of 148m on Langstaff Road for the lands to be rezoned. The lands are developed with a small structure at the northeast corner of the property for the use of a temporary public garage, which will cease should the subject applications be approved, with the remainder of the site being vacant.

The site is designated "Prestige Area" abutting each arterial road (approximately 30m, or one lot depth) and "Employment Area General" in the interior of the site, by OPA #450 (Employment Area Plan). The site is zoned A Agricultural Zone by By-law 1-88, subject to Exception 9(1173). The surrounding land uses are:

- North - Langstaff Road; agricultural (A Agricultural Zone)
- South - Le Jardin banquet hall (C6 Highway Commercial Zone)
- East - Regional Road 27; detached residential (R4 Residential Zone)
- West - agricultural (A Agricultural Zone)

On November 25, 2002, Council approved Zoning By-law Amendment File Z.02.012 (Colavecchia Garden Ltd.) to permit a public garage use on the subject lands for a temporary period of three (3) years. The implementing Zoning By-law 199-2003 was enacted on June 23, 2003, and will cease on June 23, 2006. The Owner has advised that the temporary use will cease upon approval of the subject applications.

On October 8, 2004, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to the West Woodbridge Homeowners' Association and Sonoma Heights Ratepayers' Association. To date, no comments have been received. The recommendation of the Committee of the Whole to receive the Public Hearing report of November 1, 2004, and to forward a comprehensive report to a future Committee meeting was ratified by Council on November 8, 2004.

Official Plan

The subject lands are designated "Prestige Area" abutting each arterial road (approximately 30m, or one lot depth) and "Employment Area General" in the interior of the site by OPA #450 (Employment Area Plan). These designations provide opportunities for uses that require high visual exposure, good accessibility and an attractive working environment, and permits a wide range of office, business and civic uses.

The "Service Node" policies in OPA #450 also apply. These policies permit uses that provide for the day-to-day convenience and service needs of businesses, industries and their employees, at the intersections of arterial roads. The proposed rezoning of the subject lands to C7 Service Commercial Zone conforms to the "Service Node" policies of the Official Plan.

Zoning

The subject lands are zoned A Agricultural Zone by By-law 1-88, subject to Exception 9(1173). The A Agricultural Zone does not permit the proposed service commercial uses; therefore a zoning by-law amendment is required. The proposal to rezone a portion (1.24ha) of the subject lands to C7 Service Commercial Zone to facilitate the development of an automobile gas bar, with convenience retail store/eating establishment with drive-through and car wash, would provide for the day-to-day needs of businesses and their employees and implement the "Service Node" policies of the Official Plan. The proposed development complies with the requirements of the Zoning By-law.

Prior to the registration of the implementing site plan agreement, the lot severance must be approved by the Committee of Adjustment, and shall be final and binding.

Site Design

The proposed 1.24 ha site consists of two development phases as shown on Attachment #2. The first phase, which is the subject of this report, will comprise the development of a gas bar, and the second phase will be developed at a future date, as the specific use has not yet been determined. In the interim, the Phase 2 lands will be maintained in a sodded state. The first phase will include a gas bar, a 400m² convenience retail store/eating establishment with drive-through, a 134.5m² car wash, and a 23.04m² external garbage enclosure.

The centrally located convenience retail store will be the pay point for gas purchases, and will contain an eating establishment, which will have both an associated seating area and drive-through. The 6-pump gas bar and canopy are located in the east area of the property facing both Langstaff Road and Regional Road 27. The car wash is located to the south of the store, with 2 vacuum stations. Parking spaces are provided throughout the site. A fully enclosed and temperature controlled garbage enclosure is located to the west of the kiosk. The applicant shall finish the garbage enclosure with the same exterior materials as the store and provide increased landscaping around the structure to minimize visibility from Langstaff Road, which has been discussed with the applicant. The final site plan shall be approved to the satisfaction of the Development Planning Department.

A new site plan application will be required to facilitate the development of the future Phase 2 area of the subject lands to ensure the provision of proper access, internal traffic circulation and parking, appropriate urban design characteristics and building massing that is complimentary to the adjacent development.

Building Elevations

The materials of the gas bar/convenience retail store will consist of grey stone-like cladding, stone colour cornice, green windows and omega copper roofing (Attachment #3). The store will be constructed to a height of 4.7m, with the tower feature increasing the height to 7.6m. The primary facade is located on the east elevation facing the gas pumps and Regional Road 27, and it is designed with a green glass double door entry framed in a stone clad tower feature. A stone colour cornice will run along the roofline of the main building. The peaked roof of the tower will be finished in omega copper. The corporate logo "Neighbours" is located above the main entrance, on the tower walls, facing both Langstaff Road and Regional Road 27. There are additional windows along the east and north elevations. The remaining elevations will be finished

in stone coloured stucco with a series of exterior lighting elements. The drive-through window is located on the west elevation.

The red and white canopy above the 6-pump gas bar will be constructed to a height of 5.5m, the corporate logos on the east and west elevation will increase the height to 6.5m (Attachment #3).

The car wash will be constructed to height of 4.2m, with the corporate logo above the exit on the east elevation facing Regional Road 27, increasing the height to 5.34m (Attachment #3). The proposed building materials consist of red alucobond trim along the roofline, white concrete block and clear glass windows, and designed with an exit door and two man doors on the east elevation, an entry door and one man door on the west, and a series of windows and a "Super Wash" sign on the north elevation. The applicant shall revise the above-noted elevation plan to ensure that the car wash structure will be designed with building materials and colours that are complementary with the retail store building. This has been discussed with the applicant and the applicant has agreed to undertake changes. The final building elevations shall be approved by the Development Planning Department.

Landscaping

The landscape plan is provided on Attachment #4. A 6m wide landscape strip will be provided along the arterial street frontages, and will consist of a variety of coniferous and deciduous trees and shrubs, along with a 1.2m high ironstone wall entry feature located at northeast corner of the site. The applicant shall provide increased landscaping around the exterior garbage enclosure to minimize visibility from Langstaff Road and increase the amount of landscaping at the perimeter of the site. The final landscape plan, details, entry feature and cost estimate shall be approved by the Development Planning Department.

Parking/Access

A total of 49 parking spaces are being provided, including 1 space for disabled persons and 2 vacuum spaces. By-law 1-88 calculates the required parking for the site as follows:

Eating Establishment with Drive-Thru:	115.4m ² at 16 spaces/100m ² GFA	=19 spaces
Retail Convenience:	254.77m ² at 5.5 spaces/100m ² GFA	=14 spaces
Car Wash:	2 vacuum islands at 1 space/ island	= <u>2 spaces</u>
Total Parking Required		=35 spaces
Total Parking Provided		=49 spaces

A total of 35 spaces are required whereas, 49 spaces have been provided, resulting in a surplus of 14 spaces.

Two access points are proposed; one onto Langstaff Road and the other onto Regional Road 27. The Regional Road 27 access will be shared with the future Phase 2 development area to the south. The Region of York shall approve the final access design along each of the Regional Roads.

Servicing/Utilities

The proposed development will be serviced on full municipal water, and sanitary and storm sewers. The provision of water and sanitary services to the site are dependent on the construction of the municipal watermain along Langstaff Road or a suitable alternative. The extension of the sanitary sewer to serve the site will be affected by the Bell duct structure within the westerly Regional Road 27 boulevard. The final site servicing and grading plan and storm water management report shall be approved by the Region of York and the Vaughan Engineering Department.

All hydro requirements must be addressed to the satisfaction of PowerStream Inc.

Ministry of Culture

The Ministry of Culture requires an archaeological assessment for site development applications on vacant lands. The archaeological assessment report shall be carried out by a licensed archaeologist and prepared according to the Ministry of Culture technical guidelines. The assessment shall be approved by the Ministry of Culture and the Vaughan Cultural Services Division, prior to the registration of the implementing site plan agreement.

Relationship to Vaughan Vision 2007

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

Conclusion

The proposed Zoning By-Law Amendment and Site Development applications have been reviewed in accordance with the policies of OPA #450, the requirements of By-law 1-88 and the area context. The Planning Department is satisfied that the proposed rezoning of a 1.24 ha parcel from A Agricultural Zone to C7 Service Commercial to facilitate the development of an automobile gas bar, convenience retail store/eating establishment with drive-through, and a car wash, is appropriate. Accordingly, it is recommended that the applications be approved, subject to the conditions contained in this report.

Attachments

1. Location Map
2. Site Plan
3. Elevation Plan
4. Landscape Plan

Report prepared by:

Christina Napoli, ext. 8483
Arto Tikiryan, Senior Planner, ext. 8212
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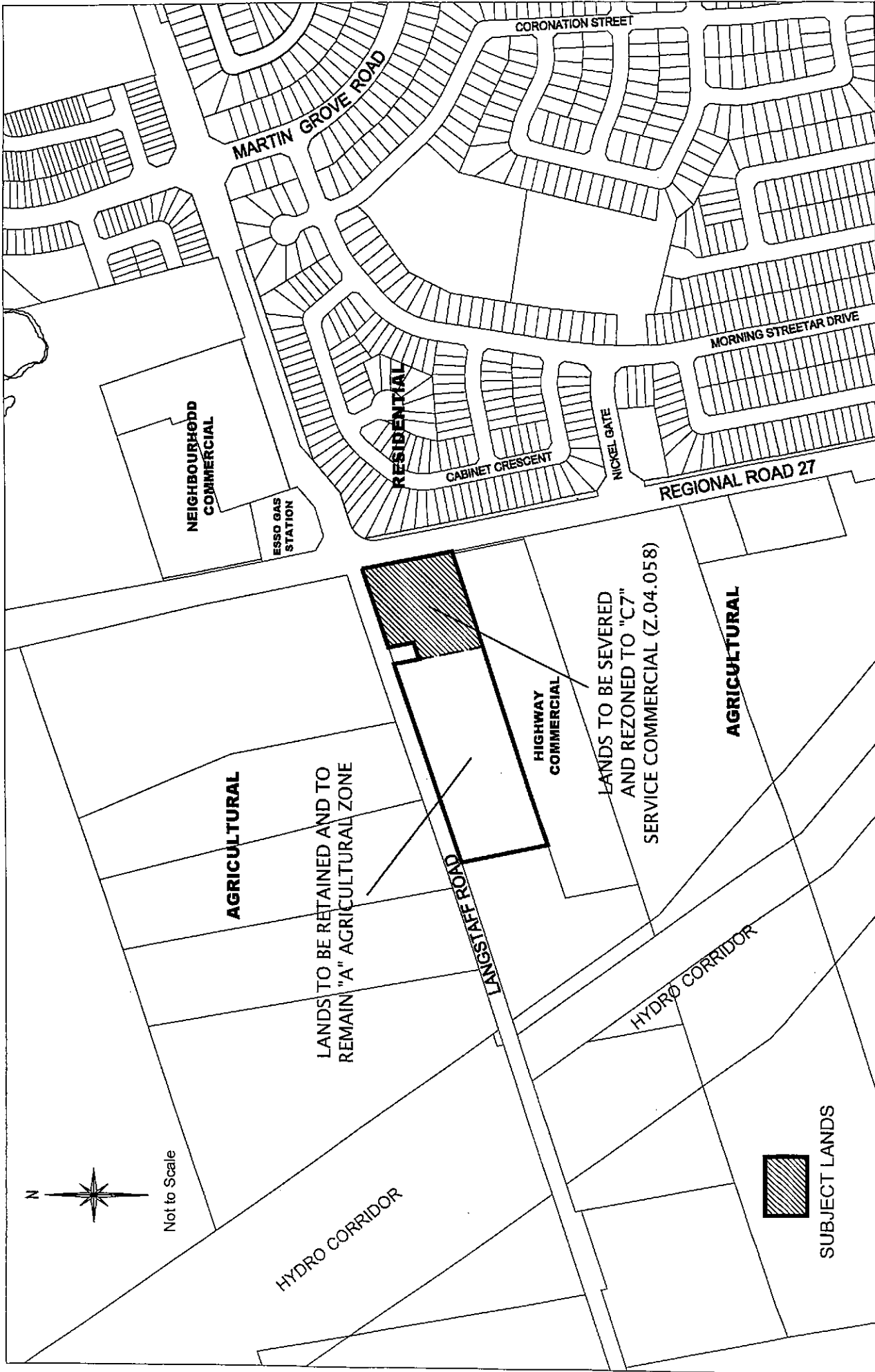
Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

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Location Map

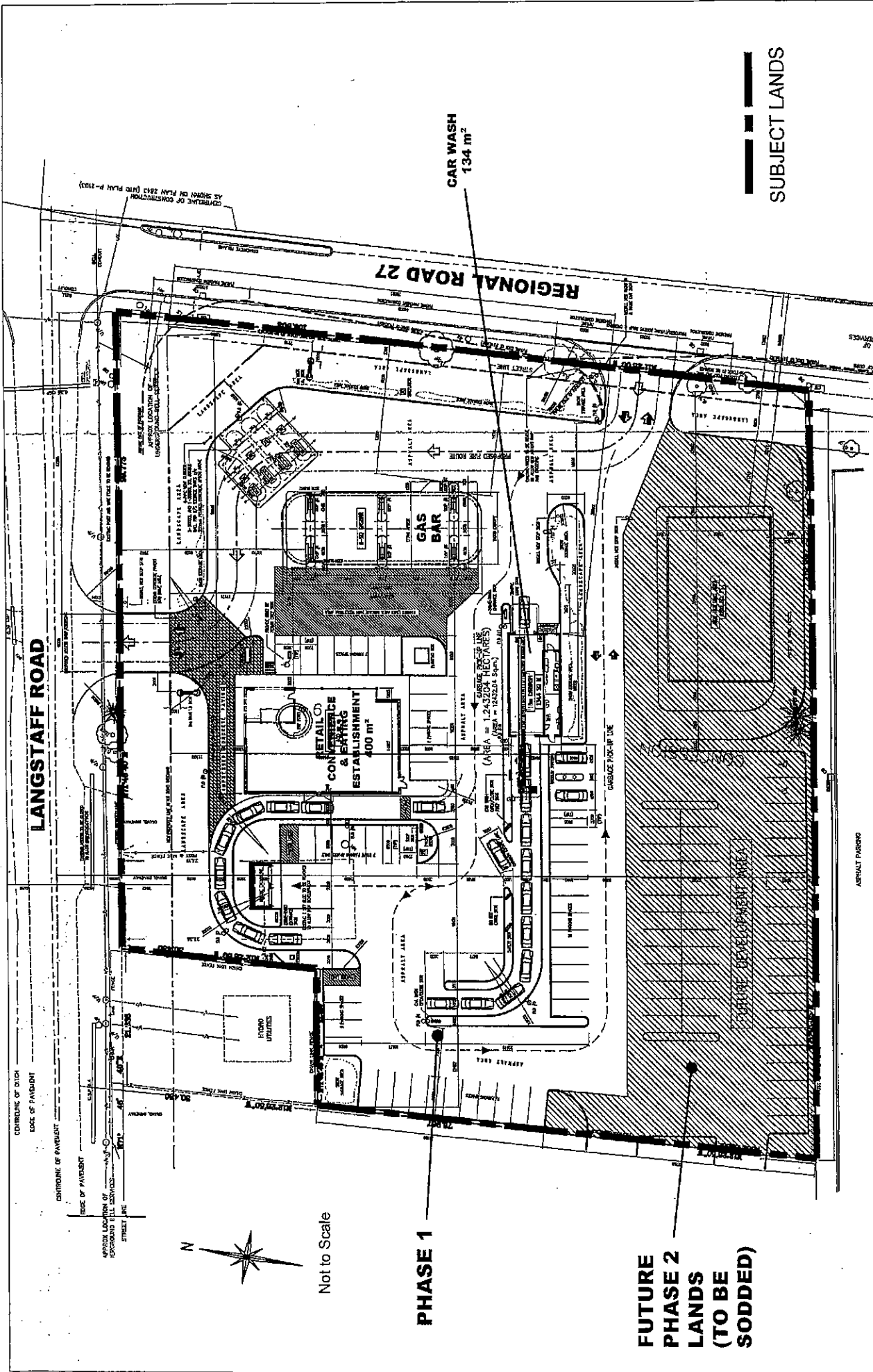
Part of Lot 10,
Concession 9
 APPLICANT:
 COLAVECCHIA GARDEN LTD.
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Development Planning Department

Attachment 1

FILE No.:
 DA.04.058
 RELATED FILE:
 Z.04.058
 June 15, 2005



LANGSTAFF ROAD

REGIONAL ROAD 27

PHASE 1

FUTURE PHASE 2 LANDS (TO BE SODDED)

SUBJECT LANDS

CAR WASH
134 m²

RETAIL, CONCESSIONS & EATING ESTABLISHMENT
400 m²

GAS BAR

PHASE 2

LANDS (TO BE SODDED)

AS SHOWN ON PLAN P-2103

APPROXIMATE LOCATION OF UNDERGROUND UTILITIES

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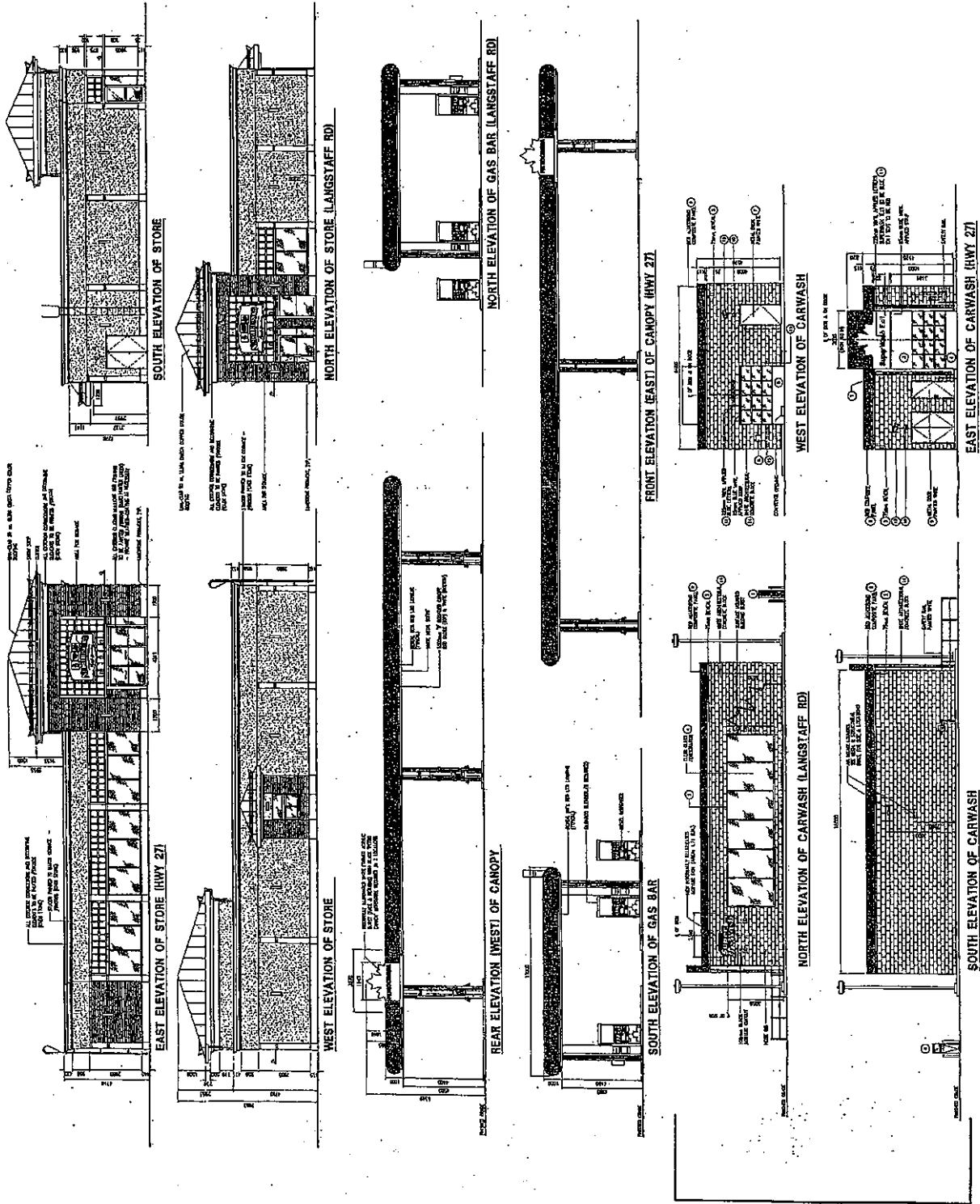
APPROXIMATE LOCATION OF UNDERGROUND UTILITIES

Attachment 2

FILE No.: DA.04.059
RELATED FILE: Z.04.058
June 17, 2005

City of Vaughan Development Planning Department

Site Plan
Part of Lot 10,
Concession 9
APPLICANT:
COLAVECCHIA GARDEN LTD.
NA/DFT/1 ATTACHMENTS/DA/V04.04.059c



CARWASH ELEVATIONS TO BE REVISED TO MATCH MATERIALS ON THE ABOVE STORE

Not to Scale

Elevations

Part of Lot 10,
Concession 9

APPLICANT:
COLAVECCHIA GARDEN LTD.

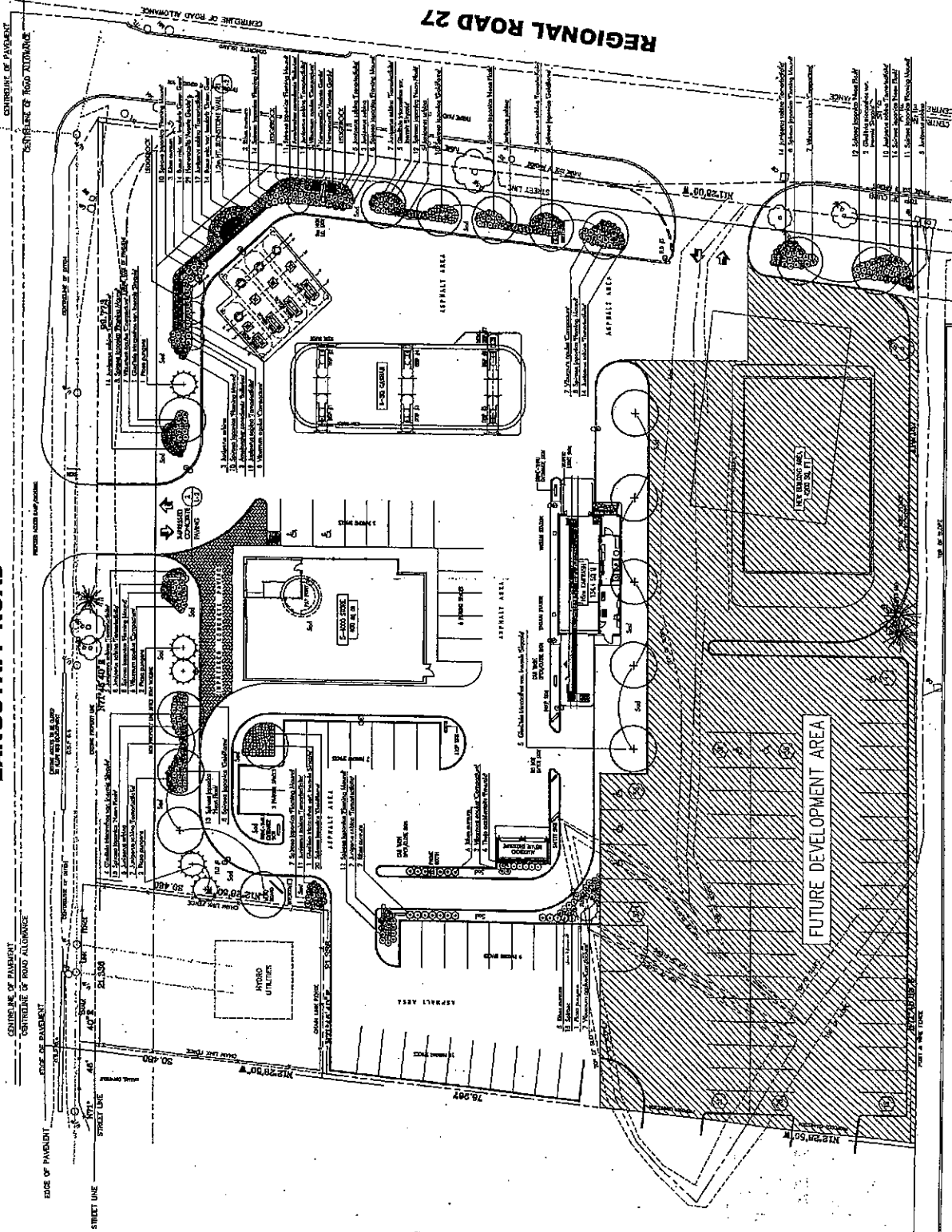


Development Planning Department

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LANGSTAFF ROAD

REGIONAL ROAD 27



Attachment 4

FILE No.: DA.04.059
 RELATED FILE: Z.04.058
 June 15, 2005

City of **Vaughan**

Development Planning Department

Landscape Plan

Part of Lot 10,
 Concession 9
 APPLICANT: COLAVECCHIA GARDEN L.T.D.
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