

**COMMITTEE OF THE WHOLE JUNE 23, 2009**

**ZONING BY-LAW AMENDMENT FILE Z.09.018  
SITE DEVELOPMENT FILE DA.08.056  
FLORO ESTATES INC.**

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.09.018 (Floro Estates Inc.) BE APPROVED, to remove the Holding Symbol "H" from the subject lands, currently zoned C3(H) Local Commercial Zone as shown on Attachment #2, to facilitate the development of a gas bar and convenience store (282.18m<sup>2</sup>) with an associated drive-through.
2. THAT Site Development File DA.08.056 (Floro Estates Inc.) BE APPROVED, subject to the following conditions:
  - a) that prior to the execution of the Site Plan Letter of Undertaking:
    - i) the final site plan, building elevations, landscaping plan and signage plan shall be approved by the Vaughan Development Planning Department;
    - ii) the final site grading, servicing, and storm water management plans shall be approved by the Vaughan Engineering Department;
    - iii) the zoning variances identified in this report be eliminated by the applicant to the satisfaction of the Vaughan Development Planning Department, or alternatively, the required variances shall be approved by the Vaughan Committee of Adjustment and shall be final and binding.
3. THAT the Site Plan Letter of Undertaking include the following condition:
  - a) any underground or above-ground storage tanks shall be equipped with an approved Ontario Ministry of Environment secondary containment device.

**Contribution to Sustainability**

The applicant has advised that the following sustainable features will be provided within the site and building design:

- i) low flow toilets;
- ii) bicycle racks;
- iii) the outdoor lighting will be designed to reduce light pollution for safety and comfort; and,
- iv) the refuse enclosure includes recycling.

**Economic Impact**

There are no requirements for new funding associated with this report.

**Communications Plan**

N/A

## **Purpose**

The Owner has submitted the following:

1. A Zoning By-law Amendment Application (File Z.09.018) to remove the "H" Holding provision on the subject lands zoned C3(H) Local Commercial Zone on Attachment #2, to facilitate the development of a commercial development comprised of a gas bar and convenience store (282.18m<sup>2</sup>) with an associated drive-through; and,
2. A Site Development Application (File DA.08.056) for the development of the subject lands shown on Attachments #1 and #2, to permit a gas bar and convenience store (282.18m<sup>2</sup>) with an associated drive-through, as shown on Attachment #3.

## **Background - Analysis and Options**

### Location

The 0.49 ha subject lands are located at the southwest corner of Major Mackenzie Drive, and Peter Rupert Avenue, in Part of Lot 20, Concession 3, City of Vaughan. The surrounding land uses are shown on Attachment #2.

### Official Plan and Zoning

The subject lands are designated "Medium Density Residential/Commercial" by OPA #600 as amended by site-specific OPA #647 (Honeyvale Glade Estates Inc.), and "Area of High Aquifer Vulnerability" by OPA #604 (Oak Ridges Moraine Conformity Plan). The proposed site development conforms to the Official Plan.

The subject lands are zoned C3(H) Local Commercial Zone by By-law 1-88, subject to Exception 9(1235). The "H" Holding provision can be removed with the approval of the site plan application by Council. The Building Standards Department has advised of the following zoning variances:

<b>STANDARD</b>	<b>BY-LAW 1-88 REQUIREMENT</b>	<b>PROPOSED</b>
Minimum Number of Parking Spaces	16 spaces	15 spaces
Maximum Driveway Width (2 accesses)	7.5 m	9.0 m
Maximum Height of a Canopy from Grade	4.2 m	4.5 m

The reduction in the minimum required parking from 16 spaces to 15 spaces is supportable. The proposed 9.0m driveway width for the 2 accesses is appropriate, as the Vaughan Engineering Department has requested the increased driveway width in order to accommodate a turning radius for larger vehicles. The proposed maximum canopy height of 4.5m is appropriate as it is marginally greater than the permitted 4.2m height limit.

The Development Planning Department is of the opinion that the above noted zoning variances are minor in nature and acceptable. The applicant has shown a willingness to revise the site plan and building elevations to address these zoning variances. Therefore, the Development Planning Department will continue to work with the applicant to finalize the plans and eliminate the zoning variances, to the satisfaction of the Development Planning Department. Alternatively, if the zoning variances cannot be addressed, the applicant will be required to submit a Minor Variance Application for approval by the Vaughan Committee of Adjustment. A condition to this effect is included in the recommendation section of this report.

### Site Plan Review

The Vaughan Development Planning Department is generally satisfied with the proposed site plan, building elevations and landscaping plan as shown on Attachments #3 to #7 inclusive and will continue to work with the applicant to address any concerns.

The Vaughan Engineering Department is generally satisfied with the servicing, grading and storm water management plans.

The site-specific zoning for the property recognizes that the subject lands are located within an "area of high aquifer vulnerability", and therefore, the Development Planning Department will include the following condition in the City's Site Plan Letter of Undertaking, which will be consistent with the zoning provisions in By-law 1-88:

- i) any underground or above-ground storage tanks shall be equipped with an approved Ontario Ministry of Environment secondary containment device

### Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Vitality".

### Regional Implications

The subject lands abut Major Mackenzie Drive, which is a Regional Road, and therefore all requirements of the Region of York Transportation Services Department must be satisfied prior to the issuance of a building permit.

### Conclusion

Site Development File DA.08.056 has been reviewed by the Development Planning Department in accordance with the applicable policies of OPA's #600, #604 and #647, By-law 1-88, the comments from City Departments and external public agencies, and the area context. The Development Planning Department can support the proposed site development application, which is considered appropriate and compatible with the existing and permitted uses in the surrounding area. Accordingly, the Development Planning Department can also recommend the approval of the Zoning By-law Amendment application to remove the Holding "H" provision on the subject lands. The required variances to facilitate the development must be approved by the Committee of Adjustment, and shall be final and binding prior to the execution of the Letter of Undertaking, or alternatively, the applicant may revise their site plan drawings to comply.

### Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Elevation Plan – East and West
5. Elevation Plan – North and South
6. Elevation Plan – Canopy
7. Landscape Plan

**Report prepared by:**

Morgan Jones, Planner 1, ext. 8216

Carmela Marrelli, Senior Planner, ext 8791

Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN ZIPAY  
Commissioner of Planning

GRANT UYEVAMA  
Director of Development Planning

/CM



 Subject Lands

## Context Location Map

Location:  
Part of Lot 20, Concession 3

Applicant:  
FLORO ESTATES INC.

N:\OPT\1 ATTACHMENTS\04\06.08.05



*The City Above Toronto*

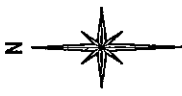
Development Planning Department

## Attachment

FILE NOs.:  
Z-09.018 &  
DA-08.056

Date:  
June 10, 2009

**1**



Not to Scale

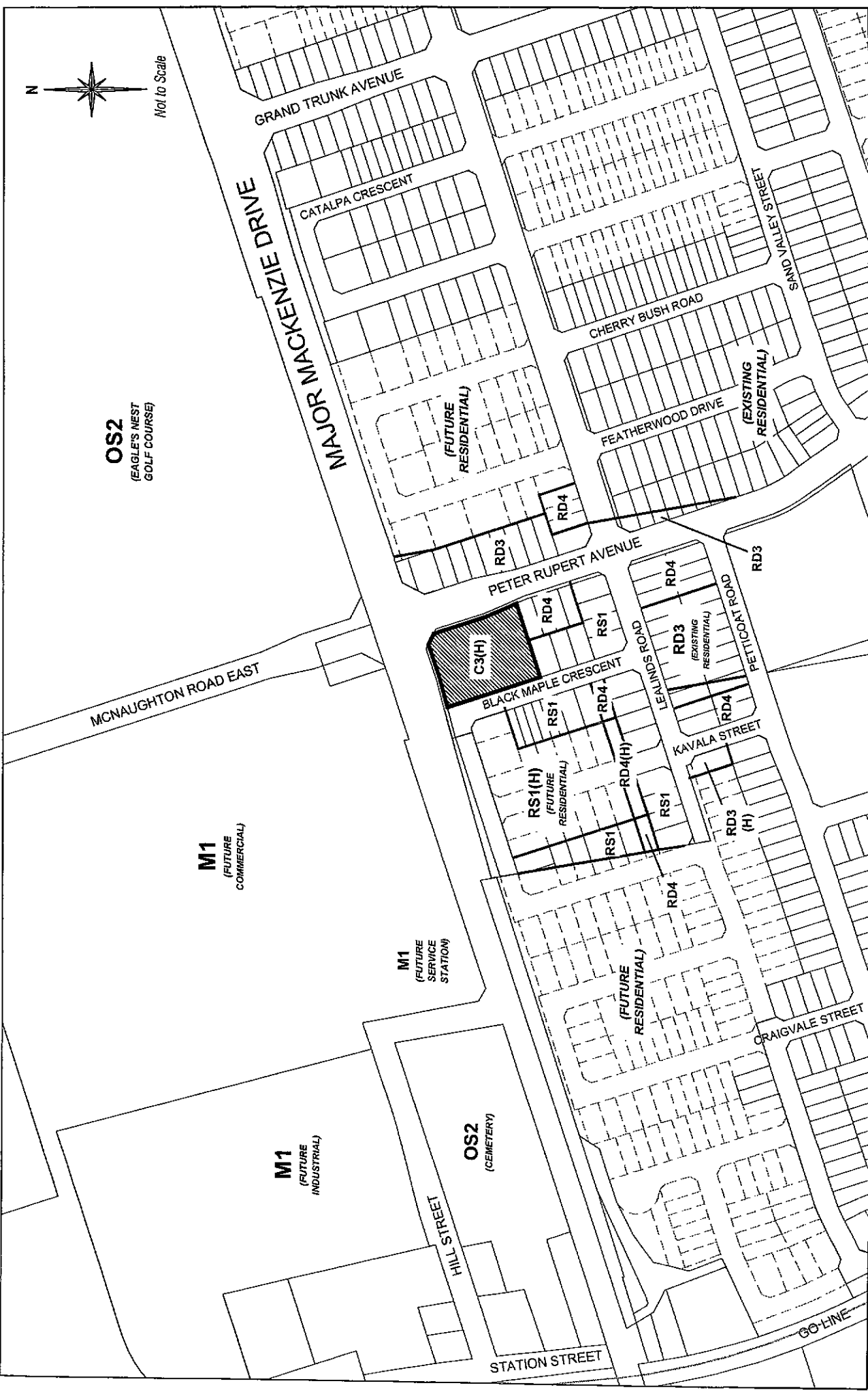
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(EAGLE'S NEST  
GOLF COURSE)

**M1**  
(FUTURE  
COMMERCIAL)

**M1**  
(FUTURE  
INDUSTRIAL)

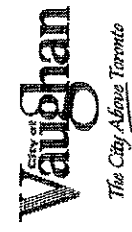
**M1**  
(FUTURE  
SERVICE  
STATION)

**OS2**  
(CEMETERY)



FILE NO'S:  
Z.09.018 &  
DA.08.056

Date: June 10, 2009



Development Planning Department

**Location Map**

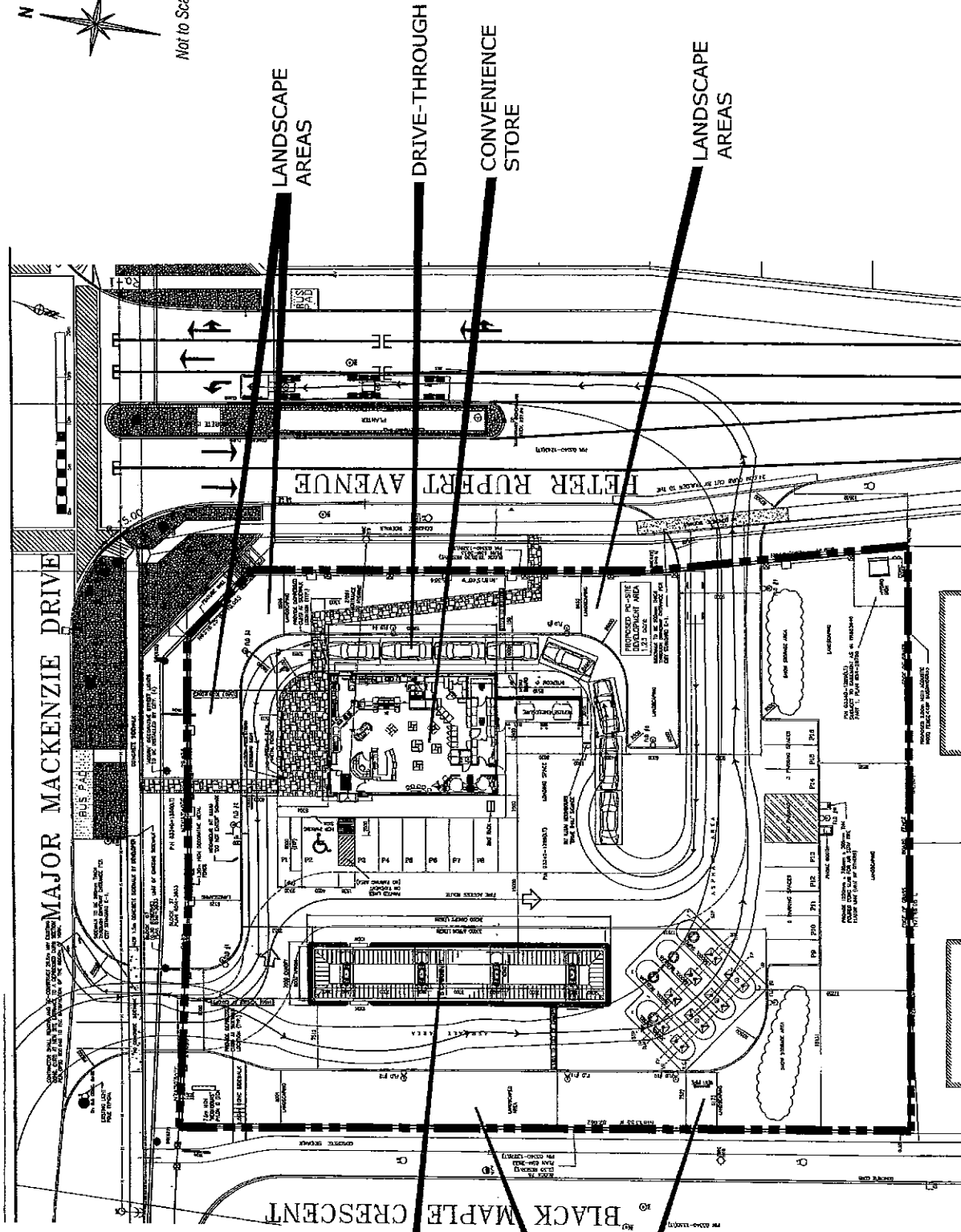
Location:  
Part of Lot 20, Concession 3

Applicant:  
FLORO ESTATES INC.

N:\DPT\1 ATTACHMENTS\DA\08.056



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PROPOSED ZONING TO LIFT THE HOLDING SYMBOL "H" TO FACILITATE THE DEVELOPMENT OF A GAS BAR AND CONVENIENCE STORE WITH DRIVE-THROUGH

GAS PUMP AREA

LANDSCAPE AREAS

Subject Lands

# Site Plan

Location:  
Part of Lot 20, Concession 3

Applicant:  
FLORD ESTATES INC.

N:\A\DT\1 ATTACHMENTS\DA\08.08.055



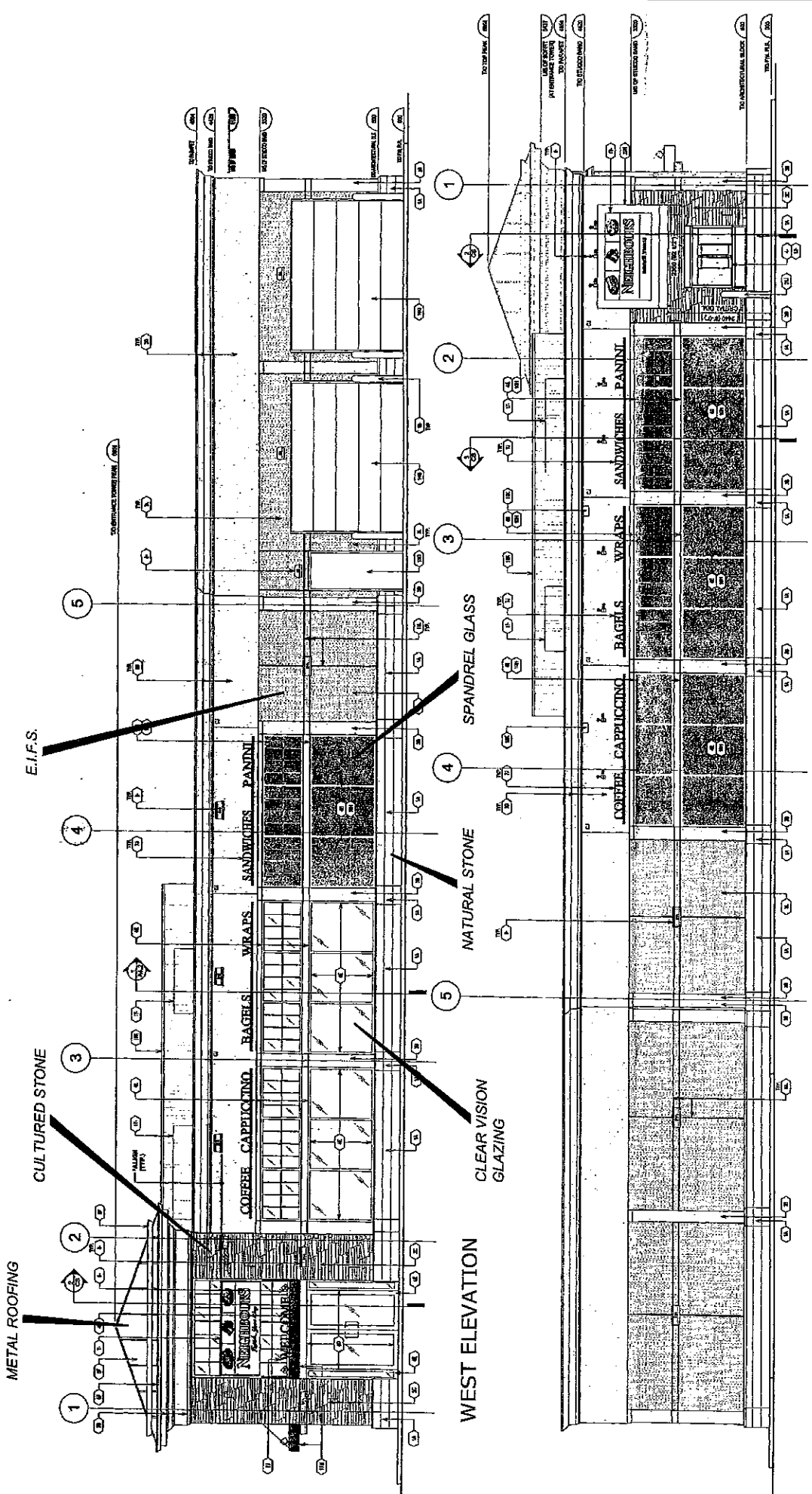
Development Planning Department

# Attachment

# 3

FILE No's:  
Z.09.018 &  
DA.08.056

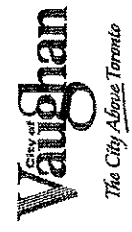
Date:  
June 10, 2009



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FILE NO'S:  
Z.09.018 &  
DA.08.056

Date:  
June 10, 2009



Development Planning Department

# Elevations - East and West

Location:  
Part of Lot 20, Concession 3

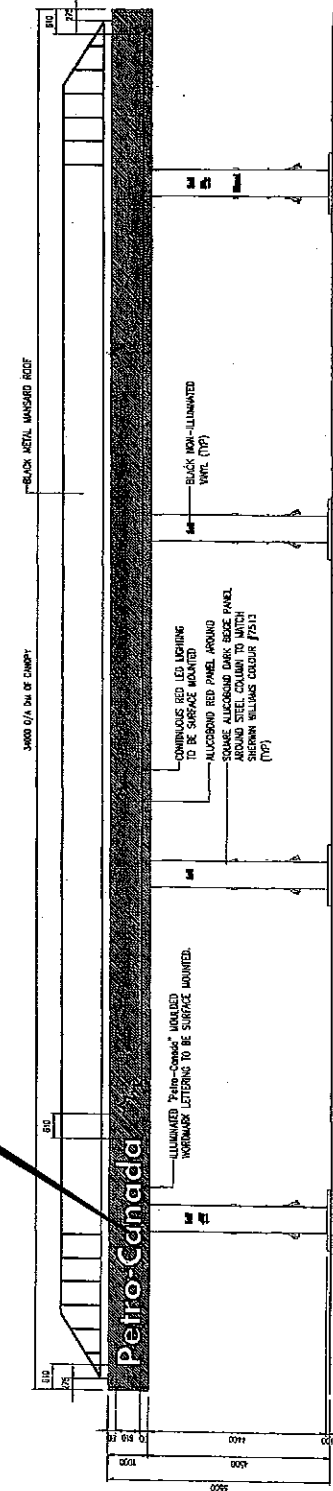
Applicant:  
FLOHO ESTATES INC.

NSA.DPT\1 ATTACHMENTS\DA\08.056



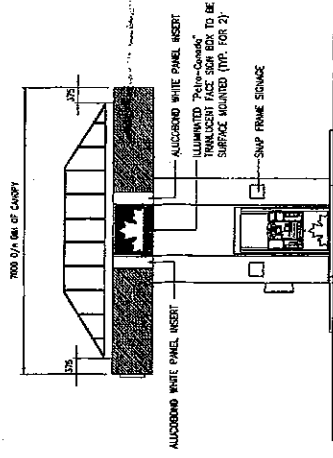


INTERNALLY ILLUMINATED  
WHITE ACRYLIC SIGN

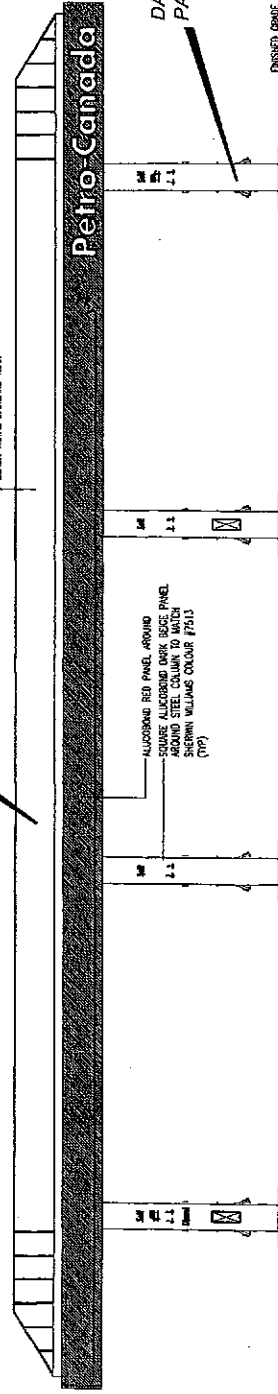


CANOPY FRONT ELEVATION

BLACK METAL  
ROOFING



CANOPY SIDE ELEVATION



CANOPY REAR ELEVATION

CANOPY SIDE ELEVATION

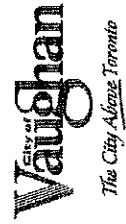
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# Elevations - Canopy

Location:  
Part of Lot 20, Concession 3

Applicant:  
FLORO ESTATES INC.

N:\A\DF\1 ATTACHMENTS\DA\05-08-055



Development Planning Department

# Attachment

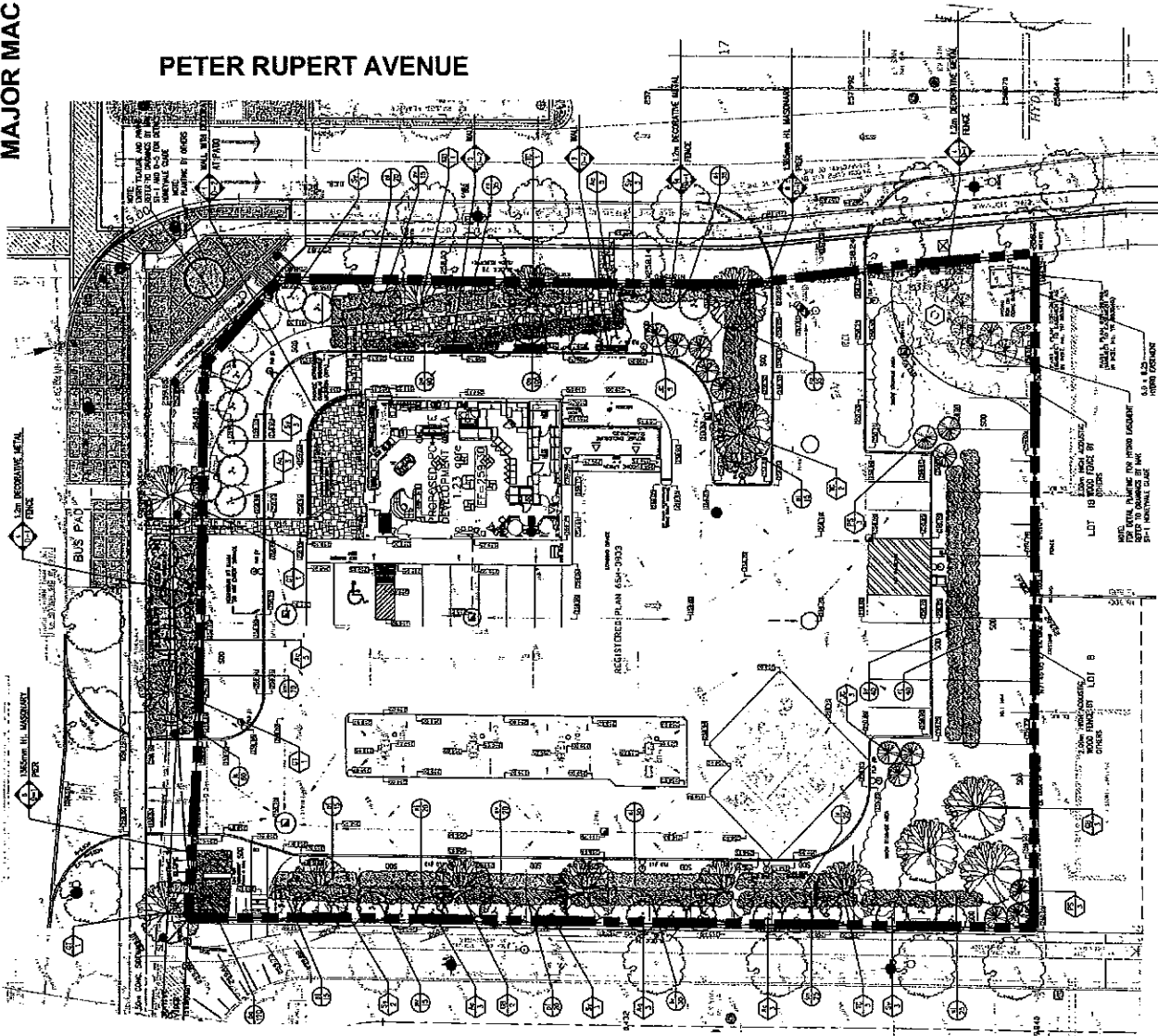
FILE NO'S:  
Z.09.018 &  
DA.08.056

Date:  
June 10, 2009

# 6

MAJOR MACKENZIE DRIVE

PETER RUPERT AVENUE



BLACK MAPLE CRESCENT



Not to Scale

Subject Lands

# Landscape Plan

Location:  
Part of Lot 20, Concession 3

Applicant:  
FLORO ESTATES INC.

N:\A\DFY\1 ATTACHMENTS\DA\08.08.056



The City of Vaughan Toronto

Development Planning Department

Attachment

7

FILE NO'S.:  
Z.09.018 &  
DA.08.056

Date:  
June 10, 2009