

Committee of the Whole (1) Report

DATE: Tuesday, February 7, 2023

WARD: 3

TITLE: SAVINO ROVIRA
ZONING BY-LAW AMENDMENT FILE Z.21.035
7611 PINE VALLEY DRIVE, UNIT 17
VICINITY OF PINE VALLEY DRIVE AND HIGHWAY 7

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Zoning By-law Amendment File Z.21.035 to amend the “C7 Service Commercial Zone”, subject to site-specific Exception 9(864) in Zoning By-law 1-88 to permit a retail use, specifically a coffee roastery (roast and sell coffee), as an additional use, in Unit 17 of an existing multi-unit commercial building on the subject lands shown on Attachment 2.

Report Highlights

- The Owner proposes to add a retail use as a permitted use for a coffee roastery (roast and sell coffee), in Unit 17 of an existing multi-unit commercial building.
- An application to amend Zoning By-law 1-88 is required to permit the additional retail use.
- The Development Planning Department supports the approval of the application subject to the Recommendations of this report, as the proposal is consistent with provincial policy, conforms to the York Region Official Plan 2022 and Vaughan Official Plan 2010, and is compatible with the existing and planned uses in the surrounding area.

Recommendation

1. THAT Zoning By-law Amendment File Z.21.035 (Savino Rovira) BE APPROVED, to amend Zoning By-law 1-88, specifically the “C7 Service Commercial Zone”, subject to site-specific Exception 9(864), to permit a retail use, specifically a coffee roastery (roast and sell coffee), as an additional use, in Unit 17 of an existing multi-unit commercial building.

Background

The subject lands comprised of Unit 17 (the ‘Subject Lands’) are municipally known as 7611 Pine Valley Drive, Unit 17, and are legally described as Unit 17 on York Region Condominium Plan 1051, Block 4 on Registered Plan 65M-2167. The Subject Lands and surrounding land uses are shown on Attachment 1.

Deficiency Letter issued by the Building Standards Department

On October 14, 2020, the Building Standards Department issued a deficiency letter to the Owner in response to a Building Permit Application. The retail use to permit a coffee roastery (roast and sell coffee) is not permitted on the Subject Lands. An amendment to Zoning By-law 1-88 is required to permit the use.

A Zoning By-law Amendment Application has been submitted to permit the proposal

Savino Rovira (the ‘Owner’) has submitted Zoning By-law Amendment File Z.21.035 (the ‘Application’) for the Subject Lands to amend Zoning By-law 1-88, specifically the “C7 Service Commercial Zone”, subject to site-specific Exception 9(864) to permit a retail use, specifically a coffee roastery (roast and sell coffee), as an additional use, in Unit 17 of an existing multi-unit commercial building in the manner shown on Attachment 2 (the ‘Proposal’).

Public Notice was provided in accordance with the Planning Act and Council’s Notification Protocol

The City on August 26, 2022, circulated a Notice of Public Meeting (the ‘Notice’) to all property owners within 150 m of the Subject Lands. A copy of the Notice was also posted on the City’s website at www.vaughan.ca and a Notice Sign was installed along Pine Valley Drive for the Subject Lands in accordance with the City’s Notice Signs Procedures and Protocols.

Vaughan Council on September 28, 2022, ratified the recommendation of the Committee of the Whole to receive the Public Meeting report of September 19, 2022, and to forward a comprehensive technical report to a future Committee of the Whole meeting. No comments have been by the Development Planning Department.

Previous Reports/Authority

The following are links to the previous reports regarding the Subject Lands:

[September 19, 2022, Committee of the Whole \(Public Meeting\) \(Item 2, Report 35\)](#)

[May 20, 2003, Committee of the Whole Meeting \(Item 18, Report 41\)](#)

Analysis and Options

The Proposal is consistent with the Provincial Policy Statement, 2020

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario “shall be consistent” with the Provincial Policy Statement, 2020 (‘PPS’). The PPS provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include building strong, healthy communities; the wise use and management of resources; and protecting public health and safety.

The PPS recognizes the importance of the local context and character. Policies are outcome oriented, and some policies provide flexibility in their implementation provided Provincial interests are upheld. The *Planning Act* requires Council’s planning decisions to be consistent with the PPS.

Section 1.3.1 - Employment of the PPS encourages planning authorities to promote economic development and competitiveness by:

- “a) providing for an appropriate mix and range of employment and institutional uses to meet long-term needs;
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
- e) ensuring the necessary infrastructure is provided to support current and projected needs.”

The Proposal is located within an existing employment area that will support a range of employment and retail uses. The Proposal complements and is compatible with the existing uses within the employment area and provides diversified employment opportunities to meet the City’s long-term employment needs. In consideration of the above, the Proposal is consistent with the PPS.

The Proposal conforms to A Place to Grow – Growth Plan for the Greater Golden Horseshoe, 2019 as amended

The Provincial Growth Plan: A Place to Grow - Growth Plan for the Greater Golden Horseshoe 2019 (‘Growth Plan’) as amended is intended to guide decisions on a wide range of issues, including economic development, land use planning, urban form, and housing. The Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

Council's planning decisions are required by the *Planning Act* to conform, or not conflict with, the Growth Plan. The Proposal is consistent with the policy framework of the Growth Plan as the proposed retail use in an existing building utilizes the Subject Lands efficiently, makes efficient use of existing infrastructure, and provides employment uses that are supportive of the Growth Plan objectives.

The Subject Lands are located within the "Employment Areas" by Schedule 1 - Urban Structure of Vaughan Official Plan 2010 ('VOP 2010'), Volume 1. The Proposal provides for a retail use in an existing employment area to accommodate future growth and abuts Pine Valley Road and in proximity of Highway 7 which support transit. In consideration of the above, the Proposal conforms to the Growth Plan.

The Proposal conforms to the York Region Official Plan, 2022

The York Region Official Plan, 2022 ('YROP 2022') guides economic, environmental and community building decision making across York Region, and describes how York Region will accommodate future growth and development while meeting the needs of existing residents and businesses.

The Subject Lands are located within the "Urban Area" by Map 1 - Regional Structure, which permits a range of residential, commercial, employment and institutional uses and designated "Urban System - Employment Area" by YROP 2022, to permit employment uses and associated retail and ancillary facilities. The Subject Lands are in proximity of Highway 7 a "Regional Corridor" and "Protected Major Transit Station Area" by Map 1B - Urban System Overlays of YROP 2022 and "Rapid Transit Network" by Map 10 - Rapid Transit Network of YROP 2022. The Subject Lands are in proximity of a "Proposed Cycling Facility" along Pine Valley Drive and a "Dedicated and Separate Facility" along Highway 7 by Map 9A - Regional Road Cycling Network of YROP 2022.

The Proposal conforms with the objectives of Chapter 4.3 of YROP 2022, specifically Policies 4.3.3, 4.3.5 and 4.3.9 as it provides for a retail use to support the employment area and is in proximity to Highway 7 for the efficient movement of goods and people. In consideration of the above, the Proposal conforms to YROP 2022.

The Proposal conforms to Vaughan Official Plan 2010

The Subject Lands are identified as being located within the "Employment Areas" on Schedule 1 - Urban Structure of VOP 2010, and are designated "Mid-Rise Mixed-Use" on Schedule 13 - Land Use of VOP 2010. The "Mid-Rise Mixed-Use" designation permits a mix of uses such as retail, community, and institutional uses. Retail uses are subject to Policy 5.2.3 Supporting and Transforming the Retail Sector of VOP 2010. The Official Plan supports the continued development of a diverse retail sector, specifically Policy 5.2.3.1a) that encourages "a broad range of shopping opportunities for local residents and employees; and c) a range of opportunities for employment and entrepreneurship;" The Proposal conforms to VOP 2010.

Amendments to Zoning By-law 1-88 are required to permit the Proposal

The Subject Lands are zoned “C7 Service Commercial Zone”, subject to site-specific Exception 9(864) in Zoning By-law 1-88. The Proposal is not permitted for the Subject Lands and therefore, an amendment to Zoning By-law 1-88 is required to permit a retail use, specifically a coffee roastery (roast and sell coffee), as an additional use in Unit 17 of an existing multi-unit commercial building in the manner shown on Attachment 2. No additional exceptions are required to Zoning By-law 1-88 to permit the Proposal.

The requested amendment to the “C7 Service Commercial Zone”, subject to site-specific Exception 9(864) in Zoning By-law 1-88 to permit a retail use is consistent with the policies of the PPS and conforms to the Growth Plan and YROP 2022 and maintains the intent of the VOP 2010 as the amendment is in keeping with the policies of the “Mid-Rise Mixed-Use” designation of VOP 2010 to permit retail uses to support the employment area, resulting in a Proposal that is compatible with the surrounding area. Accordingly, the Development Planning Department can support the Zoning By-law amendment to the “C7 Service Commercial Zone”.

Council enacted Zoning By-law 001-2021 on October 20, 2021 as the new Vaughan Comprehensive Zoning By-law.

Applications to amend both Zoning By-law 1-88 and Zoning By-law 001-2021 are required because Zoning By-law 001-2021 is not in force for the Subject Lands due to it being under appeal.

The Proposal is permitted by Zoning By-law 001-2021

The Subject Lands are zoned “GMU-553 General Mixed-Use Zone”, subject to site-specific exception 553 by Zoning By-law 001-2021, which permits retail, and therefore, an amendment is not required to Zoning By-law 001-2021.

The Development Planning Department supports the Proposal

The Application will permit a use which conforms to VOP 2010 and expands the range of permitted uses on the Subject Lands. The Urban Design Division has no objections to the Proposal as the Application is for an additional use and no changes are proposed to the existing facades and signage. The Cultural Heritage Division of the Development Planning Department has no comments as the Subject Lands are not of any cultural heritage concern.

The Development Engineering Department has no objection to the Proposal

The Development Engineering (‘DE’) Department has reviewed the Application and has no objection to the Proposal. The DE Department advises that should the Proposal change and require changes to the servicing or grading of the Subject Lands, an updated servicing or grading plan shall be required for submission to the DE Department for review and comment.

Additional development charges are not required as no new gross floor area is being added

The Financial Planning and Development Finance Department has reviewed the Application and has no objections to the Proposal as no new gross floor area is being added to the existing building.

Cash-in-lieu of the dedication of parkland was previously satisfied

The Parks Infrastructure Planning and Development and Real Estate Departments have no objection to the Application as the cash-in-lieu of parkland dedication requirements in accordance with the *Planning Act* and the City's Cash-in-lieu of Parkland Policy have been previously satisfied for the Subject Lands.

Financial Impact

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

Broader Regional Impacts/Considerations

York Region has advised that the Application is a matter of local significance and has no comments.

Conclusion

Zoning By-law Amendment File Z.21.035 has been reviewed in consideration of the applicable Provincial policies, the policies of YROP 2022 and VOP 2010, the requirements of Zoning By-law 1-88 and Zoning By-law 001-2021, comments from City Departments and external public agencies and the surrounding area context.

The Proposal to amend the "C7 Service Commercial Zone", subject to site-specific Exception 9(864) in Zoning By-law 1-88, to permit a retail use, specifically a coffee roastery (roast and sell coffee), as an additional use in Unit 17 of an existing multi-unit commercial building in the manner shown on Attachment 2 is consistent with Provincial policy and conforms to the YROP 2022 and VOP 2010.

The Development Planning Department is satisfied the Proposal is appropriate and compatible with the existing and permitted uses in the surrounding area. Accordingly, the Development Planning Department supports the approval of Zoning By-law Amendment File Z.21.035 subject to the Recommendations of this report.

For more information, please contact: Judy Jeffers, Planner, at extension 8645.

Attachments

1. Context and Location Map.
2. Proposed Zoning and Existing Site Plan.

Prepared by

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Carmela Marrelli, Senior Manager of Development Planning, ext. 8791.

Nancy Tuckett, Director of Development Planning, ext. 8529.

Approved by

A handwritten signature in cursive script, appearing to read 'Haiqing Xu'.

Haiqing Xu, Deputy City Manager,
Planning and Growth Management

Reviewed by

A handwritten signature in cursive script, appearing to read 'Nick Spensieri'.

Nick Spensieri, City Manager