

Committee of the Whole (2) Report

DATE: Tuesday, October 22, 2024

WARD(S): 5

TITLE: 1000623576 ONTARIO INC. C/O JOSEPH KIM
ZONING BY-LAW AMENDMENT APPLICATION FILE Z.24.007
300 STEELES AVENUE WEST – VICINITY OF STEELES
AVENUE WEST AND HILDA AVENUE

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for a Zoning By-law Amendment (File Z.24.007) to permit the conversion of the existing retail use in Building 1 ('Toys "R" Us') for the temporary use of a Supermarket and associated offices ('Supermarket') for a maximum period of three (3) years as shown on Attachments 1 and 2.

Report Highlights

- The Owner has submitted a Zoning By-law Amendment application to permit a temporary use for a period of three (3) years to convert the existing retail use in Building 1 to a Supermarket use.
- Zoning By-law Amendment and Site Development applications are required to permit the proposed temporary use.
- The Yonge/Steeles Program of the Policy Planning & Special Programs Department supports the approval of the temporary use Zoning By-law Amendment for a period of three (3) years.

Recommendations

1. THAT Zoning By-law Amendment File Z.24.007 (1000623576 Ontario Inc.) BE APPROVED to permit the conversion of the existing retail use for a use as a Supermarket – including the supermarket’s administrative and managerial offices to be located on the existing mezzanine level, for a period of (3) years.

Background

Location: 300 Steeles Avenue West (the ‘Subject Lands’). The Subject Lands and the surrounding land uses are shown on Attachment 1.

A temporary use Zoning By-law Amendment Application has been submitted to permit the Proposal.

The Owner has submitted a Zoning By-law Amendment Application File Z.24.007 (the ‘Application’) for Building 1 on the Subject Lands to permit the temporary conversion of the existing retail use for the use as a Supermarket for a temporary period of three (3) years (the ‘Proposal’) as shown on Attachment 2 together with the site-specific exceptions identified in Table 1 of Attachment 3 to this report.

A related minor Site Development Application DA.24.045, was submitted on August 23, 2024. In accordance with Bill 109, the approval of Site Development Applications has been delegated to the Deputy Chief Manager of Planning and Growth Management.

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

- *Date of Notice: May 10, 2024 (Circulated 150 m from Subject Lands as shown on Attachment 1)*
- *Location of Notice Signs: Steeles Avenue West and Hilda Avenue*
- *Date of Public Meeting: Tuesday, June 4, 2024, date ratified by Council: Tuesday, June 25, 2024*
- *Date of Committee of the Whole Courtesy Notice sent to those requested to be notified: October 12, 2024*

Public Comments were received.

The following is a summary of the comments provided and received to date. The comments are organized by theme as follows:

Access, Traffic and Parking

- the Development will increase traffic congestion in the area and impact vehicle and pedestrian safety for the intersection of Steeles Avenue West and Hilda Avenue.

These comments are addressed throughout this report.

Previous Reports/Authority

Previous reports related to the Subject Lands can be found at the following links:
[June 4, 2024, Committee of the Whole Public Meeting Report \(Item 8, Report 23\)](#)

Analysis and Options

The Proposal is consistent with the Provincial Policy Statement 2020 and the Provincial Planning Statement 2024 and conforms to the Growth Plan, York Region Official Plan and Vaughan Official Plan.

Provincial Policy Statement, 2020 ('PPS 2020')

The PPS 2020 provides direction on matters of Provincial interest related to land use planning and development and include building strong, healthy communities with an emphasis on efficient development and land use patterns, wise use and management of resources, and protecting public health and safety.

Staff are satisfied that the Proposal is consistent with the PPS 2020.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (the 'Growth Plan')

The Growth Plan provides a framework for implementing the Province's vision for building strong, prosperous communities within the Greater Golden Horseshoe to 2051. The premise of the Growth Plan is building compact, vibrant and complete communities, developing a strong competitive economy, protecting and wisely using natural resources, and optimizing the use of existing and new infrastructure to support growth in a compact and efficient form.

The Subject Lands are within proximity to the Protected Major Transit Station Area ('PMTSA') 20 - Steeles Subway Station. The Growth Plan defines a PMTSA as the area within an approximate 500 to 800 m of a transit station. The Subject Lands front onto Steeles Avenue West just west of Hilda Avenue.

The Growth Plan provides guiding policies for accommodating forecasted growth in *complete communities*. Complete communities are defined as places such as mixed-use neighbourhoods or other areas within cities, towns, and *settlement areas* that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and *public service facilities*. *Complete communities* are age-friendly and may take different shapes and forms appropriate to their contexts.

The Proposal shown on Attachment 2 conforms to the Growth Plan.

Provincial Planning Statement, 2024 ('PPS 2024')

The Provincial Planning Statement 2024 ('PPS 2024') is a policy statement issued pursuant to section 3 of the *Planning Act* and came into effect on October 20, 2024. All decisions made on or after October 20, 2024 in respect of the exercise of any authority that affects a planning matter shall be consistent with this policy statement.

At the time of drafting this report, transition provisions to facilitate the introduction of the new PPS 2024 were being considered by the Ministry of Municipal Affairs and Housing, and not yet available. This report therefore includes discussion of, *inter alia*, the Provincial Policy Statement 2020, the Growth Plan for the Greater Golden Horseshoe, 2019, as amended, and the new PPS 2024.

The Subject Lands are within an Urban Area of the Built Boundary of York Region. The Proposal facilitates a temporary land use conversion of the existing retail for a Supermarket use in the City's established Community Area where full municipal services exist. The ability to utilize existing infrastructure, and the opportunity to provide employment and community services is consistent with the PPS.

York Region Official Plan 2022 ('YROP 2022')

York Region Council adopted the YROP 2022 in June 2022. YROP 2022 was approved, as modified, by the Minister of Municipal Affairs and Housing in November 2022, bringing it into full force and effect. Bill 150 (*Planning Statute Law Amendment Act, 2023*) and Bill 162 (*Get It Done Act, 2024*) later rescinded some of those modifications.

On June 6, 2024, Bill 185 (*Cutting Red Tape to Build More Homes Act, 2024*) ("Bill 185") received Royal Assent which includes amendments to the *Planning Act*. In accordance with the amendments to the *Planning Act* implemented through Bill 185, York Region became a Region without planning responsibilities effective July 1, 2024.

Pursuant to subsection 70.13(2) of the *Planning Act*, YROP 2022 is deemed to constitute an official plan of the City in respect of any area in the City to which it applies and will remain in effect until the City revokes or amends it.

The YROP 2022 designates the Subject Lands "Community Area", which permits a wide range of residential, commercial, cultural, and institutional uses. An important objective for York Region's Community Areas is to ensure they are walkable, pedestrian-oriented, and amenity rich locations which provide residents with a range of services and open spaces within a 15-minute walk or cycle of their home.

Vaughan Official Plan 2010 ('VOP 2010')

VOP 2010 sets out the municipality's general planning goals and policies that guide future land use. The Subject Lands are identified in VOP 2010 as follows:

- "Primary Intensification Corridors" on Schedule 1 – "Urban Structure" of 'VOP 2010
- Located within the Yonge Steeles Corridor Secondary Plan (the 'YSCSP') on Schedule 13 – "Land Use"

- Designated “High-Rise Mixed Use” by Schedule 2 (South) of the YSCSP with a minimum density target of 2.5 times the area of the lot

The “High-Rise Mixed Use” designation of the YSCSP permits retail uses which includes a supermarket via 9.2.2.6 b) of VOP 2010.

The Proposal shown on Attachment 2 is consistent with the “High-Rise Mixed Use” land use designation policies outlined in the YSCSP. Policy 9.2.2.6.a of VOP 2010 states that High-Rise Mixed-Use areas are generally located in *Intensification Areas* and provide for a mix of residential, retail, community and institutional uses. Policy 9.2.2.6.b of VOP 2010 confirms that retail uses are permitted.

Policy 10.1.2.4 which pertains to Temporary Use By-laws of VOP 2010 is applicable when considering the Proposal for a temporary use. The proposed temporary use for a Supermarket is consistent with Policy 10.1.2.4 of VOP 2010 and the Temporary Use By-laws requirements as it is consistent with the general intent of VOP 2010, is compatible with adjacent land-uses, is temporary in nature and can easily be terminated when the temporary zoning by-law expires. On this basis, the Proposal conforms to VOP 2010.

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

Zoning:

- “C2 - General Commercial Zone” subject to Site-Specific Exception 9(483) by Zoning By-law 1-88
- This Zone does not permit the proposed temporary use
- The Owner proposes to amend the “C2 - General Commercial Zone” subject to site-specific exception 9(483) on the Subject Lands for Building 1 in the manner shown on Attachment 2, to permit the Proposal on a temporary basis for a maximum of three (3) years, together with the following site-specific zoning exceptions identified in Table 1 of Attachment 3.

The Yonge/Steeles Program of the Policy Planning and Special Programs Department can support the remaining zoning exceptions identified in Table 1 on the basis that the proposed site-specific zoning standards identified in Table 1 would facilitate a development that is consistent with the policies of the PPS (2020 and 2024) and conforms to the Growth Plan.

Minor modifications may be made to the zoning exceptions identified in Table 1 (Attachment 3) prior to the enactment of an implementing Zoning By-law, as required, should the Application be approved.

The Policy Planning and Special Programs Development Department supports the Proposal.

The Policy Planning and Special Programs Department recommends approval of the Proposal as shown on Attachment 2.

Site Design

The Proposal will utilize the existing building and include both exterior and interior renovations to serve the Supermarket function. Exterior renovations include installing a new sign, new awnings, additional rooftop mechanical units, and minor changes to the existing entrances.

The Proposal does not include any new landscaping or work to the parking area.

Financial Impact

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

Operational Impact

The Development Engineering ('DE') Department supports the Development.

The DE Department has provided the following comments:

Development Engineering

The Owner shall provide a certificate by a noise consultant certifying that the building plans are in accordance with the noise control features recommended by the final detailed noise impact assessment report.

Where mitigation measures such as 7.0 m wing walls surrounding the loading area with garage doors that can be closed, and 2.0 m high noise barriers localized around each of the northern and western HVAC units are required, these features shall be certified by a Professional Engineer at Vaughan's request. The Engineer's certificate must refer to the final detailed noise impact assessment report and be submitted to Vaughan's Chief Building Official and the Director of Development Engineering.

The DE Department has confirmed that the required information can be submitted reviewed and approved as part of the related minor Site Development Application process.

Development Engineering Transportation

DE Transportation has reviewed the proposal and is satisfied.

No objection from other review agencies

Canada Post, Rogers, Bell, Enbridge, Alectra Utilities, and Toronto Region Conservation Authority have no objection to the Proposal.

Broader Regional Impacts/Considerations

The Application has been circulated to York Region for the purpose of receiving comments on matters of Regional interest i.e. roads and servicing infrastructure. York Region has no objection to the approval.

Conclusion

The Policy Planning and Special Programs Department is satisfied the Application is consistent with the PPS (2020 and 2024), conforms with the Growth Plan, YROP and VOP 2010, and is appropriate for the use of the Subject Lands. The Proposal is considered appropriate and compatible with existing and planned surrounding land uses. Accordingly, the Policy Planning and Special Programs Department can recommend approval of the Applications, subject to the recommendations in this report.

For more information, please contact Paul Procopio, Planner, at extension 8412.

Attachments

1. Context and Location Map
2. Concept Plan and Zoning
3. Zoning By-law 1-88 - Table 1

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