

## Committee of the Whole (Public Meeting) Report

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**DATE:** Tuesday, December 3, 2024

**WARD:** 4

**TITLE:** DIMCO PROPERTIES INC.  
ZONING BY-LAW AMENDMENT FILE Z.24.029  
10 BUTTERMILL AVENUE  
VICINITY OF HIGHWAY 7 AND JANE STREET

**FROM:**

Haiqing Xu, Deputy City Manager, Planning, Growth Management and Housing Delivery

**ACTION:** FOR INFORMATION

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### **Purpose**

To receive comments from the public and the Committee of the Whole to permit additional commercial uses within the existing building for a period of three (3) years and to permit previously permitted commercial uses and existing site-specific exceptions as shown on Attachments 1 to 3.

### **Report Highlights**

- The Owner proposes to permit additional commercial uses within the existing employment building as a temporary three (3) year use and to permit previously permitted commercial uses and add existing site-specific exceptions.
- This report identifies preliminary issues to be considered in a technical report to be prepared by the Development and Parks Planning Department at a future Committee of the Whole meeting.

### **Recommendations**

1. THAT the Public Meeting report for Zoning By-law Amendment File Z.24.029 (Dimco Properties Inc.) BE RECEIVED, and that any issues identified be addressed by the Development and Parks Planning Department in a comprehensive report to the Committee of the Whole.

## **Background**

Location: 10 Buttermill Avenue (the 'Subject Lands'). The Subject Lands and the surrounding land uses are shown on Attachment 1.

Date of Pre-Application Consultation Meeting: October 25, 2023

### ***A Zoning By-law Amendment Application has been submitted to permit the proposed development***

Dimco Properties Inc. (the 'Owner') has submitted a Zoning By-law Amendment Application for the Subject Lands to permit additional commercial uses within the existing multi-unit building for a temporary period of three (3) years, together with amending the by-law to allow previously permitted commercial uses (the 'Application'), as shown on Attachment 2, and add existing site-specific zoning exceptions identified on Attachment 3.

### ***Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol***

a) Date the Notice of Public Meeting was circulated: November 8, 2024.

The Notice of Public Meeting was also posted on the City's website at [www.vaughan.ca](http://www.vaughan.ca) and a Notice Sign was installed along Portage Parkway in accordance with the City's Notice Signs Procedures and Protocols.

b) Circulation Area: To all property owners within 150 m of the Subject Lands and to anyone on file with the Office of the City Clerk having requested notice.

c) No comments have been received as of November 19, 2024, by the Development and Parks Planning Department.

Any written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication and be reviewed and addressed by the Development and Parks Planning Department in a future technical report to the Committee of the Whole.

## **Previous Reports/Authority**

N/A

## **Analysis and Options**

### ***The Temporary Use By-law policy of VOP 2010 is applicable to the Application***

#### **Official Plan Designation:**

- "Employment Area" on Schedule 1 – Urban Structure by Vaughan Official Plan 2010 ('VOP 2010')
- "Protected Major Transit Station Area" on Schedule 1C – Protected Major Transit Station Areas by VOP 2010
- "Prestige Employment" on Schedule 13 – Land Use by VOP 2010

- The Prestige Employment designation permits employment uses along with limited office and retail uses
- VOP 2010 Policy 10.1.2.4 Temporary Use By-laws is applicable when considering the proposed temporary uses

***Amendments to Zoning By-law 001-2021 are required to permit the proposed and existing uses and Site-Specific Exceptions***

**Zoning:**

- “EM1 Prestige Employment Zone” by Zoning By-law 001-2021
- This Zone does not permit the uses
- The Owner proposes to permit additional commercial uses on a temporary basis, together with seeking to permit previously permitted commercial uses and the following site-specific zoning exceptions, identified in Table 1 on Attachment #3
- Under Zoning By-law 1-88, the Subject Lands were zoned “EM1 - Prestige Employment Zone”, which permitted some commercial uses
- Exception 528(G) under Zoning By-law 1-88 permitted additional limited commercial uses in the form of an eating establishment. An eating establishment continues to be in existence on the site

Additional zoning exceptions may be identified through the detailed review of the Application and will be considered in a technical report to a future Committee of the Whole meeting.

***Following a preliminary review of the Application, the Development and Parks Planning Department has identified the following matters to be reviewed in greater detail:***

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
a.	Conformity and Consistency with Provincial Policies and City Official Plan Policies	<ul style="list-style-type: none"> <li>▪ The Application will be reviewed for consistency and conformity with the Provincial Planning Statement 2024 (‘PPS 2024’) and the policies of VOP 2010 and other deemed City official plan policies.</li> <li>▪ The VMC Subcommittee endorsed a northern expansion to the VMC Secondary Plan (‘VMCSP’), which includes the Subject Lands</li> </ul>
b.	Appropriateness of Amendments to Zoning By-law 001-2021	<ul style="list-style-type: none"> <li>▪ The appropriateness of the requested temporary uses and the permanent additional commercial use and existing site-specific exceptions will be reviewed in consideration of the existing and planned surrounding land uses</li> <li>▪ The Application proposes to permanently recognize an eating establishment use of 463 m<sup>2</sup> in accordance with the previous Zoning By-law 1-88, site-specific Exception 9(528G).</li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
		<p>However, Zoning staff has identified this use currently occupies 765.12 m<sup>2</sup>. The appropriateness of maintaining the 463 m<sup>2</sup> on a permanent basis will be reviewed.</p> <ul style="list-style-type: none"> <li>▪ The Subject Lands are within a PMTSA. The applicability and appropriateness of including a parking requirement in light of the PMTSA designation will be reviewed</li> <li>▪ The landscape strip widths vary between the Buttermill Avenue and Portage Road frontages. The appropriateness of applying a uniform reduction to both road frontages will be reviewed</li> </ul>
c.	Studies and Reports	<ul style="list-style-type: none"> <li>▪ The Owner submitted studies and reports in support of the Application available on the city's website at <a href="https://maps.vaughan.ca/planit/">https://maps.vaughan.ca/planit/</a> (PLANit Viewer) and must be approved to the satisfaction of the City or respective approval authority. Additional studies and/or reports may be required as part of the application review process</li> </ul>
d.	Public Agency/Municipal Review	<ul style="list-style-type: none"> <li>▪ The Application must be reviewed by York Region and external public agencies and utilities</li> </ul>
e.	Traffic Impacts, and Parking	<ul style="list-style-type: none"> <li>▪ The Parking Study will be reviewed in accordance with the City's Parking Study Guidelines to the satisfaction of the Development Engineering Department</li> <li>▪ The Transportation Impact Brief, when submitted, will be reviewed in accordance with the City's Transportation Impact Study Guidelines to the satisfaction of the Development Engineering Department</li> <li>▪ The proposed traffic generated by the proposal will be reviewed in consideration of existing traffic conditions of the surrounding street network</li> </ul>
f.	The Application has been Deemed Incomplete	<ul style="list-style-type: none"> <li>▪ The Owner is required to submit the following material for the Application to be deemed complete: <ul style="list-style-type: none"> <li>○ Pedestrian and Bicycle Circulation Plan</li> <li>○ Site Servicing and Grading Plan, and Supporting Drawings</li> <li>○ Transportation Impact Study</li> <li>○ Traffic Brief</li> </ul> </li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
		<ul style="list-style-type: none"> <li>○ Amendments to the Application Form, Planning Opinion Letter, and Site Plan</li> <li>○ Building Floorplans</li> </ul>
g.	Required Applications	<ul style="list-style-type: none"> <li>▪ The Owner is required to submit a minor Site Development Application to address the site configuration with respect to the proposed commercial uses</li> </ul>

**Financial Impact**

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

**Operational Impact**

Development and Parks Planning staff have circulated the Application to internal City Departments and external agencies for review.

**Broader Regional Impacts/Considerations**

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 Statue 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 Application is being circulated to York Region for the purpose of receiving comments on matters of Regional interest i.e., roads and servicing infrastructure. Further comments will be discussed in the future comprehensive report.

**Conclusion**

The preliminary issues identified in this report and any other issues identified through the processing of the Application will be considered in the technical review of the Application. Comments from the public and Vaughan Council expressed at the Public Meeting or in writing will be addressed in a comprehensive report to a future Committee of the Whole meeting.

**For more information**, please contact David Harding, Senior Planner, Development and Parks Planning Department, ext. 8409.

**Attachments**

1. Context and Location Map
2. Conceptual Site Plan and Existing Zoning
3. Zoning By-law 001-2021 Table 1

**Prepared by**

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