

Committee of the Whole (1) Report

DATE: Wednesday, June 4, 2025

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:

Vince Musacchio, Interim Deputy City Manager, Planning, Growth Management and Housing Delivery

ACTION: DECISION

Purpose

To seek approval on an application for a Zoning By-law Amendment application to permit a restaurant use and temporary commercial uses for a period of three years within an existing multi-unit employment building as shown on Attachments 1 and 2.

Report Highlights

- The Owner has submitted a Zoning By-law Amendment application to carry forward the restaurant use permitted under Exception 9(528G) of By-law 1-88 and to permit temporary commercial uses within the existing multi-unit employment building along with site-specific zoning exceptions.
- A Zoning By-law Amendment application is required to permit the proposed use, proposed temporary uses, and proposed additional site exceptions.
- The Development and Parks Planning Department supports the proposed use and temporary uses for a period of three years.

Recommendation

1. THAT Zoning By-law Amendment File Z.24.029 (Dimco Properties Inc.) BE APPROVED, to amend Zoning By-law 001-2021, to permit site-specific zoning exceptions identified in Table 1 of Attachment 3 of this report on the Subject Lands shown on Attachments 1 and 2.

Background

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

A Zoning By-law Amendment Application has been submitted to permit the proposed Temporary Uses.

Dimco Properties Inc. (the Owner) has submitted a Zoning By-law Amendment (the Application) to permit commercial uses for a temporary period of three years within the existing multi-unit employment building as shown on Attachment 2, together with a previously permitted restaurant use and site-specific zoning exceptions identified on Table 1 in Attachment 3.

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

- Date of Notice: Nov. 8, 2024 (Circulated 150 m from Subject Lands as shown on Attachment 1)
- Location of Notice Sign: A Notice Sign was installed along the Portage Road frontage of the Subject Lands
- Date of Public Meeting: Dec. 3, 2024, ratified by Council Dec. 17, 2024
- Date of Committee of the Whole Courtesy Notice sent to those requested to be notified: May. 21, 2025
- No public comments were received.

Previous Reports/Authority

The previous report related to the application can be found at the following link:
Dimco Properties Inc. - Z.24.029, Public Meeting Report
[Dec. 3, 2024, Committee of the Whole Public Meeting \(Item 4, Report 42\)](#)

Analysis and Options

The Application is consistent with the Provincial Planning Statement 2024 and conforms to the York Region Official Plan 2022 and does not conflict with Vaughan Official Plan 2010.

Provincial Planning Statement, 2024

The Provincial Planning Statement, 2024 is a policy statement issued pursuant to Section 3 of the *Planning Act* that came into effect on Oct 20, 2024. All decisions made on or after Oct 20, 2024, in respect of the exercise of any authority that affects a planning matter shall be consistent with this policy statement. The Provincial Planning Statement, 2024 provides direction on matters of Provincial interest related to land use planning and development province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

The Subject Lands are within a Settlement Area and the Delineated Built-Up Area of the Built Boundary of York Region. The Subject Land is developed for employment uses in an established Settlement Area where full municipal services exist. Sections 2.1 and 2.8 of the Provincial Planning Statement, 2024, speak to planning authorities providing for an appropriate mix of land uses to meet the long-term needs of communities. The Subject Lands were subject to an employment land use conversion by the Regional Municipality of York. Staff are satisfied that the Application is consistent with the Provincial Planning Statement, 2024.

York Region Official Plan 2022

York Region Council adopted the York Region Official Plan 2022 in June 2022. York Region Official Plan, 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*, York Region Official Plan, 2022 is deemed to constitute an official plan of the City of Vaughan in respect of any area in the City to which it applies and will remain in effect until the City revokes or amends it.

On Oct. 22, 2020, Regional Council approved an employment land use conversion for the Subject Lands.

The Subject Lands are identified in YROP 2022 as follows:

- "Urban Area" on Map 1 – "Regional Structure" of YROP 2022
- "Community Area" on Map 1A – "Land Use Designations" of YROP 2022

The Urban Area and Community Area designations are the primary sites where growth and development are anticipated. While employment opportunities are encouraged within the Community Area designation under policy 4.2.1 of YROP 2022, said designation is where the majority of residents, personal services, retail, arts, culture, recreational facilities, and human service needs are anticipated to be located. Within Community Areas, the quality of life for residents is to be enhanced by creating opportunities to locate daily activities, work and living in close proximity to one another.

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:

- “Employment Area” on Schedule 1 – “Urban Structure” by 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 Employment Area designation is intended for economic activities which require separation from other uses in order to achieve their maximum potential. The Prestige Employment designation permits employment uses appropriate to transition between more intensive industrial uses and sensitive land uses. The Protected Major Transit Station Area designation identifies lands surrounding higher-order transit stations/stops and sets out minimum people and jobs per hectare targets. The building shown on Attachment 2 was constructed to accommodate prestige employment uses suitable to act as a buffer between the residential uses to the south and more intensive employment uses to the north.

Policy 10.1.2.4 regarding Temporary Use Zoning By-laws is applicable when considering the proposed temporary uses. The proposal is consistent with the general intent of York Region Official Plan, 2022, which is now an official plan of the City. The proposal is compatible with adjacent mixed-use land uses within the Vaughan Metropolitan Centre (VMC), is an appropriate transition between the VMC and adjacent employment land uses and is temporary in nature and can easily be terminated when the temporary zoning by-law provisions expire. In keeping with the general intent of the Prestige Employment designation policies concerning ancillary retail uses, the gross floor area of each unit containing a temporary use, except the take-out restaurant use, is proposed to be 185 square metres, and the Subject Lands are located at the intersection of two collector streets. No alterations to the existing building on the Subject Lands are needed to facilitate the proposed restaurant use or temporary commercial uses. On this basis, the Application does not conflict with VOP 2010.

Amendments to Zoning By-law 001-2021 are required to permit the Application.

Zoning:

- “EM1 Prestige Employment Zone” by Zoning By-law 001-2021
- This Zone does not permit the uses
- The Owner proposes site-specific zoning exceptions to permit one restaurant use, temporary commercial uses for a period not exceeding three years, together with the following site-specific zoning exceptions identified in Table 1 of Attachment 3.

The Development and Parks Planning Department can support the proposed restaurant use tied to a 766 square metre footprint, as one restaurant use was permitted in Exception 9(528(G)) under Zoning By-law 1-88. The restaurant continues to operate, but its footprint has been identified to be larger due to the areas of the business used for office and storage.

The Development and Parks Planning Department can support the remaining zoning exceptions identified in Table 1 as the proposed temporary commercial uses, and zoning standards in said table would allow an existing employment building within an employment conversion area more flexibility to accommodate some commercial uses to respond to and support the emerging uses within the abutting VMC area. As the Subject Lands are within a Protected Major Transit Station Area, there are no minimum parking requirements.

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

Financial Impact

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

Operational Impact

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

The DE Department has provided the following comments:

Development Engineering

Development Engineering does not have any comments.

Transportation Engineering

Staff understand the site is located within a Protected Major Transit Station Area, where a minimum parking rate is no longer required. Staff continue to encourage parking to be provided in accordance with the Zoning By-law as these rates have been established based on the historical parking requirements within the City and a deficiency in parking on-site may result in on-street parking complaints in the area.

By-law and Compliance Licensing and Permit Services have attended the Subject Lands.

In March 2023, By-law and Compliance Licensing and Permit Services Department staff attended the property as the result of an expired business license. Six businesses were issued Notices to Obtain Business Licenses as a result.

Building Permit(s) is/are required for a change of use

The Building Standards Department has identified that a building permit(s) is/are required for a change of use for the proposed use(s) in the building.

Other departments, review agencies and various utilities have no objection to the Application

The Financial Planning and Development Finance, Emergency Planning, Vaughan Fire and Rescue Service, Parks Forestry and Horticulture Operations, Environmental Services Department, Cultural Heritage, Transportation and Fleet Management Services, Enbridge Gas Inc., Rogers Communications Inc., Alectra Utilities, and Canada Post Corporation, have no objection to the Application.

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 Development and Parks Planning Department is satisfied the Application is consistent with the Provincial Planning Statement, 2024, does not conflict with VOP 2010, and is appropriate for the use of the Subject Lands. The Application is considered appropriate and compatible with existing and planned surrounding land uses. Accordingly, the Development and Parks Planning Department can recommend approval of the Application, subject to the recommendations in this report.

For more information, please contact David Harding, Senior Planner, at extension 8409.

Attachments

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

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