

Committee of the Whole (Public Hearing) Report

DATE: Tuesday, June 23, 2020

WARD(S): 3

**TITLE: VECTOR (STEELES WEST) PROPERTIES LIMITED
ZONING BY-LAW AMENDMENT FILE Z.13.013
4190 AND 4220 STEELES AVENUE WEST AND
31 GAUDAUR ROAD
VICINITY OF STEELES AVENUE WEST AND PINE VALLEY
DRIVE**

FROM:

Bill Kiru, Acting Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To receive comments from the public and the Committee of the Whole on Zoning By-law Amendment File Z.13.013 for the Subject Lands shown on Attachment 1. The Owner proposes to amend the “EM1 Prestige Employment Area Zone” to permit additional commercial uses within two (2) existing multi-unit commercial buildings shown on Attachment 2, together with the site-specific zoning exceptions identified in Table 1.

Report Highlights

- To receive comments from the public and the Committee of the Whole to permit additional commercial uses in the two (2) existing multi-unit buildings located on the subject lands
- An amendment to Zoning By-law 1-88 is required to permit the proposed additional uses and site-specific exceptions
- A technical report will be prepared by the Development Planning Department to be considered at a future Committee of the Whole meeting

Recommendations

1. THAT the Public Hearing report for Zoning By-law Amendment File Z.13.013 (Vector (Steeles West) Properties Limited) BE RECEIVED; and that any issues identified be addressed by the Development Planning Department in a comprehensive technical report to the Committee of the Whole.

Background

The subject lands (the 'Subject Lands') shown on Attachment 1 are municipally known as 4190 and 4220 Steeles Avenue West, and 31 Gaudaur Road, and are located on the north side of Steeles Avenue West, east of Pine Valley Drive as shown on Attachment 1. The Subject Lands are developed with two (2), one-storey multi-unit commercial buildings with a total gross floor area ('GFA') of 9,170 m² with existing retail, office, eating establishment and banquet hall uses.

A Zoning By-law Amendment Application has been submitted to permit additional uses and site-specific exceptions on the Subject Lands

Vector (Steeles West) Properties Limited (the 'Owner') has submitted Zoning By-law Amendment File Z.13.013 (the 'Application') to amend the "EM1 Prestige Employment Area Zone" with a "CC Commercial Complex" in Zoning By-law 1-88. The Application would permit additional commercial uses on the Subject Lands together with the site-specific exceptions identified on Table 1. There are no changes proposed to the existing site plan shown on Attachment 2.

The Application was subject to a Public Hearing on June 18, 2013 and requires a new Public Hearing in accordance with Vaughan Official Plan 2010

The Committee of the Whole (Public Hearing), on June 18, 2013, considered the Application at a Public Hearing. No deputations or written comments were submitted for the Application. Council, on June 25, 2013, approved the recommendation from the Committee of the Whole (Public Hearing) of June 18, 2013, to receive the Application. The Owner submitted the Application prior to Vaughan Official Plan 2010 ('VOP 2010') being in full force and effect, and originally proposed the following additional uses and zoning exception on the Subject Lands:

- Retail Uses to a maximum of 70% of the total GFA for all existing buildings
- A Banquet Hall with a maximum GFA of 2,300 m²
- Personal Service Shop
- A total of 322 parking spaces; whereas Zoning By-law 1-88 required 608 parking spaces

The Owner, on December 20, 2019, revised the Application to permit the additional commercial uses and the site-specific zoning exceptions identified in Table 1 of this report. Further revisions to the Application were made on February 21, 2020, to refine the proposed uses on the Subject Lands. Section 10.1.4.1 of VOP 2010 requires a new Public Hearing be held if an application has not been considered by Council within two years after the date it was considered at a previous statutory Public Hearing. A new

Public Hearing is required for the Application as approximately seven (7) years have passed since the last Public Hearing.

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

a) Date the Notice of Public Hearing was circulated: June 2, 2020.

The Notice of Public Hearing was also posted on the City's web-site at www.vaughan.ca and Notice Signs were installed on the Steeles Avenue West and Gaudaur Road frontages in accordance with the City's Notice Signs Procedures and Protocols.

b) Circulation Area: all property owners within 150 m of the Subject Lands

c) Comments received: None

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. All written comments received will be reviewed by the Development Planning Department as input in the application review process and will be addressed in the final technical report at a future Committee of the Whole meeting.

Previous Reports/Authority

The following links provide information related to this report:

[Committee of the Whole \(Public Hearing\) June 18, 2013 \(Item 3, Report No. 34\)](#)

[Committee of the Whole October 15, 2013 \(Item 9, Report No. 42\)](#)

Analysis and Options

The uses being proposed conform to VOP 2010

The Subject Lands are designated "Employment Commercial Mixed-Use" by VOP 2010, Schedule 13 - Land Use, and located in an "Employment Area" and a "Regional Intensification Corridor within Employment Areas" on Schedule 1 - Urban Structure.

The "Employment Commercial Mixed-Use" designation recognizes existing areas of predominantly commercial uses within the Employment Area. These areas are planned to be developed with commercial buildings for a variety of business uses to occur in proximity to each other. They also contribute to the provision of ancillary uses to primarily serve the needs of businesses and employees in the Employment Area.

Section 9.2.2.7(d) of VOP 2010 permits retail uses in the "Employment Commercial Mixed-Use" designation, provided a minimum of 30% of the total GFA of all uses consist of uses other than retail uses. "Retail" is defined in VOP 2010 as "Retail, Restaurant and Service Commercial Uses." The Owner is requesting retail uses to a maximum of 70% of the total GFA for all buildings in accordance with VOP 2010. The remaining 30%

of GFA will consist of employment and office uses permitted in the existing “EM1 Prestige Employment Area Zone” on the Subject Lands.

Sections 5.2.3.2 and 5.2.3.4 of VOP 2010 require new retail to be walkable, transit-supportive, and integrated into communities and pedestrian and cycling networks, with high-quality urban design. Council, on October 29, 2013, approved Site Development File DA.13.076 to permit façade improvements to the existing multi-unit buildings located on the Subject Lands, together with site improvements including additional pedestrian connections, upgraded lighting and the addition of bicycle racks. However, only the building façade improvements were undertaken. The Development Planning Department encourages additional site improvements as described in the Matters to be Reviewed Section of this report and in accordance with Sections 5.2.3.2 and 5.2.3.4 of VOP 2010.

Section 5.2.3.10(b) of VOP 2010 requires any proposed Drive-through Facility within a Regional Intensification Corridor only be permitted based on a site-specific zoning by-law amendment. The Owner is proposing a drive-through facility be permitted through this Application. However, they must demonstrate how the drive-through meets the required criteria established in Section 5.2.3.10(c) of VOP 2010.

An actual drive-through facility is not being proposed at this time for any of the existing uses on the Subject Lands. A concept site plan will be required from the Owner to demonstrate how a drive-through facility can be designed to meet the requirements of VOP 2010 in support of the Application. A future Site Development Application will be required to implement the detailed design for any proposed drive-through on the Subject Lands.

Low-rise buildings of five storeys or less in height, in accordance with Section 9.2.3.4 of VOP 2010, are not permitted on lands designated “Employment Commercial Mixed Use” and located on a “Regional Intensification Corridor within Employment Areas”. However, the existing zoning on the Subject Lands permits the existing low-rise building form as-of-right. The Owner is seeking additional commercial uses for the existing one-storey multi-unit commercial buildings to bring the land use permissions on the Subject Lands into conformity with the permitted uses of the “Employment Commercial Mixed Use” designation.

Site-specific Amendments to Zoning By-law 1-88 are required to permit the proposed uses and exceptions

The Subject Lands are zoned “EM1 Prestige Employment Area Zone” with a “CC Commercial Complex” by Zoning By-law 1-88. The Owner proposes to amend the “EM1 Prestige Employment Area Zone” by adding the following uses and site-specific exceptions to the Subject Lands:

Table 1:

	By-law 1-88 Standard	EM1 Prestige Employment Area Zone with a “CC” Commercial Complex Requirements	Proposed Exceptions to the EM1 Prestige Employment Area Zone with a “CC” Commercial Complex Requirements
a.	Permitted Uses	<ul style="list-style-type: none"> - Day Nursery - Technical School - Parks and Open Space - Recreational Uses - Employment Use - Accessory Retail Sales to an Employment Use - Accessory Office Uses to an Employment Use - Banquet Hall, in a Single Unit Building - Bowling Alley - Business and Professional Office, not including Regulated Health Professional - Club, Health Centre - Convention Centre, Hotel, Motel - Funeral Home in a Single Unit Building - Car Brokerage - Office Building - Any Public Garage legally existing as of the date of enactment of By-law 80-95 - Bank - Business Office - Eating Establishment - Place of Amusement 	<p>Permit the following additional uses on the Subject Lands”:</p> <ul style="list-style-type: none"> - Art Studio - Banquet Hall, as part of a multi-unit building, with a maximum GFA of 1,835 m² - Business and Professional Office, including a Regulated Health Professional, with a maximum GFA of 600 m² - Limited Outdoor Display of Merchandise, Goods or Materials accessory to a permitted use, and limited to 0.25 times the GFA of the buildings - Office and Stationary Supply, Sales, Service, Rental - Retail Store - Service or Repair Shop - Veterinary Clinic - One (1) Drive-through - Retail Warehouse
b.	Maximum Permitted GFA for Retail Uses	There is no requirement in Zoning By-law 1-88 for a maximum Permitted GFA for Retail Uses	A maximum of 70% of the total GFA for all buildings shall consist of Retail Uses

	By-law 1-88 Standard	EM1 Prestige Employment Area Zone with a “CC” Commercial Complex Requirements	Proposed Exceptions to the EM1 Prestige Employment Area Zone with a “CC” Commercial Complex Requirements
c.	Minimum Parking Requirements	Banquet Hall -1,835 m ² - 11 spaces / 100 m ² = 202 spaces + 70% of GFA for Retail Uses 5,135 m ² - 6 spaces/100 m ² = 309 spaces + 30% of GFA for Employment Uses - 2,200 m ² - 2 spaces / 100 m ² = 44 spaces Total Required Parking = 555 spaces	226 spaces

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 Planning Department has identified the following matters to be reviewed in greater detail

	MATTERS TO BE REVIEWED	COMMENTS
a.	Consistency and Conformity with Provincial Policies, York Region and City Official Plan Policies	<ul style="list-style-type: none"> The Application will be reviewed for consistency and conformity with the Provincial Policy Statement, 2020 (the 'PPS'), A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019 (the 'Growth Plan') and the policies of the York Region Official Plan ('YROP') and VOP 2010

	MATTERS TO BE REVIEWED	COMMENTS
b.	Appropriateness of the Proposed Uses and Site-Specific Zoning Exceptions	<ul style="list-style-type: none"> • The appropriateness of the proposed additional commercial uses on the Subject Lands will be reviewed in consideration of the “Employment Commercial Mixed-Use” policies of VOP 2010. Specifically, determination of “retail” and “non-retail” uses in accordance with Section 9.2.2.7(d) of VOP 2010 will be reviewed • The appropriateness of the proposed site-specific exceptions identified in Table 1 will be reviewed in consideration of the existing and planned surrounding land uses, built form compatibility with the surrounding area, and appropriate development standards • The proposed uses will be reviewed in consideration of the existing parking supply on the Subject Lands and the parking required to support the existing and proposed uses • The Owner is seeking permission for one (1) drive-through facility. The Owner must demonstrate how the proposed drive-through meets the criteria established in Section 5.2.3.10(c) of VOP 2010 in consideration of the existing buildings and site conditions prior to the Application proceeding to a future Technical Report
c.	Studies and Reports	<ul style="list-style-type: none"> • The following studies and reports were submitted in support of the Application and must be approved to the satisfaction of the City and/or respective public approval authority: <ul style="list-style-type: none"> - Planning Justification Report - Sustainability Performance Metrics - Parking Justification Study • These reports and studies are available on the City’s website at https://maps.v Vaughan.ca/planit/ (PLANit Viewer)

	MATTERS TO BE REVIEWED	COMMENTS
		<ul style="list-style-type: none"> Additional studies/reports may be required as part of the application review process
d.	Proposed Parking Supply	<ul style="list-style-type: none"> The Vaughan Committee of Adjustment, on November 6, 2014, approved Minor Variance Application A260/14 to permit a total of 343 parking spaces for the existing uses on the Subject Lands. However, the Owner seeks to permit 70% of the total GFA for retail uses, and therefore a total of 555 parking spaces are required by Zoning By-law 1-88, as identified in Table 1 In lieu of a proposed static parking supply of 226 spaces as identified in Table 1, the Owner is required to investigate specific parking rates and/or a maximum GFA assigned to certain uses to determine an appropriate parking supply for the Subject Lands, to the satisfaction of the Development Engineering ('DE') Department. Utilizing parking rates and a maximum floor area assigned to certain uses will provide greater clarity for future uses/users on the Subject Lands, should the Application be approved The Parking Justification Report must be reviewed and approved by the DE Department The Owner will be required to submit a concept plan to demonstrate how a drive-through use on the Subject Lands will conform to the policies of VOP 2010. Should the Owner choose not to provide the concept plan, the drive-through use will not be supported as conformity with VOP 2010 cannot be determined
e.	Future Site Development Application and Site Improvements	<ul style="list-style-type: none"> The Owner is proposing to add one (1) future drive-through facility as a permitted use on the Subject Lands. However, the proposed drive-through facility is not proposed at this time for any of the existing uses on the Subject Lands. Should a drive-through facility be proposed on

	MATTERS TO BE REVIEWED	COMMENTS
		<p>the Subject Lands, a Site Development Application is required to consider, but not be limited to, the following matters:</p> <ul style="list-style-type: none"> - Internal site and traffic circulation - Impact to existing parking and driveway aisles - Appropriate landscape screening - Changes to building elevations and signage - Location of a free-standing order board(s) <ul style="list-style-type: none"> • The Owner is encouraged to consider future site improvements to enhance the public realm and streetscape in accordance with Sections 5.2.3.2 and 5.2.3.4 of VOP 2010. This includes but is not limited to pedestrian connections to, and in-between the existing buildings, additional landscape, permeable pavers, upgraded lighting and the addition of bicycle racks
f.	Municipal Servicing	<ul style="list-style-type: none"> • The Owner shall provide a stamped and certified letter by a Professional Engineer licensed in Ontario to certify the existing municipal infrastructure (sanitary and water) can accommodate the proposed uses, to the satisfaction of the DE Department
g.	City of Toronto	<ul style="list-style-type: none"> • The Subject Lands front onto and have access from Steeles Avenue West, an arterial road under the jurisdiction of the City of Toronto • The Owner shall satisfy all requirements of the City of Toronto, including but not limited to the submission of a Traffic Impact Study and Construction Management Plans, and obtain road allowance, utility and servicing permits, if required

Financial Impact

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

Broader Regional Impacts/Considerations

The York Region Community Planning and Development Services Department has no objection to the Application.

Conclusion

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

For more information, please contact: Mark Antoine, Senior Planner, ext. 8212

Attachments

1. Context and Location Map
2. Existing Site Plan

Prepared by

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