

Committee of the Whole (Public Hearing) Report

DATE: Tuesday, October 06, 2020

WARD(S): 3

**TITLE: OFFICIAL PLAN AMENDMENT FILE OP.16.011
ZONING BY-LAW AMENDMENT FILE Z.16.048
FDF INVESTMENTS LTD. AND PLAYACOR HOLDINGS LTD.
15 JEVLAN DRIVE AND 156 CHRISLEA ROAD
VICINITY OF WESTON ROAD AND CHRISLEA ROAD**

FROM:

Nick Spensieri, Deputy City Manager of Infrastructure Development

ACTION: DECISION

Purpose

To receive comments from the public and the Committee of the Whole on Official Plan and Zoning By-law Amendment Files OP.16.011 and Z.16.048 for the Subject Lands shown on Attachment 1. The Owner seeks approval to amend Vaughan Official Plan 2010 to redesignate the Subject Lands from “General Employment” to “Employment Commercial Mixed-Use”, and to amend the “EM3 Retail Warehouse Employment Area Zone” in Zoning By-law 1-88. The amendments would permit the additional retail and service commercial uses identified in Table 2 of this report in the existing buildings.

Report Highlights

- To receive input from the public and the Committee of the Whole on applications to amend Vaughan Official Plan 2010 and Zoning By-law 1-88 to permit retail and service commercial uses including an automotive retail store, bank and financial institution, eating establishment with drive-through and outdoor patios, and pharmacy and retail store uses in the existing buildings on the subject lands
- A technical report will be prepared by the Development Planning Department and considered at a future Committee of the Whole meeting

Recommendations

1. THAT the Public Hearing report for Official Plan and Zoning By-law Amendment Files OP.16.011 and Z.16.048 (FDF Investments Ltd. and Playacor Holdings Ltd.) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Background

The Subject Lands (the 'Subject Lands') are located at 15 Jevlan Drive and 156 Chrislea Road, on the north side of Chrislea Road, east of Weston Road, as shown on Attachment 1. The surrounding land uses are shown on Attachment 1.

Official Plan and Zoning By-law Amendment Applications have been submitted to permit additional retail and service commercial uses on the Subject Lands

The Owner has submitted the following Applications (the 'Applications') to permit the following uses (the 'Proposal') in the existing two-storey, 2,317.97 m² employment building located at 15 Jevlan Drive and the existing one-storey, 2,146 m² employment building located at 156 Chrislea Road:

1. Official Plan Amendment File OP.16.011 to amend Vaughan Official Plan 2010 ('VOP 2010') as follows:
 - i) redesignate the Subject Lands from "General Employment" to "Employment Commercial Mixed-Use" to permit retail and service commercial uses; and
 - ii) permit the following site-specific amendments to VOP 2010:

Table 1:

	VOP 2010 Policy	Proposed Amendments to VOP 2010
a.	Volume 1, Section 9.2.2.7 a) "Employment Area" requires the "Employment Commercial Mixed-Use" designation to be located along a Regional Intensification Corridor, a Primary Intensification Corridor or a Major Arterial Road	Permit the "Employment Commercial Mixed-Use" designation to be located along a Major or Minor Collector Road (Jevlan Drive and Chrislea Road) in accordance with VOP 2010, Schedule 9 "Future Transportation Network"
b.	Volume 1, Section 9.2.3.4 c) "Low-Rise Buildings" does not permit surface parking between the front or side of a Low-Rise Building (up to five-storeys in height) and a public street	Permit surface parking between the front (Chrislea Road) and side (Jevlan Drive and Chrislea Road) of a Low-Rise Building and a street for the existing buildings

Additional amendments to VOP 2010 may be identified through the detailed review of the Applications and will be considered in a technical report to a future Committee of the Whole meeting.

2. Zoning By-law Amendment File Z.16.048 to amend Zoning By-law 1-88, specifically the “EM3 Retail Warehouse Employment Area Zone” (‘EM3 Zone’) subject to Exception 9(931) for 15 Jevlan Drive and Exception 9(950) for 156 Chrislea Road. The amendment would permit additional retail and service commercial uses together with the site-specific zoning exceptions identified in Table 2 of this report. There are no changes proposed to the buildings or site plan for Subject Lands shown on Attachment 3.

The Proposal does not constitute an Employment Land Conversion

Policy 2.2.4.6, “Employment Area” of VOP 2010 states:

“That, in accordance with Provincial policy, conversion of Employment Areas to non-employment uses, which includes any retail uses not otherwise permitted in Employment Areas by this Plan (VOP 2010), may only be considered following a Regional municipal comprehensive review, in consultation with the City of Vaughan, and in accordance with the applicable policies, forecasts and land budget of the Region. The criteria for permitting Employment Area conversions will be as contained in the Growth Plan.”

Section 2.2.5 of the Provincial Growth Plan: A Place to Grow - Growth Plan for the Greater Golden Horseshoe 2019 (‘Growth Plan’) requires the assessment of employment land conversion requests to occur through a Regional Municipal Comprehensive Review (‘MCR’).

The Region’s MCR of the York Region Official Plan (‘YROP’) is in progress and employment conversion requests are being evaluated. York Region, in their letter dated March 27, 2020 advised that through its MCR, the Proposal does not constitute an employment land conversion as discussed in the “Broader Regional Impacts/ Considerations” section of this report. In addition, Recommendation 3c of the May 20, 2020 Committee of the Whole Report titled “Request for Comments: York Region Evaluation of Employment Land Conversion Requests” and prepared by the Policy Planning and Environmental Sustainability Department, confirmed the Proposal was not an employment land conversion. Increased flexibility in the permitted uses for the Subject Lands can be accommodated within the City’s existing employment lands framework, and therefore an employment land conversion is not required. Vaughan Council, on May 27, 2020, ratified Recommendation 3c.

Official Plan Amendment 56 and Zoning By-law 85-2020 permit office uses at 156 Chrislea Road

Playacor Holdings Ltd. submitted Official Plan and Zoning By-law Amendment Files OP.19.004 and Z.19.012 to permit a medical office and office and stationary supply,

sales, service and rental uses within the existing building located at 156 Chrislea Road. Vaughan Council, at its March 11, 2020 meeting, ratified the March 3, 2020 Committee of the Whole recommendation to approve Official Plan and Zoning By-law Amendment Files OP.19.004 and Z.19.012. The implementing documents, being Official Plan Amendment 56 and Zoning By-law 85-2020, are in-effect.

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

- a) Date the Notice of Public Hearing was circulated: September 11, 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 properties 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.
- 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 are links to previous reports regarding the Subject Lands:

[March 3, 2020 Committee of the Whole Meeting - Official Plan Amendment File OP.19.004 and Zoning By-law Amendment File Z.19.012 \(Playacor Holdings Ltd.\)](#)

[May 20, 2020 Committee of the Whole Meeting - Request for Comments: York Region Evaluation of Employment Land Conversion Requests](#)

Analysis and Options

An amendment to VOP 2010 is required to permit the Proposal

The Subject Lands are located within an "Employment Area" in Schedule 1, "Urban Structure" of VOP 2010, and are not located within an "Intensification Area". The Subject Lands are designated "General Employment" by Schedule 13, "Land Use" of VOP 2010, as shown on Attachment 2. The "General Employment" designation permits the following uses:

- i) a full range of industrial uses including manufacturing; warehousing (but not a retail warehouse); processing; transportation; distribution; any of which may or may not include outdoor storage; and

- ii) office and/or retail uses accessory to and directly associated with any of the industrial uses.

The Proposal is not permitted in the “General Employment” designation by VOP 2010. Accordingly, an application to amend VOP 2010 has been submitted to redesignate the Subject Lands from “General Employment” to “Employment Commercial Mixed-Use”, together with the site-specific amendments identified in Table 1 of this report.

Section 5.2.3.2 of VOP 2010 requires new retail be designed to be walkable, transit-supportive, and integrated into communities, and pedestrian and cycling networks, with high-quality urban design. The Development Planning Department encourages additional site improvements as described in the Matters to be Reviewed Section of this report and in accordance with Section 5.2.3.2 of VOP 2010.

The Proposal includes a drive-through facility as an additional permitted use. Section 5.2.3.8 of VOP 2010 provides criteria to consider permitting a drive-through facility and will be applied to evaluate how the proposed drive-through facility meets the intent of VOP 2010. A 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 Proposal. A Site Development Application will be required to implement the detailed design for any proposed drive-through facility on the Subject Lands.

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

The Subject Lands are zoned EM3 Retail Warehouse Area Zone and subject to Exceptions 9(931) (15 Jevlan Drive) and 9(950) (156 Chrislea Road), as shown on Attachment 1. The Proposal is not permitted within the EM3 Zone and therefore, amendments to the EM3 Zone is required to permit the following site-specific zoning exceptions:

Table 2:

	By-law Standard	“EM3 Retail Warehouse Area Zone” by Zoning By-law 1-88 subject to site-specific Exception 9(931) and 9(950) Requirements	Proposed Exceptions to the “EM3 Retail Warehouse Area Zone” by Zoning By-law 1-88 subject to site-specific Exceptions 9(931) and 9(950)
a.	Permitted Uses	<ul style="list-style-type: none"> • Employment Use with or without Accessory Retail and Office Uses • Banquet Hall in a Single Unit Building 	Permit the following additional uses: <ul style="list-style-type: none"> • Automotive Retail Store • Bank and Financial Institution

	By-law Standard	“EM3 Retail Warehouse Area Zone” by Zoning By-law 1-88 subject to site-specific Exception 9(931) and 9(950) Requirements	Proposed Exceptions to the “EM3 Retail Warehouse Area Zone” by Zoning By-law 1-88 subject to site-specific Exceptions 9(931) and 9(950)
		<ul style="list-style-type: none"> • Bowling Alley • Business and Professional Offices, not including a Regulated Health Professional • Club, Health Centre • Convention Centre, Hotel, Motel • Funeral Home in a Single Unit Building • Car Brokerage • Office Building • Recreational Uses, including a golf driving range and miniature golf course • Service and Repair Shop • Public Garage, if legally existing by By-law 80-95 • Building Supply Outlet • Catalogue Sales • Convention Centre • Retail Nursery • Swimming Pool • Recreational Vehicles Leasing/Rental/Sales • Limited outdoor display of merchandise, goods or materials • Retail Warehouse, limited to the ground floor and Unit C shall have a minimum GFA of 230 m² devoted to retail warehouse uses (15 Jevlan Drive) 	<ul style="list-style-type: none"> • Banquet Hall, including an eating establishment, provided the eating establishment does not exceed 20% of the Gross Floor Area ('GFA') of the banquet hall • Car Rental Service • Eating Establishment with Outdoor Patio, subject to the Outdoor Patio provisions in Section 5.1.6 • Eating Establishment, Convenience/Take-out with Drive-Through/Outdoor Patio subject to the Outdoor Patio provisions in Section 5.1.6 • Education or Training Facility • Pet Grooming Establishment, to be contained within a wholly enclosed building • Print Shop with Accessory Retail Sales • Personal Service Shop • One (1) Pharmacy • Retail Store • Business and Professional Offices, including Regulated Health Professional (15 Jevlan Drive) • Office and Stationary Supply, Sales, Service and Rental (15 Jevlan Drive)

	By-law Standard	“EM3 Retail Warehouse Area Zone” by Zoning By-law 1-88 subject to site-specific Exception 9(931) and 9(950) Requirements	Proposed Exceptions to the “EM3 Retail Warehouse Area Zone” by Zoning By-law 1-88 subject to site-specific Exceptions 9(931) and 9(950)
		<ul style="list-style-type: none"> • Retail Warehouse, limited to a maximum 1,488 m² GFA (156 Chrislea Road) • Business and Professional Offices, including Regulated Health Professional (156 Chrislea Road) • Office and Stationary Supply, Sales, Service and Rental (156 Chrislea Road) 	
b.	Minimum Number of Parking Spaces	<ul style="list-style-type: none"> • 130 Parking Spaces (15 Jevlan Drive) • 4.5 Parking Spaces / 100m² of GFA for a Retail Warehouse Use (156 Chrislea Road) 	<ul style="list-style-type: none"> • 15 Jevlan Drive - 2,317.97m² @ 3.5 Parking Spaces/100m² of GFA = 82 Parking Spaces • 156 Chrislea Road - 2,146 m² @ 3.5 Parking Spaces/100m² = 76 Parking Spaces

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

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

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Consistency and Conformity with Provincial Policies, York Region and City Official Plan Policies	<ul style="list-style-type: none"> • The Development will be reviewed for consistency and conformity with the applicable policies of the Provincial Policy Statement, 2020 ('PPS'), the Growth Plan, and the policies of the YROP and VOP 2010

	MATTERS TO BE REVIEWED	COMMENT(S)
b.	Appropriateness of Proposed Uses and Site-Specific Official Plan and Zoning Exceptions	<ul style="list-style-type: none"> • The appropriateness of the proposed amendments to VOP 2010 and Zoning By-law 1-88 will be reviewed in consideration of the existing and planned surrounding land uses, with consideration given to land use compatibility, and appropriate official plan designation and zone categories • The Owner is seeking permission for a drive-through facility. The Owner must demonstrate how the proposed drive-through will meet the criteria established in Section 5.2.3.8 of VOP 2010 in consideration of the existing buildings and site conditions, prior to the Applications proceeding to a future Technical Report
c.	Parking Study	<ul style="list-style-type: none"> • The Owner has submitted a Parking Utilization Study ('PUS'), dated November 2016, and a Traffic Opinion Letter ('TOL') dated November 15, 2016, both prepared by C.F. Crozier and Associates Inc. According to the PUS and TOL, the existing 130 parking spaces located at 15 Jevlan Drive and the existing 97 parking spaces located at 156 Chrislea Road are sufficient for the Proposal. The analysis is based on the following: <ul style="list-style-type: none"> i. The parking requirement associated with the Subject Lands is provided in Section 4.2.6 of the Review of Parking Standards Contained Within the City of Vaughan's Comprehensive Zoning By-law ('Draft Parking Standards Report') dated March 2010 and prepared by the IBI Group. Section 4.2.6 of the Draft Parking Standards Report provides a parking requirement of 3.5 parking spaces per 100m² of GFA for a "Retail/Shopping Centre" with a GFA less than 5,000 m². The application of this standard results in a parking supply of 81 and 75 parking spaces for 15 Jevlan Drive and 156 Chrislea Road, respectively; ii. Parking utilization surveys conducted to assess existing parking demand for the Subject Lands; and

	MATTERS TO BE REVIEWED	COMMENT(S)
		<ul style="list-style-type: none"> iii. The Institute of Transportation Engineers Parking Generation Manual 3rd Edition of empirical parking studies encompassing various land uses, building types and development areas, as a tool to estimate parking demand • The Transportation Planning Division of the Development Engineering ('DE') Department agrees with the conclusions in the PUS and TOL, and has no objection to the Proposal
d.	Municipal Services	<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
e.	Toronto and Region Conservation Area and Source Water Protection	<ul style="list-style-type: none"> • According to the Toronto and Region Conservation Authority ('TRCA'), the Subject lands are not located within the TRCA Regulated Area or the Wellhead Protection Area - Water Quantity Area 2 (where activities reduce recharge) of the Source Protection Plan, are less than 5 ha in size, and as noted in the Planning Justification Report, there are no proposed changes being sought to the existing GFA of either building, site access or parking areas • Accordingly, the TRCA defers all technical review to the City of Vaughan and has no regulatory or policy interests in the Subject Lands
f.	Ministry of Transportation	<ul style="list-style-type: none"> • The Ministry of Transportation ('MTO') has reviewed the Proposal and has no concerns with the Applications. However, as the Subject Lands are located within the MTO Permit Controlled Area, any future development of the Subject Lands will require Ministry review, approval and a permit

	MATTERS TO BE REVIEWED	COMMENT(S)
g.	Cash-in-lieu of Parkland	<ul style="list-style-type: none"> • The provision of cash-in-lieu of parkland dedication in accordance with the City's Cash-in-Lieu of Parkland Policy and the <i>Planning Act</i> is not required, if the Applications are approved • Parkland dedication requirements (e.g., payment-in-lieu of parkland dedication) may be applicable should the Owner propose new development/intensified redevelopment on the Subject Lands in the future
h.	Studies and Reports	<ul style="list-style-type: none"> • The Owner has submitted the following studies and reports in support of the Applications, 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 - Draft Official Plan Amendment - Draft Zoning By-law - Parking Utilization Study - Traffic Opinion Letter - Site Servicing Certification Letter - Sustainability Performance Metrics • These reports and studies are available on the City's website at https://maps.v Vaughan.ca/planit/ (PLANit Viewer) • The requirement for additional studies/information may be identified through the development application review process

	MATTERS TO BE REVIEWED	COMMENT(S)
i.	Site Development Application and Site Improvements	<ul style="list-style-type: none"> • The Owner is proposing to add a 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 the Subject Lands, a Site Development Application is required to consider, but not be limited to, the following matters: <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) • The Owner is encouraged to consider site improvements to enhance the public realm and streetscape in accordance with Section 5.2.3.2 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

Financial Impact

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

Broader Regional Impacts/Considerations

The Applications have been circulated to the York Region Community Planning and Development Services Department for review and comment. York Region, in their comments dated May 27, 2020, advised the “proposed additional retail commercial uses do not constitute an employment land conversion.” Further the “role and function of the additional retail commercial uses (i.e. to serve beyond the Employment Area) is found to be acceptable to the Region and Vaughan. There is general agreement that the existing uses on the Subject Lands and those in the immediate area, already serve customers beyond the Employment Area.”

According to the Region, Official Plan Amendment File OP.16.011 is a routine matter of local significance. In accordance with Policy 8.3.8 of the YROP, the Proposal does not adversely affect Regional planning policies or interests and accordingly is exempt from approval by Regional Council. The Region has no comments on the Zoning By-law Amendment File Z.16.048, as it is also considered a local matter.

Conclusion

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

For more information, please contact: Judy Jeffers, Planner, Development Planning Department, ext. 8645.

Attachments

1. Context and Location Map
2. Vaughan Official Plan 2010 - Schedule 13 Land Use
3. Existing Zoning and Site Plans

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