



**TOWN OF AURORA
ADDITIONAL ITEMS NO. 2
FOR GENERAL COMMITTEE MEETING**

**Tuesday, June 7, 2016
7 p.m.
Council Chambers**

- **Replacement Pages for Item 11
PDS16-043 – Application for Zoning By-law Amendment
Vello Holdings Inc.
330 McClellan Way
Block 32, Registered Plan 65M-2802
File Number: ZBA-2016-01**

pgs. 81-86



You're in Good Company

TOWN OF AURORA

GENERAL COMMITTEE REPORT No. PDS16-043

SUBJECT: *Application for Zoning By-law Amendment
Vello Holdings Inc.
330 McClellan Way
Block 32, Registered Plan 65M-2802
File Number: ZBA-2016-01*

FROM: *Marco Ramunno, Director of Planning & Development Services*

DATE: *June 7, 2016*

RECOMMENDATIONS

THAT Report No. PDS16-043 be received;

THAT Application to Amend the Zoning By-law File No. ZBA-2016-01 (Vello Holdings Ltd.), to add additional permitted uses on the subject lands BE APPROVED; and

THAT the implementing Zoning By-law Amendment be presented at a future Council Meeting.

PURPOSE OF THE REPORT

The purpose of this report is to provide Council with background information related to the proposed Zoning By-law amendment application to permit additional uses within the existing commercial building on the subject lands. As such, the applicant is proposing to rezone the property to permit the requested uses.

BACKGROUND

History

The subject Zoning By-law Amendment application was submitted on January 5, 2016. On March 10, 2016 a Notice of Complete Application and Public Planning Meeting respecting the Zoning By-law Amendment was published in the Auroran and Aurora Banner newspapers.

June 7, 2016

- 2 -

Report No. PDS16-043

A Public Planning Meeting was held on March 30, 2016. At that meeting Council passed the following resolution:

“THAT Report No. PDS16-019 be received; and

THAT comments presented at the Public Planning meeting be addressed by Planning & Development Services in a comprehensive report outlining recommendations and options at a future General Committee meeting.”

Public Notification

There were no interested parties for this application. As such, only the applicant was notified about the June 7, 2016 General Committee Meeting.

Location/Land Use

The subject property is located on the north side of McClellan Way between Bathurst Street and Cashel Court, municipally known 330 McClellan Way (Figure 1). The subject lands have a total lot area of 5260 m² and 74 m of frontage along McClellan Way.

The subject lands have the following characteristics:

- Subject lands are currently occupied by an 8-unit, 1,130 m² GFA commercial plaza;
- Two vehicle access points along McClellan Way; and
- The site has 61 parking spaces.

The surrounding lands uses are as follows:

North: Residential
South: McClellan Way and residential
East: Residential
West: Open space

Policy Context

Town of Aurora Official Plan

The subject lands are designated as “Existing Commercial” by the Town of Aurora Official Plan (Figure 2) and further refined as “Convenience Commercial Area” by Schedule “C” of the Official Plan. The subject lands are also within the “Oak Ridges Moraine Settlement Area”. The “Convenience Commercial Area” Designation is intended to recognize existing convenience and neighbourhood plazas. Retail and

June 7, 2016

- 3 -

Report No. PDS16-043

service commercial uses are permitted including convenience stores, food stores, variety stores, financial institutions, restaurants, personal service shops, and child care centres, subject to the development policies of the Official Plan.

Zoning By-law

The subject lands are currently zoned "Local Commercial (C1-1) Exception Zone" by the Town of Aurora Zoning By-law 2213-78, as amended (Figure 3). This zoning was approved in 1989 at the time of the development of the surrounding plan of subdivision. The C1-1 Zone permits retail stores, personal service shops, bake shops, public libraries, business and professional offices, banks or other financial establishments, and one apartment dwelling with restrictions on unit size and total GFA.

In 2005 the Committee of Adjustment granted a variance to allow a restaurant with a maximum 115 m² GFA and 40 fixed seats (File No. MV-2005-48).

Site Design

As a result of the proposed Zoning By-law Amendment, there will be no changes to the existing site plan, as shown on Figure 4.

COMMENTS

Current Policy Framework

Provincial Policy Statement (PPS), 2014

The PPS promotes the efficient use of land, services, resources and opportunities for redevelopment where this can be accommodated taking into account the availability of suitable infrastructure and public service facilities required to accommodate projected needs. Section 1.8.2 c) of the PPS also encourages commercial uses on sites which are well served by transit. The subject site is located near a Regional arterial road and on the York Region Transit 32 bus line. Town and Regional Staff have confirmed that the proposed application will not adversely affect provincial policies or interests. The application to amend the Zoning By-law is consistent with the policies of the PPS.

Greater Golden Horseshoe (GGH)

The *Growth Plan* for the Greater Golden Horseshoe (2006), as amended in June 2013, is a guiding document for growth management within the Greater Golden Horseshoe (GGH) Area to 2041. Section 2.2.2 of the *Growth Plan* promotes the development complete communities with mixed use, transit-supportive urban environments and a diverse mix of land uses. The application to amend the Zoning By-law is consistent with the *Growth Plan* for the Greater Golden Horseshoe.

June 7, 2016**- 4 -****Report No. PDS16-043***Lake Simcoe Protection Plan (LSPP)*

The LSPP is a provincial document that provides policies which addressed aquatic life, water quality, water quantity, shorelines and natural heritage, other threats and activities (including invasive species, climate change and recreational activities) and implementation. The Subject proposal will not change the existing site plan; as such the proposed uses will conform to the Lake Simcoe Protection Plan.

York Region Official Plan (2010)

The subject lands are designated as "Urban Area" by the York Region Official Plan. York Region's vision for the Urban Area is to strategically focus growth while creating a vibrant and sustainable community. York Region has reviewed the Zoning By-law Amendment application and have no objections to its approval.

Land Use Framework*Town of Aurora Official Plan*

As noted earlier, the "Convenience Commercial Area" Designation is intended to recognize existing convenience and neighbourhood plazas. The planned size and function of these centres are designed to serve the trade area of the surrounding residential neighbourhood and shall not exceed 1,800 m² in floor area. The proposed increase in maximum GFA to 1,800 m² complies with the Official Plan policies. Any proposal to increase the size of the building would be subject to site plan approval. No changes to the site are proposed at this time. The proposed permitted uses fall within the range of permitted uses in the Official Plan. A clinic has the potential to attract a client base that extends beyond the immediate neighbourhood and have higher traffic and parking demands than the convenience commercial plaza can accommodate. To prevent any potential impacts, it is recommended that the implementing by-law include a maximum GFA for a clinic use.

The applicant initially applied to remove the provision that restricts the maximum GFA for each commercial unit to 225 m². The intent of this provision is to ensure that the plaza provides a variety of local commercial uses and primarily serves as a neighbourhood shopping centre and does not act as a larger community or regional draw at the expense of its intended neighbourhood function. This is accomplished by maintaining a group of tenants through size limits on each commercial unit. The subject plaza is divided into space for 10 units, each with approximately 113 m² GFA. The Italian bakery has expanded into the space allocated for two other units, which was approved through a minor variance. As such, there are currently eight (8) commercial units in the building. Following subsequent discussions with staff, the applicant has requested a maximum GFA of 460 m² for one unit, which would accommodate the existing bakery with room for expansion. This approach would maintain the maximum 225 m² for each of the other commercial units.

June 7, 2016

- 5 -

Report No. PDS16-043

The Zoning By-law Amendment application is considered to conform to the commercial policies of the Official Plan.

Zoning By-law 2213-78, as amended

The applicant proposes to add a broader range of uses not currently permitted in the site specific Zoning By-law. The proposed zoning provisions as applied for by the applicant are summarized in the following table.

| | Existing Zone Requirement | Proposed Zone Requirement |
|--|--|--|
| Permitted Uses | As per C1-1 Zone | In addition to existing C1-1 permitted uses: Animal hospital, clinic, private club, day nursery, adult and intergenerational day centre, dry cleaning distribution, fitness centre, health and wellness centre, pet services, restaurant, commercial school, service shop, studio* |
| Definitions | No site specific definitions | Definitions for health and wellness centre, pet services, adult and intergenerational day centres (not currently defined in Zoning By-law) |
| Lot Area (minimum) | 5000.0 m ² | 5000.0 m ² |
| Lot Frontage (minimum) | 90.0 m | 90.0 m |
| Front Yard (minimum) | 7.5 m | 7.5 m |
| Rear Yard (minimum) | 7.5 m | 7.5 m |
| Side Yard, East Side (minimum) | 7.5 m | 4.5 m* |
| Side Yard, West Side (minimum) | 7.5 m | 7.5 m |
| Building Height (maximum) | 1 storey | 1 storey |
| Lot Coverage (maximum) | 30.0% | 30.0% |
| Floor Area (maximum) | Total complex: 1120.0 m ² Each commercial unit: 225.0 m ² | Total complex: 1800.0 m ² * 460 m ² for one commercial unit, 225.0 m ² for all other commercial units* |
| Parking Requirement (minimum) | 4.5 spaces for each 100 m ² GFA | 4.5 spaces for each 100 m ² GFA |
| Buffer Strip adjacent to residential use (minimum) | Along property frontage: 3 m Adjacent to western property line: 3 m grassed strip with an earth berm and planting strip or a 1.5 m grassed strip with a 1.5 m high wood privacy fence | Along property frontage: 3 m Adjacent to western property line: 3 m grassed strip with an earth berm and planting strip or a 1.5 m grassed strip with a 1.5 m high wood privacy fence |

*By-law exception required

June 7, 2016

- 6 -

Report No. PDS16-043

As noted previously, Planning Staff have no concerns with the Zoning By-law Amendment application including a clinic and increasing the maximum GFA of any commercial unit to 375 m².

Department/Agency Comments

The proposed Zoning By-law Amendment application was circulated to internal agencies and external agencies for comments. All departments and agencies are satisfied with the application and have no concerns.

Public Comments

A number of phone calls were received by residents of the surrounding neighbourhood. Some concerns were raised about including restaurants and pubs in the permitted uses. Pubs are not specifically defined but would be included within the definition of a restaurant use in the Town of Aurora Zoning By-law. Planning Staff have reviewed this concern and are of the opinion that restaurants are a use that is generally compatible with neighbourhood plazas. The plaza is within walking distance of the surrounding residential area and currently contains a small pub (granted by minor variance MV-2005-48 as noted earlier) as well as an Italian bakery and pizzeria. None of the uses appear to negatively impact the surrounding neighbourhood. It is noted that no written submissions have been received from the public and no members of the public attended the Public Planning Meeting on March 30, 2016.

LINK TO STRATEGIC PLAN

The proposed Zoning By-law Amendment supports the Strategic Plan goal of ***Enabling a diverse, creative and resilient economy*** through its accomplishment in satisfying requirements in the following key objective within this goal statement:

Promoting economic opportunities that facilitate the growth of Aurora as a desirable place to do business: Through the review and approval of the Zoning By-law Amendment, additional businesses are permitted in accordance with the ***Develop plans to attract businesses that provide employment opportunities for our residents*** action item.