

COMMITTEE OF THE WHOLE OCTOBER 1, 2001

ZONING BY-LAW AMENDMENT APPLICATION REPORT #P.2001.52 SHIPLAKE INVESTMENT (RUTHERFORD) LIMITED & 536187 ONTARIO LTD. FILE: Z.01.053

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment Application Z.01.053 (Shiplake Investment (Rutherford) Limited & 536187 Ontario Ltd.) BE APPROVED to permit an additional 562m² of gross floor area for office and storage uses, and a drive-through use on the subject lands; and
2. THAT the additional additional uses be accommodated through a minor amendment to the site plan agreement, including approved screening and lowered grade for the drive-through, and revised elevations for the second-storey addition.

Purpose

On July 12, 2001, the Owners submitted an application to amend the Zoning By-law:

- a) to increase the permitted gross floor area on the entire site from 9,100m² to 9,662m² to facilitate a second floor addition above the units to the east of the "Sobeys" Unit; and,
- b) to permit a drive-through use associated with the permitted eating establishment in Unit E-1.

Background - Analysis and Options

Site Description

The site is located at the southwest corner of Rutherford Road and Bathurst Street, being Part of Parts 1 and 2, Reference Plan 65R-4554, in Lot 15, Concession 2 (Block 10), City of Vaughan. The 3.74ha vacant site has 123m frontage on Bathurst Street and 238m flankage on Rutherford Road. The surrounding land uses are:

- North - Rutherford Road; agricultural (A Agricultural Zone)
- South - future Block 10 development (A Agricultural Zone)
- East - Bathurst Street; residential/commercial (Town of Richmond Hill)
- West - valley lands (OS1 Open Space Conservation Zone)

On July 27, 2001, a notice of Public Hearing was circulated to all property owners within 120m of the subject lands. To date, no comments have been received. The recommendation of the Committee of the Whole at the Public Hearing of August 20, 2001, to receive the public hearing and forward a comprehensive report to a future Committee meeting, was ratified by Council on August 27, 2001.

Official Plan

The subject site is designated "Medium Density Residential/Commercial" by OPA #600. The lands are further defined as "Neighbourhood Commercial" within the Block 10 Plan, and are therefore subject to the "Neighbourhood Commercial Centre" policies in OPA #600.

Neighbourhood Commercial sites are located at or near the intersections of arterial roads. The permitted uses include a food store, drug store, retail stores, pharmacies, banks and financial institutions, business and professional offices, personal services, restaurants, service stations and gas bars, and residential uses. The proposed uses conform to the Official Plan.

Zoning

The subject lands are zoned C4 Neighbourhood Commercial Zone by By-law 1-88, subject to Exception 9(1076). The C4 Zone permits a bank or financial institution, Brewers Retail outlet, business or professional office, club or health centre, eating establishments (including take-out and convenience), LCBO outlet, personal service shop, photography studio, place of entertainment, retail store, service or repair shop, supermarket, veterinary clinic and video store uses. The maximum gross floor area permitted on the entire site is 9100m².

An amendment to the By-law is being proposed to permit an increase the permitted gross floor area to 9,662m² to facilitate a second floor addition above the units to the east of the "Sobeys" Unit. An amendment is also proposed to permit a drive-through use associated with the permitted eating establishment in Unit E-1.

Land Use

Staff is satisfied that the proposed 556m² (6%) increase in commercial gross floor area is appropriate and compatible with the approved shopping centre. The addition of a 2nd floor over the building adjacent to the Sobey's store will offer a more aesthetically pleasing elevation and massing on the site. There is no additional parking required for the increased floor area, given the surplus of spaces already provided on the site plan.

The additional floor area is intended for business and professional offices, which is a compatible use with other uses on and surrounding the site. Second floor space is generally more suitable for offices than retail commercial, and office use generates less parking demand. As such, it would be appropriate to restrict the new second floor space to business and professional office and storage uses only.

The proposed drive-through use is considered to be appropriate and compatible with the approved shopping centre, subject to proper site design which minimizes its visibility. The Applicant has proposed to lower the grade of the drive-through lane by 0.3m where it abuts Bathurst Street, and to increase the screening along this frontage with a landscaped berm. This will allow for substantial screening of the vehicles in the drive-through lane from Bathurst Street.

Site Plan

On June 25, 2001, Council approved Site Plan Application DA.00.142 (Shiplake Investment (Rutherford) Limited) for the development of a 9,100m², multi-unit neighbourhood shopping centre. The proposed zoning changes in this application were not part of Council's approval. Therefore, the site layout of the drive-through, the revised building elevations for the second floor construction, and the additional Bathurst Street landscaping, can be addressed through a minor amendment to the Site Plan Agreement.

Conclusion

Staff have reviewed the proposed application to amend the Zoning By-law in accordance with the policies in OPA #600 and the requirements of By-law 1-88, and are satisfied that the addition of the drive-through is appropriate, subject to lowering the grade of the drive-through lane and providing additional berming and screening adjacent to Bathurst Street. Also, an increase in the gross floor area is appropriate for the site, subject to limiting the new second floor space to business and professional office and storage uses only.

Issues relating to site layout of the drive-through, the revised building elevations and the additional landscaping can be addressed through a minor amendment to the Site Plan Agreement. Should the Committee concur, the recommendation of this report can be adopted.

Attachments

1. Location Map
2. Site Plan
3. Elevations
4. Cross-sections for Drive-through

Report prepared by:

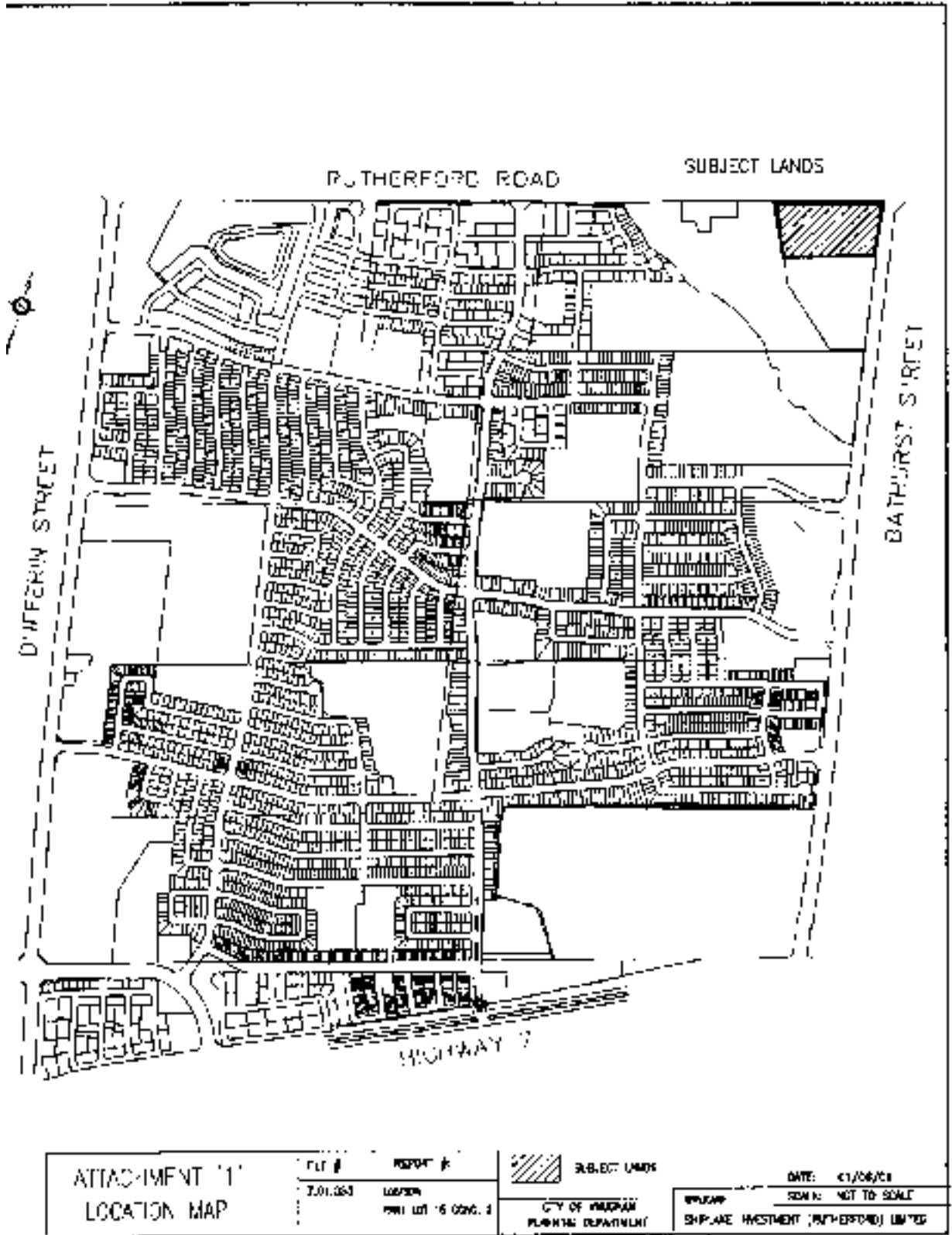
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Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning


JOANNE R. ARBOUR
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/LG

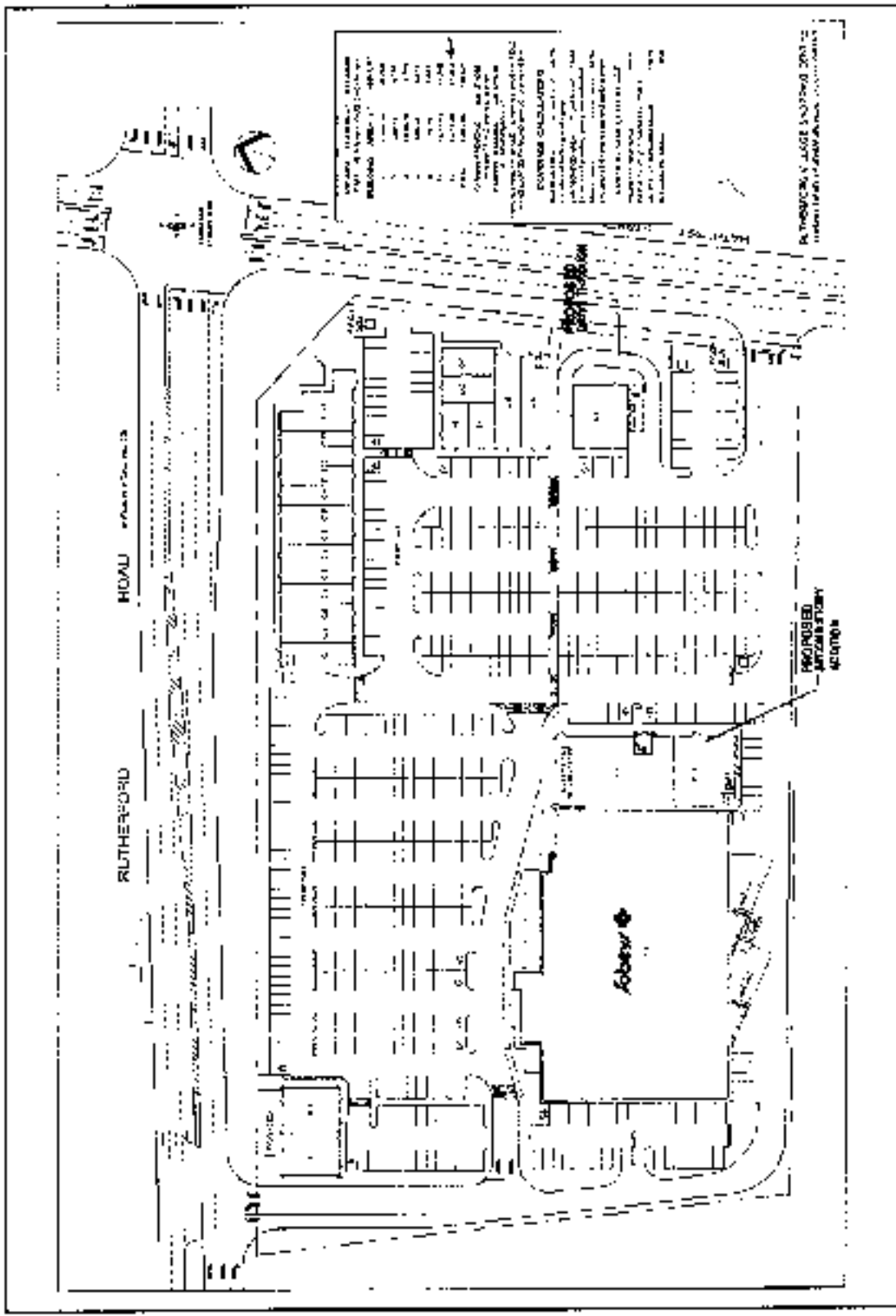


ATTACHMENT '1'
LOCATION MAP

FILE # 2.01.063
REPORT # 108708
LOCATION PWD LOT '6' CONC. 1

 SUBJECT LANDS
CITY OF WAGAH
PLANNING DEPARTMENT

DATE: 01/06/01
SCALE: NOT TO SCALE
DRAWN BY: SHARON HESTON (WAGAH)
CHECKED BY: (WAGAH)



DATE: 11/27/2001
 SCALE: NOT TO SCALE

APPLICANT: SHEPLAINE INVESTMENT (NORTH-HAVEN) LIMITED
 CITY OF VIRGINIA
 PLANNING DEPARTMENT

PROJECT #:
 LOCATION:
 MAP 1104 IS CIVIL 9

FILE #
 2.01.053

ATTACHMENT '2'
 SITE PLAN

