

COMMITTEE OF THE WHOLE MAY 20, 2003

**ZONING BY-LAW AMENDMENT FILE Z.02.033
BUDHI HANDOJO
REPORT #P.2002.42**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning Amendment Application Z.02.033 (Budhi Handojo) BE APPROVED, to permit a pet grooming establishment with the overnight boarding of dogs, subject to the removal of the outdoor pen area, and that no outside display or storage be permitted on the subject lands.

Purpose

On April 17, 2002, the Owner submitted an application to amend the Zoning By-law to permit a Pet Grooming use within the C1 Restricted Commercial Zone. The grooming facility is proposed to occupy the southerly 157.93m² unit in the existing building, and provide the following services on site:

- pet adoption
- veterinary clinic services
- retail sales of pet-related products
- grooming
- pet daycare (kennel) services
- outside fenced yard

Other services provided off site (at the client's home) include dog-walking, pet-sitting, yard clean up and pet transport.

Background - Analysis and Options

The site is located on the west side of Yonge Street, between Uplands Avenue and Bunker Road, at 8234 Yonge Street, in Lots 33 and 34, Concession 1, City of Vaughan. The rectangular-shaped 0.2 ha site has 51m frontage on Yonge Street and depth of 41m, and is developed with a multi-unit commercial building.

The site is designated "General Commercial" by OPA #210 and zoned C1 Restricted Commercial Zone by By-law 1-88. The surrounding land uses are:

- North - car dealership/commercial (C6 Highway Commercial Zone)
- South - school (R1V Old Village Residential Zone)
- East - Yonge Street; Town of Markham (Commercial uses)
- West - school and park (R1V Old Village Residential Zone)

On May 10, 2002, a notice of public hearing was circulated to all property owners within 120m of the subject lands. To date, several letters in support of the application have been received from clients of the business, and one letter from an area resident who was concerned with the outdoor fenced pen area for the dogs and the potential for the use to include a kennel, which is not permitted in commercial zone. The recommendation of the Committee of the Whole on June 3, 2002 to receive the public hearing and forward a technical report to a future Committee meeting was ratified by Council on June 10, 2002.

Official Plan

The "General Commercial" designation provides opportunities for retail stores for the buying, leasing and exchanging of goods and services, restaurants, banks and business and professional offices. The proposed retail/service use conforms to the Official Plan.

Zoning

The C1 Restricted Commercial Zone does not permit pet grooming as a use, and requires all commercial uses to be undertaken indoors. Prior to December 2002, Council approved a City-initiated amendment to By-law 1-88 to provide a definition for a pet grooming establishment, with the use to be permitted in the C2, C4 and C7 Zones, and the restriction that the use be contained within a wholly enclosed building. The 3 commercial zones were considered to be appropriate, and would provide consistent and complementary locations for pet grooming establishments. Council has enacted implementing By-law 393-2002, which introduced the following definition:

"Pet Grooming Establishment - Means a building or part of a building in which animals are groomed and where accessory products are sold (a maximum of 30% of the Gross Floor Area of the establishment can be devoted to accessory retail uses) and may also include pet obedience training and daily-animal sitting, but shall not include any overnight boarding of animal(s), or any outside activity involving animals. Such use may also be accessory to a veterinarian clinic and a pet shop."

By-law 393-2002 has been appealed to the Ontario Municipal Board (OMB) by a pet grooming establishment in Woodbridge, and a Hearing date has not yet been scheduled.

Land Use/Compatibility

The applicant is proposing a site-specific zoning exception to permit a pet grooming establishment on the subject lands within the C1 Zone. Staff is reviewing the subject amendment in accordance with the "pet grooming establishment" definition in By-law 393-2002. To meet the intent of the recent by-law, the outdoor fenced area for the dogs, at the rear of the building must be removed and the business restricted to the interior of the unit.

The business includes the overnight boarding of dogs for clients who are on holidays, which does not meet the requirements of the definition. Staff can support an exception that would allow some overnight boarding, as the impact on surrounding land uses, including a car dealership, park and school, would be minimal. The pet grooming use is considered to be compatible with the retail store uses in the building and the commercial and institutional uses in the surrounding area.

Parking

The site presently provides 21 parking spaces, with a 3.0m aisle width for ingress/egress traffic movement. As the site predates By-law 1-88, it does not comply with the aisle width and parking standards set forth in the By-law.

With the present application, the site can be reviewed under By-law 1-88 standards. The number of required spaces according to use are as follows:

Unit #1	116.2m ² retail store @ 6 spaces/100 m ² GFA =	7 spaces
Unit #2	134.7m ² retail store @ 6 spaces/100 m ² GFA =	8 spaces
Unit #3	162.6m ² retail store @ 6 spaces/100 m ² GFA =	10 spaces
Unit #4	130.1m ² pet grooming @ 3.3 spaces/100 m ² GFA =	<u>5 spaces</u>
	Required =	30 spaces
	Provided =	14 spaces

This would result in a deficiency of 16 spaces. Of the four uses on the subject lands, the lowest generator of required parking is the pet grooming establishment use. The Transportation Section of the Engineering Department has no objections to the proposal.

Conclusion

Staff has reviewed the proposed zoning amendment in light of the Official Plan and the area context, and is of the opinion that the proposed zoning amendment to permit a pet grooming establishment can be considered appropriate and compatible with uses on the site and in the surrounding area. To ensure minimal disruption, the outdoor fenced area for the dogs must be removed and the business restricted to the interior of the unit.

The application proposes a pet grooming establishment within one unit of the existing building, within a C1 Restricted Commercial Zone. With the removal of the outdoor pen area, the pet grooming establishment will have an appearance similar to that of any other store front. All of the activity will be contained within the unit and should have little effect beyond the site. The proposed use is separated from the nearby residential area to the south and west by an institutional property.

For these reasons, Staff recommends approval of the zoning amendment application to permit a pet grooming establishment use with the overnight boarding of dogs in the C1 Zone on the subject lands. Should the Committee concur, the recommendation in this report can be adopted.

Attachments

1. Location Map
2. Site Plan

Report prepared by:

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Grant A. Uyeyama, Senior Planner, ext. 8635
Marco Ramunno, Manager of Development Planning, ext. 8485

Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

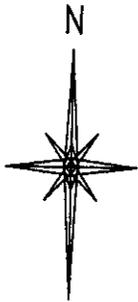
JOANNE R. ARBOUR
Director of Community Planning

/LG

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HIGHWAY 407

HYDRO CORRIDOR




SUBJECT LANDS

YONGE STREET

LONGBRIDGE ROAD

BUNKER ROAD

UPLANDS AVENUE

ATTACHMENT '1'
LOCATION MAP

FILE #:

Z.02.033

REPORT #:

LOCATION:
PART OF LOT
34, CON. 1

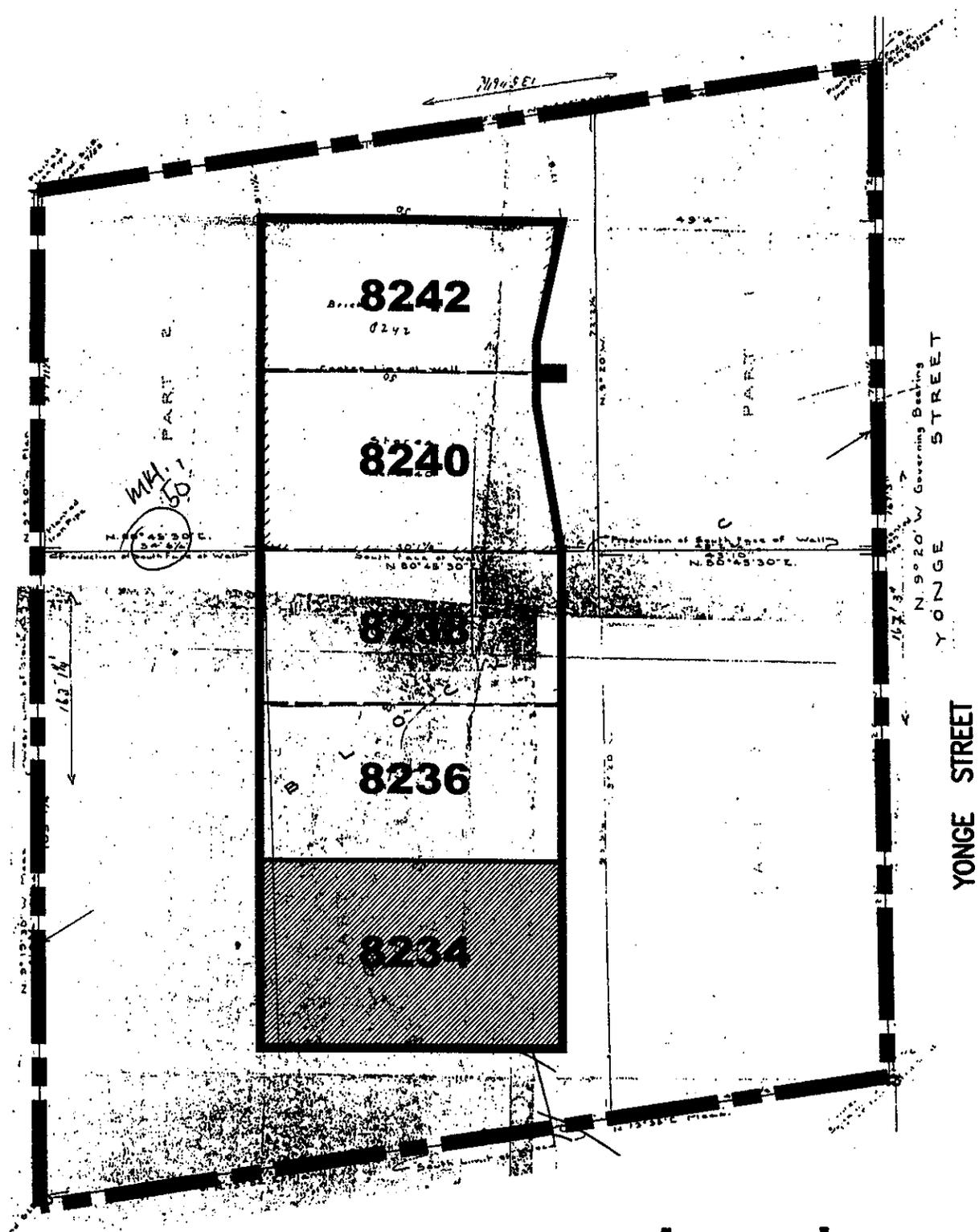
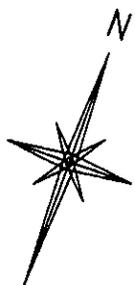
CITY OF VAUGHAN
PLANNING DEPARTMENT

APPLICANT:

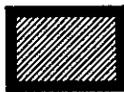
BUDHI HANDOJO

DATE: 05/07/2002

SCALE: NOT TO SCALE



Legend



SUBJECT PROPERTY



SUBJECT LANDS

ATTACHMENT '2' SITE PLAN	FILE #:	REPORT #:	DATE: 05/07/2002
	Z.02.033	LOCATION: PART OF LOT 34, CON. 1	APPLICANT: BUDHI HANDOJO
		CITY OF VAUGHAN PLANNING DEPARTMENT	SCALE: NOT TO SCALE