

COMMITTEE OF THE WHOLE JUNE 16, 2003

**ZONING BYLAW AMENDMENT FILE Z.03.021
METRUS PROPERTIES LIMITED
REPORT #P.2003.31**

Recommendation

The Commissioner of Planning recommends:

THAT Zoning By-law Amendment File Z.03.021 (Metrus Properties Limited) BE APPROVED to rezone the site to C7 Service Commercial Zone, restricted to the site-specific uses set out in the zoning section of this report; to permit a minimum of 107 parking spaces and a 10m rear yard; and to recognize Keele Street as the defined frontage of the lot.

Purpose

On March 7, 2003, the Owner submitted an application to amend the Zoning By-Law to rezone the subject lands to C7 Service Commercial Zone, and to permit the current site-specific EM1 Prestige Employment Area Zone uses and additional uses on the site, as follows:

Building A:

- bank or financial institution
- business and professional office
- car rental with a maximum of 10 allocated parking spaces
- day nursery
- eating establishment to a maximum GFA of 470m² (increased from the permitted 210m²)
- education or training facility
- employment use
- accessory retail sales and offices to an employment use
- florist shop
- manufacturing, sales and showing of bridal gowns, tuxedos and associated items to a maximum of 180m² (increased from permitted 150m²) (50% retail and 50% manufacturing)
- patio furniture; hot tubs; barbeque and pool store to a maximum GFA of 515m²
- personal service shop
- pharmacy
- photography studio
- print shop with accessory retail sales
- service or repair shop
- technical or commercial school
- veterinary clinic
- video store
- a maximum of 365m² of the building devoted to retail uses (increased from permitted 232m²) limited to one use of the following: automotive retail, computer outlet, convenience retail, plumbing and electrical supplies, equipment rental, stationery and office equipment
- added retail uses of hardware, drapery and blinds, fabric/sewing accessories, and cellular phone sales and service.

Building B:

- oil and lube centre

Background - Analysis and Options

The site is located on the east side of Keele Street, north of Langstaff Road (8575 Keele Street), in Part of Lot 11, Concession 3, City of Vaughan. The irregular-shaped 0.9 ha site has frontages of 101.6m on Keele Street and 24.7m on Langstaff Road. The site is accessed from Keele Street, and is developed with a multi-unit employment building (Building "A" – 1,774.76m²) and an oil and lube centre (Building "B" – 154.6m²), with 107 parking spaces.

The subject lands are designated "Prestige Area" by OPA #450 (Employment Area Plan) and zoned EM1 Prestige Employment Area Zone by By-Law 1-88, subject to Exception 9(509). The surrounding land uses are:

- North - valley (OS1 Open Space Conservation Zone)
- South - Langstaff Road; gas bar/car wash (C6 Highway Commercial Zone); and employment (EM1 Prestige Employment Area Zone)
- East - valley (OS1 Open Space Conservation Zone)
- West - Keele Street; employment (EM1 Prestige Employment Area Zone)

On March 14, 2003, a notice of public hearing was circulated to all property owners within 120m of the subject lands. The notice did not include "Cellular Phone Sales and Service", which was subsequently added to the list for Building "A" in the public hearing report. To date, no comments have been received. The recommendation of the Committee of the Whole to receive the Public Hearing on April 7, 2003, and to forward a comprehensive report to a future Committee meeting was ratified by Council on April 14, 2003.

Official Plan

The subject lands are designated "Prestige Area" by OPA #450 (Employment Area Plan), which permits a wide range of industrial, office, business and civic uses, with no outside storage. The site is also consistent with the "Service Node" policies, which permit uses that provide for the day-to-day convenience and service needs of businesses, industries and their employees and are at the intersections of arterial and/or collector roads. The proposed rezoning to C7 Zone and the uses identified in this report would conform to the Official Plan.

Zoning

The site is zoned EM1 Prestige Employment Area Zone by By-law 1-88, subject to Exception 9(509). The site-specific EM1 zoning exception currently restricts Buildings 'A' and 'B' to the following uses, which are proposed to remain when the site is rezoned to C7 Zone:

Building A:

- eating establishment provided that Gross Floor Area devoted to customer service shall not exceed 210m²;
- retail stores, provided that the maximum Gross Floor Area does not exceed 232m² and limited to one (1) computer outlet; one (1) convenience retail store; one (1) clearance outlet for plumbing and electrical supplies; and one (1) equipment rental store, stationary store and office equipment outlet;
- pharmacy;
- bank or financial institution;

- photography studio;
- personal service shop;
- service or repair shop;
- automotive retail store;
- the manufacture, sales and showing of bridal gowns, tuxedos and associated items, provided that the maximum Gross Floor Area devoted to such use shall not exceed 150m², and of that amount, a maximum of 50% of Gross Floor area shall be used for retail purposes including a showroom and a minimum of 50% of Gross Floor Area shall be used for manufacturing. Such uses shall be located wholly within the existing building shown as Building 'A'.

Building B:

- shall be used for no other purpose than oil and lube centre

The proposed rezoning to C7 Service Commercial Zone would require the following site-specific exceptions:

- transfer the above-noted existing uses in Exception 9(509) to the C7 Zone, with increases in the maximum gross floor areas of some uses;
- permit the proposed additional site-specific uses;
- permit a minimum of 107 parking spaces, whereas 112 spaces are required;
- recognize Keele Street as the defined frontage of the lot, given the irregular shape of the property; and
- recognize the existing 10m rear yard [as per Exception 9(509)], whereas 22m is required.

Proposed Additional Uses:

In addition to the uses currently permitted on the site, the applicant is also proposing the following additional uses to be included in the C7 Zone on the subject lands:

- business and professional office
- car rental with a maximum of 10 allocated parking spaces
- day nursery
- education or training facility
- employment use
- accessory retail sales and offices to an employment use
- florist shop
- patio furniture, hot tubs, barbeque and pool store to a maximum GFA of 515m²

- print shop with accessory retail sales
- increase in retail store floor area from 232m² to 365m²
- increase in bridal store floor area from 150m² to 180m²
- increase in eating establishment floor area from 210m² to 470m²
- retail sales of hardware, drapery and blinds, fabric/sewing accessories, cellular phone sales/service
- technical or commercial school
- veterinary clinic
- video store

The above-noted uses and the increase in the maximum gross floor areas of some uses are considered to be appropriate and consistent with the Service Node policies of OPA #450, as they provide for the day-to-day convenience and service needs of the area businesses, industries and their employees. The site location is convenient and easily accessible to the employment uses in the surrounding area.

However, Staff recommends that the proposed day nursery and video store uses be excluded. The video store is a service which is better located on a commercial site in proximity to a residential market. The day nursery, with its required outdoor play area, would not easily be accommodated safely into the site, as developed, nor is this use considered to be appropriate within the industrial/commercial setting.

Parking

The required parking for the site is calculated as follows:

- Service Commercial: 1,774.76m² @ 6 spaces/100 m² = 106.48 spaces
 - Oil & Lube Centre: 154.6m² @ 3.3 spaces/100m² = 5.10 spaces
- Total Required Parking = 112 spaces

The site was originally developed with 117 parking spaces. However, a row of 10 spaces was removed at the rear of the building to provide better truck circulation to the loading area. Today, there are 107 parking spaces on the site, thereby resulting in a deficiency of 5 spaces (4.47%). The parking reduction is considered to be minor, and can be supported by Staff.

Conclusion

Staff have reviewed the proposed zoning amendment application in accordance with the policies of OPA #450 and the requirements of By-Law 1-88. Staff is satisfied that the proposed rezoning of the site to C7 Zone, and the list of service commercial uses, excluding the day nursery and video store, is appropriate for the site and compatible with the surrounding development. Staff can also support the exceptions to recognize 107 on-site parking spaces, Keele Street as the defined lot frontage, and a minimum 10m rear yard.

Therefore, Staff can recommend approval of the zoning amendment application. 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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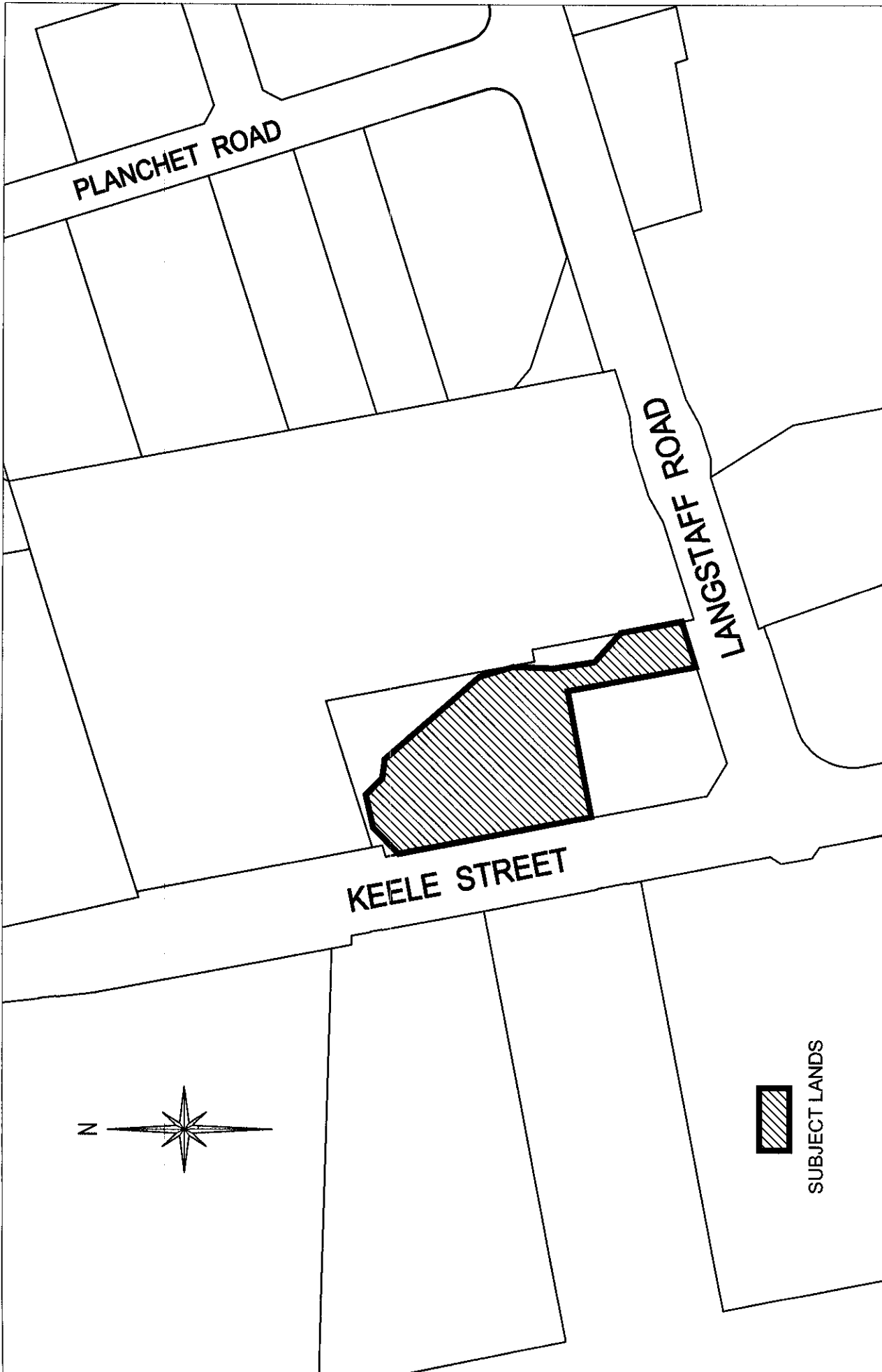
Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

JOANNE R. ARBOUR
Director of Community Planning

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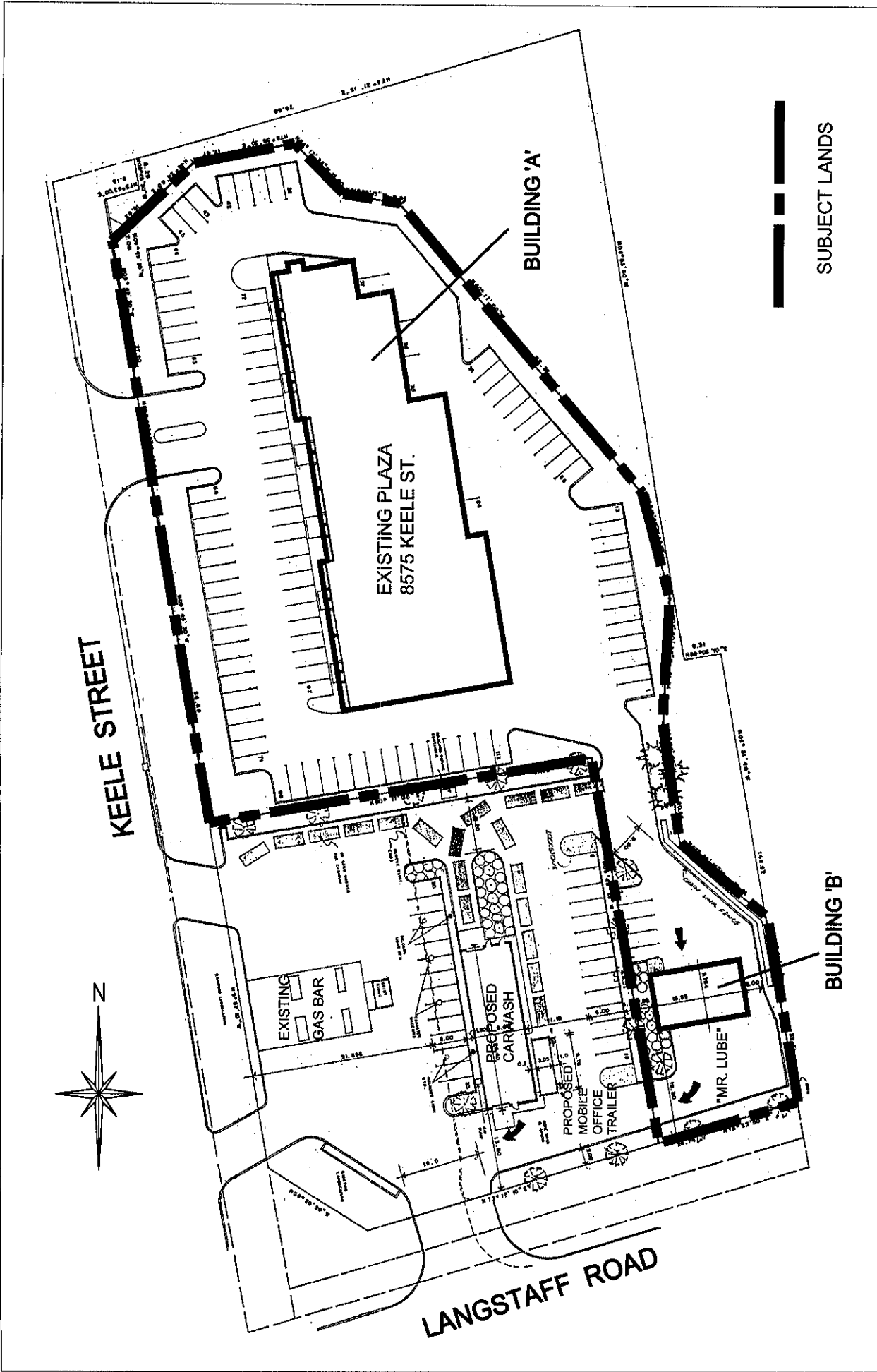
Attachment **1**
 FILE No.: Z.03.021
 Not to Scale
 May 14, 2003

CITY OF Vaughan

Community Planning Department

Location Map

Part Lot 11,
 Concession 3
 APPLICANT:
 METRUS PROPERTIES LIMITED



Attachment 2
 FILE No.: Z.03.021
 Not to Scale
 May 14, 2003

City of **Vaughan**
 Community Planning Department

Site Plan
 Part Lot 11,
 Concession 3
 APPLICANT:
 METRUS PROPERTIES LIMITED

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