

COMMITTEE OF THE WHOLE JANUARY 17, 2004

**ZONING BY-LAW AMENDMENT FILE Z.04.057
SHAICO PROPERTIES INC.
REPORT P.2004.112**

Recommendation

The Commissioner of Planning recommends:

THAT Zoning Bylaw Amendment File Z.04.057 (Shaico Properties Inc.) BE APPROVED to permit a showroom for kitchen and restaurant equipment with accessory retail and office uses within an existing building in the C1 Restricted Commercial Zone, with floor area allocations as shown on Attachment #3.

Purpose

The Owner has submitted an application to amend the Zoning By-law to permit a showroom with accessory retail and office uses in the C1 Restricted Commercial Zone, with floor area allocations as shown on Attachment #3. The proposed exception would permit the existing building (see Attachment #2) to be used by Montana Equipment Ltd, a supplier of kitchen and restaurant equipment.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located on the southeast corner of Regional Road 7 and Baldwin Avenue, being Lot 5 on Plan 2486 (1965 Regional Road 7) in Part of Lot 5, Concession 3, City of Vaughan. The irregular-shaped 0.166 ha lot has 29.8 m frontage on Baldwin Avenue and a depth of 37.5m.

The subject lands are designated "Industrial" by OPA #4, and zoned C1 Restricted Commercial Zone by By-law 1-88, subject to Exception 9(582). The site is developed with an existing one-storey, 203.17m² building and 17 parking spaces as shown on Attachment #2. The surrounding lands uses are:

- North – Regional Road 7; employment (EM1 Prestige Employment Area Zone)
- South – open space (OS1 Open Space Conservation Zone)
- East – residential (R1V Old Village Residential Zone)
- West – Baldwin Avenue; residential (R1V Old Village Residential Zone)

On November 5, 2004, a notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to the Concord West Ratepayers Association. The recommendation of the Committee of the Whole at the Public Hearing on November 29, 2004, to receive the Public Hearing and forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Council on December 6, 2004. At that time, no comments from the public had been received. Subsequent to the Public Hearing, four (4) letters of concern have been received including one from the acting president of the Concord West Ratepayers' Association and three from area residents. The concerns can be summarized as follows: introduction of general retail and commercial usage tends to generate problems such as noise, traffic, garbage, loading and truck movement; it will establish a precedent for future applications in the vicinity of the neighbourhood; threatens the long-term survival of the residential area and unique zoning of the property; and, the smaller size of the rezoning sign does not meet the criteria as per City of Vaughan requirements, and therefore a new hearing date should be set to provide adequate time to review the application.

Since the initial placement of the sign, the Owner has revised the wording on the sign along Regional Road 7 to read as per the Public Hearing Notice and has placed an additional sign on the property along Baldwin Avenue.

Official Plan

The subject lands are designated "Industrial" by OPA #4, which provides opportunities for manufacturing, storage and warehousing. Minor commercial uses, which primarily serve the area are also permitted. The proposed showroom with accessory retail and office uses would conform to the Official Plan.

Zoning

The site-specific Exception 9(582) permits only a Business and Professional Office use on the property. An exception would be required to permit the proposed showroom with accessory retail and office uses, in the C1 Restricted Commercial Zone. The proposed use would be permitted in the EM1 Prestige Employment Area Zone, which would typically correspond to lands designated "Industrial" and "Employment" abutting major arterial roads.

Compatibility

The site is developed with a 1-storey, 203.17m² building. The uses surrounding the building to the north are employment uses comprised of single and multi-tenant buildings. Directly to the south is open space (a tributary of the Don River), and to the east and west are single-detached residential dwellings. Staff is of the opinion that the proposed use of a showroom for kitchen and restaurant equipment caters to a limited clientele in the restaurant business, and is no less appropriate than the existing use permitted on site, or the other employment uses in the area, and therefore would be a compatible use.

The business has operating hours of Monday to Thursday 9am - 6pm and Friday 9am - 4 pm with 1 current full time employee on-site and 2 drivers. The Owner has intentions on increasing the on-site employees to 2 in the near future. Given the nature of the business and the clientele being mainly the restaurant and hotel industry, there are very few walk-ins of the general public. After preview at the showroom, orders are typically placed over the phone with shipments transferred from the most convenient warehouse, with locations throughout Ontario and the United States. Therefore, there is no large truck traffic or anticipated parking issues at this site.

Parking

Under the former Town of Vaughan By-law 2523, when the site was developed, the required parking was based on a standard of one (1) parking space per 19m² of GFA devoted to professional and business use. Accordingly, the required parking for the site was 11 spaces (203.17m² at 1 space/19m² GFA = 11 spaces).

Under the current City By-law 1-88 standards, the parking for the proposed use is calculated as follows:

| | |
|---|----------------|
| Showroom/Retail/Storage Area = 187.5m ² @ 6 spaces/100m ² GFA | = 11.25 spaces |
| Office Area = 15.6m ² @ 3.5 spaces / 100m ² GFA | = 0.546 spaces |

Total Parking Required = 12 spaces
Total Parking Provided = 17 spaces

As there is no building addition, the on-site parking will not be affected and complies with the by-law, with a surplus of 5 spaces.

Relationship to Vaughan Vision 2007

This staff report is consistent with Vaughan Vision 2007, which encourages managed growth through the implementation of OPA #4.

Conclusion

The proposed application to amend the Zoning By-law has been reviewed with regard to the policies of OPA #4 and the requirements of By-law 1-88. Staff is satisfied that the proposed showroom with accessory retail and office uses is appropriate for the site and compatible with the surrounding development, and the parking on-site is not affected. Therefore, the Department recommends approval of the zoning amendment application to permit a showroom with accessory retail and office uses within the existing building in the C1 Restricted Commercial Zone, with total floor areas as shown on Attachment #3. The proposed exception would permit the existing building (see Attachment #2) to be used by Montana Equipment Ltd, a supplier of kitchen and restaurant equipment. Should the Committee concur, the recommendation in this report can be adopted.

Attachments

1. Location Map
2. Existing Site Plan
3. Proposed Floor Plan & Area Breakdown

Report prepared by:

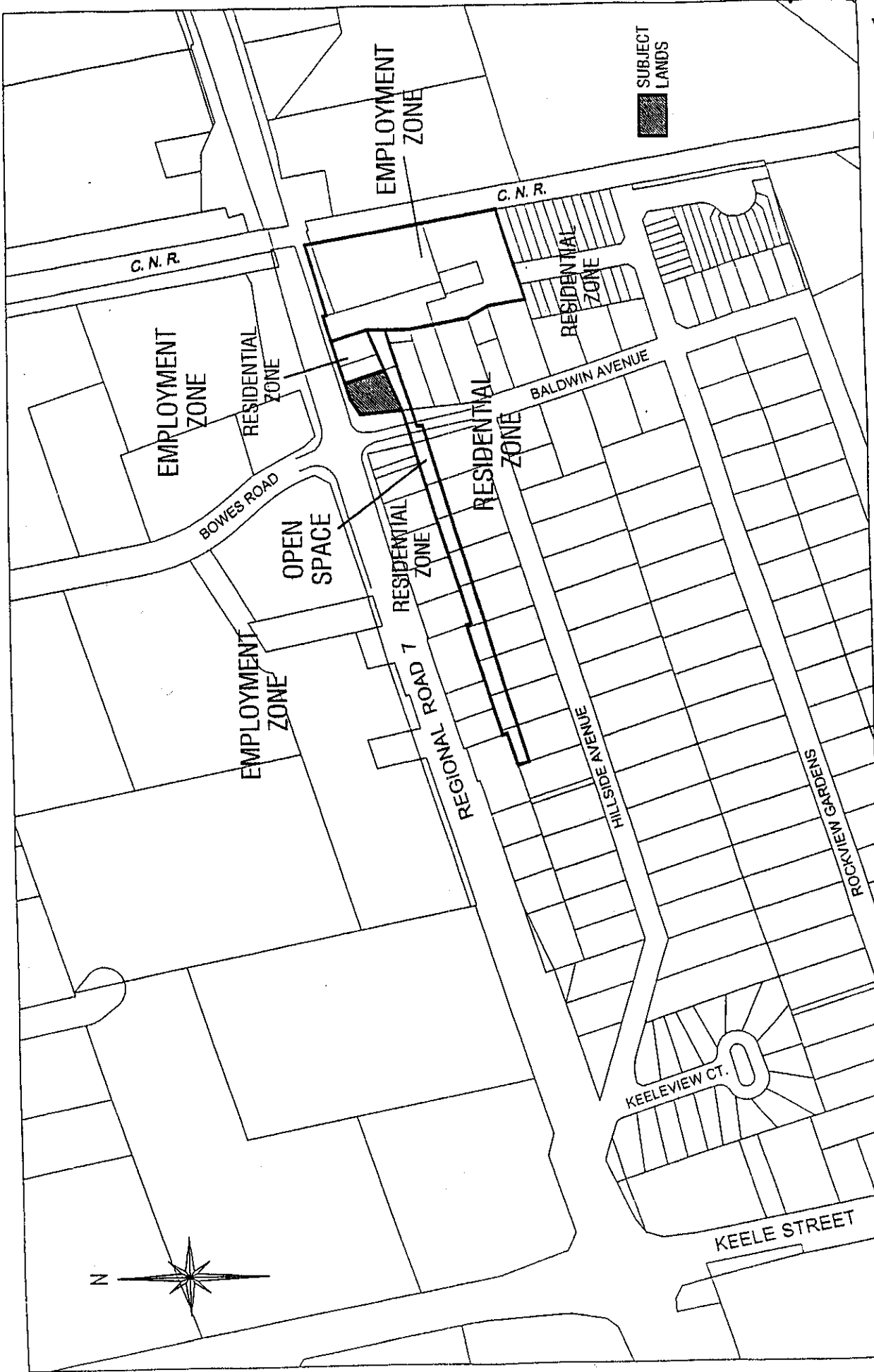
Andrea Seca, Planner, ext. 8215
Arto Tikiryan, Senior Planner, ext. 8212
Grant Uyeyama, Manager of Development Planning, ext. 8635

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

/CM



Attachment 1

FILE No.:
Z.04.057
Not to Scale
November 5, 2004

City of
Vaughan

Community Planning Department

Location Map

Part of Lot 5,
Concession 3
APPLICANT:
SHAICO PROPERTIES INC.
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REGIONAL ROAD 7

BALDWIN AVENUE



SUBJECT LANDS



EXISTING BUILDING
P.L. PLAN
PART 1, P.L. NO. RS-433

LOT 15
2468

PLAN

REG'D

FIRE ROUTE

Attachment
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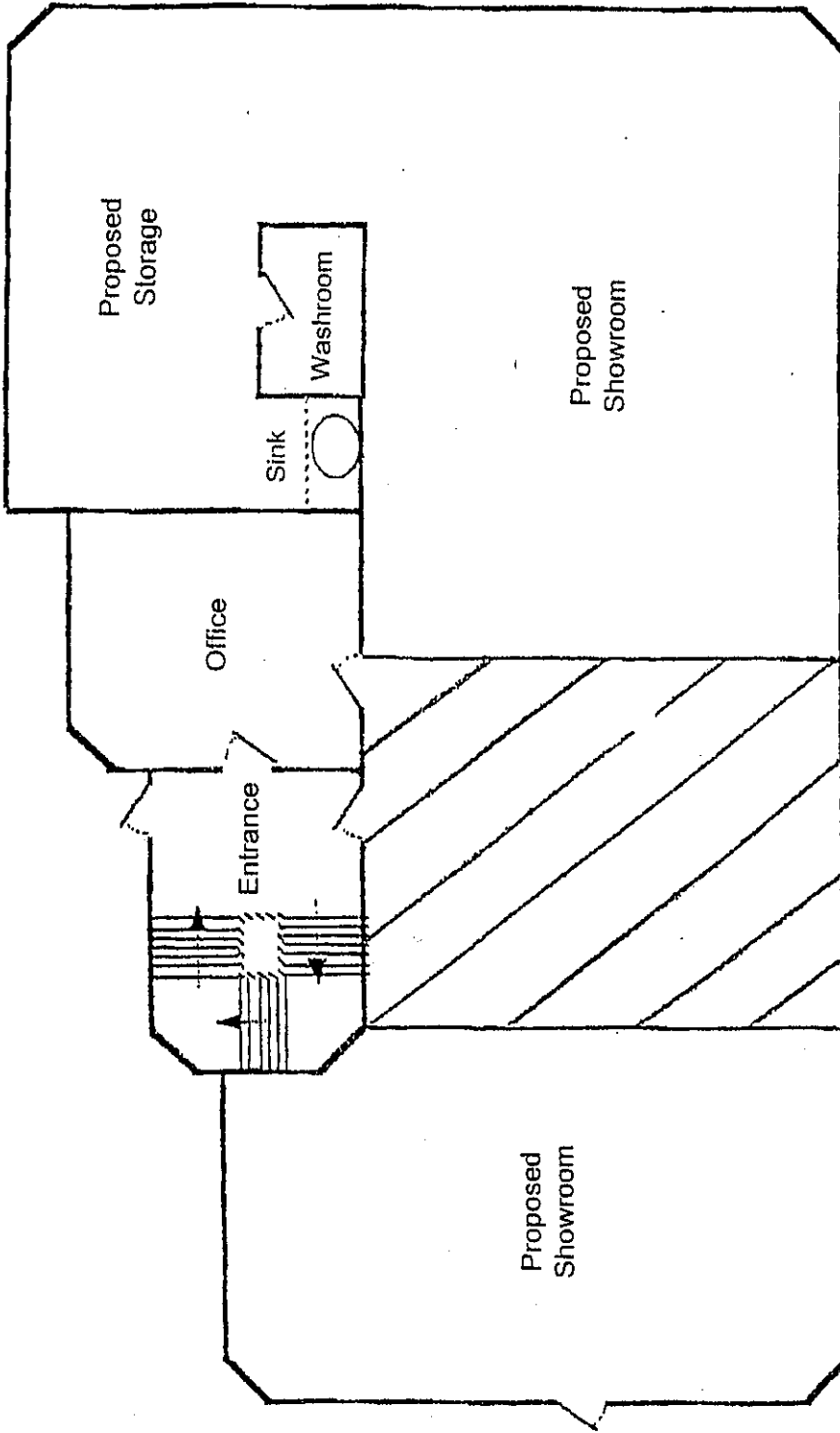
Existing Site Plan

Part of Lot 5,
Concession 3

APPLICANT:
SHAICO PROPERTIES INC.

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Breakdown of use of space:

| | |
|--------------------------------|---------------------------|
| <u>Approximate Allocations</u> | |
| Proposed Showroom Area | =1176.6 sq/ft (53.8%) |
| Proposed Storage Area | =210 sq/ft (9.6%) |
| Proposed Office Space | =168 sq/ft (7.7%) |
| Existing Entrance Area | =140 sq/ft (6.4%) |
| Existing Washroom | =40 sq/ft (1.8%) |
| Existing Sink Area | =15 sq/ft (0.7%) |
| Proposed Retail Area | =437 sq/ft (20%) |
| Total | =2187 sq/ft (100%) |

Floor Plan & Area Breakdown

APPLICANT:
SHAICO PROPERTIES INC.
PART OF LOT 5,
CONCESSION 3
N:\DPTV ATTACHMENTS\2.04.057



Community Planning Department