

**1. ZONING BY-LAW AMENDMENT FILE Z.06.028
MARBON HOLDINGS INC. AND 606578 ONTARIO LIMITED**

P.2006.32

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for File Z.06.028 (Marbon Holdings Inc. and 606578 Ontario Limited) BE RECEIVED; and that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Economic Impact

This will be addressed when the technical report is completed.

Purpose

The Owner has submitted an application to amend the Zoning By-law, to permit the following, on the subject lands zoned C7 Service Commercial shown on Attachment #1:

- i) an increase in the maximum size of the permitted eating establishment use from 300m² to 1,347m² (Building "B" – Mandarin), as shown on Attachment #2; and,
- ii) a reduction in the rear yard setback from Westcreek Drive of 20.4m to Building "A" and 21m to Building "B", whereas 22m is currently required.

The Owner has also submitted a related Site Development Application (File DA.06.012) to permit the development of the 1.5ha site with a 1,690.2m² Service Commercial building (Building "A"), together with the proposed 1,347m² eating establishment (Building "B"). A total of 310 parking spaces are to be permitted on site. The building elevations for Buildings "A" and "B", are shown on Attachments #3 and #4, respectively.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located on the east side of Weston Road, north of Langstaff Road, being Part of Block 1 within Registered Plan 65M-3769 (210 Westcreek Drive), in Part of Lot 12, Concession 5, City of Vaughan. The property is currently vacant. The site plan submitted includes access from both Weston Road and Westcreek Drive.

The subject lands are designated "Prestige Area" by OPA #450 (Employment Area Plan) and are also subject to the "Service Node" policies, as the subject lands will become a corner lot upon the construction of a road on the north side of the property. The site is zoned C7 Service Commercial Zone, by By-law 1-88, subject to Exception 9(1110). The surrounding land uses are:

- North - house with greenhouse structure to the rear (A Agricultural Zone)
- South - employment uses (EM1 Prestige Employment Area Zone)
- East - Westcreek Drive; employment uses (EM2 General Employment Area Zone)
- West - Weston Road; residential (R2 Residential Zone)

On April 7, 2006, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to the Weston Downs Ratepayers' Association. To date, no comments have been received. Any comments received will be addressed within the technical review and included in a comprehensive report to a future Committee of the Whole meeting.

Preliminary Review

Following a preliminary review of the proposed application, the Development Planning Department has identified the following matters to be reviewed in greater detail:

- i) the application will be reviewed in the context of the "Service Node" policies in the Official Plan;
- ii) review will be given to the appropriateness and impact of increasing the size of the permitted eating establishment use on the subject lands, and the proposed reductions to the rear yard setback; and,
- iii) the proposed exceptions will be reviewed together with the related site plan application, to determine the appropriate site layout and compatibility with the surrounding area and adjacent uses, in particular, the residential uses on the west side of Weston Road.

Relationship to Vaughan Vision 2007

The applicability of the application to the Vaughan Vision will be determined when the technical report is considered.

Conclusion

The above issues, but not limited to, will be considered in the technical review of the application, together with comments from the public and Council expressed at the Public Hearing or in writing, and be addressed in a comprehensive report to a future Committee of the Whole meeting. In particular, the application will be reviewed in the context of the existing Official Plan policies and Zoning By-law regulations, and with respect to compatibility and appropriateness with the surrounding area and adjacent uses, particularly the residential uses on the west side of Weston Road.

Attachments

1. Location Map
2. Site Plan
3. Elevations – Building "A"
4. Elevations – Building "B"

Report prepared by:

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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

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- LEGEND**
- A - AGRICULTURAL ZONE
 - C7 - SERVICE COMMERCIAL ZONE
 - C8 - OFFICE COMMERCIAL ZONE
 - EM1 - PRESTIGE EMPLOYMENT AREA ZONE
 - EM2 - GENERAL EMPLOYMENT AREA ZONE
 - OS1 - OPEN SPACE CONSERVATION ZONE
 - OS2 - OPEN SPACE PARK ZONE
 - R2 - RESIDENTIAL ZONE
- SUBJECT LANDS**
- SUBJECT LANDS

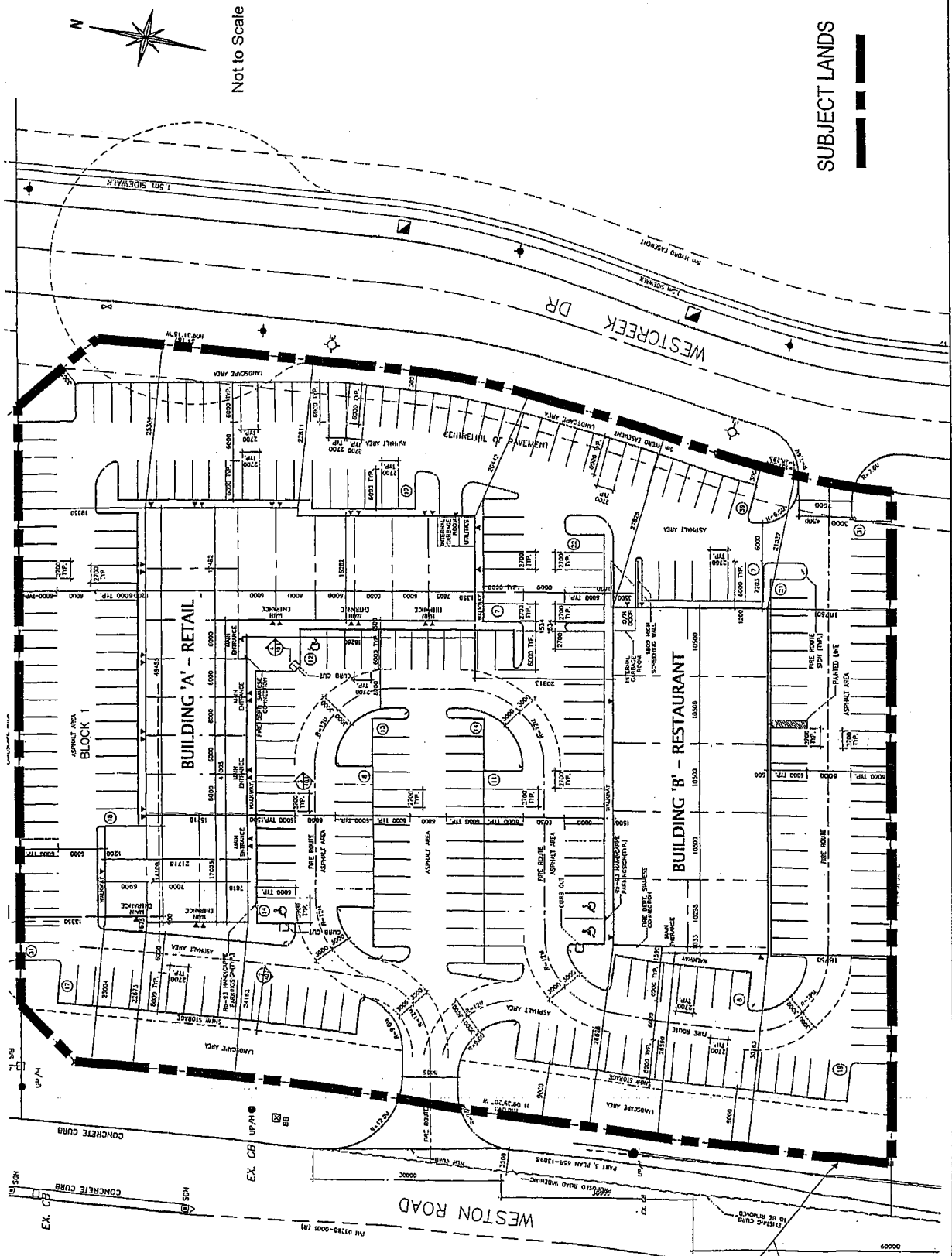
Location Map

Part of Lot 12,
Concession 5
APPLICANT:
MARBON HOLDINGS INC. &
606578 ONTARIO LIMITED.
N:\007\1 ATTACHMENTS\Y\05.05.028

City of Vaughan

Development Planning Department

Attachment 1
FILE No.: Z.06.028
RELATED FILE: DA.06.012
March 30, 2006

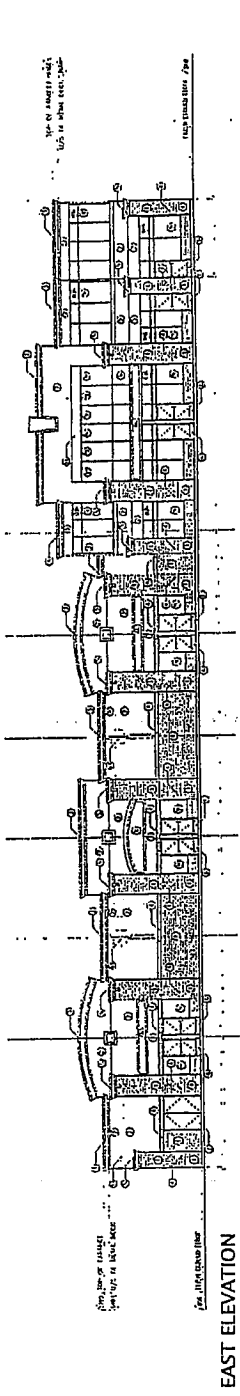


Attachment 2

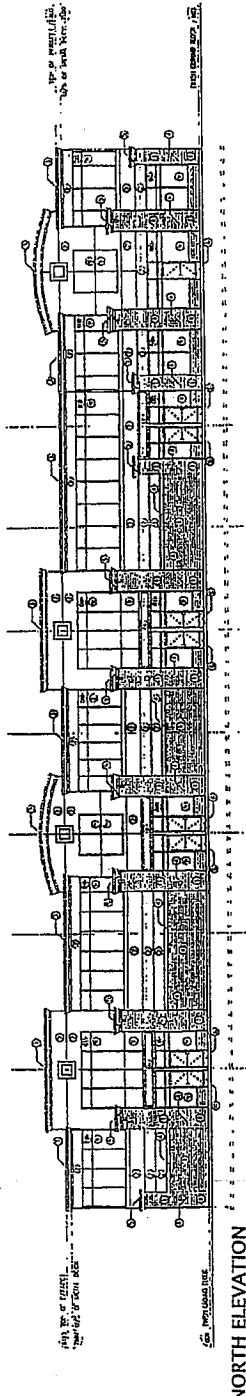
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 RELATED FILE: DA.06.012
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City of Vaughan Development Planning Department

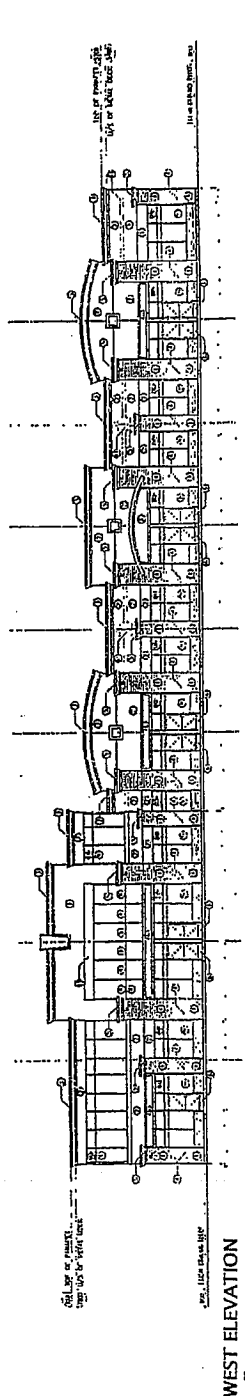
Site Plan
 Part of Lot 12,
 Concession 5
 APPLICANT:
 MARBON HOLDINGS INC.
 606578 ONTARIO LIMITED
 N:\UPTV\1_ATTACHMENTS\2\X.06.028



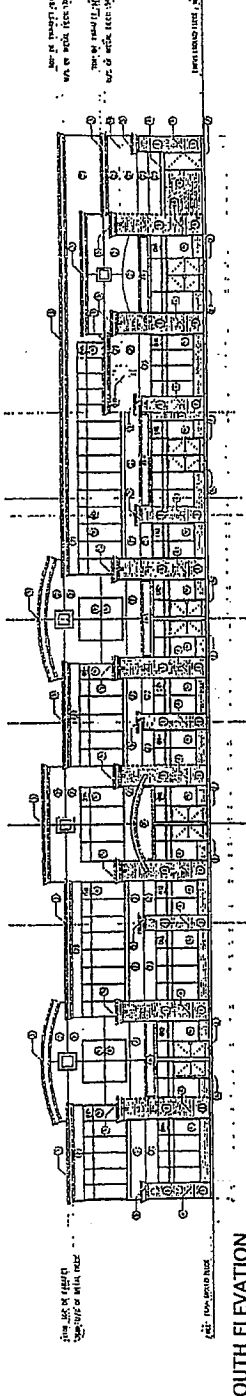
EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION

Not to Scale

Elevations - Building 'A'

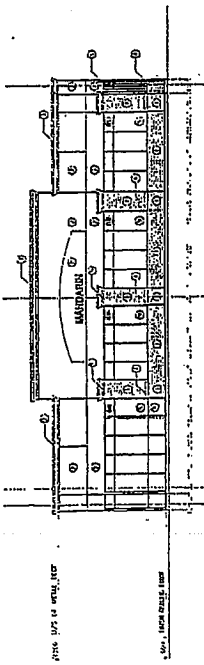
Part of Lot 12,
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APPLICANT:
MARBON HOLDINGS INC. &
606578 ONTARIO LIMITED
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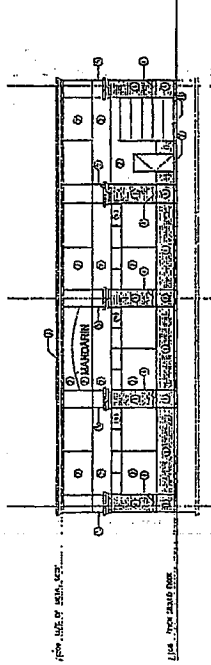
Development Planning Department

Attachment 3

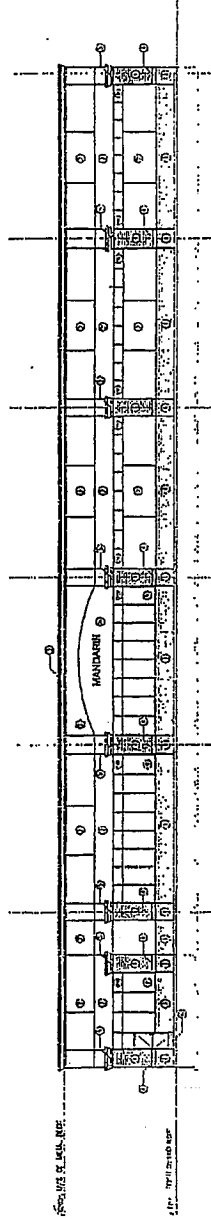
FILE No.: Z.06.028
RELATED FILE: DA.06.012
March 30, 2006



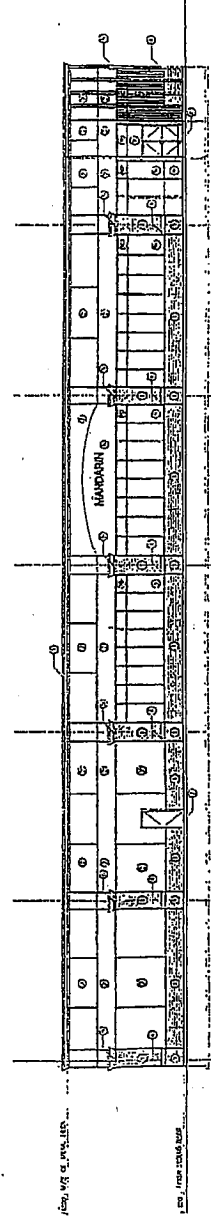
WEST ELEVATION



EAST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION

Not to Scale

Elevations - Building 'B'

Part of Lot 12,
Concession 5
APPLICANT:
MARBON HOLDINGS INC. &
606578 ONTARIO LIMITED
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Development Planning Department

Attachment 4

FILE No.: Z.06.028
RELATED FILE: DA.06.012
March 30, 2006