

**4. ZONING BY-LAW AMENDMENT FILE Z.06.025
 1449859 ONTARIO LTD.**

P.2006.35

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for File Z.06.025 (1449859 Ontario Ltd.) 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 a Zoning By-law Amendment application on the subject lands shown on Attachment #1, to permit an approximate 200m² outdoor patio use in the EM2 General Employment Area Zone, in conjunction with an existing Adult Entertainment Parlour (Whiskey A-Go-Go), as shown on Attachment #2. In addition, a zoning exception is also proposed to permit a minimum landscape strip width of 1m abutting both Bowes Road and Rivermede Road, whereas 3m is currently required, to facilitate the proposed outdoor patio location.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located at the northwest corner of Bowes Road and Rivermede Road, being Part of Lot 14 on Registered Plan 7925 (544 Rivermede Road), City of Vaughan.

The subject lands are designated "Employment Area General" by OPA #450 (Employment Area Plan) that includes a policy that an adult entertainment parlour shall only be permitted in accordance with the Adult Entertainment policies contained in OPA #265, as amended by OPA #394. The subject lands are zoned EM2 General Employment Area Zone by By-law 1-88, subject to Exception 9(770). The surrounding land uses are:

- North - employment uses (EM2 General Employment Area Zone)
- South - Rivermede Road; employment uses (EM2 General Employment Area Zone)
- East - Bowes Road; employment uses (EM2 General Employment Area Zone)
- West - employment uses (EM2 General Employment Area 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 Concord West Ratepayers' Association. To date, the Owner of 280 Bowes Road and 582 Rivermede Road have verbally expressed concerns with the respect to the proposed use and location of the proposed outdoor patio. 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 OPA #450, which includes specific policies for Adult Entertainment Parlours;
- ii) the application will be reviewed in the context of the Zoning By-law, which permits outdoor patios in association with Eating Establishments, but not Adult Entertainment Parlours;
- iii) the appropriateness of the proposed outdoor patio use, in conjunction with the existing Adult Entertainment Parlour, will be assessed in the context of compatibility with adjacent land uses and the appropriate functioning of the outdoor patio use on the site; and,
- iv) review will be given to the appropriateness of the proposed location of the outdoor patio use at the intersection of two primary feeder roads, and the proposed reductions in the width of the landscape strips from 3m to 1m adjacent to both Bowes Road and Rivermede 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 accordance with OPA #450, which includes specific policies for Adult Entertainment Parlours, as well as, the Zoning By-law which permits outdoor patios in association with Eating Establishments but not Adult Entertainment Parlours. Furthermore, the appropriateness of the outdoor patio use will be assessed in the context of compatibility with adjacent land uses and the appropriate functioning of the outdoor patio use on the site.

Attachments

1. Location Map
2. Site Plan

Report prepared by:

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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning
/CM


MARCO RAMUNNO
Director of Development Planning



LEGEND

- C1 - RESTRICTED COMMERCIAL ZONE
- EM1 - PRESTIGE EMPLOYMENT AREA ZONE
- EM2 - GENERAL EMPLOYMENT AREA ZONE
- EM4 - EMPLOYMENT AREA
- TRANSPORTATION ZONE
- OS1 - OPEN SPACE CONSERVATION ZONE

SUBJECT LANDS



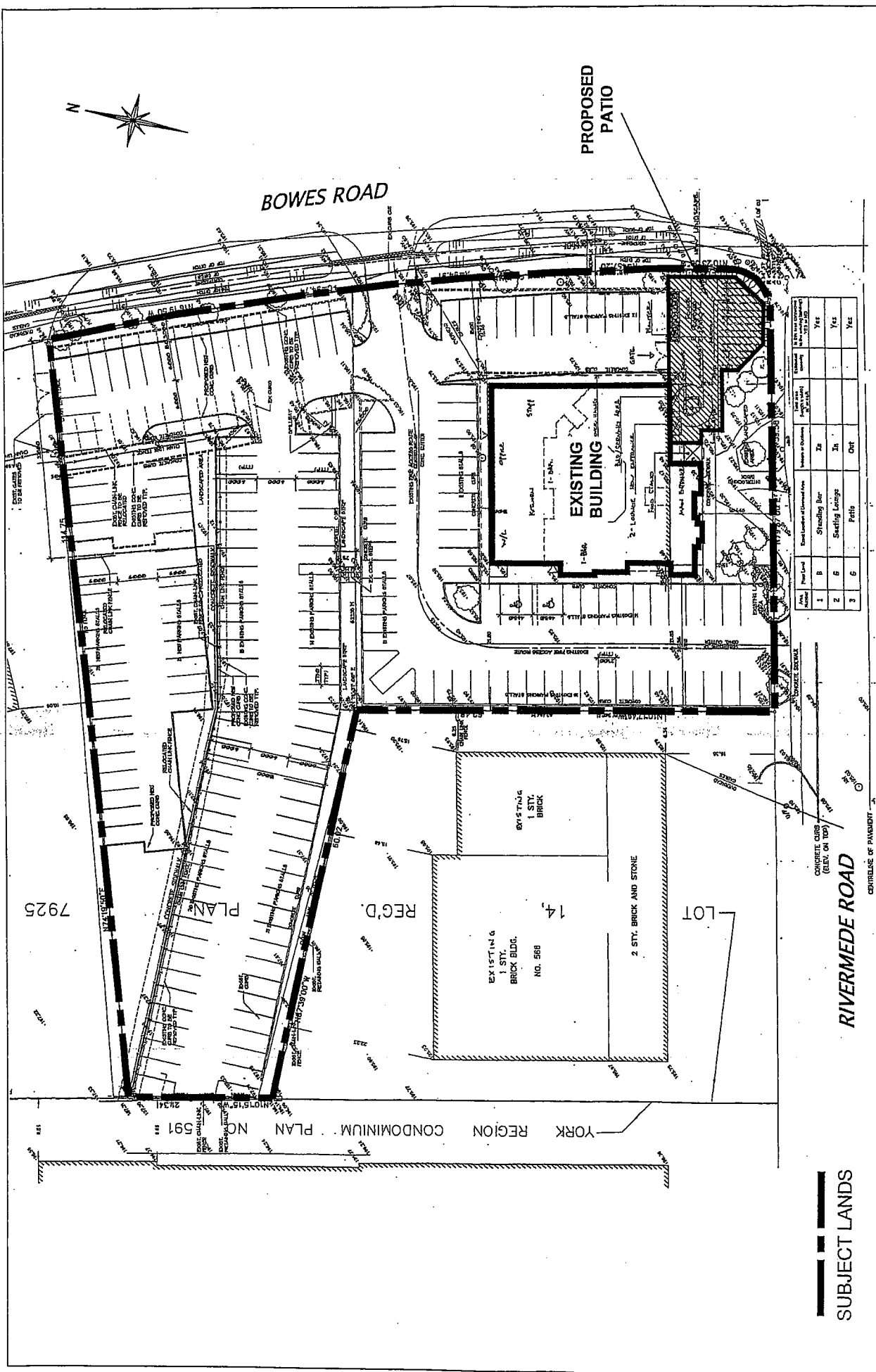
Location Map

Lot 8,
Concession 3
APPLICANT:
1449859 ONTARIO LTD.
MAP/PLN ATTACHMENT/V2/06.025



Development Planning Department

Attachment 1
FILE No.: Z.06.025
Not to Scale
March 14, 2006



Area	Area (sq. ft.)	Area (sq. m.)	Number of Units	Number of Units (sq. ft.)	Number of Units (sq. m.)	Yes	Yes	Yes
1	B	Standing Bar	Zr					
2	B	Seating Lounge	Zn					
3	B	Pets	Out					

SUBJECT LANDS

Attachment 2

FILE No.: Z.06.025
 Not to Scale
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Development Planning Department

Site Plan

Lot 8,
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 APPLICANT:
 1449859 ONTARIO LTD.
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