

**COMMITTEE OF THE WHOLE MAY 1, 2006**

**ZONING BY-LAW AMENDMENT FILE Z.06.003  
MONTECASSINO LIMITED  
REPORT #P.2006.10**

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Zoning By-Law Amendment File Z.06.003 (Montecassino Limited) BE APPROVED, to rezone the subject lands shown on Attachment #1, from EM1 Prestige Employment Area Zone to C7 Service Commercial Zone, to permit the following:
  - a) the full range of C7 service commercial uses, excluding the following uses: automobile service station; automobile gas bar; car wash; banquet hall; hotel; motel; convention centre; office building; parks and open space and parking garage;
  - b) to permit the following additional EM1 Prestige Employment uses within the C7 Zone; employment use; accessory retail sales to an employment use; and accessory office uses;
  - c) require a minimum landscape strip width on the subject lands abutting both Carlauren Road and Jevlan Drive of 3m, whereas 6m is currently required; and,
  - d) require a minimum of 206 parking spaces to be provided on the subject lands, whereas 221 spaces are currently required.
2. THAT prior to the enactment of the implementing zoning by-law:
  - a) the Owner shall pay Regional Development Charges in accordance with Regional By-Law DC-0005-2003-050, as amended.

**Economic Impact**

There are no requirements for new funding associated with this report.

**Purpose**

The Owner has submitted an application to amend Zoning By-law 1-88 to:

1. Rezone the subject lands shown on Attachment #1 from EM1 Prestige Employment Area Zone to C7 Service Commercial Zone, to permit the full range of C7 service commercial uses, excluding the following uses: automobile service station; automobile gas bar; car wash; banquet hall; hotel; motel; convention centre; office building; parks and open space; and parking garage; and,
2. To permit the following additional EM1 Prestige Employment uses within the C7 Zone: employment use; accessory retail sales to an employment use; and accessory office uses to an employment use.

## Background - Analysis and Options

The subject lands shown on Attachment #1 are located at the southeast corner of Weston Road and Carlauren Road (8099 Weston Road), being Lot 6 on Plan 65M-2589, City of Vaughan. The 1.32ha site was severed from a larger 2.19ha land holding, which formerly included the lands to the south (currently in the same ownership – Montecassino Banquet Hall) (Committee of Adjustment File B014/05m approved March 31, 2005). The subject lands have 84m frontage on Weston Road and 134m flankage along Carlauren Road. The site is currently under construction and will be developed with a single storey, 3676.11m<sup>2</sup> multi-unit (30) building, as shown on Attachment #2, for which Council approved the site plan (File DA.05.005) on June 8, 2005. The Owner has also submitted a related Draft Plan of Condominium application (19CDM-06V01) for 30 service commercial units which will be considered at a future Committee of Whole meeting.

The subject lands are designated "Prestige Area" by OPA #450 (Employment Area Plan) and subject to the "Service Node" policies; and, currently zoned EM1 Prestige Employment Area Zone by By-Law 1-88. The surrounding land uses are as follows:

- North - Carlauren Road; existing service commercial uses (C7 Service Commercial Zone)
- South - Montecassino Banquet Hall (EM1 Prestige Employment Area Zone)
- East - Jevlan Drive; existing employment uses (EM2 General Employment Area Zone)
- West - Weston Road; existing detached residential (R3 Residential Zone)

On January 27, 2006, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands and to the Pine Valley Village Ratepayers Association. This notice listed "Pet Grooming Establishment", which is a permitted use in the C7 Zone, as a use to be excluded from the subject lands. However, the applicant amended their application to include the said use, which was to be reviewed together with the other proposed service commercial uses. To date, no comments have been received. The recommendation of the Committee of the Whole on February 20, 2006, to receive the Public Hearing report and to forward a technical report to a future Committee of the Whole meeting, was ratified by Council on February 27, 2006.

Since then, the applicant has further amended the application to include additional uses to the proposed C7 Service Commercial Zone, namely: employment use; accessory retail sales to an employment use; and accessory office uses to an employment use. These uses are currently permitted on the site through the existing EM1 Zone that is applicable to the property.

### Official Plan

The subject lands are designated "Prestige Area" by OPA #450 (Employment Area Plan) which, provides opportunities that require high visual exposure, good accessibility, and an attractive working environment, and permits a wide range of office, business and civic uses, with no outside storage. The "Service Node" policies of OPA #450 also apply and permit uses that provide for the day-to-day convenience and service needs of businesses, industries and their employees, and as such the proposed rezoning of the subject lands to C7 Service Commercial Zone along with proposed additional employment uses (currently permitted by the EM1 Prestige Employment Area Zone) conforms to both the "Service Node" and "Prestige Area" policies of the Official Plan.

### Zoning

The subject lands are zoned EM1 Prestige Employment Area Zone by By-law 1-88. The EM1 Prestige Employment Area Zone does not permit many of the proposed service commercial uses; therefore a zoning by-law amendment is required. The proposal to rezone the subject lands to C7 Service Commercial Zone to permit the full range of service commercial uses, excluding the following uses: automobile service station; automobile gas bar; car wash; banquet hall; hotel; motel; convention centre; office building; parks and open space; and parking garage; and, to

permit the following additional EM1 Prestige Employment uses within the C7 Zone: employment use; accessory retail sales to an employment use and accessory office uses to an employment uses, would provide for the day-to-day needs of businesses and their employees and implement the "Prestige Area" and "Service Node" policies of the Official Plan.

The proposed rezoning application was reviewed in accordance with the C7 Service Commercial Zone requirements to identify any zoning exceptions. As such a minimum landscape strip of 6m in width is required abutting both Carlauren Road and Jevlan Drive. The applicant has provided 3m along both streets. When Council approved the related site plan application (DA.05.005) on June 8, 2005, the said landscape strips complied with the zoning requirements of the EM1 Prestige Employment Area Zone. In addition, the application has been reviewed with respect to parking, given the higher service commercial standards (6 spaces/100m<sup>2</sup> GFA), in comparison to the lower employment use standard (2 spaces/100m<sup>2</sup> GFA or 4 spaces/unit, the latter which is greater and applicable at 120 spaces). By-law 1-88 calculates the required parking for the site as follows:

Shopping Centre: 3676.11m <sup>2</sup> at 6.0 spaces/100m <sup>2</sup> GFA	=221 spaces
Total Parking Required	=221 spaces
Total Parking Provided	=206 spaces

At total of 221 spaces are required, whereas 206 spaces will be provided upon completion of the construction on the property, resulting in a deficiency of 15 spaces (6.36%), which is below 10%, and does not require a parking study to be submitted for review by the Engineering Department. The proposed parking supply and deficiency is considered to be appropriate to service the proposed C7 Zone uses, and is acceptable to the Engineering Department.

The proposed parking and landscape strip deficiencies will be included as exceptions in the implementing zoning by-law.

#### **Regional Development Charges**

The Finance Department has advised that according to Regional By-law DC-005-2003-050; given the proposed rezoning from EM1 Prestige Employment Area Zone to C7 Service Commercial Zone, additional Development charges will be imposed for the increased need for services. The Owner shall pay Regional Development charges to the satisfaction of the Finance Department.

#### **Relationship to Vaughan Vision 2007**

This report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'A-5', "Plan and Manage Growth".

#### **Conclusion**

The Development Planning Department has reviewed the proposed Zoning By-law Amendment application to rezone the subject lands from EM1 Prestige Employment Area Zone to C7 Service Commercial Zone with the exclusion of various C7 Zone permitted uses and the inclusion of a few select and currently permitted EM1 Prestige employment uses, in accordance with the policies of OPA #450 and the requirements of By-law 1-88, and the area context. The Development Planning Department is satisfied that the proposed rezoning will implement the "Service Node" policies of the Official Plan, and is appropriate and compatible with the existing and permitted uses in the surrounding area. On this basis, the Development Planning Department can support the approval of the Zoning By-law Amendment Application and the required exceptions to the zoning by-law that are necessary to implement the proposal, subject to the condition contained in this report.

**Attachments**

1. Location Map
2. Site Plan - Approved by Council June 8, 2005

**Report prepared by:**

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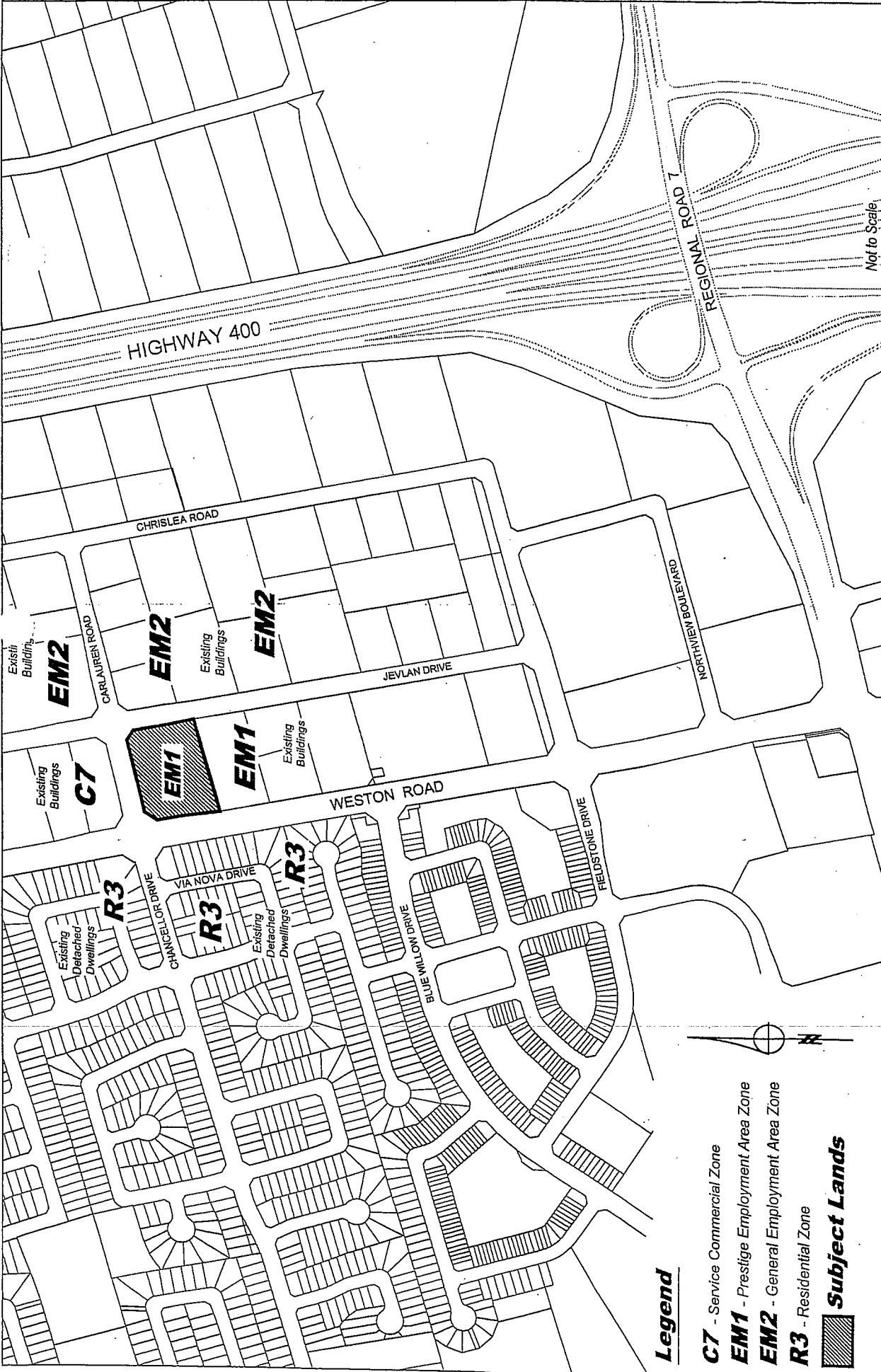
Respectfully submitted,

JOHN ZIPAY  
Commissioner of Planning

MARCO RAMUNNO  
Director of Development Planning

/LG

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Not to Scale

**Legend**

- C7** - Service Commercial Zone
- EM1** - Prestige Employment Area Zone
- EM2** - General Employment Area Zone
- R3** - Residential Zone

**Subject Lands**

**Location Map**

Part Lot 8,  
Concession 5  
APPLICANT:  
MONTECASSINO LIMITED  
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City of  
**Vaughan**

Development Planning Department

**Attachment**

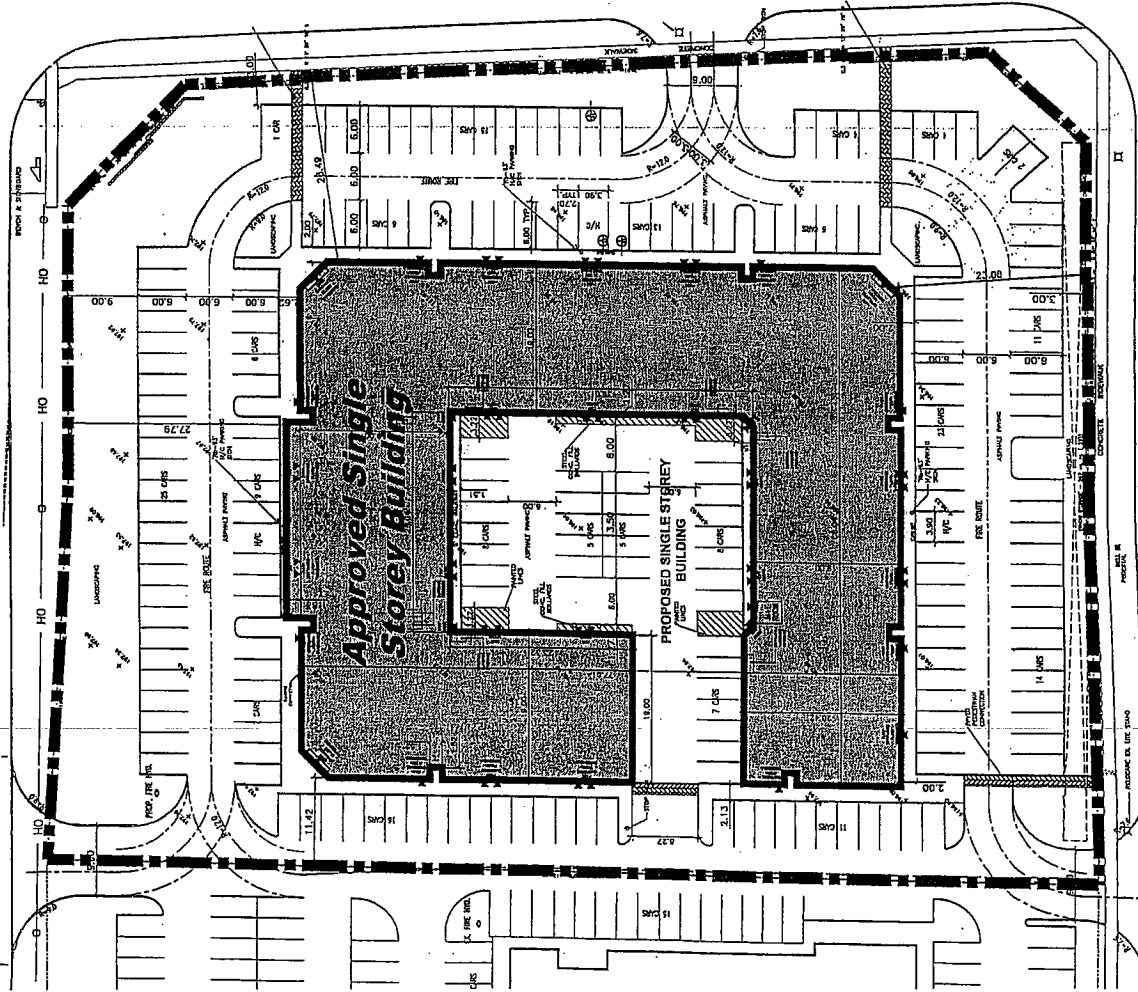


FILE No.: Z.06.003  
RELATED FILE(S):  
19CDM-06V01 &  
DA.05.005  
February 6, 2006

WESTON ROAD

CARLAUREN ROAD

JEVLAN DRIVE



**Legend**

**----- Subject Lands**

Not to Scale

**Site Plan - Approved by  
Council June 8, 2005**

APPLICANT:  
MONTECASSINO LIMITED  
Part Lot 8,  
Concession 5

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City of  
**Vaughan**

Development Planning Department

**Attachment 2**  
FILE No.: Z.06.003  
RELATED FILE(S):  
19CDM-06V01 &  
DA.05.005  
February 6, 2006