

COMMITTEE OF THE WHOLE JUNE 4, 2001

OFFICIAL PLAN AMENDMENT APPLICATION OP.00.001 ZONING BY-LAW AMENDMENT APPLICATION Z.99.093 REPORT #P.2000.25 STONEMARK INVESTMENTS LIMITED

Recommendation

The Commissioner of Planning & Urban Design recommends:

THAT Official Plan and Zoning By-law Amendment Applications OP.00.001 and Z.99.093 (Stonemark Investments Limited) BE REFUSED.

Purpose

On December 14, 1999, the Owner submitted an application to amend the Zoning By-law to rezone the subject lands to C7 Service Commercial Zone, with the following additional uses:

- Dry cleaners (clothing care establishment);
- Hardware store;
- Photography store;
- Paint and wallpaper/home decorating store;
- Smoke shop;and,
- previously wine/beer brew on premises (now deleted from application)

The proposed development is for a 6,038.3m² multi-unit building, with 383 parking spaces. Exceptions to the C7 Zone standards (eg. parking spaces, yards, landscape strip and loading spaces facing Highway #400) would also be required to implement the concept plan.

On January 28, 2000, the Owner submitted a corresponding application to amend the Official Plan to permit a "Service Node" on the subject lands, and to exceed the maximum 1.2 ha area permitted for 3.78 ha (including the subject lands). The effect of the proposal is to expand the existing 1.6 ha service node (189 and 199 Chrislea Road) to form a combined 3.78 ha node, including the subject lands.

Background - Analysis and Options

Application History

On July 6, 1998, Council approved the building elevations for a 10, 280 m² industrial building (Site Plan File DA.98.049) on the subject lands, in conformity with the "Prestige Area" designation of the Official Plan and the EM1 Zone. Stonemark did not proceed to finalize the Site Plan Agreement.

In 1999, Stonemark sold the adjacent 1.6 ha parcel to the northwest, which was zoned C7 Service Commercial Zone. The new owner (Battcorp Vaughan) continued with the Zoning Application (File Z.98.054) initiated by Stonemark, to permit additional uses in the C7 Zone, including a "car brokerage" use. On July 11, 2000, Council approved that application.

Location

- Southwest corner of Langstaff Road and Highway # 400
- Lot 32, Registered Plan 65M-2588 (641 Chrislea Road)
- Lot 10, Concession 5, City of Vaughan

Land Use Status

- Designation - "Prestige Area" by OPA #450
- Zoning - EM1 Prestige Employment Area Zone by By-law 1-88

Site Description

- an irregular-shaped, 2.14 ha vacant lot
- 95m frontage on Chrislea Road, 167m depth and 115m abutting the Highway #400 ramp
- the surrounding land uses are:

North - Langstaff Road ramp to Highway #400; service commercial (C7 Service Commercial Zone) and vacant (A Agricultural Zone)

South - employment (EM1 Prestige Employment Area Zone)

East - Highway # 400; employment (EM1 Zone)

West - Chrislea Road; service commercial (C7 Zone) and employment (EM2 General Employment Area Zone)

Public Hearing

On January 28, 2000, a notice of public hearing was circulated to all property owners within 120m of the subject lands. To date, two letters have been received, with the following issues:

- the proposed strip plaza would result in a variety of commercial uses at odds with those of a prestige employment area;
- the enlarged service node would have an adverse impact upon other approved employment and service commercial sites;
- the site is not located at an intersection, but rather on an internal street, which will set a precedent for similar applications, causing a "domino" effect in the area; and,
- the "wine/beer brew on premises establishment" will compromise the prestige nature of this wine-making area by offering a product that can only do harm to the areas' reputation and tourist -draw (note: this use has since been withdrawn by the applicant)

The recommendation of the Committee of the Whole on February 21, 2000, to receive the public hearing and forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Council on February 28, 2000.

Planning Review

Official Plan

The subject lands are designated "Prestige Area" by OPA #450, which accommodates uses that require a high visual profile and are located along arterial roads and provincial highways. Furthermore, OPA #450 recognizes that service nodes provide a commercial function for the day-to-day needs of business, industries and their employees. As such, the policies provide for nodes accessory to the employment area having a maximum area of 1.2 ha and located at the intersection of arterial and collector roads.

In this situation, a service node of 1.6 ha has been appropriately established at the Langstaff Road entrance to the employment area, immediately to the northwest of the subject lands. The proposed rezoning would effectively enlarge this node to 3.78 ha, and the subject lands have access only from an internal employment area road.

The Official Plan allows service commercial nodes to exceed 1.2 ha only when being developed in conjunction with a predominant employment area use, such as an office complex, retail warehousing establishment or hotel. In this case, the form of development proposed is a strip plaza, with no anchor use.

As such, the proposal does not conform to the service commercial policies of the Official Plan in terms of the size and location of the node. Also, the proposal is contrary to the intent of the Official Plan to maximize the potential of well-positioned, designated lands for prestige employment development.

Zoning

The application proposes a change in zoning from EM1 to C7 Zone and for additional uses not normally permitted in the C7 Zone. Also, exceptions are required to the C7 Zoning standards required to implement the proposed development on the site. The conceptual site layout is deficient in the minimum rear yard, the depth of parking spaces, the width of the landscape strip abutting Chrislea Road, and loading spaces being located between a building and Highway #400. Any further exceptions would be identified through the site plan process.

Market Need

Service node uses provide for day-to-day convenience and service needs of the business industries and their employees. A service node of this size, without market justification, could detract from the activity at the service and neighbourhood commercial zones along the north and south sides of Langstaff Road. Within the immediate vicinity, are three approved service commercial sites, two of which have exceptions permitting additional uses beyond the permitted C7 zone uses.

Rezoning the subject lands could contribute to the erosion of the market share of existing commercial lands by deflecting commercial uses to the lower tax-based industrial area, thereby hindering the viability of these commercial areas in the long-run. More important, the subject lands would be lost to employment use, particularly when there is already an under-supply of ready employment lands along the Highway #400 corridor.

Precedent

Approval of this application could set an unnecessary precedent for similar applications of other internal sites within the employment areas. The surrounding area would best be served by developing the subject lands with employment uses in compliance of the Official Plan and zoning controls.

There are a limited number of sites designated for prestige employment uses with Highway #400 exposure and Staff recommend that this supply not be depleted. Also, there is a limited supply for single lot users which should also not be eroded by way of changes to the Zoning By-law.

Conclusion

Staff have reviewed the applications, and cannot support the proposed amendments to the Official Plan and Zoning By-law to permit additional service commercial lands within the interior of an employment area. The approved C7 Zone lots in the immediate area seem excessive and the subject site is not immediately accessible to an external road or intersection. More particularly, Staff is concerned about the loss of prime employment opportunity adjacent to Highway #400, which is already in short supply.

Therefore Staff recommends refusal of Official Plan and Zoning By-law Amendment Applications OP.00.001 and Z.99.093, respectively. Should the Committee concur, the recommendation can be adopted.

Attachments

1. Location Map
2. Site Plan

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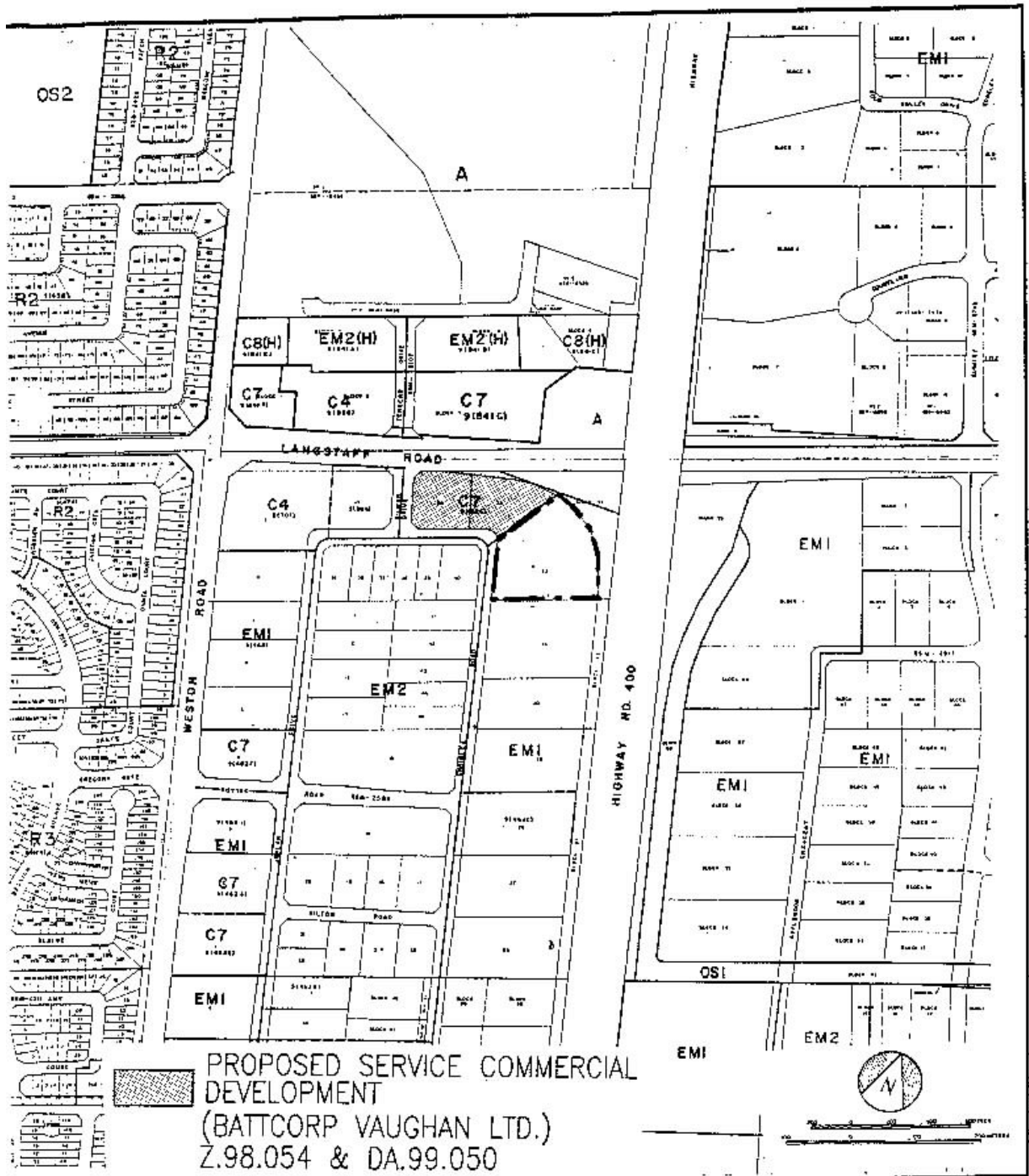
Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning & Urban Design

JOANNE R. ARBOUR
Director of Community Planning

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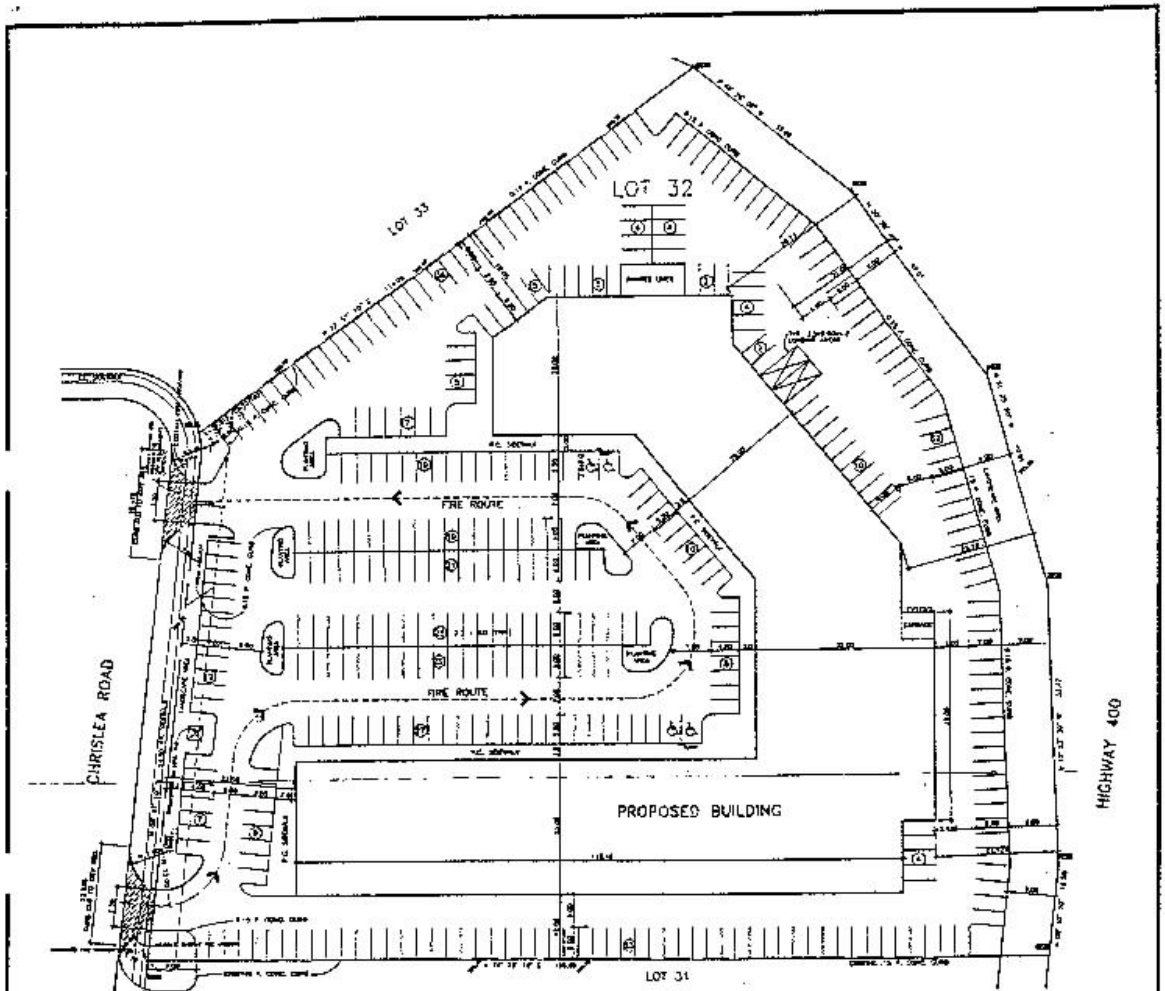
PROPOSED SERVICE COMMERCIAL
 DEVELOPMENT
 (BATTCORP VAUGHAN LTD.)
 Z.98.054 & DA.99.050

 SUBJECT LANDS

ATTACHMENT '1'
 LOCATION MAP
 CITY OF VAUGHAN PLANNING DEPARTMENT

FILE #: Z.99.093
 REPORT #:
 LOCATION: FT. LT.10, CONC.5
 DATE: 99/12/20

APPLICATION:
 STONEMARK INVESTMENTS LTD.



SITE AREA = 21,345.33 S.M. (2.14 Ha.)
 BUILDING AREA = 6,038.30 S.M. (64,998.26 S.F.T.)
 PARKING:
 TOTAL REQUIRED = 383 SPACES
 TOTAL PROVIDED = 383 SPACES
 (4 HANDICAPS INCLUDED)
 COVERAGE = 28.28%



 SUBJECT LANDS

ATTACHMENT '2' SITE PLAN	FILE #: Z.99.093	REPORT #:
	LOCATION: PT. LT.10, CONC.3	
DATE: 99/12/20		
NOT TO SCALE		

APPLICATION:
STONEMARK INVESTMENTS LTD.

CITY OF VAUGHAN PLANNING DEPARTMENT

