

COMMITTEE OF THE WHOLE JUNE 18, 2001

**ZONING BY-LAW AMENDMENT APPLICATION
REPORT #P.2001.29
GATEWOOD HOLDINGS LTD.
FILE: Z.01.017**

Recommendation

The Commissioner of Planning recommends:

THAT Zoning By-law Amendment Application Z.01.017 (Gatewood Holdings Ltd.) BE APPROVED, subject to the following conditions:

- a) that the implementing by-law include:
- i) a maximum of 20% of the gross floor area of the building to be devoted to eating establishment uses; and,
 - ii) the minimum number of parking spaces on site to be 149.

Purpose

On February 16, 2001, the Owner submitted a application to amend the Zoning By-law to permit additional eating establishment uses within a 3151.47 m², multi-unit, service commercial building. A total gross floor area of 1,115 m² (35%) devoted to the use is proposed, with no restrictions on the number of eating establishments, whereas the by-law currently limits this site to one (1) eating establishment.

Background - Analysis and Options

Location

- Northeast Corner of Regional Road No. 7 and Creditstone Road
- Part 6 on Plan 65R-8935 (2780 Regional Road No. 7)
- Part of Lot 6, Concession 4, City of Vaughan

Land Use Status

- Designation - "Corporate Centre District" by OPA No. 500 (Vaughan Corporate Centre Secondary Plan)
- Zoning - C7 Service Commercial Zone by By-law 1-88, subject to Exception 9(429)

Site Description

- a square-shaped, 0.76 ha site, with 73.8 m frontage on Regional Road No. 7 and McCleary Court, and 58.2 m flankage on Creditstone Road
- developed with a 2-storey, 3151.47 m² multi-unit building
- the surrounding land uses are:

North - McCleary Court; employment (EM1 Prestige Employment Area Zone)
South - Regional Road No. 7; employment (EM1 Prestige Employment Area Zone)
East - employment (EM1 Prestige Employment Area Zone)
West - Creditstone Road; commercial (C7 Service Commercial Zone)

Public Hearing

On March 16, 2001, a notice of public hearing was circulated to all property owners within 120 m of the subject lands. To date, no comments have been received. The recommendation of the Committee of the Whole at the Public Hearing on April 10, 2001, to receive the public hearing and forward a comprehensive report to a future Committee meeting, was ratified by Council on April 17, 2001.

Official Plan

The subject lands are designated "Corporate Centre District" by OPA No. 500, which provides opportunities for land uses that require visual exposure, good vehicular accessibility and large development sites, and permits uses such as office commercial, service uses, retail, night clubs and entertainment uses, and eating establishments, subject to controls established in the Zoning By-law. The proposal conforms to the policies of the Official Plan.

Zoning

The subject lands are zoned C7 Service Commercial Zone by By-law 1-88, subject to Exception 9(429). The C7 Zone permits a variety of commercial uses, however, the site specific exception limits the permitted uses on site to a business and professional office building having a maximum gross floor area of 3,152 m², and containing:

- one (1) restaurant;
- one (1) bank;
- business and professional offices;
- 1,223 m² of ground floor retail; and,
- 1,505 m² of furniture showroom with accessory spray booth and repair room on the second floor.

A zoning by-law amendment is required to permit more than one eating establishment, to a maximum gross floor area of 1,115 m².

Site Plan

The subject lands are developed with a 2-storey, 3151.47m² multi-unit building, with 1,647.31 m² of the ground floor and 1,504.16 m² of second floor space. Presently, the ground floor is occupied with three eating establishments, a real estate office, and a 599.21 m² vacant unit. Combined, the three eating establishments equal 19.75% (622.43 m²) of the total building, and 37.78% of the ground floor. The second-storey is fully occupied with a furniture showroom, an accountant's office, and a real estate office.

The building has an irregular-shape and faces all 3 abutting roads. The site has full ingress/egress access on both Creditstone Road and McCleary Court, and a right-in only access on Regional Road No. 7. Parking is provided around the entire lot, with the majority situated on the north side of the building.

Parking

The site plan was approved and developed with 151 parking spaces. With the addition of a one-way entrance on Regional Road No. 7, the number of parking spaces was reduced to 149.

With the proposal to allocate additional gross floor area to eating establishments, it is necessary to recalculate the required parking for the site based on the shopping center standard, as follows:

Shopping Centre: (Required 3,151.47m ² @ 6 spaces/100m ² GFA)	= 190
Current Number of Spaces:	<u>149</u>
Parking Deficiency:	41(21.6%)

On May 29, 2001, a parking study prepared by Mark Engineering was submitted to determine if the existing number of parking spaces on the site could accommodate 35% (1,115.0m²) of the total gross floor area of the building being devoted to eating establishment uses.

The parking study was conducted between the hours of 11:00 am and 2:00 pm on Friday May 25 and Saturday May 26, 2001. The study was also conducted between 4:00 pm and 8:00 pm on the Friday. During the study period, the maximum number of spaces utilized was 48, being at 12:30 pm on Friday afternoon.

The parking study concluded that the additional gross floor area allocated to the eating establishment use would likely require an additional 31 spaces, resulting in a maximum peak parking of 79 parking spaces.

The Engineering Department has reviewed the parking study, and advised that the proposed change increase of the gross floor area devoted to eating establishment uses can be accommodated by the existing parking supply.

Planning Considerations

The building at present is not fully occupied, and the by-law permits uses which generate a need for increased parking. The Owner has proposed 35% of the total gross floor area to be devoted to eating establishment uses. When parking is calculated at the shopping centre rate, it takes into account high volume uses with a shared parking arrangement. On large sites, which can provide extensive parking, the shopping center parking, assuming shared and peak parking trends, is appropriate. However, on smaller sites where a significant percentage of the gross floor area is devoted to high parking users, the impact is relatively substantial.

The subject lands is limited to 149 spaces. Staff can support the proposed amendment to eliminate the restriction to one eating establishment and to replace it with a maximum of 20% gross floor area devoted to this use. This would be in keeping with other commercial zones in By-law 1-88, and decisions made by Council on applications of a similar nature. The maximum 20% standard would permit the existing three eating establishments to remain on the subject lands, but no further floor area could be used for eating establishments.

Conclusion

Staff have reviewed the proposed Zoning By-law Amendment application to permit additional gross floor area within the building to be devoted to eating establishment uses. The proposal for 1,115 m² or 35% of the building devoted to eating establishment uses is considered excessive. Staff can support a maximum of 20% of the building to be devoted to eating establishment uses, consistent with the approach taken on other sites. Therefore, Staff recommends approval of the Zoning By-law Amendment Application, subject to conditions. Should the Committee concur, the recommendation in this report can be adopted.

Attachments

1. Location Map

2. Site Plan

Report prepared by:

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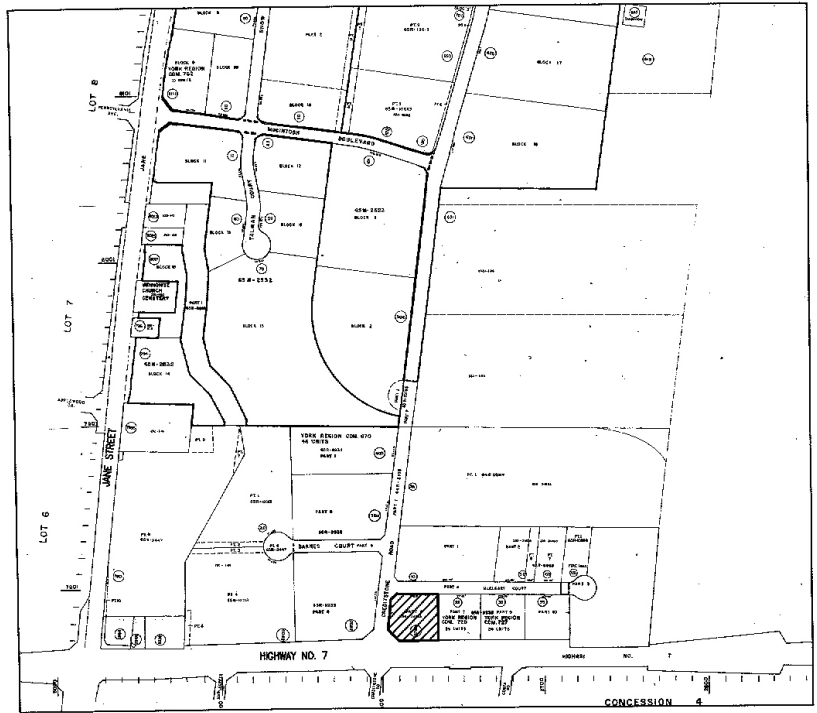
Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

JOANNE R. ARBOUR
Director of Community Planning

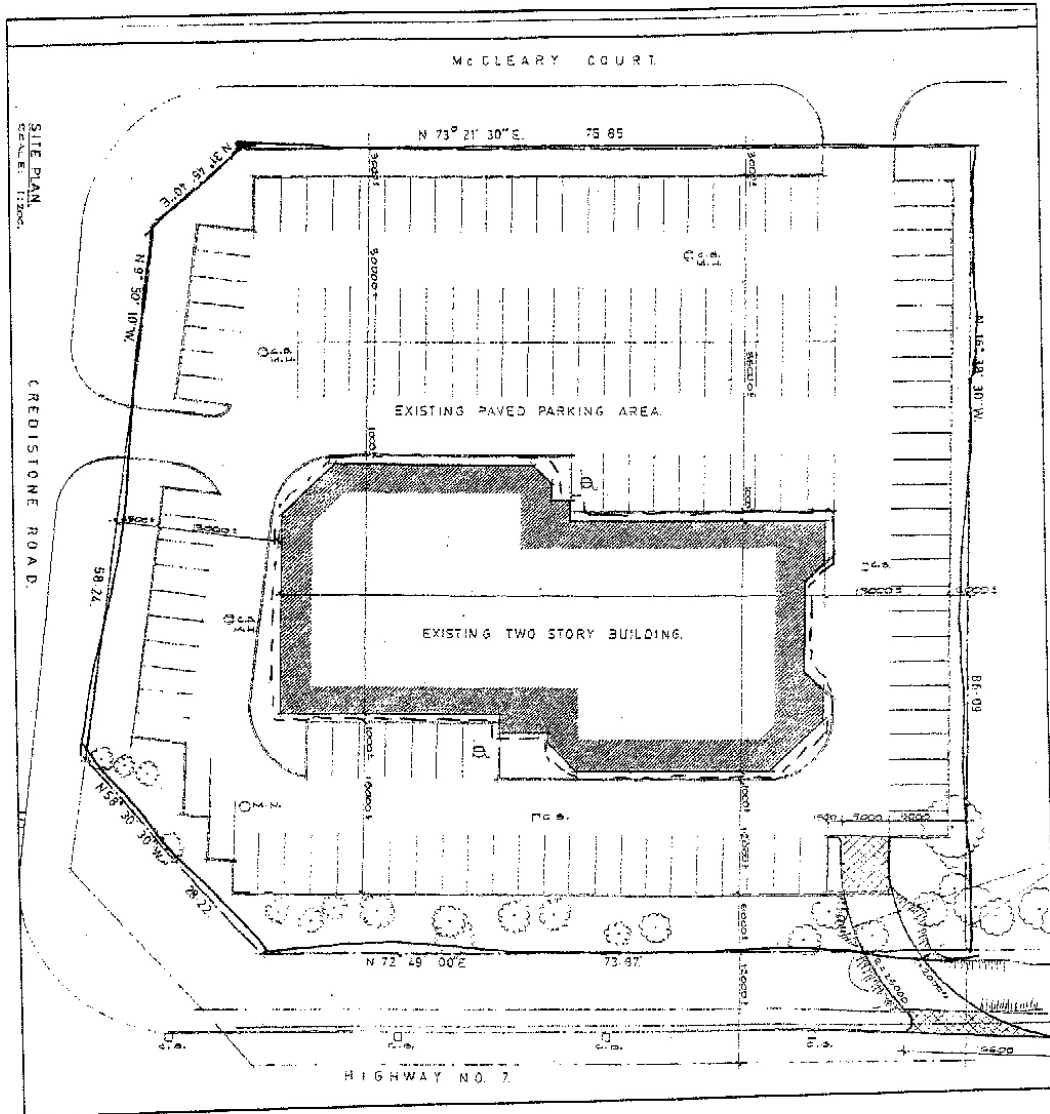
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ATTACHMENT "1" LOCATION MAP	FILE #:	REPORT #:	SUBJECT LANDS	DATE: 01/03/12
	Z.01.017	LOCATION: LOT 6, CONC. 4		CITY OF VAUGHAN PLANNING DEPARTMENT

DATE: 01/03/12
SCALE: NOT TO SCALE



ATTACHMENT "2"
SITE PLAN

FILE #:	REPORT #:
Z.01.017	LOCATION: LOT 5, CONC. 4

CITY OF VAUGHAN
PLANNING DEPARTMENT

APPLICANT:
GATEWOOD HOLDINGS LTD.

DATE: 01/03/12
SCALE: NOT TO SCALE