

COMMITTEE OF THE WHOLE AUGUST 20, 2001

**OFFICIAL PLAN AMENDMENT APPLICATION
ZONING BY-LAW AMENDMENT APPLICATION
REPORT #P.2000.91
PARENTELA HOLDINGS LTD.
FILES: OP.00.017 AND Z.00.059**

Recommendation

The Commissioner of Planning recommends:

THAT Official Plan Amendment Application OP.00.017 (Parentela Holdings Ltd.) BE APPROVED, to permit the additional commercial uses identified in the Staff report, on the subject lands.

THAT Zoning By-law Amendment Application Z.00.059 (Parentela Holdings Ltd.) BE APPROVED IN PRINCIPLE, and that the specific list of commercial uses and maximum allowable gross floor area, limits of the C6 Zone and proposed EM2 and EM2(H) Zones, dedication of the north/south road in the westerly portion of the property, and appropriate site design layout including any necessary exceptions, be considered together with a site plan application and addressed in a future report to the Committee of the Whole.

Purpose

On July 24, 2000, the Owner submitted applications to amend the Official Plan and Zoning By-law to permit the following retail commercial uses, and exceptions to the C6 Highway Commercial Zone, on the subject lands:

- wedding attire (gowns and tuxedos);
- footwear;
- hair and beauty salon;
- dry cleaners;
- photography/videography;
- florist;
- gift shop and wedding decorations;
- livery service;
- disc jockey;
- travel agency;
- eating establishment (including a bakery/ice cream parlour, sports bar, and fast food with drive-through);
- maximum driveway access width comprising 2-inbound lanes (8.49 m) and 2-outbound lanes (8.49 m), whereas the by-law maximum is 7.5 m in total; and,
- minimum northerly interior side yard of 7.23 m, whereas the by-law requires 10 m

The 3.58 ha site is developed with the Le Jardin banquet hall. Three additional buildings, two multi-unit and one drive-through eating establishment, are proposed to accommodate the above uses.

Background - Analysis and Options

The subject lands are located on the west side of Highway #27, south of Langstaff Road, being 8440 Highway #27, in Part of Lot 10, Concession 9, City of Vaughan.

The subject 3.58 ha parcel is rectangular-shaped, with 91 m frontage on Highway #27. The site is developed with a free-standing banquet hall located adjacent to Highway #27, with 437 parking spaces to the north and west. The surrounding land uses are:

North – vacant, agricultural (A Agricultural Zone)
South – vacant, employment subdivision plan 19T-89063(R) (A Agricultural Zone)
East – Highway #27; residential (R4 Residential Zone)
West – vacant (A Agricultural Zone)

On September 8, 2000, a notice of public hearing was circulated to all property owners within 120m of the subject lands and to the West Woodbridge Homeowners' Association. To date, two responses have been received, from a landowner in the participating block plan and the Kipling Ratepayers Association, with the following comments (as summarized):

- that vehicular access be obtained from an internal road initiating at Regional Road #7, and not from Highway #27;
- that an eating establishment with drive-through not obtain direct access from Highway #27, but if permitted, that a centre-median be placed along the entire length of Highway #27 to Regional Road #7;
- that a video store not provide for adult-oriented videos;
- that traffic from the subject lands not infiltrate into the residential community;
- the applications represent a significant commercial development that was not envisioned in either OPA #450 or the approved Block Plan;
- there is sufficient undeveloped, commercially designated land in the immediate area to accommodate retail commercial uses, and the redesignation of the site to permit retail uses is not appropriate or supportable; and,
- the approval of this application could limit the options for the extension of Highway #427, and that approvals should not be granted until the route for the highway extension has been approved by the Ministry of Transportation Ontario (MTO).

With respect to the above-noted comments, the subject lands are served by one full-movement access on Highway #27, which was approved through previous applications by the MTO and the Region of York. The Block Plan for the area contemplates a second access to the west portion of the site by way of a future north/south collector road between Langstaff Road and Highway #27, which would run through the subject lands. The main site access is not directly opposite any public road into the residential subdivision on the east side of Highway #27. Nickel Gate is located 175 m to the south, opposite the location of the collector road.

A portion of the subject lands on the west side of the collector road should remain vacant until the MTO has completed its environmental assessment and highway route selection for the extension of Highway #427. The proposed uses are specifically identified in the application, and are intended to support the banquet hall business and cater to the wedding industry. A full range of retail uses that are available to serve the broader market, including a video store use, is not proposed.

The recommendation of the Committee of the Whole to receive the Public Hearing held on October 2, 2000, and to forward a comprehensive report to a future Committee meeting, pending the submission of traffic and market studies and the refinement of the Highway #427 corridor study area, was ratified by Council on October 10, 2000. Traffic and market studies were submitted in late May and early June, 2001, respectively.

Official Plan

The front portion of the subject lands is designated "Prestige Area", and the rear portion is designated "Employment Area General" by OPA #450 (Employment Area Plan). The "Prestige Area" policies permit a wide range of industrial, office, business and civic uses, with no outside storage. The "Employment Area General" designation accommodates uses that do not require high visibility, and permits outside storage.

Although the property has two employment designations through the Official Plan, it has an as-of-right zoning (C6 Zone) to permit a banquet hall use. The Owner is proposing retail commercial uses on the front portion of the site, which are related to the banquet hall business and cater to the wedding industry. The Official Plan policies do not permit retail commercial uses within the Employment Area. However, By-law 1-88 permits accessory commercial uses to a maximum of 10% and an eating establishment to a maximum of 20% of the total gross floor area of a banquet hall within the same building. The preliminary site plan contemplates a significant (35.3%) increase in the amount of gross floor area on the site that would be devoted to retail commercial uses, which is not accessory to the main use, and would not be physically located in the same building as the banquet hall. Therefore, an amendment to the Official Plan is required.

Block Plan

On December 9, 1996, Council approved a Block Plan for the Vaughan West Corporate Business Park (VWCBP). The Block Plan establishes the location of a range of industrial and commercial uses, open space blocks, landfill areas, stormwater management facilities, together with a road pattern. The Block Plan shows the subject lands as "Office Commercial", with "Service Commercial" at the westerly end of the site. A road bisects the two designations, and its location is consistent with the Block Plan.

The original mid-block collector, including the Rainbow Creek crossing, was deleted from the Block Plan by Council, on December 9, 1996. The attached composite plan shows a direct link between Highway #27 and Langstaff Road, through the subject lands and the lands to the north and south. The road alignment will require approval from the Engineering Department, the Region of York Transportation and Works Department, and the MTO.

Zoning

The subject lands are zoned C6 Highway Commercial Zone by By-law 1-88, subject to Exception 9(409). The site-specific exception restricts the site to one banquet hall having a maximum gross floor area of 4,855 sq m, with a minimum of 435 parking spaces, and a minimum southerly interior side yard of 9.4 m.

By-law 1-88 defines a "banquet hall" as: "a building or part of a building used for the purpose of entertaining a large assembly of people and where food and liquor may be provided and may also include accessory retail uses including and similar to a photography studio/service, travel agency, disc jockey service, videography service, flower or gift shop, tuxedo rental, limousine rental, provided the total combined floor area of all accessory uses does not exceed ten percent (10%) of the total gross floor area of the building. An eating establishment may be permitted provided the total floor area does not exceed twenty (20%) of the total gross floor area of the building".

The Owner has submitted a preliminary site plan proposing an additional 2,653 sq m of retail commercial space within 3 new buildings, and a total of 646 parking spaces. The uses proposed are consistent with the accessory uses permitted in the banquet hall definition. However, the significant increase in gross floor area for retail commercial uses, which is not accessory to the main use or within separate buildings, requires an amendment to the by-law.

The Owner has submitted a Market Impact Study (MIS) prepared by Emrik H. Suichies and Associates Consulting Economists and Planners, dated March 6, 2001. The MIS indicates that the proposed expansion of the Le Jardin business will allow the establishment to grow into a leading functions/conference centre in the Greater Toronto Area. The MIS indicates that there will be ample residual in the market to support the proposed eating establishments on the site, and significant space elsewhere in the primary trade market. The MIS further indicates that existing area eating establishments and retail will not be impacted by Le Jardin's planned expansion.

The proposed additional retail commercial uses are considered to complement the banquet hall business and cater to the wedding industry, and can therefore be supported in principle. The maximum gross floor area that could be accommodated on the site together with the required parking, must be determined through the review of a site plan application.

In accordance with the Official Plan, it is recommended that the rear portion of the property be rezoned to EM2 Zone for a depth of one industrial lot on the east side of the planned north/south road, and to EM2(H) Zone with the Holding Symbol "H" on the west side of the road. The division between the C6 Zone and EM2 Zone would be confirmed through the review of a site plan application.

Site Plan Concept

Upon preliminary review, it is noted that the proposed layout of the buildings and parking shown on the preliminary site plan, which does not provide for proper vehicular circulation or sufficient aisle widths for 2-way movement and fire route. Also, the drive-through for the eating establishment is located too close to the Highway #27 access, and may pose implications on traffic movement and safety, both on and off-site.

With the Zoning Amendment application approved in principle, the applicant will be able to produce a properly designed site that would give consideration to maximum allowable gross floor area, appropriate location and design of a drive-through for an eating establishment, limits of the employment lands at the rear of the property, and any necessary exceptions to implement the site plan, to be identified in the site plan report.

The final zoning recommendation can then reflect the approved site plan and required exceptions. Staff will be meeting with the Owner's consultant to discuss alternatives to the site layout. Once the site design is clarified, a formal application for site plan approval can be submitted.

Highway #427 Extension

The Cities of Vaughan and Brampton and the Regions of York and Peel have jointly submitted a report entitled "Highway 427 Northerly Extension, Corridor Area Limits Review from Highway 7 to Langstaff Road, Position Paper" to the MTO in December 2000. The study identified the proposed western and eastern-most alignments of a Highway #427 extension, and identified adjacent lands that could be released, or conditionally released for development.

Attachment #5 super-imposes all of the development plans located within the Block Plan area, onto the Highway #427 extension plan prepared by Cole Sherman. The most easterly route of the highway's extension traverses through the west portion of the site, specifically, that portion of the site that is west of the collector road. Accordingly, the potential for these lands to be impacted, will not be known until the MTO has completed its Environmental Assessment and subsequent final determination of the highway's alignment.

Staff have met with the MTO regarding the various subdivision applications in the vicinity as it relates to the future extension of the highway, and are in agreement with the approach of reserving sufficient lands necessary to protect for the extension, while allowing the remaining lands to proceed with development. The subject lands should be treated in a likewise consistent manner using a holding zone provision.

Servicing

The site has access to municipal services, including sanitary and storm sewers, water and hydro. A detailed review of the site servicing and grading and stormwater management to facilitate

additional development on the site would commence with the submission of a site plan application.

Transportation

The Engineering Department has reviewed the Transportation Impact Assessment (TIS) prepared by Cansult Limited, dated May 30, 2001. The TIS indicates that the future predicted site traffic can be facilitated by the existing site access. The construction of a centre left-turn lane on Highway #27 will further assist left-turn maneuvers into and out of the site. Accordingly, Engineering Staff is satisfied with the conclusions of the TIS.

The Region of York Transportation and Works Department has jurisdiction over Highway #27, and must approve the TIS, prior to site plan approval. The Regional Development Review Committee has no objection to the proposed applications.

The MTO has not provided comments on the applications, however based on the approach to the surrounding development application, the lands in the westerly portion of the site will be subject to a Holding provision (EM2-H Zone), pending the resolution of the Highway #427 extension by the MTO.

As a condition of the approval of the zoning amendment application, the north/south collector road in the westerly portion of the site would be required to be dedicated to the City as public highway. Details of the road alignment would be confirmed through the site plan application.

Conclusion

Staff have reviewed the Official Plan and Zoning By-law Amendment applications in accordance with OPA #450, the Block Plan, and the provisions of By-law 1-88, as well as, the existing and proposed developments in the surrounding area. A Market Impact Study and Transportation Impact Assessment have been submitted in support of the additional uses on the subject lands. Staff considers the proposed retail commercial uses to be appropriate in principle, and in keeping with the planned Vaughan West Corporate Business Park.

The additional retail commercial uses would complement the banquet hall business and cater to the wedding industry. It is recommended that the rear portion of the property be rezoned to EM2 Zone for a depth of one industrial lot on the east side of the planned north/south road, and to EM2(H) Zone with the Holding Symbol "H" on the west side of the collector road, to be consistent with the Official Plan. The limits of the C6 Zone and proposed EM2 and EM2(H) Zones will be confirmed through the review of a site plan application, together with commercial gross floor area on the front portion of the C6 Zone lands. A Holding provision is recommended to be placed on the EM2 Zone west of the planned collector road, pending the resolution of the Highway #427 extension by the MTO.

The proposed layout of the buildings and parking shown on the preliminary site plan, does not appear to provide for proper vehicular circulation or sufficient aisle widths for 2-way movement and fire route. Also, the drive-through for the eating establishment is located too close to the Highway #27 access, and may pose implications on traffic movement and safety, both on and off-site. These matters should be addressed through the site plan application.

At this time, Staff can support the approval of the Official Plan Amendment application and the approval in principle of the Zoning Amendment application. It is appropriate that formal approval of the zoning application and enactment of the implementing by-law be withheld subsequent to a site plan application being approved by Council. This would allow the applicant to produce a properly designed site that would give consideration to maximum gross floor area, appropriate location and design of a drive-through for an eating establishment, limits of the employment lands

at the rear of the property and dedication of the portion of the north/south collector road, and any necessary exceptions to implement the site plan, to be identified in the site plan report.

Should the Committee concur, the recommendation in this report can be approved.

Attachments

1. Location Map
2. Preliminary Site Plan
3. Proposed Zoning (Composite Plan)
4. OPA #450 Schedule
5. Proposed Highway #427 Extension Corridor Plan

Report prepared by:

Grant A. Uyeyama, Senior Planner, Development, ext. 8635
Bianca M.V. Bielski, Manager, Development Planning, ext. 8485

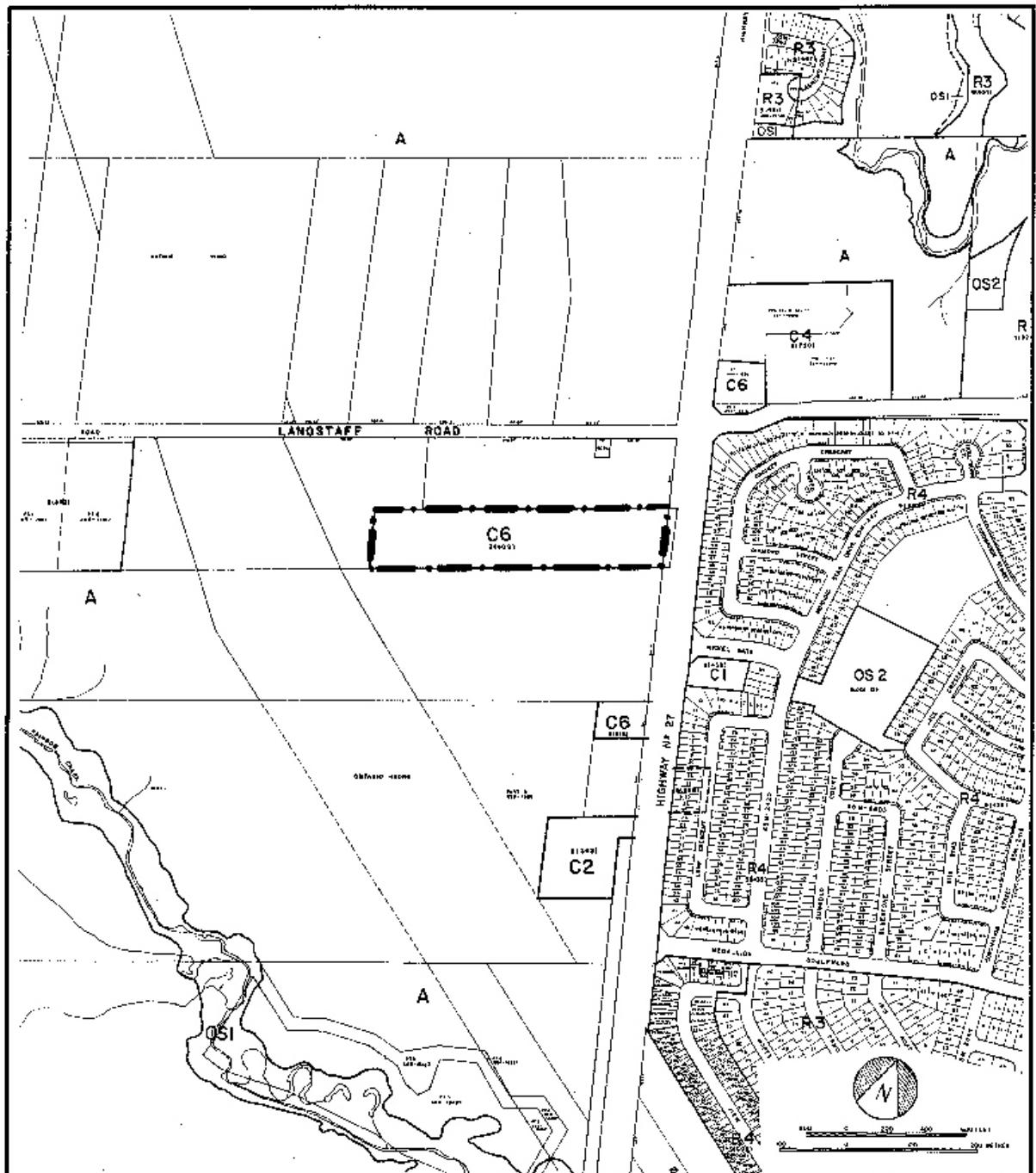
Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

JOANNE R. ARBOUR
Director of Community Planning

/CM

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SUBJECT LANDS

APPLICATION:
PARENTELA HOLDINGS LTD.

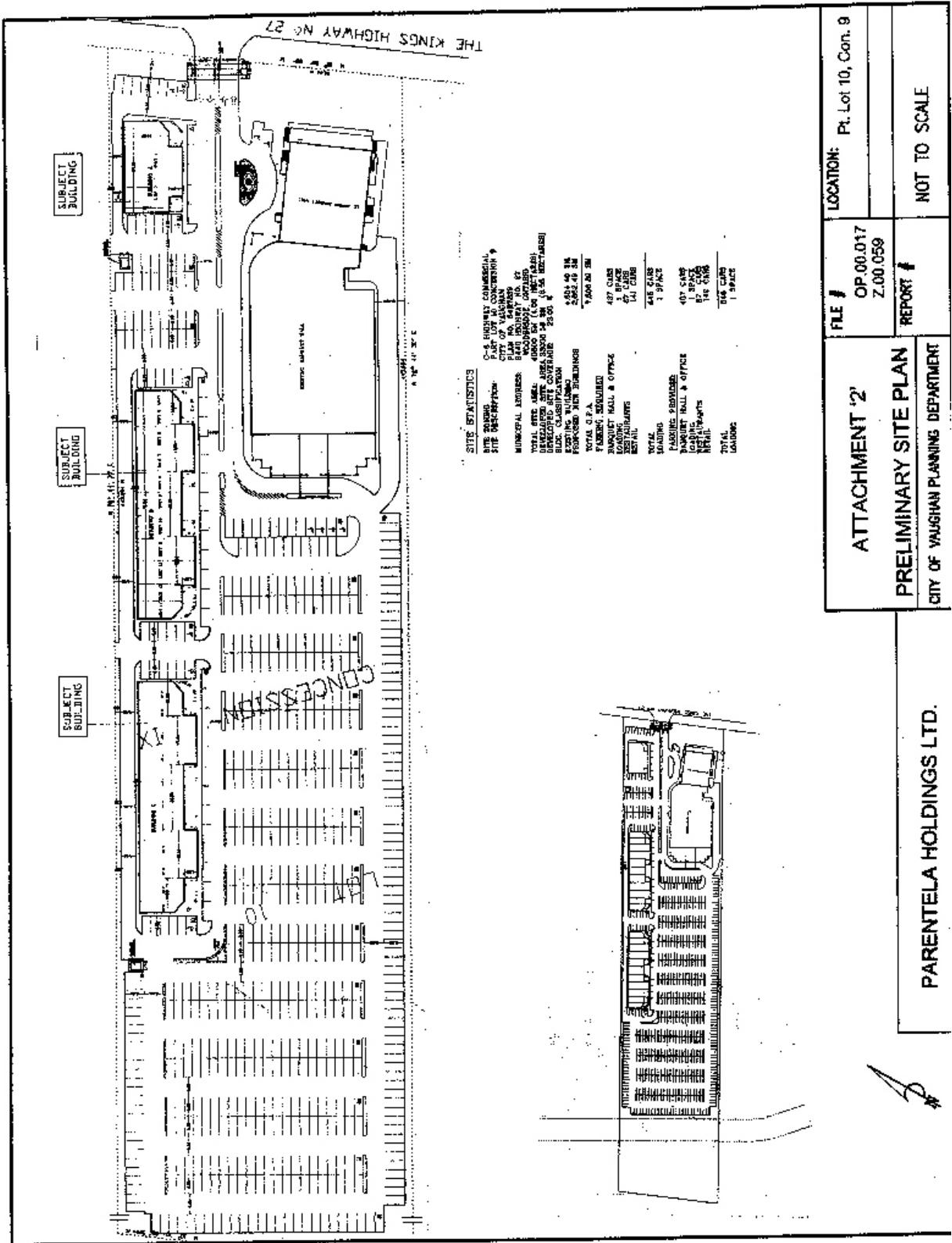
ATTACHMENT '1'
LOCATION MAP

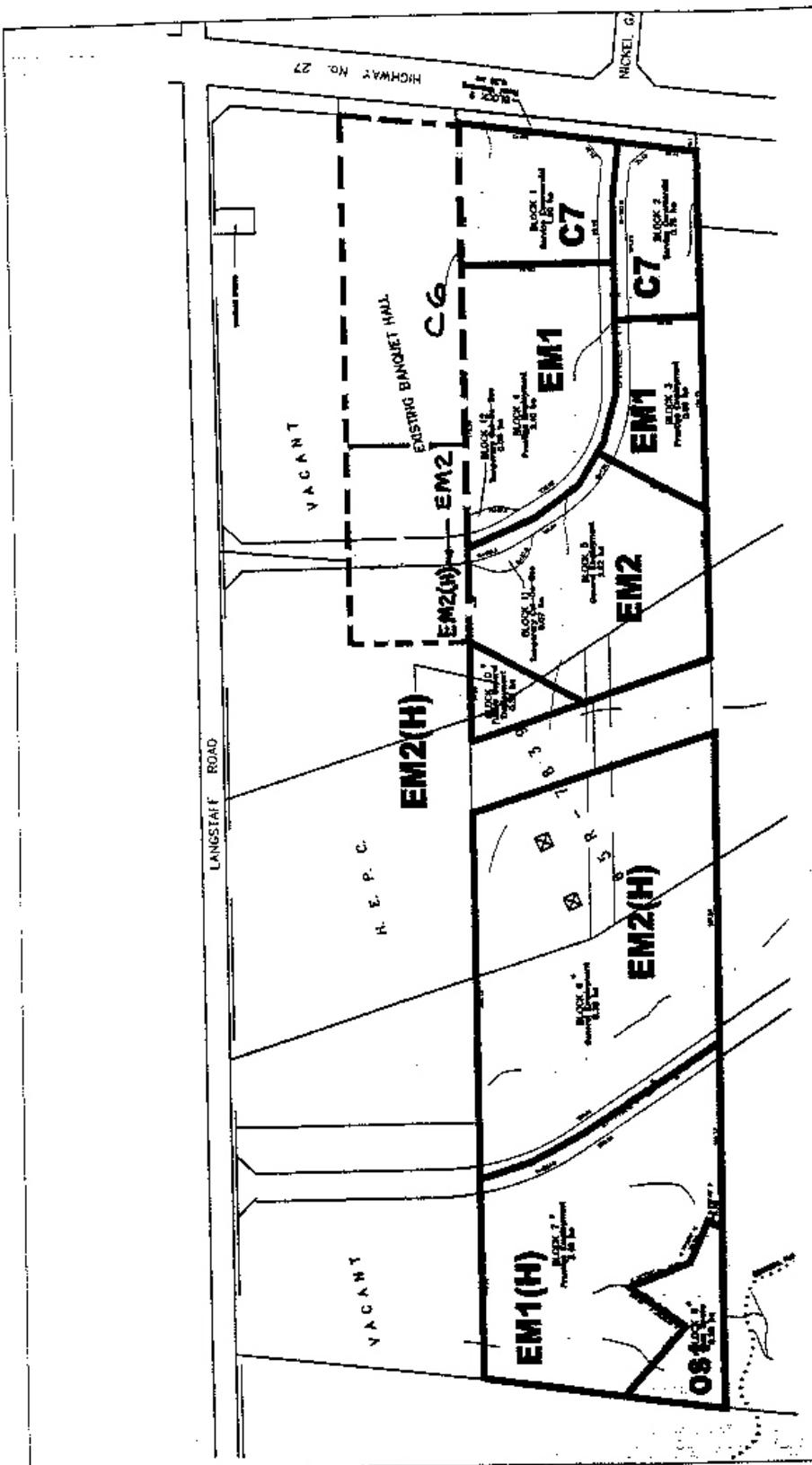
CITY OF VAUGHAN PLANNING DEPARTMENT

FILE #:
Z.00.059

REPORT #:
LOCATION:
PT. LT.10, CONC.9

DATE: 00/06/06





ATTACHMENT "3" **FILE #:** **REPORT #:**
PROPOSED ZONING **LOCATION:** **LOT 10, CONC. 9**

THIS IS SCHEDULE '2A'
TO AMENDMENT NO. 450
ADOPTED ON 3RD DAY OF OCTOBER, 1995

L.D.JACKSON
MAYOR

J.D.LEACH
COUNCIL

SCHEDULE '2A' EMPLOYMENT AREA (WEST) STRUCTURAL PLAN

REVISED FEBRUARY 26, 1996

— Amendment Area

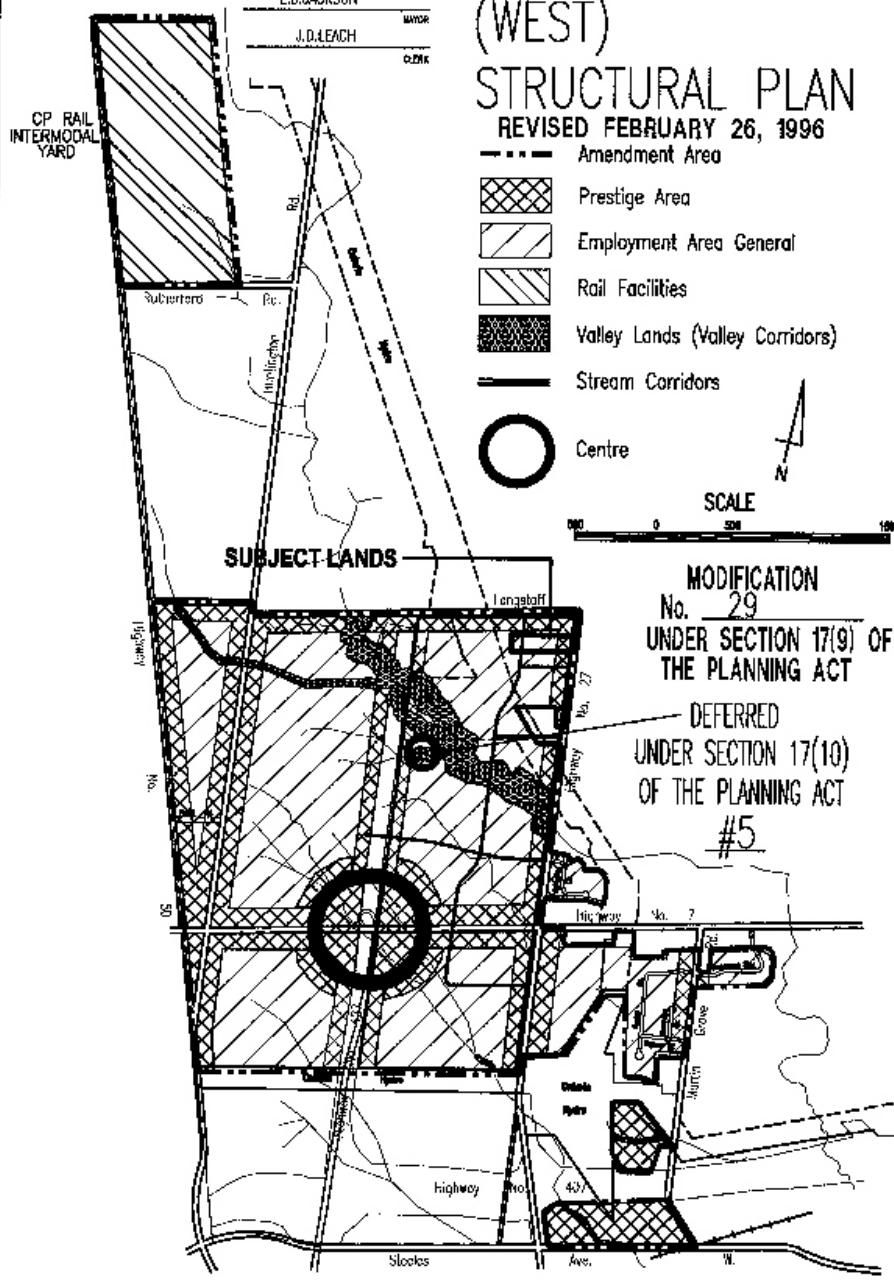
- [Hatched Box] Prestige Area
- [Cross-hatched Box] Employment Area General
- [Diagonal-hatched Box] Rail Facilities
- [Solid Black Box] Valley Lands (Valley Corridors)
- [Solid Line] Stream Corridors

○ Centre



SCALE

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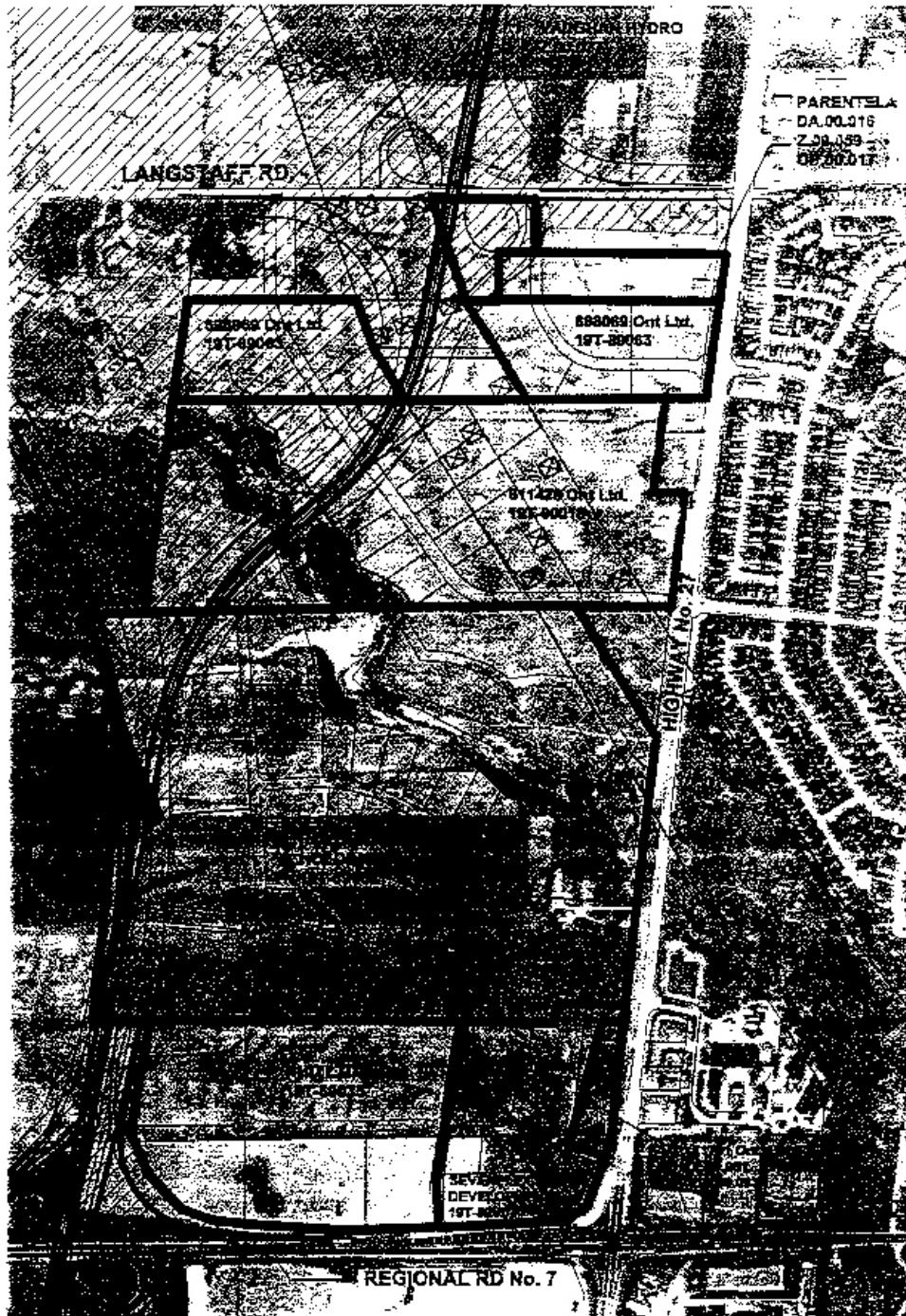
ATTACHMENT "4"
OPA 450

FILE #:	REPORT #:
OP.00.017 Z.00.059	LOCATION: PT LOT 10, CONC. 8

CITY OF VAUGHAN
PLANNING DEPARTMENT

APPLICANT:
PARENTELA HOLDINGS LTD.

DATE: 00/08/19
SCALE: NOT TO SCALE



ATTACHMENT "5" PROPOSED HWY. 427 EXTENSION CORRIDOR PLAN		FILE #:	REPORT #:		
			LOCATION: LOT 10, CONC. 9	CITY OF VICTORIA PLANNING DEPARTMENT	APPLICANT
				DATE: 30/05/2001	SCALE: NOT TO SCALE