

COMMITTEE OF THE WHOLE NOVEMBER 19, 2001

**ZONING BY-LAW AMENDMENT APPLICATION
REPORT #P.2001.66
STONESTAR CORPORATION
FILE: Z.01.064**

Recommendation

The Commissioner of Planning recommends:

THAT Zoning By-law Amendment Application Z.01.064 (Stonestar Corporation) BE APPROVED, to permit the proposed additional service commercial and employment uses, and a minimum parking requirement of 386 spaces.

Purpose

On September 7, 2001, the Owner submitted an application to amend the Zoning By-law to permit the following additional uses in the C7 Zone:

Florist Shop
Photography Studio
Car Brokerage
Employment Use
Accessory Retail Sales to an Employment Use

The uses are proposed for the ground floor of the 3-storey office building on the site. The two employment buildings on the site are not subject to this application.

Background - Analysis and Options

The subject lands are located at the northeast corner of Langstaff Road and Jane Street (8555 Jane Street), being Block 17 on Registered Plan 65M-2724, in Part of Lot 11, Concession 4, City of Vaughan.

The site is designated "Prestige Area" by OPA #450, and zoned C7 Service Commercial Zone by By-law 1-88, subject to Exception 9(1050). The surrounding land uses are:

North - employment (EM1 Prestige Employment Area Zone); Edilcan Drive
South - Langstaff Road; commercial (C8 Office Commercial Zone); employment (EM1 Zone)
East - employment (EM1 Zone)
West - Jane Street; commercial (C7 service Commercial Zone)

On September 14, 2001, a notice a 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 to receive the Public Hearing of October 15, 2001, and forward a comprehensive report to a future Committee meeting, was ratified by Council on October 29, 2001.

Official Plan

The subject lands are designated "Prestige Area" by OPA #450 (Employment Area Plan), and subject to the Service Node policies, which provide for the day-to-day needs of businesses, industries and their employees, and are located at the intersections of arterial roads. The proposed additional uses conform to the Official Plan.

Zoning

The site is zoned C7 Service Commercial Zone by By-law 1-88, subject to Exception 9(1050), which restricts the second and third floors of the subject building to business and professional office uses only. The proposed additional uses are not permitted in the C7 Zone, and therefore an amendment to the Zoning By-law is required to permit these uses on the ground floor of the office building.

Site Plan

The 3.11 ha site consists of three buildings situated in an “L”-shaped configuration. Buildings “A” and “C” are single-storey multi-unit employment use buildings with gross floor areas of 2,994.02 m² and 5,905.87 m², respectively, on lands zoned EM1 Zone. The subject Building “B” is a three-storey, 3,105.55 m² office/service commercial building, which includes 1,030.15m² of ground floor area, on lands zoned C7 Zone.

The subject lands function as a unified site with shared parking, driveway accesses, and aisles. The site is served by five full-movement accesses, one on each of Jane Street, Edilcan Drive and Saramia Crescent, and two on Langstaff Road.

Parking

Subsection 3.8 (a) of By-law 1-88, requires parking to be provided as follows:

Scenario 1:

Building “A” (multi-unit employment use)	2,994.02 m ² @ 2.0/ 100 m ² =	60
Building “B” (commercial use component)	2,112.10 m ² @ 6.0/ 100 m ² =	127
Building “B” (2 nd and 3 rd storey offices)	2,075.40 m ² @ 3.5/ 100 m ² =	73
Building “C” (multi-unit employment use)	3,011.99 m ² @ 1.5/100 m ² =	46
Building “C” (49% maximum accessory office)	<u>2,893.88 m² @ 2.0/100 m² =</u>	<u>58</u>
	Total Required:	364
	Total Provided:	386

The site currently has a surplus of 22 spaces under the existing development scenario. If Building “C” were to use all of the entitled 30% accessory retail sales to an employment use in Building “C”, the site would become deficient by 43 spaces (10.1%).

The Engineering Department has reviewed the proposed application and has no objection, provided the existing parking accommodates the proposed and permitted uses on site.

Planning Staff have visited the site and are satisfied that sufficient parking is available to accommodate both the existing and proposed uses. The proposed uses do not generate a higher parking requirement than those already permitted in the C7 Zone on the ground floor (ie. 6 spaces/100m² GFA), and can therefore be accommodated on site.

Given there are many variables which cannot be accounted for without knowing tenancy, Staff are of the opinion that the existing number of parking spaces (386) on site should be referenced in the By-law as the minimum required. This would eliminate the need for variance applications to the Committee of Adjustment whenever a tenancy change is made in Building “C” which affects the required site parking.

Planning Consideration

Staff have reviewed the proposed uses and have no objection, as such uses are considered to be compatible with the uses permitted in both the C7 and EM1 Zones on the subject lands. Outside storage is not permitted by the Official Plan and Zoning By-law, and therefore all uses will be conducted indoors, including the car brokerage and employment uses. The C7 Zone lands were formerly zoned EM1 which permitted the car brokerage and employment uses as-of-right. These uses are also permitted in Buildings "A" and "C", under the EM1 Zone.

The proposed uses will allow the applicant the flexibility to utilize the ground floor of office Building "B" as a full service commercial or employment use building, or a combination of the two, within an Employment Area setting. Accordingly, Staff can support the zoning amendment to permit the proposed uses of a florist shop, photography studio, car brokerage, and employment use including accessory retail sales.

Conclusion

Staff are satisfied that the proposed zoning amendment to permit additional uses in the C7 Service Commercial Zone on the subject lands is appropriate and in conformity with the Official Plan. The proposed uses are compatible with the C7 and EM1 Zone uses permitted in the three buildings on the overall site, and should not impact the existing supply of parking on the site. The parking supply is currently adequate and is not affected by the proposed additional uses. However, as there is a possibility of causing a deficiency if the employment uses maximize their accessory retail entitlement, it is also recommended that this by-law recognize the current parking supply of 386 spaces.

On the basis of the above, Staff recommend approval of the application to permit the proposed uses, with an exception to recognize the existing parking supply of 386 spaces as the minimum required. 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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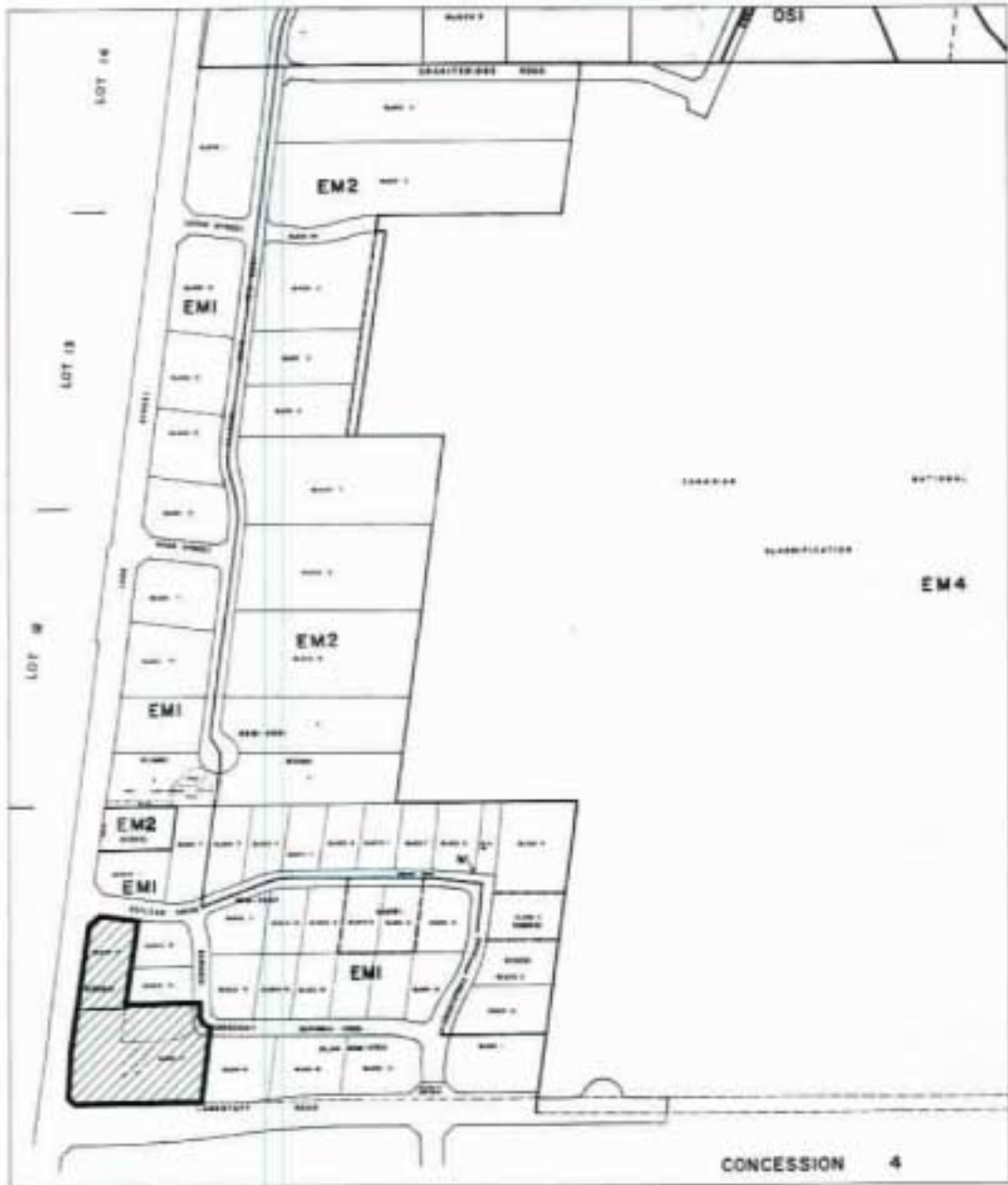
Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

JOANNE R. ARBOUR
Director of Community Planning

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SUBJECT LANDS

ATTACHMENT '1'
LOCATION MAP

FILE #:	REPORT #:
2.01.064	CONCESSION MAP LOT 12, 13, 14
DATE: 01/09/07	
SCALE:	NOT TO SCALE

APPLICATION: STONESTAR CORPORATION

CITY OF WAGHAN PLANNING DEPARTMENT

