

COMMITTEE OF THE WHOLE MAY 1, 2006

**ZONING BY-LAW AMENDMENT FILE Z.06.002
1675865 ONTARIO LTD. (O/A JR QUALITY MEATS AND FINE FOODS)**

Recommendation

The Commissioner of Planning recommends:

THAT Zoning By-law Amendment File Z.06.002 [1675865 Ontario Ltd. (O/A Quality Meats and Fine Foods)] BE APPROVED, subject to the following conditions:

1. The implementing zoning by-law shall:
 - i) permit a retail store on the ground floor of Unit #14, as shown on Attachment #2;
 - ii) permit a second floor in Unit #14 provided that it is used for no purpose other than storage associated with the retail store on the ground floor; and,
 - iii) exempt the second floor from the minimum parking requirement of By-law 1-88.

Economic Impact

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

Purpose

The Owner has submitted a Zoning By-law Amendment Application on the subject lands shown on Attachment #1, to permit a Retail Store use on the ground floor of Unit #14 for the sale of meat, deli, cheese, baked goods and prepared foods, and for catering services; and, to permit the construction of a second floor to be utilized for accessory storage purposes only. Unit #14 is located within a service commercial complex consisting of two existing, one-storey multi-unit buildings as shown on Attachment #2.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located on the east side of Pine Valley Drive, south of Regional Road 7, being Part of Lots 3 and 4 within Registered Plan 65M-2167, in Lot 5, Concession 6, City of Vaughan. Specifically, the application applies to Unit #14 within the northerly multi-unit building, municipally known as 7611 Pine Valley Drive, as shown on Attachment #2. The single-storey unit has a GFA of 126m². The applicant is proposing to construct a full second floor comprising an additional 126m², which would double the GFA of Unit #14 to 252m². The surrounding land uses are:

- North - existing bank and commercial uses (C7 Service Commercial Zone)
- South - existing multi-unit employment building (EM1 Prestige Employment Area Zone)
- East - Rowntree Dairy Road; existing employment uses (EM1 Prestige Employment Area Zone)
- West - Pine Valley Drive; existing commercial uses (C3 Local Commercial Zone and C1 Restricted Commercial Zone)

On January 3, 2006, the Owner submitted a Zoning By-law Amendment Application to amend By-law 1-88, specifically the C7 Service Commercial Zone, Exception 9(864), to permit a retail store use on the ground floor of Unit #14 of the existing one-storey multi-unit building on the subject lands shown on Attachment #2.

On January 26, 2006, the Owner revised the zoning amendment application to permit a second floor within Unit #14 to be used for storage (inventory and equipment), seasonal business use (basket making, etc.) and office space, in addition to the proposed ground floor retail store use, notwithstanding that the number of parking spaces on the subject lands is fixed at 259 spaces, and the creation of additional parking is unavailable.

On March 15, 2006, the Owner further revised the application to clarify that the second floor would be used only for storage purposes, that would be accessory to the ground floor retail store.

Public Hearing

On February 10, 2006, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to all residents along Birch Meadow Outlook, the Vaughanwood Ratepayers' Association, and the Pine Valley Village Ratepayers' Association. To date, no comments have been received.

The recommendation of the Committee of the Whole to receive the Public Hearing report of March 6, 2006, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Council on March 20, 2006.

Official Plan

The subject lands are designated "Highway 7 Commercial Corridor" by OPA #240 (Woodbridge Community Plan), as amended by OPA #345, which permits office buildings, and retail and office uses. The proposed retail store use conforms to the Official Plan.

Zoning

The subject lands are zoned C7 Service Commercial Zone by By-law 1-88, subject to Exception 9(864). A retail store is not a permitted use, and an amendment to the Zoning By-law is required. Also, an exception will be required to not apply the commercial shopping centre parking standard to the proposed 126m² second floor addition, which the applicant is proposing as storage space only.

Planning Considerations

History

Council approved the site-specific zoning and site plan applications for the subject service commercial plaza on May 26, 2003. A Site Plan Agreement was subsequently registered on September 24, 2003. The original site plan proposed a total of 3 buildings including a 3-storey office building, and two, 1-storey multi-unit service commercial buildings. Site-specific Exception 9(864) requires that a minimum of 280 parking spaces be provided for the development.

The original site plan agreement was superseded by an amending agreement dated November 16, 2004, to implement the current site development comprised of two, 1-storey multi-unit service commercial buildings, as shown on Attachment #2. The site-specific parking requirement for a minimum of 280 parking spaces was based on the original proposal. The original Owner applied to the Committee of Adjustment for a parking variance (Application A239/04) to reduce the minimum number of parking spaces for the subject lands from 280 to 259 spaces, which was approved on August 5, 2004.

On June 27, 2005, Council approved a Draft Plan of Condominium (File 19CDM-05V05) in association with the existing development. A Condominium Agreement was registered on October 4, 2005 and the final Condominium Plan was registered on December 14, 2005 as

YRCP No. 1051. Both single-storey buildings are constructed, with finished exterior facades and are unoccupied.

Proposed Uses

The proposed first and second storey floor plans for Unit #14 are shown on Attachments #3 and #4, respectively. The main front floor area is proposed for a retail store for the sale of meat, cheese, baked goods and prepared foods, and catering services, and is comprised of a customer service area including a counter, cashier, meat/deli/dairy cases, and associated work areas. The rear portion of the main floor consists of a work area with a walk-in cooler, table saw and washroom. The second floor that is proposed to be constructed is intended to be used only for storage associated with the main floor retail store use.

As previously stated, the subject lands are designated "Highway 7 Commercial Corridor" by OPA #240 (Woodbridge Community Plan), as amended by OPA #345, which permits office buildings, and retail and office uses. Adding the proposed retail store use within Unit #14 by way a site-specific amendment to the Zoning By-law would conform to the policies of the Official Plan. The proposed retail store use is compatible with and will complement the composition of C7 Zone uses that are permitted as of-right in the commercial complex, and with the surrounding commercial and employment area.

The application also seeks to use a proposed second floor for storage associated with the main retail floor space. The Development Planning Department can support such a request and will limit the use of the second floor to storage use only within the implementing Zoning By-law, as there will be no impact on the existing parking supply, as discussed below.

Parking

Site-specific Zoning Exception 9(864) requires that a minimum of 280 parking spaces shall be provided on the subject lands. A Minor Variance application (File A239/04) was approved in 2004 that reduced the overall parking requirement from 280 to 259 parking spaces for the existing complex that is comprised of 2 multi-unit buildings, which were each approved and constructed as one-storey buildings.

Since December 2005, five (5) unit Owners (not including Unit #14) within the condominium complex have filed Minor Variance applications with the Committee of Adjustment (Files A360/05 – Unit #12, A39/06 – Unit #36, A59/06 – Unit #19, A62/06 – Unit #13 and A75/06 – Unit #7) to permit the expansion of permitted C7 Zone uses in the form of second floor additions without additional parking being required.

The first Minor Variance application was approved on December 8, 2005. The last 4 applications to the Committee of Adjustment were supported with a Parking Study, submitted jointly by the four unit owners. The parking study conducted by Mark Engineering (dated March 2006) concluded that there was sufficient parking on the subject lands to support the proposed second floor additions for commercial uses. The Engineering Department reviewed and approved the Parking Study, and on March 22, 2006, the Committee of Adjustment approved the four Minor Variance applications. The Owner of Unit #14 did not want to participate with the other unit owners, or submit their own parking study to justify their original proposal to construct and utilize a proposed 126m² second floor addition for a combination of office, commercial and storage uses, and as identified earlier, they amended their zoning application to utilize the proposed second floor addition only for storage purposes.

The subject zoning application is to permit a retail store use on the ground floor of Unit #14, and an accessory second floor storage area. When Council approved the site-specific zoning and site plan applications for the subject service commercial plaza on May 26, 2003, the required parking for the permitted C7 Zone uses on the ground floor was based on the "shopping centre standard

of 6 parking spaces per 100m² GFA, which is the same standard that would apply to the proposed retail store use. As such, the proposed retail store use would not generate the requirement for additional parking, and the Owner has requested that the second floor be used for storage purposes only and that no additional parking spaces be associated for storage uses. The Development Planning Department can support such a request as the proposed storage area on the second floor will not generate a need for additional parking and will limit the use of the second floor to storage use only within the implementing zoning by-law.

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 permit a retail store use on the ground floor of Unit #14 for the sale of meat, deli, cheese, baked goods and prepared foods, and for catering services, and the construction of a second floor to be used for storage associated with the retail store use, within the existing multi-unit building shown on Attachment #2. The subject lands are designated "Highway 7 Commercial Corridor" by OPA #240 (Woodbridge Community Plan), as amended by OPA #345, which permits office buildings, and retail and office uses. The proposed retail store use conforms to the Official Plan. The subject lands are zoned C7 Service Commercial Zone by By-law 1-88, subject to Exception 9(864), which permits a range of commercial uses that would be compatible with the proposed retail store use, the latter which will not impact upon the existing parking supply, as the original application of parking on the ground floor was based on the "shopping centre" standard of 6 spaces/100m² GFA, which is consistent with the standard for a retail store use. Furthermore, the Development Planning Department is satisfied that the proposed storage area on the second floor will not generate a need for additional parking. Accordingly, the Development Planning Department can support the approval of the proposed zoning amendment.

Attachments

1. Location Map
2. Site Plan & Unit Location
3. Main Floor Plan – Unit 14
4. Second Floor Plan – Unit 14

Report prepared by:

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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

/CM

Legend

- C1** - Restricted Commercial Zone
- C3** - Local Commercial Zone
- C6** - Highway Commercial Zone
- C7** - Service Commercial Zone
- EM1** - Prestige Employment Area Zone
- EM2** - General Employment Area Zone
- R3** - Residential Zone
- R4** - Residential Zone

Subject Lands

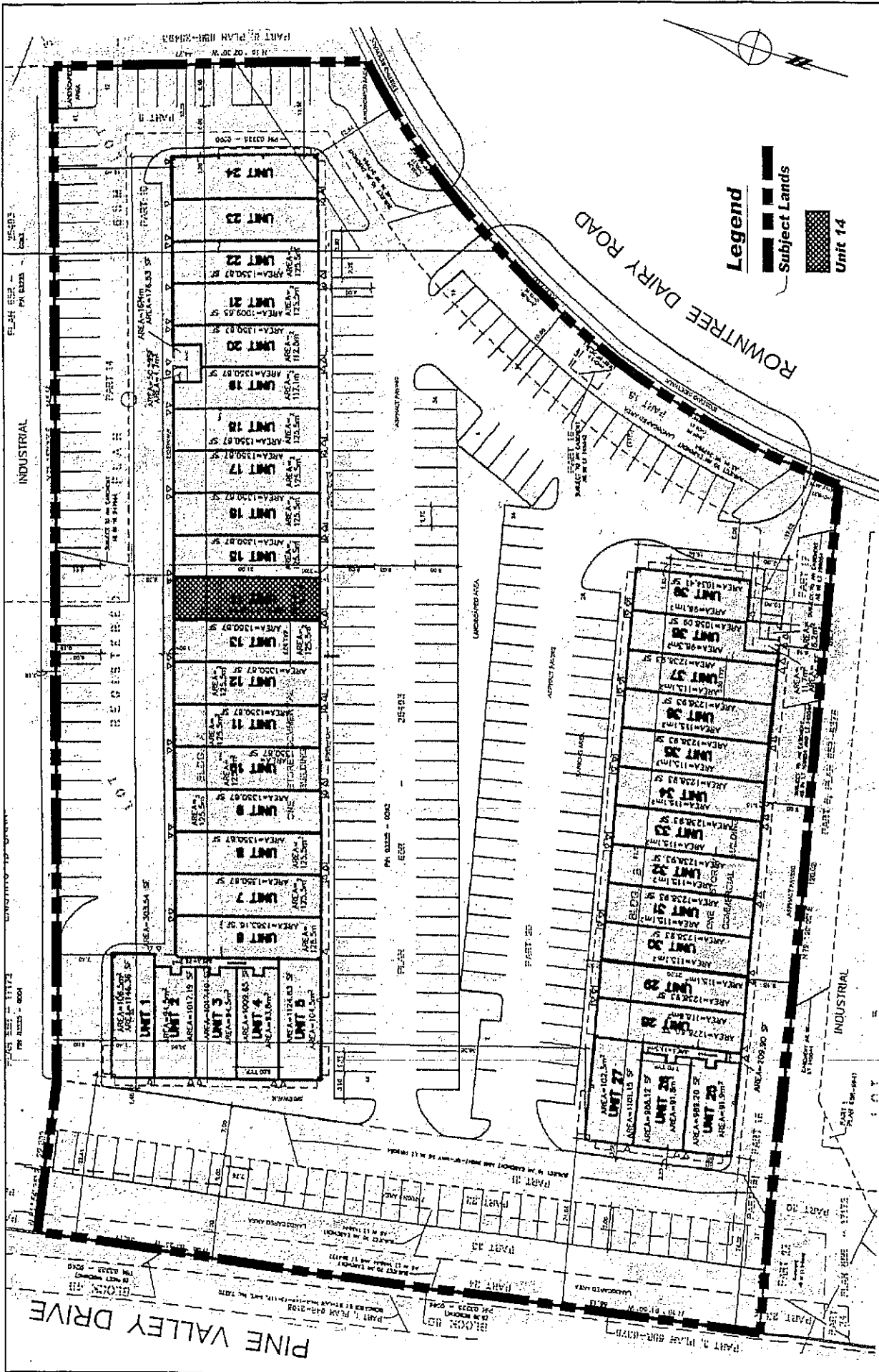


Location Map

Part Lot 5,
Concession 6
 APPLICANT:
 1675865 ONTARIO LTD.
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Development Planning Department



Attachment 2

FILE No.: Z.06.002

January 12, 2006

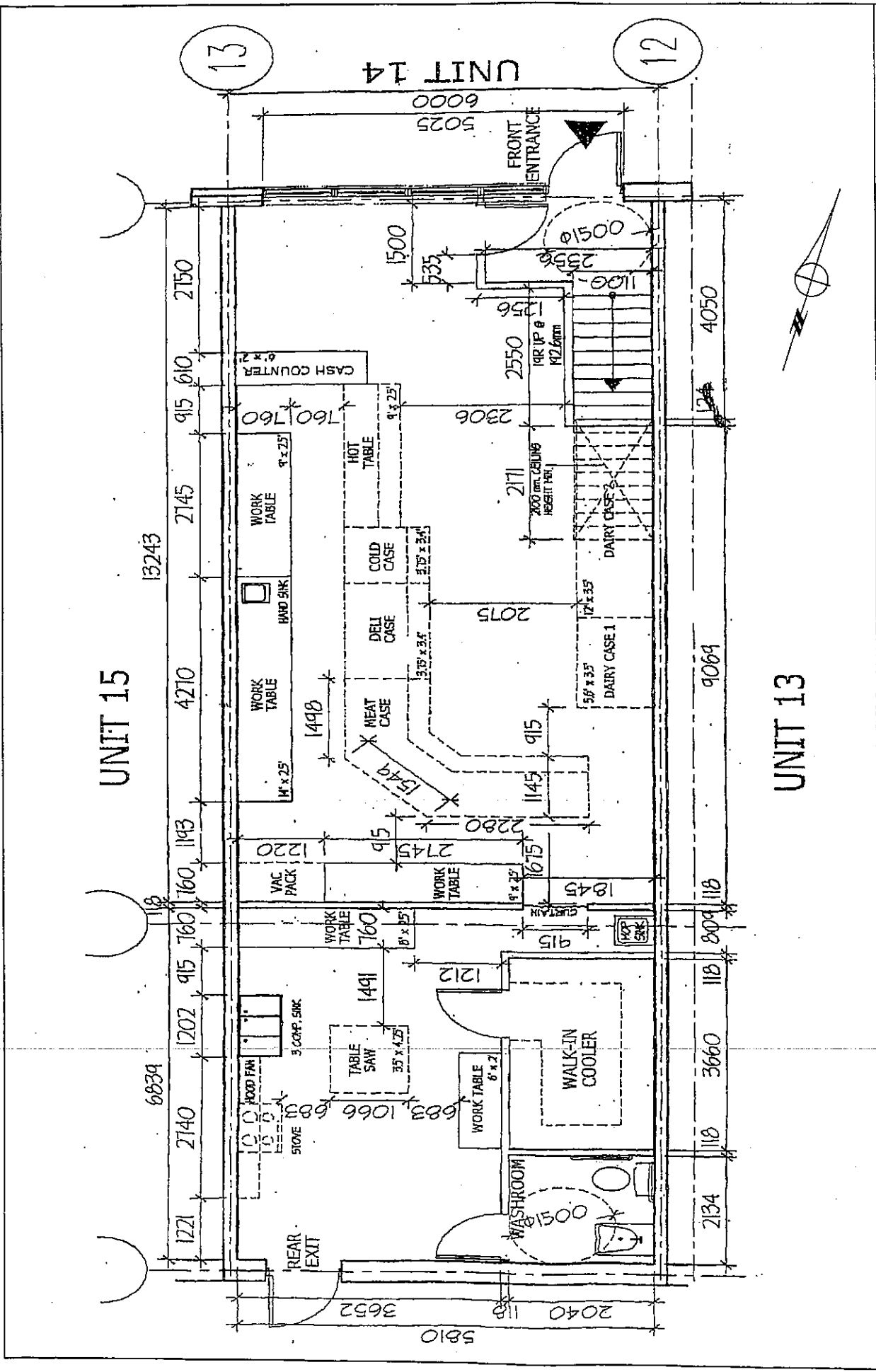


Development Planning Department

Site Plan & Unit Location

APPLICANT: Part Lot 5, Concession 6
 1875865 ONTARIO LTD.

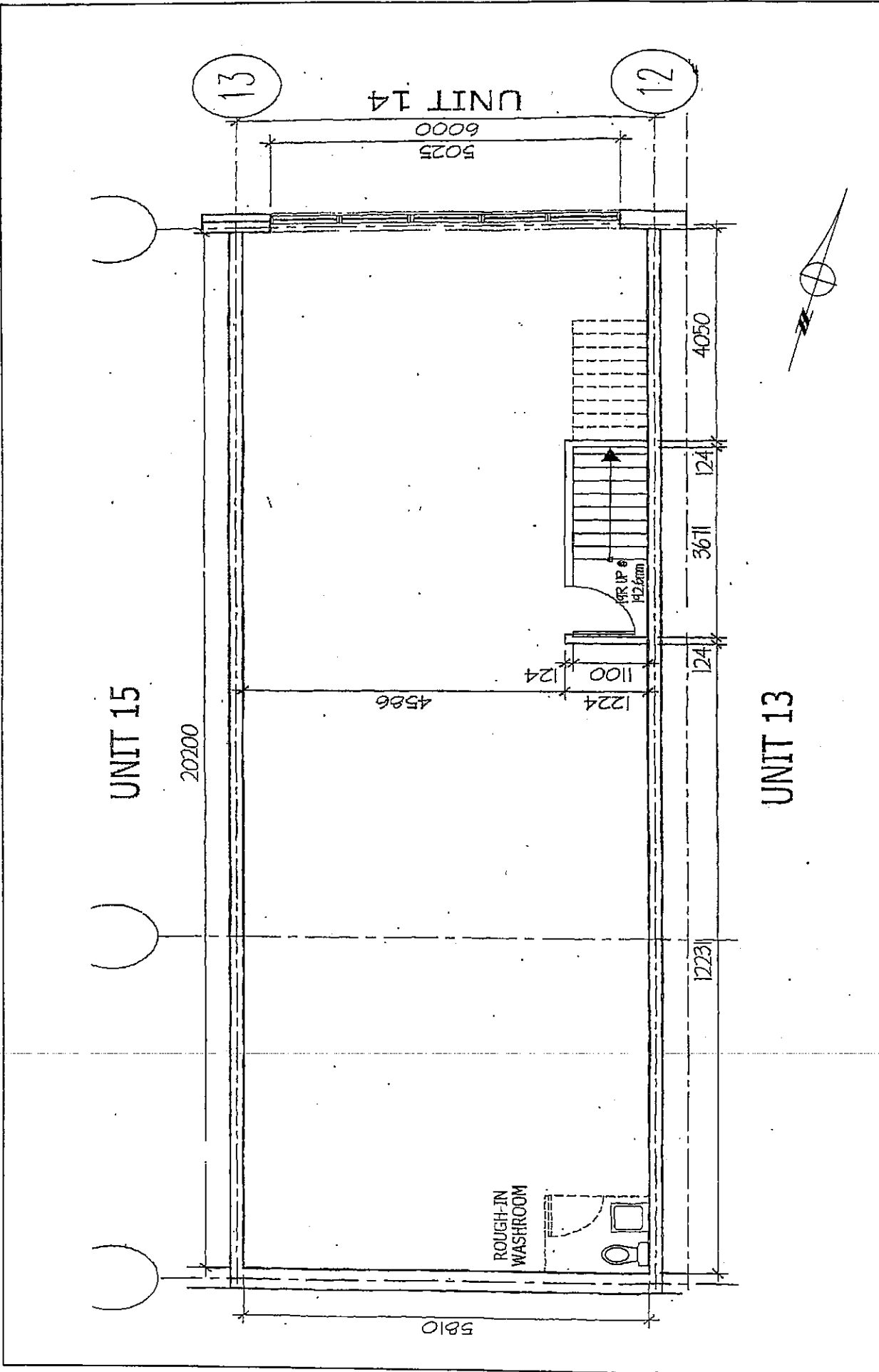
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Development Planning Department

Main Floor Plan - Unit 14

APPLICANT: Part Lot 5, Concession 6
 1675865 ONTARIO LTD.
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Attachment 4

FILE No.: Z.06.002

February 1, 2006



Development Planning Department

Second Floor Plan - Unit 14

Part Lot 5,
Concession 6

APPLICANT:
1675865 ONTARIO LTD.

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