

COMMITTEE OF THE WHOLE SEPTEMBER 15, 2008

ZONING BY-LAW AMENDMENT FILE Z.06.046 2056668 ONTARIO INC. REPORT #P.2008.28

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.06.046 (2056668 Ontario Inc.) BE APPROVED, to permit additional site-specific uses to the C4 Neighbourhood Commercial Zone of By-law 1-88, specifically an open storage area to be located below the canopy of an approved supermarket, and a seasonal garden centre that will operate between April 15 to July 15 each year, in the locations shown on Attachment #2.

Economic Impact

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

Communications Plan

On May 23, 2008, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands. As of August 28, 2008, no comments have been received. The recommendation of the Committee of the Whole on June 16, 2008, to receive the Public Hearing report and to forward a technical report to a future Committee meeting was ratified by Council on June 23, 2008.

Purpose

The Owner has submitted a Zoning By-law Amendment Application (File Z.06.046) on the subject lands shown on Attachment #1, to permit the following uses in association with an approved supermarket, as shown on Attachment #2, in the C4 Neighbourhood Commercial Zone:

1. an open storage area to be located below the canopy of the supermarket for the outdoor display and sale of merchandise; and,
2. a seasonal garden centre use within the parking area, which will be in operation for a period not exceeding 12 weeks per annum (April 15th to July 15th). The outdoor garden centre will be a maximum of 372 m² in area and will displace approximately 16 surplus parking spaces.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located at the northeast corner of Dufferin Street and Major Mackenzie Drive, being Block 61 on Plan 65M-3949, in Part of Lot 21, Concession 2 (Planning Block 12), City of Vaughan. The subject lands are currently under construction and have an area of 7.0 ha. The surrounding land uses are shown on Attachment #1.

On June 18, 2007, Vaughan Council approved the related Site Development File DA.06.055 for 13 single-storey, multi-unit and freestanding commercial buildings, including a supermarket on the subject lands. The site plan agreement was registered on April 25, 2008.

Official Plan

The subject lands are designated "Neighbourhood Commercial Centre" by OPA #600 and further designated "Settlement Area" by OPA #604 (Oak Ridges Moraine Conformity Plan). The open storage area for the purposes of display and sale of merchandise and the seasonal garden centre within the parking area are uses that offer additional variety of goods, services and convenience that are consistent with the commercial policies of the Official Plan. The proposed uses conform to the Official Plan.

Zoning

The subject lands are zoned C4 Neighbourhood Commercial Zone by By-law 1-88, subject to Exception 9(1198). Currently, the C4 Neighbourhood Commercial Zone permits uses carried on entirely within a shopping centre and with no open storage. The Owner proposes to rezone the subject lands to permit the following, as shown on Attachment #2:

1. an open storage area to be located below the canopy of the supermarket for the outdoor display and sale of merchandise; and,
2. a seasonal garden centre use within the parking area, which will be in operation for a period not exceeding 12 weeks per annum (April 15th to July 15th). The outdoor garden centre will be a maximum of 372 m² in area and will displace approximately 16 surplus parking spaces.

The merits of the proposed zoning amendment are discussed in the "Planning Considerations" section of this report.

Vaughan Engineering Department

The Engineering Department has reviewed the zoning by-law amendment application and has no objections to the proposal.

Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority has reviewed the proposed application and has no concerns to the proposed zoning by-law amendment.

Planning Considerations

The subject lands, as shown on Attachment #2, have been approved for a development consisting of 13 single-storey, multi-unit and freestanding commercial buildings, with a combined gross floor area of 16,459.18 m². The C4 Neighbourhood Commercial Zone permits a myriad of commercial uses that are carried on entirely within a shopping centre and with no open storage. The proposal involves the open storage under the entry canopy of the approved supermarket for purposes of the display and sale of merchandise. Accordingly, the location of the open storage will not impede on the overall function, pedestrian and traffic flow of the site.

The proposed seasonal garden centre will operate from April 15th to July 15th per annum and will occupy 16 parking spaces that are surplus parking spaces to the entire commercial site (728 parking spaces are required, whereas 859 spaces have been provided). As a result, the site can accommodate the garden centre in association with the supermarket on a seasonal basis as there will be minimal impact on the parking supply. The seasonal garden centre is situated north of the proposed bank (currently under construction) and flanks Sir Benson Drive to the east, which is adjacent to a storm water management pond. The location of the seasonal garden centre is visually removed from Major Mackenzie Drive and is not directly adjacent to residential.

The proposed zoning by-law amendment conforms to the policies in OPA #600 as amended by OPA #604 (Oak Ridges Moraine Conformity Plan) with respect to "Neighbourhood Commercial Centre" areas. The Development Planning Department has no objections to the proposed zoning by-law amendment to permit the proposed additional uses.

Relationship to Vaughan Vision 2020

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Vitality".

Regional Implications

The Region of York Transportation Services Department has reviewed the proposed application and has no objection to the proposed zoning by-law amendment.

Conclusion

The Zoning By-law Amendment Application has been reviewed in accordance with OPA #600, By-law 1-88, the comments from City Departments and external public agencies, and the area context. The Development Planning Department is satisfied that the proposed amendment to permit an open storage area below the canopy of an approved supermarket for the outdoor display and sale of merchandise and a seasonal garden centre use within the parking area are appropriate and compatible with the existing and permitted uses on the site and in the surrounding area. Accordingly, the Development Planning Department can support the approval of the Zoning By-law Amendment Application.

Attachments

1. Location Map
2. Site Plan

Report prepared by:

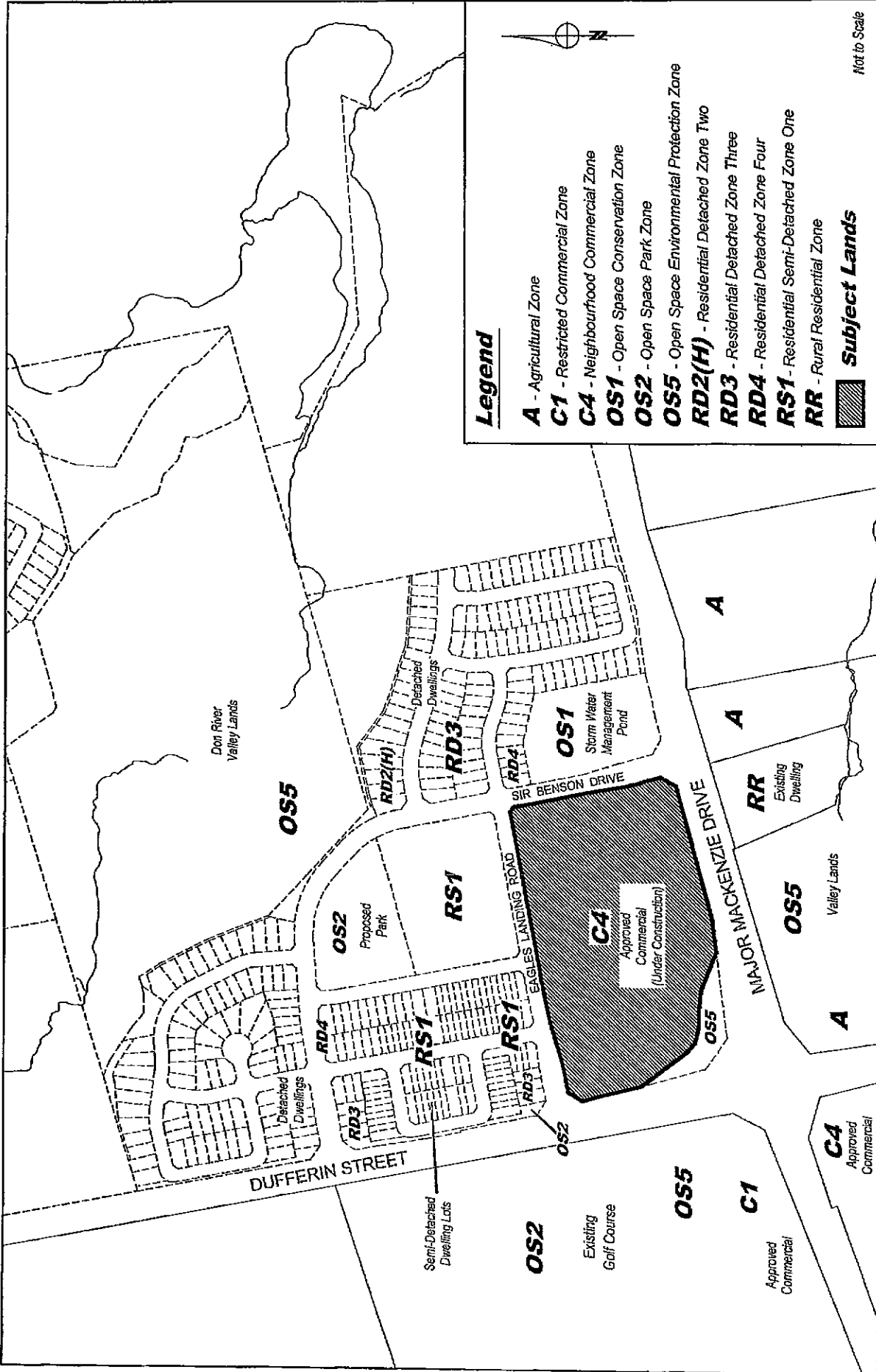
Stephen Lue, Planner, ext. 8210
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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

GRANT UYEHAMA
Senior Manager of Development Planning

/CM



Legend

- A** - Agricultural Zone
- C1** - Restricted Commercial Zone
- C4** - Neighbourhood Commercial Zone
- OS1** - Open Space Conservation Zone
- OS2** - Open Space Park Zone
- OS5** - Open Space Environmental Protection Zone
- RD2(H)** - Residential Detached Zone Two
- RD3** - Residential Detached Zone Three
- RD4** - Residential Detached Zone Four
- RS1** - Residential Semi-Detached Zone One
- RR** - Rural Residential Zone

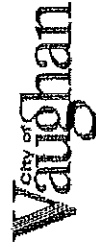
Subject Lands

Not to Scale



Location Map

Part of Lot 21,
Concession 2
APPLICANT:
2056688 ONTARIO INC.
INDEX TO ATTACHMENTS2006.dwg

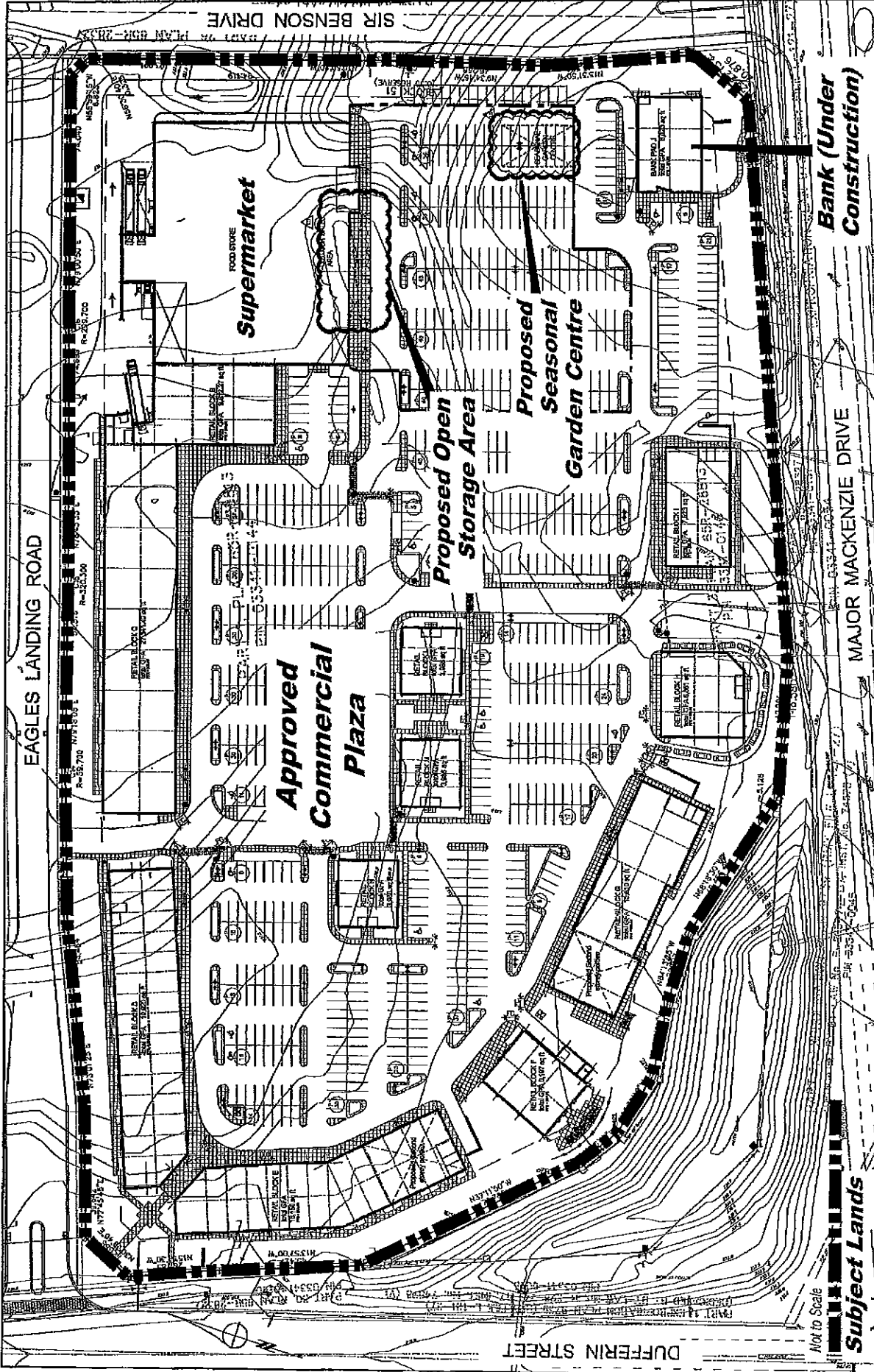


Development Planning Department

Attachment 1

FILE No.: Z.06.046
RELATED FILE:
DA.06.055

August 28, 2008



Not to Scale

Subject Lands

Bank (Under Construction)

Site Plan

Part of Lot 21,
Concession 2

APPLICANT:
2056668 ONTARIO INC.

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Development Planning Department

Attachment

2

FILE No.: Z.06.046
RELATED FILE:
DA.06.055

August 28, 2008