

COMMITTEE OF THE WHOLE MARCH 31, 2009

ZONING BY-LAW AMENDMENT FILE Z.08.067 2092702 ONTARIO LTD. WARD 1

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-Law Amendment File Z.08.067 (2092702 Ontario Ltd.) BE APPROVED.
2. THAT the implementing Zoning By-law shall:
 - i) permit the following additional uses in Units #1 and #2 of the building on the subject lands shown on Attachment #1;
 - a personal service shop;
 - a regulated health professional; and,
 - a dry cleaning depot (Pick Up);
 - ii) define a Dry Cleaning Depot (Pick Up) as follows:

“Shall mean a building or place used for the purpose of receiving and distributing articles or goods or fabrics to be dry-cleaned, dry-dyed, cleaned or pressed off the premises”;
 - iii) restrict the maximum gross floor area devoted to the additional commercial uses to 72 m²; and,
 - iv) require 26 parking spaces on the subject lands for the existing permitted and proposed additional uses.

Economic Impact

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

Communications Plan

N/A

Purpose

The Owner has submitted an application to amend the Zoning By-law, specifically Exception 9(1296) of By-law 1-88, applicable to the subject lands shown on Attachment #1, to permit additional commercial uses on the ground floor of Units #1 and #2 of a live/work building (currently under construction) as shown on Attachment #2, to include a personal service shop, a regulated health professional, and a dry cleaning depot (pick-up only). The combined ground floor area of Units 1 and 2 that is devoted to the proposed additional uses is 72 m².

The current by-law exception on the property permits only a business and professional office use (excluding the office of a regulated health professional) on the ground floor of the 3-storey live/work building.

Background - Analysis and Options

Location

The subject lands shown on Attachment #1 are located on the west side of Keele Street and north of McNaughton Road, in Part of Lot 23, Concession 4, municipally known as 10388 and 10390 Keele Street, City of Vaughan. The rectangular-shaped lot has an area of 2,129.69 m², with 60.31 m frontage on Keele Street, and a lot depth of 36.3 m. The surrounding land uses are shown on Attachment #1.

Official Plan and Zoning

The subject lands are designated "Office Commercial" by OPA #350 (Maple Community Plan), and zoned C8 Office Commercial Zone by By-law 1-88, subject to Exception 9(1296). The "Office Commercial" designation permits business and professional office buildings with limited ground floor retail uses and residential units appropriately integrated into office commercial developments. The Zoning By-law Amendment Application to permit the additional office and commercial uses on the subject lands to conform to the Official Plan. The proposed commercial uses are not permitted on the subject lands by By-law 1-88, therefore a Zoning By-law Amendment is required.

Site History

Zoning By-law Amendment File Z.07.033 and Site Development File DA.07.061 (2092702 Ontario Ltd) were approved by Vaughan Council on November 26, 2007. Furthermore, on December 8, 2008, Vaughan Council approved Draft Plan of Condominium Application File 19CDM-08V10 on the subject lands. These applications facilitated the development of the subject lands with a three-storey live/work condominium development, with 231 m² of business and professional offices on the ground floor and seven (7) residential dwelling units above, which is currently under construction on the subject lands.

Planning Considerations

The proposed personal service shop, regulated health professional and dry cleaning depot (pick up only) would occupy the ground floor of Units #1 and #2 and total 72m². Exception 9(1298) of By-law 1-88 restricts the ground floor of the live/work units to business and professional offices. When the original Zoning By-law Amendment Application (File Z.07.033) was considered and subsequently approved, the permitted use on the ground floor was restricted to business and professional offices in order for the development to comply with the minimum parking requirements of By-law 1-88.

The applicant has not identified the total gross floor area that would be devoted to each of the proposed additional uses in Units #1 and #2. This would allow the applicant flexibility with respect to leasing this space. The parking requirement of By-law 1-88 for each of the proposed uses as follows:

- i) Regulated Health Professional – 5 spaces per practitioner;
- ii) Personal Service Shop – 6 spaces per 100m²; and,
- iii) Dry Cleaning Depot (pick up) – 6 spaces per 100m².

The site plan shown on Attachment #2 indicates that 26 parking spaces are currently provided on the site. Three scenarios have been developed to illustrate the potential parking requirement for the proposed uses as follows:

- i) Scenario #1 – Both units (72 m²) to be used as a personal service shop/dry cleaning depot;
- ii) Scenario #2 – Both units (72 m²) to be used as a regulated health professional; and,
- iii) Scenario #3 – One unit (36 m²) to be used as a personal service shop/dry cleaning depot and one unit (36 m²) to be used as a regulated health professional.

By-law 1-88 requires that parking for each scenario would be calculated as follows:

Land Use	By-law Requirement	Development Scenario					
		Scenario #1		Scenario #2		Scenario #3	
		Size	Spaces	Size	Spaces	Size	Spaces
Permitted Uses subject to By-law 1-88 (Exception 1296)							
Residential	1.5 per unit	7 units	11	7 units	11	7 units	11
Visitor	0.25 per unit	7 units	2	7 units	2	7 units	2
Business or Professional Office	3.5 per 100 m ²	159 m ²	6	159 m ²	6	159 m ²	6
Proposed Additional Uses							
Personal Service Shop/Dry Cleaning Depot	6.0 per 100m ²	72 m ²	5	N/A	0	36 m ²	3
Regulated Health Professional	5 per practitioner	N/A	0	2 units	10	1 unit	5
Total Required			24		29		27

Scenario #2 which proposes a regulated health professional use in both units would generate the greatest parking requirement at 10 spaces. When added to the parking required for the other permitted uses on the subject lands, the total parking required on the site is 29 spaces, whereas 26 are provided. It should be noted that there are 2 additional on street parking spaces to the front of the subject lands. Technically By-law 1-88 does not permit on-street parking spaces to be included in the parking supply, but in all likelihood they will be used by the patrons visiting the subject lands given their proximity to the subject lands. The applicant has submitted a parking study prepared by LEA Consulting Ltd, dated January 15, 2009 in support of the proposed additional uses which, has been reviewed and approved by the Engineering Department. Accordingly, the additional uses can be supported from a parking perspective.

By-law 1-88 does not include a definition for a dry-cleaning depot (pick up). The intent is to permit a dry cleaning facility where patrons can drop-off and pick-up clothes and fabrics that have been dry cleaned. However, the Development Planning Department does not support processing or cleaning taking place on the premises given the residential uses above the ground floor. Accordingly, it is recommended that the implementing Zoning By-law include the following definition for a dry-clearing depot (pick up):

- “Shall mean a building or place used for the purpose of receiving and distributing articles or goods or fabrics to be dry-cleaned, dry-dyed, cleaned or pressed off the premises”.

The proposed uses are considered to be compatible with the business and professional office uses currently permitted on the subject lands, and appropriate in the context of the surrounding

land uses and enhance the commercial uses available to serve the local community and the viability of the project. In addition, the proposed uses will be restricted to Units #1 and #2 totaling 72 m², which is limited in size and will be restricted in the implementing zoning by-law. Accordingly, the Development Planning Department can support the application.

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

The previous site plan and condominium applications that were approved by Vaughan Council for the subject lands were circulated to the Region of York for review and comment. Any site design issues raised by the Region of York were addressed when the previous technical reports were considered.

Conclusion

Zoning By-law Amendment File Z.08.067 has been reviewed by the Development Planning Department in accordance with the applicable policies of OPA #350, the requirement of By-law 1-88, the comments from City Departments and external public agencies, site considerations and the area context. The Development Planning Department is satisfied that the proposed additional commercial uses on the ground floor of Units #1 and #2 can be developed on the subject lands in a manner that is compatible with the balance of the site and the surrounding land uses subject to the recommendations in this report. Accordingly, the Development Planning Department can support the approval of the Site Development Application.

Attachments

1. Location Map
2. Site Plan

Report prepared by:

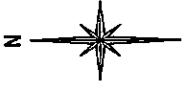
Morgan Jones, Planner 1, ext. 8216
Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

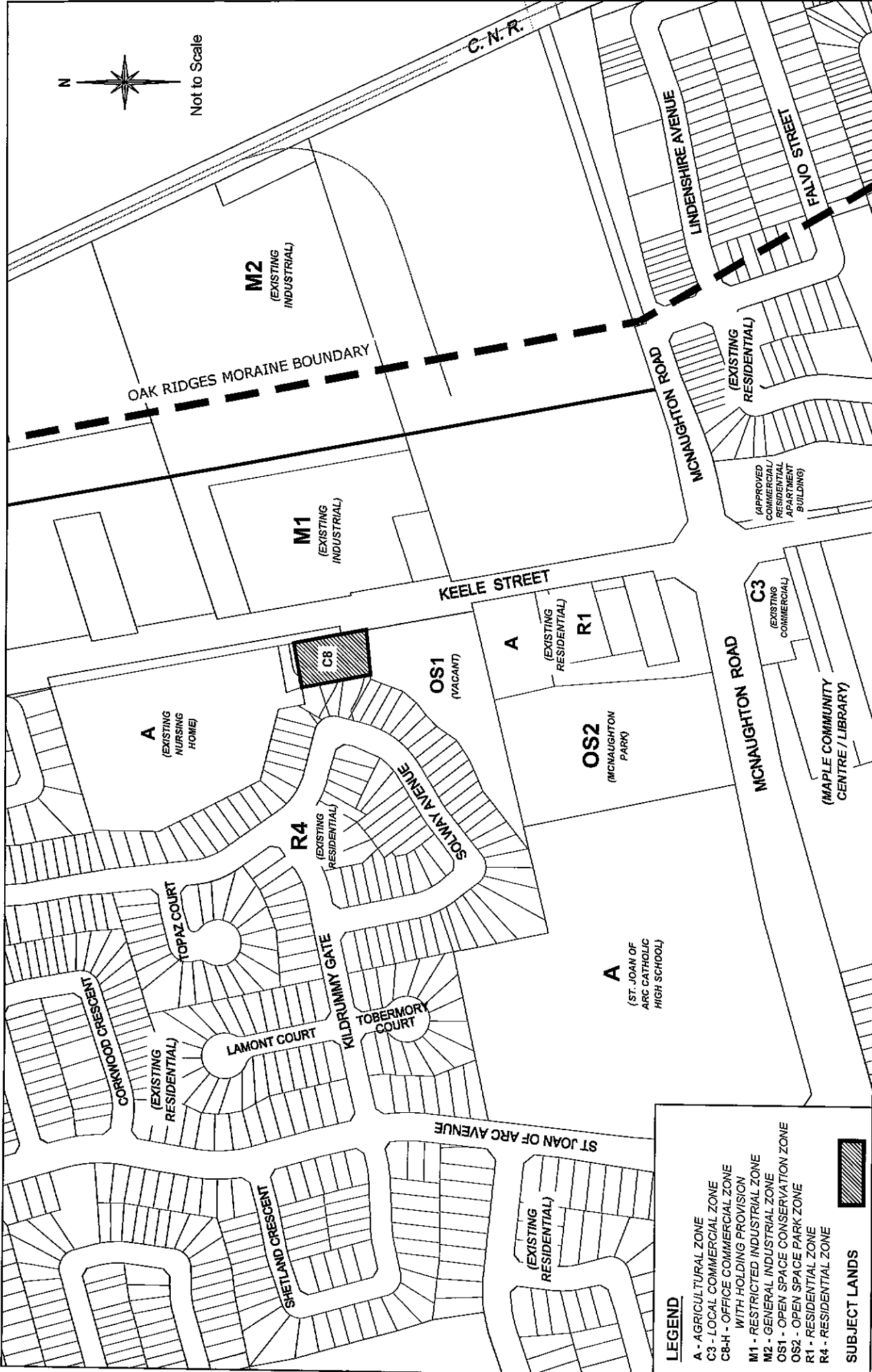
JOHN ZIPAY
Commissioner of Planning

GRANT UYEVAMA
Director of Development Planning

/CM




Not to Scale



LEGEND

- A - AGRICULTURAL ZONE
- C3 - LOCAL COMMERCIAL ZONE
- C8-H - OFFICE COMMERCIAL ZONE WITH HOLDING PROVISION
- M1 - RESTRICTED INDUSTRIAL ZONE
- M2 - GENERAL INDUSTRIAL ZONE
- OS1 - OPEN SPACE CONSERVATION ZONE
- OS2 - OPEN SPACE PARK ZONE
- R1 - RESIDENTIAL ZONE
- R4 - RESIDENTIAL ZONE

SUBJECT LANDS



Location Map

Part of Lot 23,
Concession 4
APPLICANT:
 2092702 ONTARIO LTD.



Development Planning Department

Attachment 1

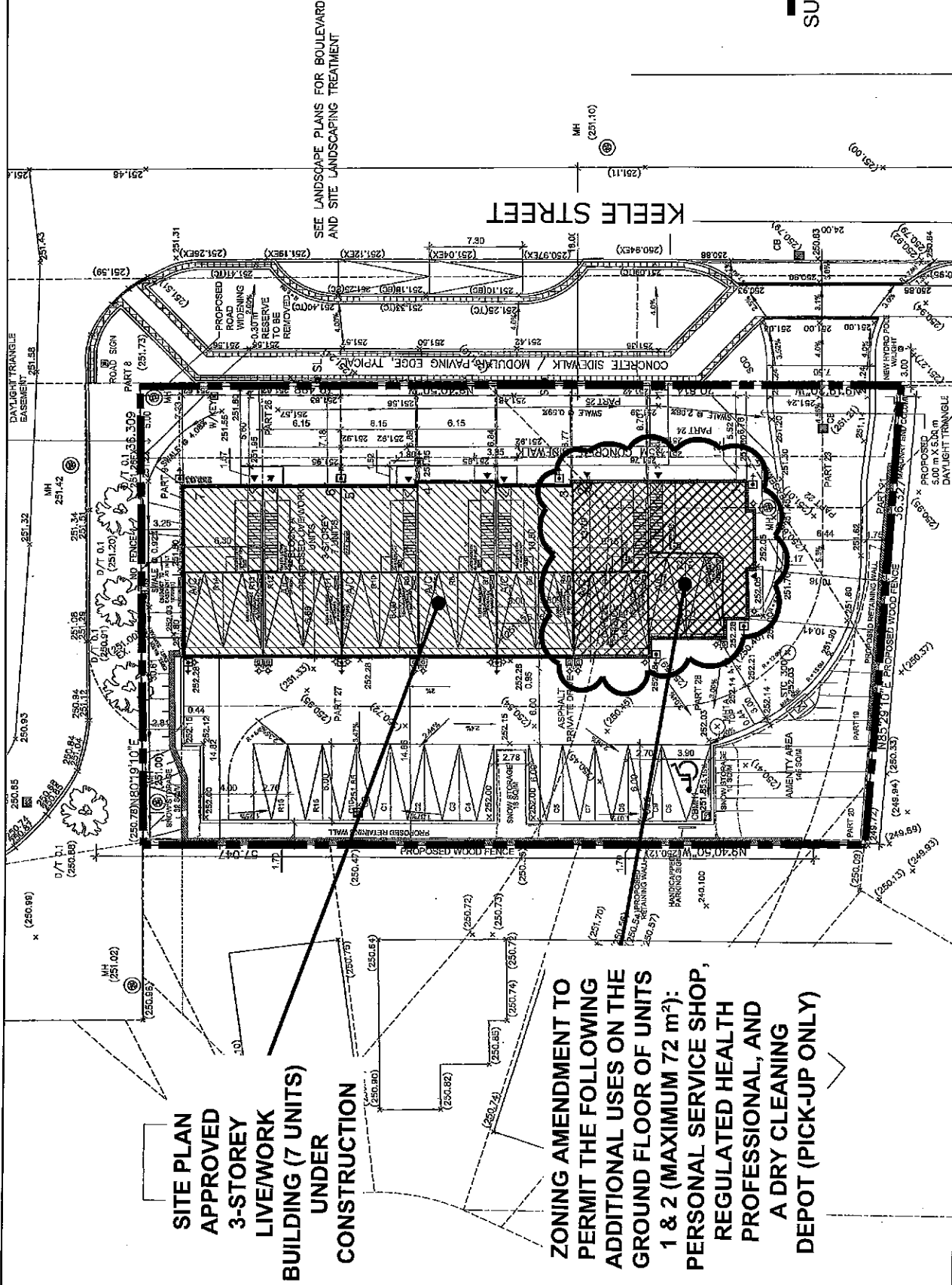
FILE No.: Z.08.067
 RELATED FILES:
 19CDM-08V10,
 OP.04.011 & Z.07.033
 March 17, 2009

N:\DPT\1 ATTACHMENTS\Z.08.067



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SUBJECT LANDS



SEE LANDSCAPE PLANS FOR BOULEVARD AND SITE LANDSCAPING TREATMENT

KEELE STREET

**SITE PLAN APPROVED
3-STOREY LIVELINE
BUILDING (7 UNITS)
UNDER CONSTRUCTION**

**ZONING AMENDMENT TO PERMIT THE FOLLOWING ADDITIONAL USES ON THE GROUND FLOOR OF UNITS 1 & 2 (MAXIMUM 72 m²):
PERSONAL SERVICE SHOP,
REGULATED HEALTH PROFESSIONAL, AND
A DRY CLEANING DEPOT (PICK-UP ONLY)**

Site Plan

Part of Lot 23,
Concession 4
APPLICANT:
2092/02 ONTARIO LTD.



Development Planning Department

Attachment 2

FILE No.: Z.08.067
RELATED FILES:
19CDM-08/10
OP.04.011 & Z.07.033
March 17, 2009