

COMMITTEE OF THE WHOLE OCTOBER 19, 2009

**ZONING BY-LAW AMENDMENT FILE Z.09.020
ROYBRIDGE HOLDINGS LIMITED
WARD 2**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.09.020 (Roybridge Holdings Limited) BE APPROVED, and that the implementing zoning by-law amendment include the following:
 - a) permit one (1) additional eating establishment or a bakery use with a maximum gross floor area of 495m² within the existing multi-unit building (Building "A"), as shown on Attachment #3; and,
 - b) the following site-specific definition for a "bakery":

"A BAKERY shall mean:

A building or a part of a building or place having not more than 24 seats, where the baking of bakery products is permitted on the premises and where food and drink is permitted on the premises and where food and drink are prepared and offered for sale on a cafeteria-style, buffet or self serve basis for consumption within or outside of such building or place, and where customers do not eat at the same table or counter at which the food is ordered and/or obtained. Such establishment may include a take-out and a catering facility as accessory uses thereto."

Contribution to Sustainability

N/A

Economic Impact

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

Communications Plan

On August 14, 2009, a Notice of Public Meeting [Committee of the Whole (Public Hearing)] was circulated to all property owners within 150m of the subject lands, and to the West Woodbridge Homeowners Association. To date, no comments have been received by the Development Planning Department.

The recommendation of the Committee of the Whole to receive the Public Hearing report of September 8, 2009, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Council on September 21, 2009.

Purpose

To amend the City's Zoning By-law 1-88, specifically the EM3 Retail Warehouse Employment Area Zone provisions in site-specific Exception 9(1134), to permit one (1) additional eating establishment or a bakery use with a maximum gross floor area of 495m² within the existing multi-unit building (Building "A") as shown on Attachment #3. By-law 1-88 currently permits a 306m²

stand-alone eating establishment (Tim Horton's – Building "B"), and an 861m² eating establishment within Units 12 and 13 of the multi-unit building on the property.

Background - Analysis and Options

Location

The subject lands shown on Attachments #1 and #2 are located at the northwest corner of Regional Road 27 and Zenway Boulevard, municipally known as 8800 Regional Road 27, in Part of Lot 7, Concession 9, City of Vaughan.

Official Plan

The subject lands are designated "Prestige Area" by OPA #450 (Employment Area Growth and Management Plan), which encourages locational opportunities for uses that require high visual exposure, good accessibility and an attractive working environment. The "Prestige Area" designation permits a wide range of industrial, office, business and civic uses. The proposed eating establishment and bakery uses would conform to the policies of the Official Plan.

Zoning

The subject lands are zoned EM3 Retail Warehouse Employment Area Zone by By-law 1-88, subject to Exception 9(1134), which permits a stand-alone eating establishment (Tim Horton's) with a maximum gross floor area of 306m², and an eating establishment within Units 12 and 13 of the multi-unit building with a maximum gross floor area of 861m². The proposal for one (1) additional eating establishment or bakery use to a maximum of 495m² is not permitted by Exception 9(1134), and therefore, an amendment to By-law 1-88 is required.

The existing multi-unit building is currently developed with the following uses:

- Unit #1: PBC (club and health centre)
- Unit #2: Mandara (health and beauty spa)
- Unit #3: Kumon (learning centre)
- Units #4 - #11: Vacant
- Units #12 & #13: Sapore Ristorante (eating establishment)

Parking

The required parking under By-law 1-88 for the existing eating establishment in Units 12 and 13 was previously calculated at 1 space/4 persons in the designed maximum capacity of the combined units being 270 persons. The required parking for the stand-alone Tim Horton's was calculated at a rate of 16 spaces/100m GFA. The parking for the proposed eating establishment has been calculated at a similar rate to the stand-alone Tim Horton's, in accordance with the Zoning By-law to determine an overall parking calculation as follows:

4,064.5m ² (existing employment uses) @ 2 spaces/100m ²	= 82 spaces
Units 12 & 13 (eating establishment): 270 persons @ 1 space/4 persons	= 68 spaces
306m ² (Tim Horton's) @ 16 spaces/100m ²	= 49 spaces
<u>Proposed Eating Establishment/Bakery: 495m² @ 16 spaces/100m²</u>	<u>= 80 spaces</u>
Total Required	= 279 spaces
Total Provided	= 194 spaces

Based on the above calculations, according to zoning by-law standards, the subject proposal would yield a deficiency of 85 spaces (30.5%).

The property is subject to previous Zoning By-law Amendment Applications to permit an 861m² eating establishment within Units 12 and 13 (File Z.05.056), and the stand alone eating establishment (Tim Horton's) that was previously approved under File Z.04.025. The previous application (File Z.05.056) was supported with a parking justification study that concluded the existing 194 parking spaces can accommodate the additional eating establishment.

A parking justification report prepared by iTrans Consulting has been submitted in support of the current application. iTrans recognizes that 8 out of the 13 units on site are currently unoccupied, which could affect the parking demand. To account for this, the consultant established an average peak parking demand based on the units that were currently occupied, and then applied that average to a scenario where all of the units were completely occupied. The report found that based on the existing peak parking demand that the site including the proposed additional eating establishment or bakery use would require 181 parking spaces to support the overall development, whereas 194 spaces exist on the site. The Vaughan Engineering Department has reviewed the report and concurs with the conclusions.

Planning Considerations

The site is located at a signalized intersection leading into a large employment area known as the Vaughan West Corporate Business Park. Employment uses are located to the west, south and east of the property. The proposed additional eating establishment or bakery use on the subject lands would support the businesses and employees in the surrounding employment area. As noted above, the additional parking required for the proposed eating establishment or bakery use can be accommodated on the site. The proposed eating establishment or bakery is compatible with the existing uses on the site and in the surrounding area.

A "bakery" is not a defined use in By-law 1-88, and therefore, a site-specific definition is required to implement the proposed use on the subject lands. It is recommended that the following definition for a bakery use be applicable to the subject lands:

"A BAKERY shall mean:

A building or a part of a building or place having not more than 24 seats, where the baking of bakery products is permitted on the premises and where food and drink is permitted on the premises and where food and drink are prepared and offered for sale on a cafeteria-style, buffet or self serve basis for consumption within or outside of such building or place, and where customers do not eat at the same table or counter at which the food is ordered and/or obtained. Such establishments may include a take-out and a catering facility as accessory uses thereto."

The Owner has indicated that the proposed eating establishment or bakery will likely occupy Unit 11, however, they would like the flexibility to locate the use anywhere within the multi-unit building. The Development Planning Department has no objection to the proposal, and if approved, the implementing zoning by-law would include permission for one (1) additional eating establishment or bakery use having a maximum gross floor area of 495m² within the existing multi-unit building, and the above-noted definition for a "bakery".

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

N/A

Conclusion

The Zoning By-law Amendment Application has been reviewed in accordance with the policies of OPA #450 (Employment Area Growth and Management Plan), the requirements of By-law 1-88, the comments received from City Departments and external public agencies, and the surrounding area context. The Development Planning Department is satisfied that the proposal to permit one (1) additional eating establishment or bakery use with a maximum gross floor area of 495m² within the existing multi-unit building (Building "A") on the subject lands, is appropriate and compatible with the existing uses on the site and in the surrounding area. In addition, a parking study was prepared in support of the application, which was reviewed and approved by the Vaughan Engineering Department. On this basis, the Development Planning Department can support the approval of the Zoning By-law Amendment Application.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan

Report prepared by:

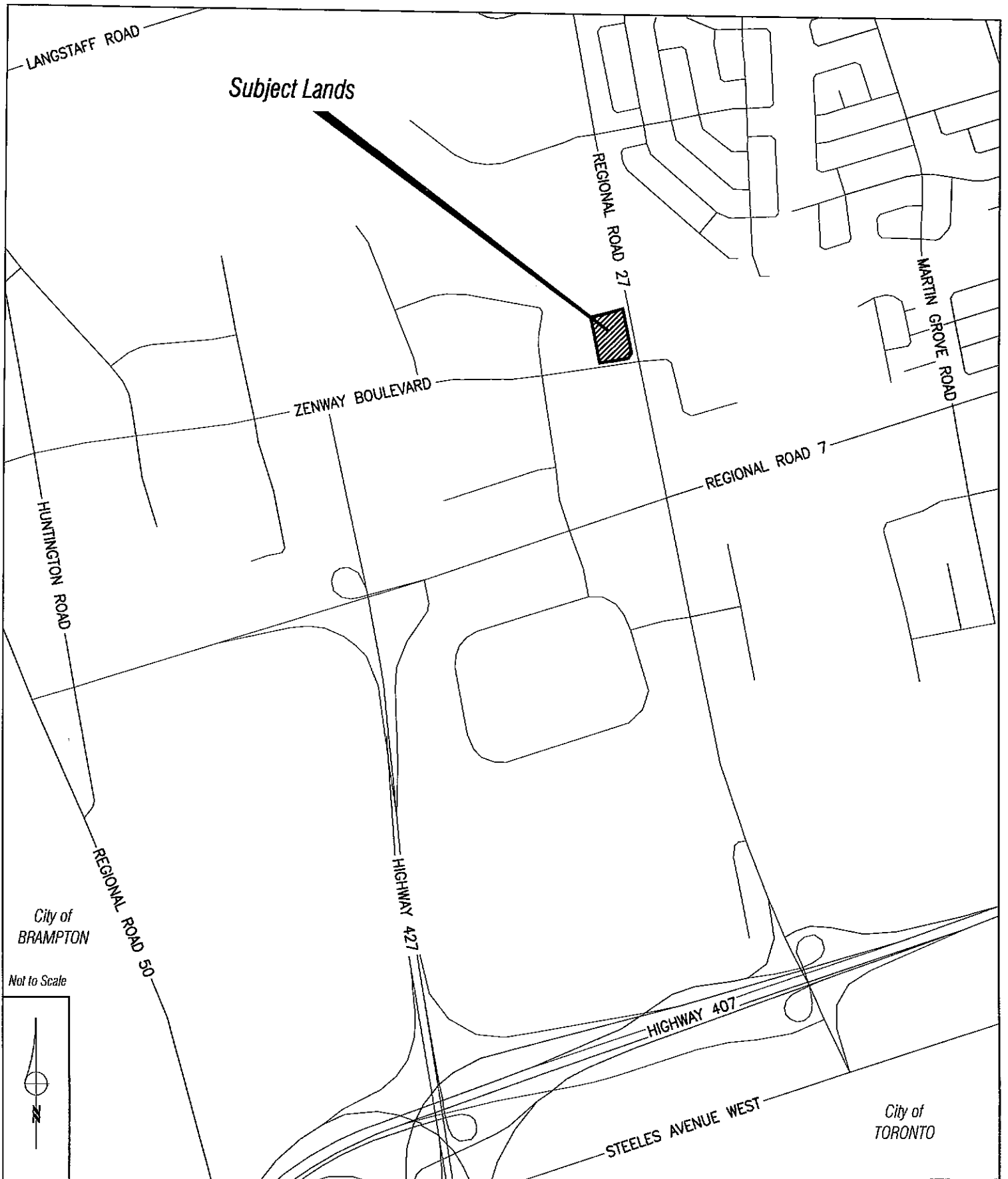
Ryan Mino, Planner, ext. 8213
Carmela Marrelli, Senior Planner, ext. 8791
Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

GRANT UYEYAMA
Director of Development Planning

/CM



Context Location Map

LOCATION:
Part of Lot 7, Concession 9

APPLICANT:
Roybridge Holdings Limited

N:\DFT\1 ATTACHMENTS\2\2.09.020.dwg

City of
Vaughan

The City Above Toronto

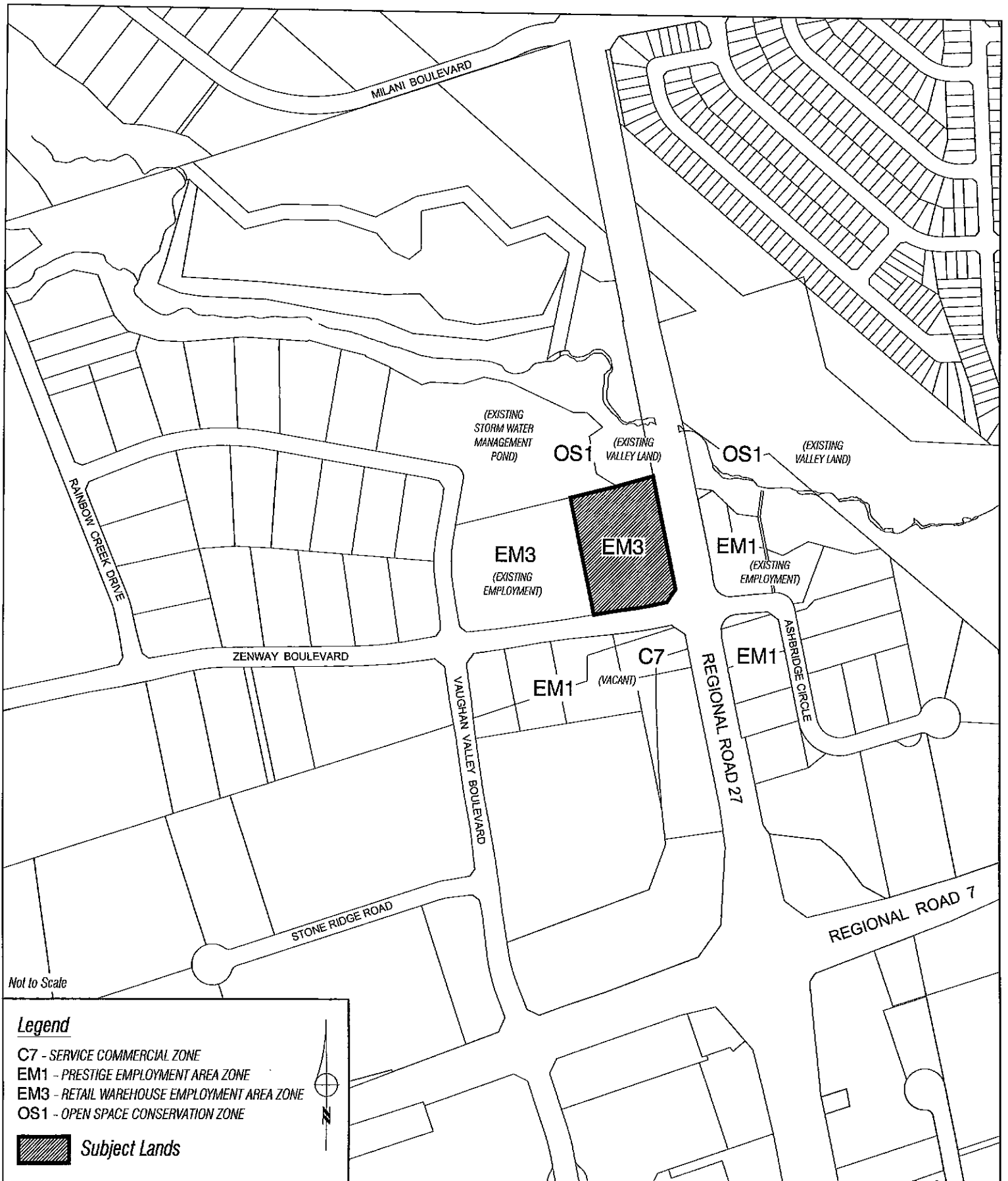
Development Planning Department

Attachment

FILE:
Z.09.020

DATE:
August 21, 2009

1



Legend

- C7 - SERVICE COMMERCIAL ZONE
- EM1 - PRESTIGE EMPLOYMENT AREA ZONE
- EM3 - RETAIL WAREHOUSE EMPLOYMENT AREA ZONE
- OS1 - OPEN SPACE CONSERVATION ZONE

 **Subject Lands**

Location Map

LOCATION:
Part of Lot 7, Concession 9

APPLICANT:
Roybridge Holdings Limited

H:\OFFICE\ATTACHMENTS\2\z.09.020.dwg



The City Above Toronto

Development Planning Department

Attachment

FILE:
Z.09.020

DATE:
August 21, 2009

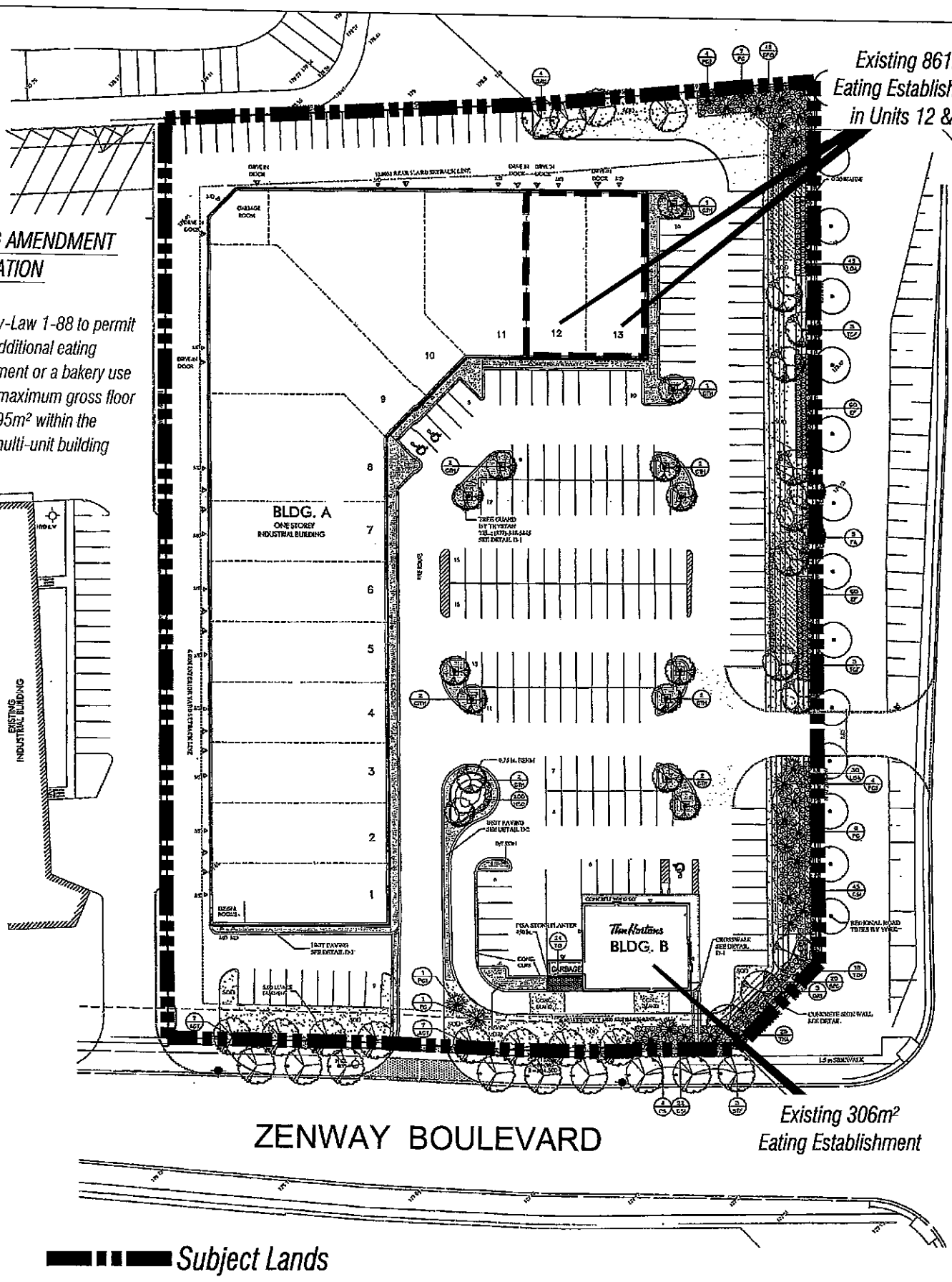
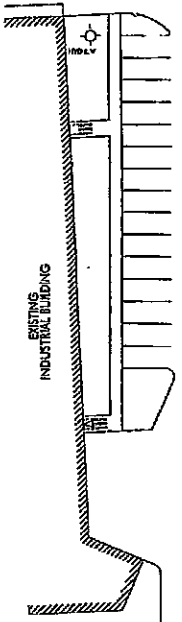
2

ZONING AMENDMENT APPLICATION

Amend By-Law 1-88 to permit one (1) additional eating establishment or a bakery use having a maximum gross floor area of 495m² within the existing multi-unit building

Existing 861m² Eating Establishment in Units 12 & 13

REGIONAL ROAD 27



Existing 306m² Eating Establishment

ZENWAY BOULEVARD

Subject Lands

Not to Scale



Site Plan

LOCATION:
Part of Lot 7, Concession 9

APPLICANT:
Roybridge Holdings Limited

N:\DFT\1 ATTACHMENTS\Z\Z.09.020.dwg



The City Above Toronto

Development Planning Department

Attachment

FILE:
Z.09.020

DATE:
August 21, 2009

3