

**COMMITTEE OF THE WHOLE (PUBLIC HEARING) FEBRUARY 18, 2002**

**3. OFFICIAL PLAN AMENDMENT FILE OP.02.003  
ZONING BY-LAW AMENDMENT FILE Z.02.001  
1199394 ONTARIO LIMITED  
PRELIMINARY REPORT**

**P.2002.14**

**Recommendation**

The Commissioner of Planning recommends:

THAT the Public Hearing for Files OP.02.003 and Z.02.001 (1199394 Ontario Limited), BE RECEIVED, and that any issues identified be addressed in a comprehensive report to the Committee of the Whole.

**Purpose**

On January 9, 2002, the Owner submitted applications to amend the Official Plan and Zoning By-law to permit an outdoor seasonal garden centre use and also, to expand the current C4 Neighbourhood Commercial Zone uses to include four additional uses (retail convenience store, hair salon, bake shop and dry cleaning establishment).

**Background - Analysis and Options**

On February 3, 1992, Council approved Zoning By-Law Amendment Application (Z.143.88) and Site Development Application (DA.72.90) to permit a 5,235m<sup>2</sup> neighbourhood commercial centre within two buildings. The site specific by-law, which was approved by the Ontario Municipal Board (OMB), placed a holding zone on the lands, restricted the floor area to 5400m<sup>2</sup>, established building envelopes and prohibited certain C4 Zone uses (retail convenience, hair salon, bake shop and dry cleaning establishment).

Subsequently, Council approved Site Development Application (DA.99.081) for one L-shaped building instead of the previously approved two buildings.

The 1.69ha site is located at the southwest corner of Rutherford Road and Clarence Street. The lands are designated "Neighbourhood Commercial Zone" by OPA #240, as amended by OPA #345, and zoned C4 Neighbourhood Commercial Zone, subject to Exception 9(860). The surrounding land uses are:

- North - Rutherford Road; residential (RV3 and RV4 Residential Zones)
- South - future commercial residential (R2 Residential and C3 Local Convenience Commercial Zones)
- East - Clarence Street; residential (R1 Residential)
- West - residential (R2 Residential)

On January 25, 2002, a notice of public hearing was mailed to all property owners within 120m of the subject site, the Belvedere Ratepayers Association, and to several residents requesting notification.

To date two letters have been received, one from the Belvedere Ratepayers Association, the other from a nearby resident which expressed concerns with the proposed garden centre use, specifically, with the location, size and lack of parking. These concerns will be addressed in the technical report to the Committee of the Whole.

**Preliminary Review**

Following a preliminary review of the proposed application, Staff has identified the following matters to be reviewed in greater detail:

- OPA #345 designates the lands “Neighbourhood Commercial Centre”, which provides for the weekly needs of residents in a one-stop shopping location, but prohibits outside storage. The proposed outdoor garden centre associated with the supermarket does not conform to the Official Plan, and therefore an amendment is required;
- the site-specific C4 Local Convenience Commercial Zoning prohibits hair dresser, bake shop, retail convenience and dry-cleaning uses; therefore, an amendment to the By-law is required;
- the garden centre is intended to be located directly in front of the supermarket, occupying approximately 18 parking spaces during the spring/summer season; this use will be reviewed, particularly for its effect on parking demands;
- the function, location, screening and compatibility of the garden centre with the uses permitted on-site and in the immediate area, will be examined; and
- the proposed C4 uses will be reviewed in light of any changes in the rationale for their exclusion originally, and their suitability for the site.

### **Conclusion**

The above issues, but not limited to, will be considered in the technical review of the application, together with comments of the public and Council expressed at the Public Hearing and be addressed in a comprehensive report to a future Committee of the Whole meeting. The proposed application will be reviewed in accordance with the policies of the Official Plan and the Zoning By-law with respect to compatibility with permitted on-site and surrounding uses. In particular, the garden centre will be reviewed for its effect on parking and site circulation.

### **Attachments**

1. Location Map
2. Site Plan

### **Report prepared by:**

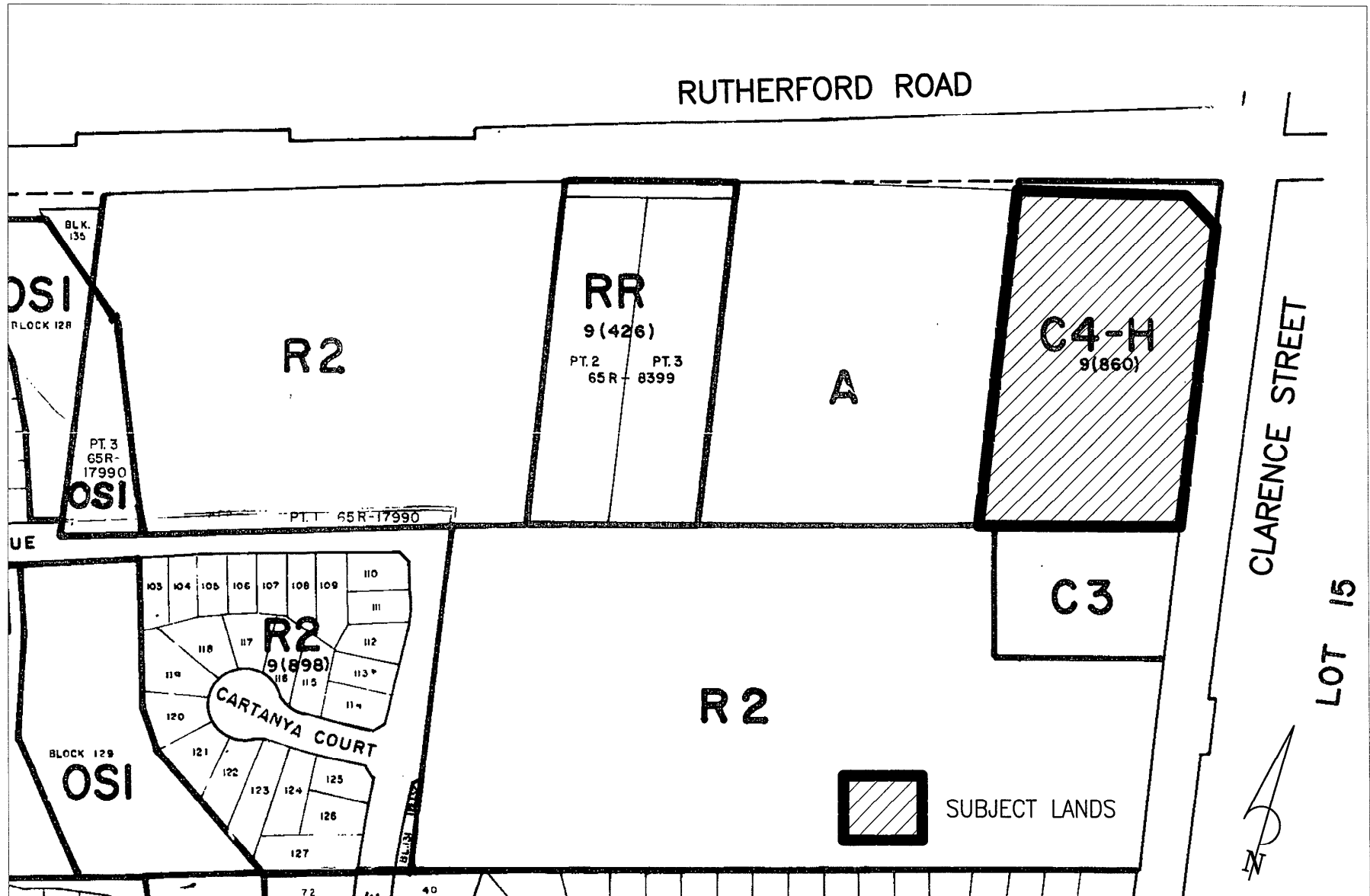
Eugene Fera, Planner, ext. 8064  
Art Tikiryana, Senior Planner, ext 8212

Respectfully submitted,

MICHAEL DeANGELIS  
Commissioner of Planning

JOANNE R. ARBOUR  
Director of Community Planning

/LG



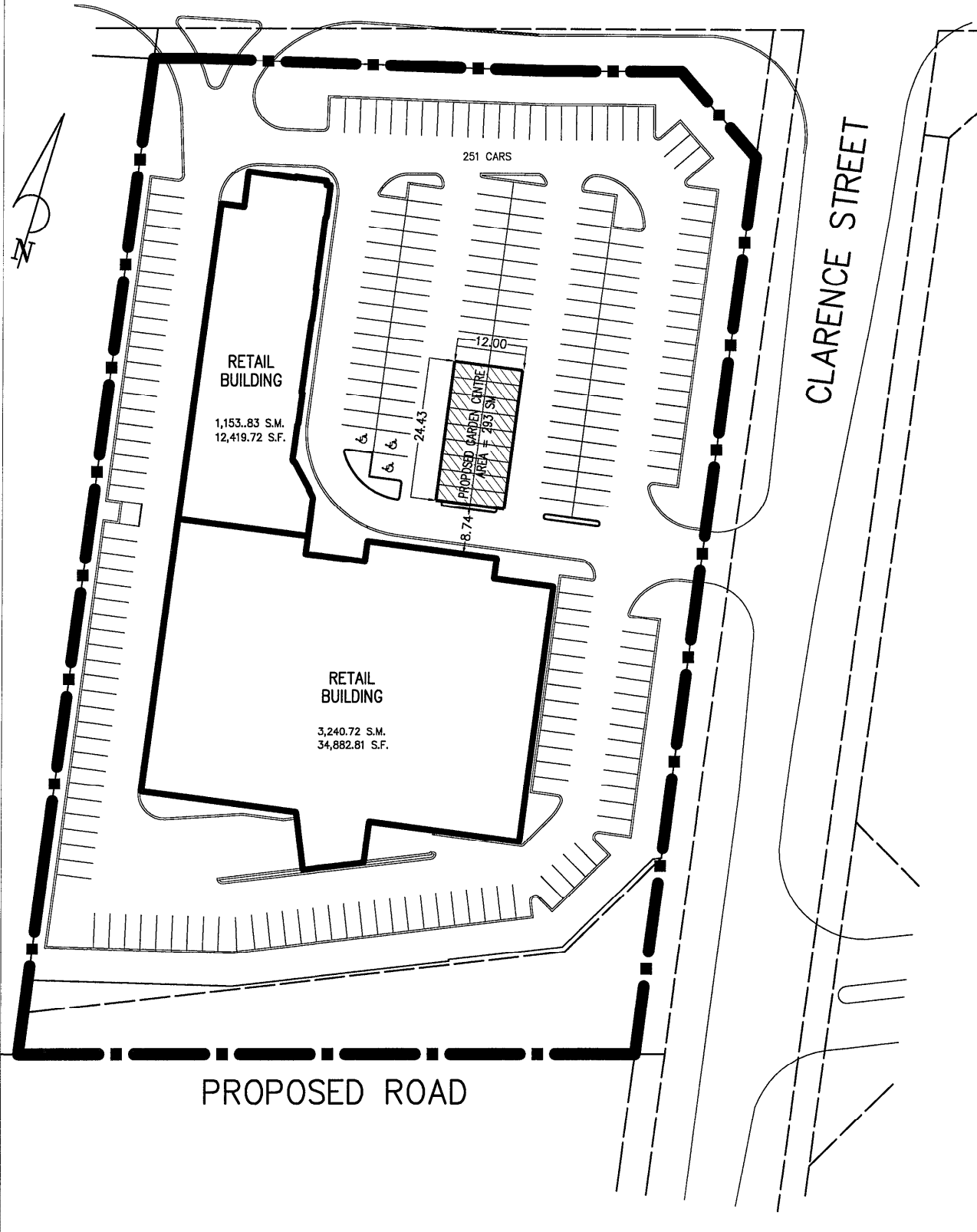
ATTACHMENT '1'  
LOCATION MAP

FILE #: Z.02.001 OP.02.003	REPORT #: LOCATION:	CITY OF VAUGHAN PLANNING DEPARTMENT	APPLICANT:	DATE: 01/18/2002
	PART OF LOT 15 CON. 8		1199394 ONTARIO LIMITED	SCALE: NOT TO SCALE

RUTHERFORD ROAD

CLARENCE STREET

PROPOSED ROAD



SUBJECT LANDS

ATTACHMENT '2'  
SITE PLAN

FILE #:	REPORT #:
Z.02.001 OP.02.003	LOCATION: PART OF LOT 15, CON. 8

CITY OF VAUGHAN  
PLANNING DEPARTMENT

DATE: 01/18/2002
APPLICANT: 1199394 ONTARIO LIMITED
SCALE: NOT TO SCALE