

**5. ZONING BY-LAW AMENDMENT FILE Z.03.062
SOFIA ROM – A.C.E. DAYCARE
PRELIMINARY REPORT**

P.2003.69

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing for File Z.03.062 (Sofia Rom – A.C.E. Daycare) BE RECEIVED; and, that any issues identified be addressed by Staff in a comprehensive report to the Committee of the Whole.

Purpose

On August 20, 2003, the Owner submitted an application to amend the Zoning By-law to rezone the subject lands to C3 Local Commercial Zone and to permit, in addition to the uses permitted in the C3 Zone, a daycare facility with outdoor play area.

A related Site Plan Application was submitted for a 3-storey, 1292.7m² building, which would facilitate the daycare on the first and second floors, and office suites on the third floor.

Background - Analysis and Options

The subject lands are located on the south side of Rutherford Road, west of Bathurst Street (941 Rutherford Road), in Lot 15, Concession 2, City of Vaughan. The irregular-shaped 0.5ha site has 61m frontage on Rutherford Road and a lot depth of 94m, and is developed with a detached dwelling.

The subject lands are designated “Medium Density Residential/Commercial” by OPA #600, and zoned RR Rural Residential Zone by By-law 1-88. The surrounding land uses are:

- North - Rutherford Road; future storm pond (Block 11)
- South - open space valley (OS1 Zone)
- East - place of worship (Agricultural Zone)
- West - open space valley (OS1 Zone)

On August 22, 2003, a notice of public hearing was circulated to all property owners within 120m of the subject lands. To date, no responses have been received. Any comments received will be addressed in the technical review and included in a comprehensive Staff report to a future Committee of the Whole meeting.

Preliminary Review

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

- the “Medium Density Residential/Commercial” designation provides opportunities for daycares, schools, and commercial uses in accordance with the policies of OPA #600, which states that “small scale retail and office commercial uses shall be permitted, provided such uses face on a primary street or arterial road”; the proposed rezoning to a C3 Zone to facilitate a daycare facility and office suites, would conform to the Official Plan;

- the subject lands are zoned RR Rural Residential Zone, which permits detached dwellings; a zoning amendment is required to rezone the subject lands to C3 Local Commercial Zone, which would permit bank or financial institutions, business or professional offices, personal service shops, photography studios, retail stores, video stores; an exception to the C3 Zone would be required to add the proposed daycare facility as a permitted use;
- the appropriateness of the proposed commercial uses on the property will be reviewed for compatibility with existing and planned uses in the surrounding area;
- the interface of the proposed development with the surrounding uses, respecting appropriate setbacks and buffers, height, noise, lighting, access/parking, and traffic will be reviewed through the site plan process; any exceptions to the C3 Zone standards will be determined at that time;
- consideration will be given to facilitating a street-related building with parking located to the side and rear of the property, in accordance with the Official Plan;
- the developable limits of the top-of-bank and the protection of natural features, including any significant trees, will be established through a site walk by the Toronto and Region Conservation Authority (TRCA) and the City;
- the proposed development will be subject to the Master Landscape Plan, Urban Design Guidelines, and Architectural Design Guidelines that have been approved for Block 10;
- the site is proposed to be serviced by a private septic system and well, but should be pre-serviced to allow for future connections to municipal watermain, sanitary and storm sewers, upon the extension of services to the area; and
- comments from the Region of York will be required to address access and any necessary road widenings.

Conclusion

The above-noted issues, but not limited to, will be considered in the technical review of the application, together with comments expressed at the public hearing, or in writing, and will be addressed in a comprehensive report to a future Committee of the Whole meeting. In particular, Staff will review the appropriate uses for the site and the interface of the proposed development with the surrounding uses, including the proposed rezoning, in conjunction with the related site plan application, to determine the exceptions to the C3 zone standards required to implement the site plan for a street-related building adjacent to Rutherford Road.

Attachments

1. Location Map
2. Conceptual Site Plan

Report prepared by:

Jason Sheldon, Planner, ext. 8320
 Grant A. Uyeyama, Senior Planner, ext. 8635
 Marco Ramunno, Manager of Development Planning, ext. 8485

Respectfully submitted,

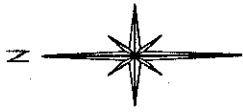
MICHAEL DeANGELIS
Commissioner of Planning

JOANNE R. ARBOUR
Director of Community Planning

/CM

BATHURST STREET

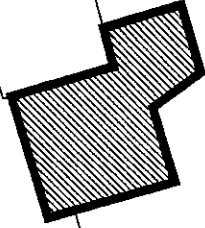
RUTHERFORD ROAD



Not to Scale



SUBJECT LANDS



Location Map

Part Lot 15,
Concession 2

APPLICANT:
SOFIA ROM

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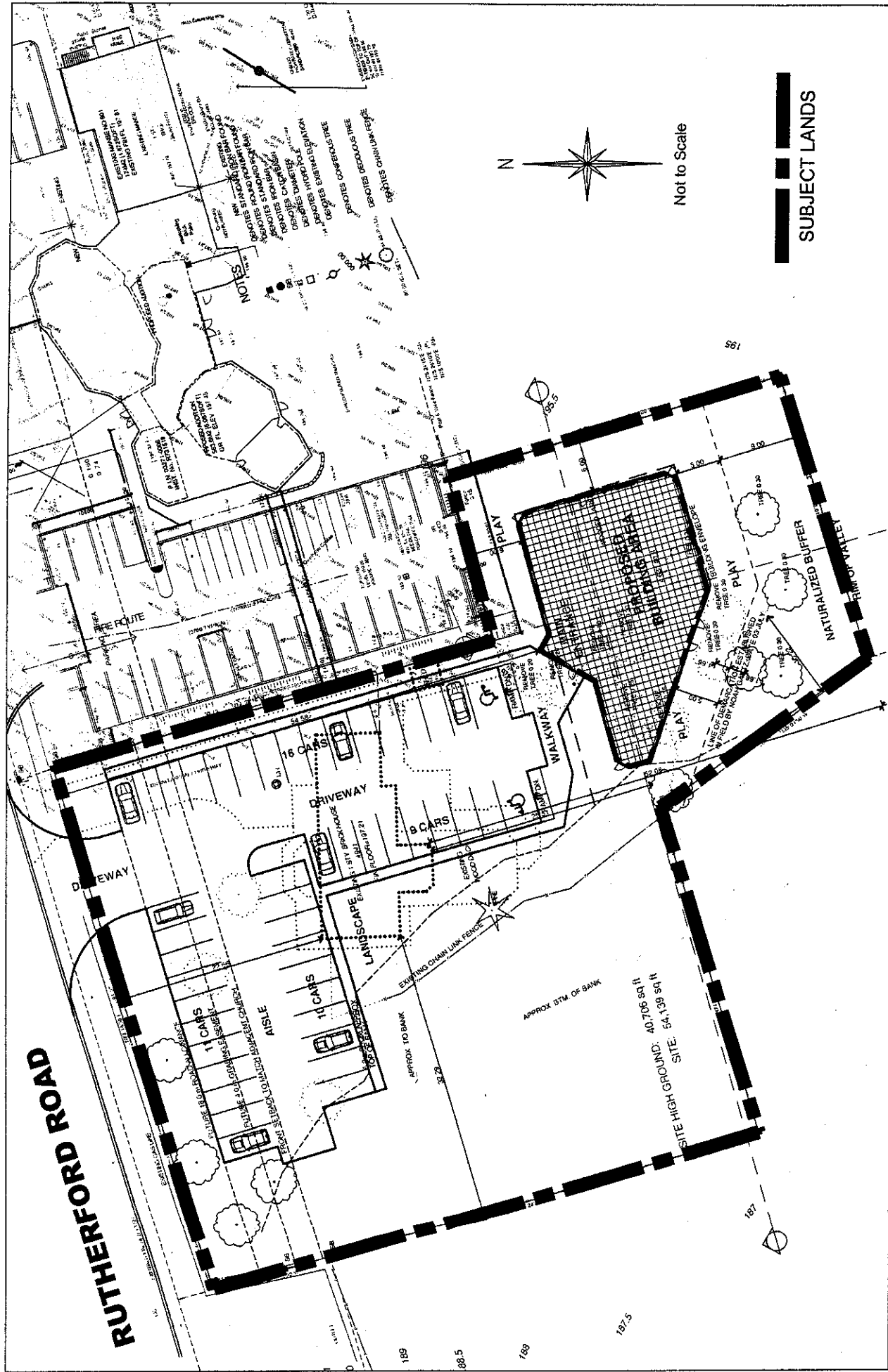
City of Vaughan

Community Planning Department

Attachment

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FILE No.:
Z.03.062
Related FILE:
DA.03.052
August 20, 2003



SUBJECT LANDS

Attachment 2
 FILE No.: Z.03.062
 Related FILE: DA.03.052
 August 20, 2003

City of Vaughan
 Community Planning Department

Conceptual Site Plan
 Part Lot 15,
 Concession 2
 APPLICANT:
 SOFIA ROM
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