

**1. ZONING BY-LAW AMENDMENT FILE Z.04.033
L. SCHWARTZBERG, HARRY AND SARAH KRANC
PRELIMINARY REPORT**

P.2004.87

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing for File Z.04.033 (L. Schwartzberg, Harry and Sarah Kranc) BE RECEIVED; and, that any issues identified be addressed by Staff in a comprehensive report to the Committee of the Whole.

Purpose

On June 24, 2004, the Owners submitted an application to amend the Zoning By-law to rezone the subject lands from EM1(H) Prestige Employment Area Zone with Holding provision to C7 Service Commercial Zone to permit service commercial uses on the 1.36 ha site. Exceptions to facilitate reduced building setbacks and landscape strip widths are also proposed.

Background - Analysis and Options

The subject lands are located at the northwest corner of Dufferin Street and Centre Street (7818 Dufferin Street), in Lot 6, Concession 3, City of Vaughan. The irregular-shaped 1.36 ha site has 117m frontage on Centre Street and 179m flankage on Dufferin Street. The site is developed with the Concordian Motel, which would be demolished.

The subject lands are designated "Prestige Area" by OPA #450 (City Employment Area Plan), as amended by OPA #555, the latter which applies to the employment lands bounded by Dufferin Street, Centre Street and Highway #407. The "Service Node" policies in OPA #450 also apply to the site, which is located at the intersection of two arterial roads. The site is zoned EM1(H) Prestige Employment Area Zone with Holding provision by By-law 1-88, subject to Exception 9(1186). The surrounding land uses are as follows:

- North - vacant (EM1(H) Prestige Employment Area Zone with Holding provision)
- South - Centre Street; vacant (A Agricultural Zone)
- East - Dufferin Street; commercial (C2 General Commercial Zone), vacant (C6 Highway Commercial Zone), residential (R1 Residential Zone)
- West - vacant (A Agricultural Zone), hydro corridor (PB1(S) Parkway Belt Linear Facilities Zone)

On August 13, 2004, a notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to the following ratepayer associations: Beverley Glen, Brownridge, Concord West, and Glen Shields. To date, no written comments have been received. Any responses received will be addressed in the technical review, and included in a comprehensive 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 "Prestige Area" designation under OPA #450 permits a wide range of industrial, office, business and civic uses with no outside storage, and is located adjacent to arterial

roads and highways; the prestige employment policies contained in OPA #555 apply to the site and area bounded by Centre Street, Dufferin Street and Highway #407 for the development of priority uses including offices, hotels with related hospitality and conference facilities, major corporate complexes, and prestige employment uses, with the amount and type of retail commercial and personal service uses to be ancillary to the priority uses; civic and hydro-electric utility uses are also permitted; under this designation, the requirements of the EM1 Zone under Exception 9(1186) would apply to the site, which excludes industrial employment uses;

- the “Service Node” policies in OPA #450 also apply to the subject lands, which are located at the intersection of arterial roads, and would permit service commercial uses for the day-to-day convenience and service needs of businesses, industries and their employees; retail uses which service the convenience needs of employees (ie. convenience retail store or pharmacy) and businesses (ie. business supplies) are considered to conform; the maximum area of a service node is approximately 1.2 ha, but may exceed this area if the site is developed with a predominant use such as an office complex, hotel, or retail warehouse; the 1.36 ha site exceeds the maximum node size by 0.16 ha, but this can be attributed to the long driveway extension to Dufferin Street at the northeast corner of the property; the proposal to rezone the site from EM1(H) Zone to C7 Service Commercial Zone would permit the development of service commercial uses in conformity with the “Service Node” policies in the Official Plan;
- the site is proposed to be developed with a new Canadian Tire service commercial concept, which comprises 2,080.54 m² of gross floor area, to include but not be limited to a specialty restaurant, drive-through restaurant (high-end coffee), convenience retail store, petroleum, propane, car wash, dry cleaners, and pharmacy uses, which would be permitted as-of-right in the C7 Zone;
- the concept would require exceptions to the C7 Zone standards for: reduced rear yard (north) from 22m to 12.32m; reduced interior side yard (west) from 6m to 1.79m; and reduced landscaping strip widths ranging between 1.0m - 5.05m, whereas 6m is required;
- consideration should be given to relocating the gas bar/propane and car wash buildings away from the intersection, and siting the retail buildings close to the street; and implementing the urban design objectives identified in the Centre Street Study;
- site access and transportation improvements to Centre Street and Dufferin Street, including road widenings, are to be approved by the Region of York; a master plan should be submitted to address the co-ordination of driveway access points or road linkages with the properties to the north;
- the environmental assessment (EA) for the York Rapid Transit Plan (YRTP) is considering the feasibility of a higher order transit line within the right-of-way of Centre Street, with a transit stop to be located in the vicinity of the intersection of Centre and Dufferin; any recommendations resulting from the final EA findings could impact the development of the subject lands;
- on June 28, 2004, Council received the City consultant’s report prepared by the IBI Group on the Thornhill - Centre Street Study, and further resolved that a public hearing be scheduled; the IBI report recommended new planning and urban design initiatives to guide development on the north and south sides of Centre Street, between Bathurst Street and Regional Road #7, including providing that the lands on the northwest corner of Dufferin and Centre be designated “Prestige Area” (permitting the priority and ancillary uses identified in OPA #555, and clarifying the requirements of the service node policies);

amendments to the Official Plan, to implement the Centre Street Study, are scheduled for Public Hearing on September 20, 2004.

Relationship to Vaughan Vision 2007

The applicability of this proposal to the Vaughan Vision will be determined when the technical report is completed.

Conclusion

The above issues, but not limited to, will be considered in the technical review of the application, together with comments from the public and Council expressed at the Public Hearing or in writing, and be addressed in a comprehensive report to a future Committee of the Whole meeting.

In light of the recommendations contained in the Centre Street Study and the scheduled Public Hearing on September 20, 2004 to consider amendments to the Official Plan, and the environmental assessment being undertaken for the York Rapid Transit Plan, which could impact the development of the subject lands, Staff are of the opinion that the proposed zoning amendment application should be held in abeyance, pending the outcome of these initiatives.

Attachments

1. Location Map
2. Preliminary Site Plan

Report prepared by:

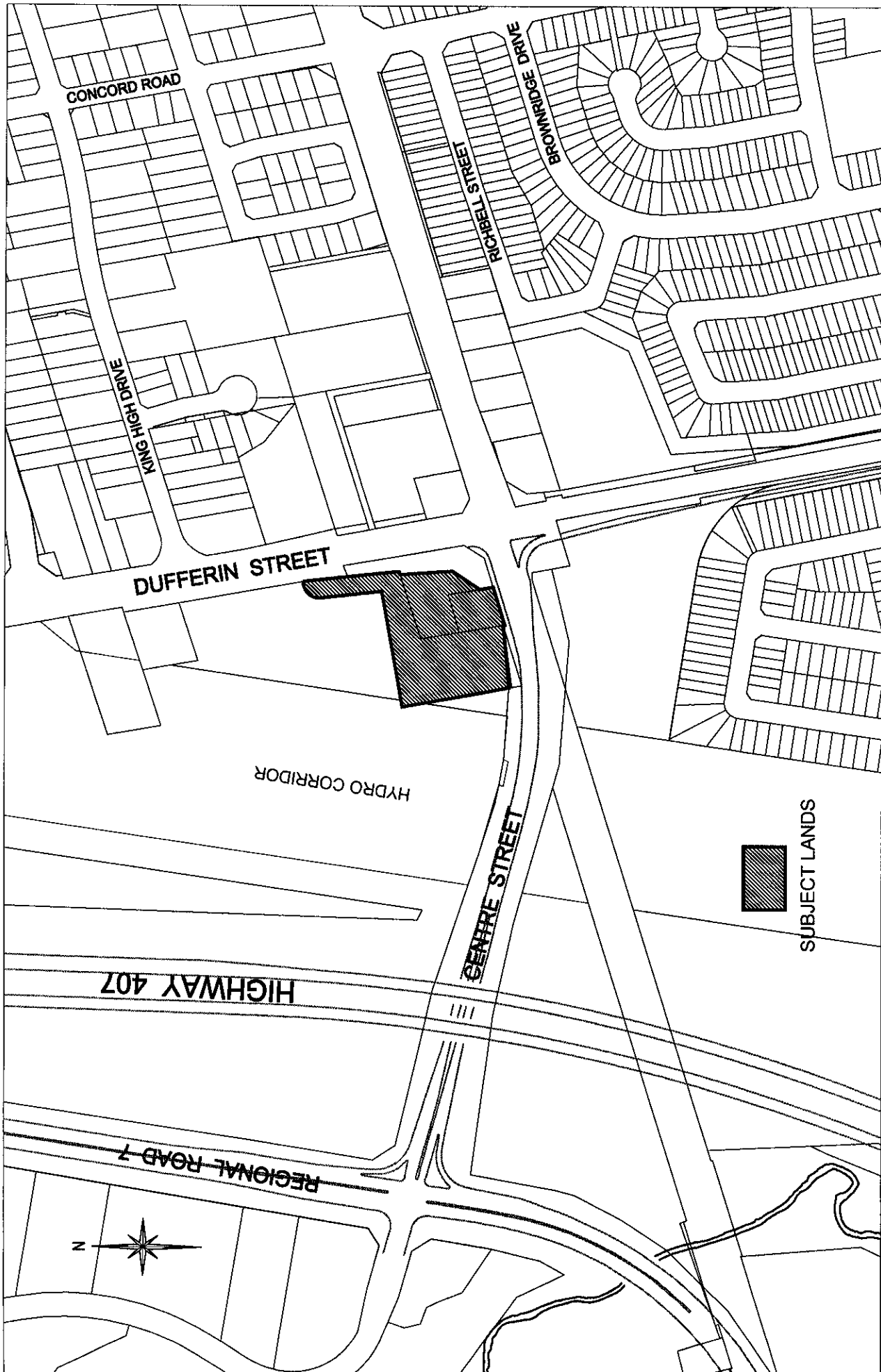
Grant Uyeyama, Senior Planner, ext. 8635

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

/CM



Location Map

Lot 6,
Concession 3

APPLICANT:
L. SCHWARTZBERG, HARRY &
SARAH KRANC

CITY OF Vaughan

Community Planning Department

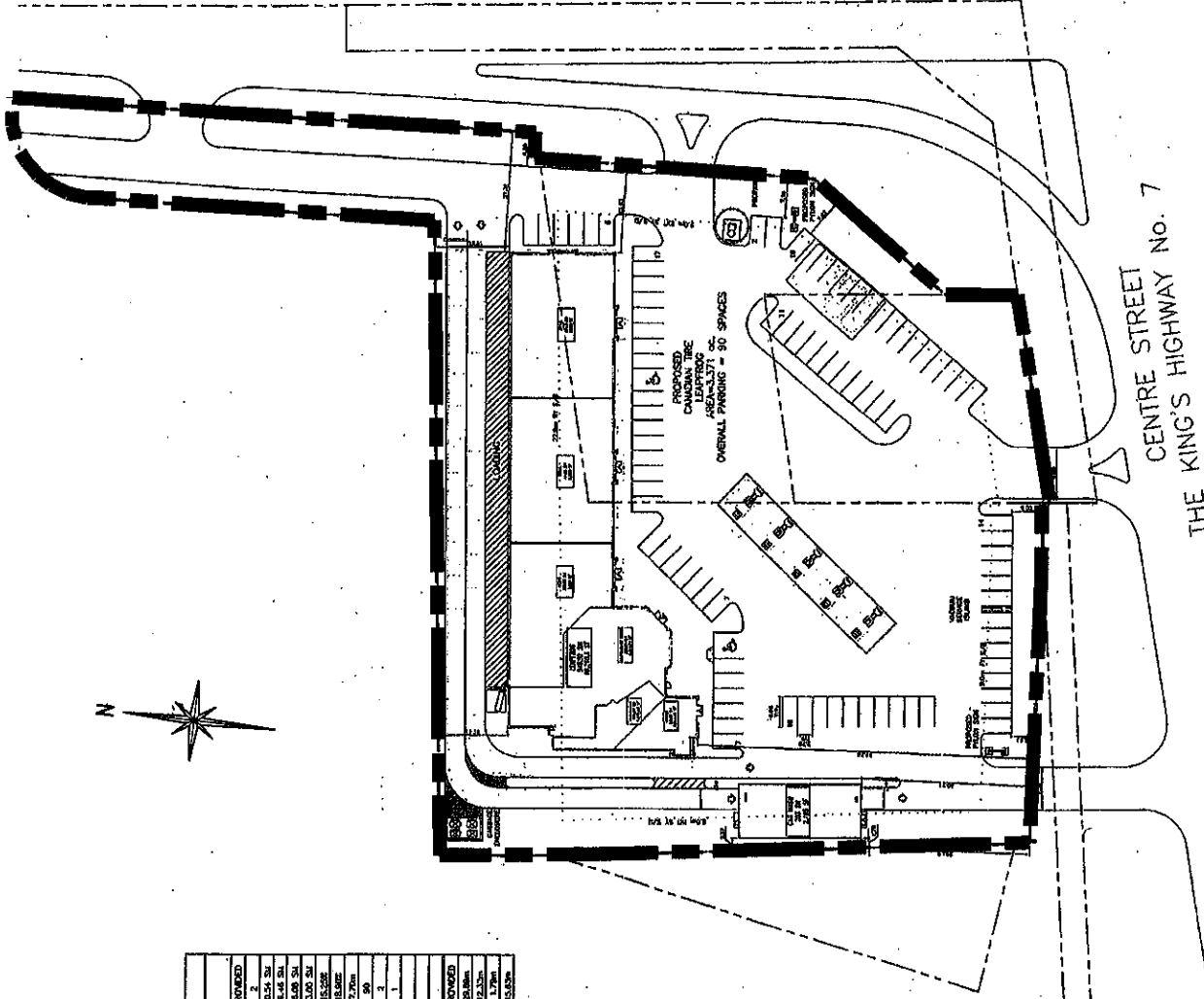
Attachment

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FILE No.:
Z.04.033

Not to Scale
August 9, 2004

DETAILS OF DEVELOPMENT	
LOT AREA = 14,864.21 SQ. METERS (3,455,800 SQ. FT.)	
TOTAL NUMBER OF UNITS	REQUIRED: N/A PROPOSED: 2,000
GROUND FLOOR AREA	REQUIRED: N/A PROPOSED: 1,200.00 SQ. METERS
FLOOR AREA	REQUIRED: N/A PROPOSED: 1,000.00 SQ. METERS
RETAIL	REQUIRED: N/A PROPOSED: 1,000.00 SQ. METERS
CORPORATE	REQUIRED: N/A PROPOSED: 1,000.00 SQ. METERS
LOT COVERAGE	REQUIRED: 40% MAX. PROPOSED: 15.00%
LANDSCAPED AREA	REQUIRED: 10% MAX. PROPOSED: 15.00%
BUILDING HEIGHT	REQUIRED: 11.0m PROPOSED: 2.70m
PARKING SPACES (60/100 SQ. METERS)	REQUIRED: 78 PROPOSED: 90
PARKING SPACES	REQUIRED: 1 PROPOSED: 1
COUNTING SPACES	REQUIRED: 1 PROPOSED: 1
BUILDING SETBACKS	
FRONT	REQUIRED: 9.0m PROPOSED: 20.00m
REAR	REQUIRED: 22.0m PROPOSED: 12.50m
LEFT SIDE	REQUIRED: 6.0m PROPOSED: 1.70m
RIGHT SIDE	REQUIRED: 9.0m PROPOSED: 15.00m



SUBJECT LANDS



Preliminary Site Plan

Lot 6,
Concession 3

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