

**2. ZONING BY-LAW AMENDMENT FILE Z.04.048
 BAIF DEVELOPMENTS LIMITED
 PRELIMINARY REPORT**

P.2004.99

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing for File Z.04.048 (Baif Developments Limited) BE RECEIVED; and that any issues identified be addressed by Staff in a comprehensive report to the Committee of the Whole.

Purpose

The Owner has submitted an application to amend the Zoning By-law to delete the site-specific restriction that limits a supermarket use to a maximum of 1,672 m² on the subject lands.

Background - Analysis and Options

The subject lands are located at the southwest corner of New Westminster Drive and Bathurst Street, being Block 1 on Registered Plan 65M-2700, in Part of Lot 7, Concession 2, City of Vaughan. The square-shaped 1.9 ha property has 131.48 m frontage along Bathurst Street and 141.46 m flankage on New Westminster Drive.

The subject lands are designated "Neighbourhood Commercial Centre" by OPA #210 (Thornhill-Vaughan Community Plan) and zoned C4(H) Neighbourhood Commercial Zone with a Holding provision, by By-law 1-88, subject to site-specific Exception 9(1034). The surrounding land uses are:

- North – New Westminster Drive; community centre (OS2 Open Space Park Zone), high school (R3 Residential Zone)
- South – vacant/future apartment residential (RA3-H Apartment Residential Zone)
- East – Bathurst Street; detached residential (R4 Residential Zone)
- West – townhouse residential (RM1 Multiple Residential Zone)

On September 24, 2004, a notice of Public Hearing was circulated to all property owners within 120 m of the subject lands, and to the Crestwood Springfarm Yorkhill Residents' Association and Beverley Glen Ratepayers Association. To date, no comments have been received. Any responses 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 application, Staff has identified the following matters to be reviewed in greater detail:

- the "Neighbourhood Commercial Centre" designation permits supermarkets, retail stores, business and professional offices, and personal service establishments, with no maximum floor area restrictions;
- the lands are zoned C4(H) Neighbourhood Commercial Zone with a Holding provision; the C4 Zone permits a wide range of service and retail oriented uses, including a supermarket; the site-specific zoning Exception 9(1034) restricts the size of a supermarket on the site to

1,672m², and the proposal to delete this floor area restriction requires an amendment to the Zoning By-law;

- review will be given to the appropriateness of deleting the maximum floor area restriction on the site, and the impact to the surrounding community; and
- the site and building design, parking, access, landscaping and engineering to facilitate a supermarket use would be reviewed upon submission of a comprehensive concept plan or detailed site plan, with the "H" holding provision to remain until such time as Council approves a Site Plan application for the subject lands.

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 of 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 particular, Staff will review the appropriateness and functioning of a supermarket use in excess of 1,672m² on the subject lands.

Attachments

1. Location Map

Report prepared by:

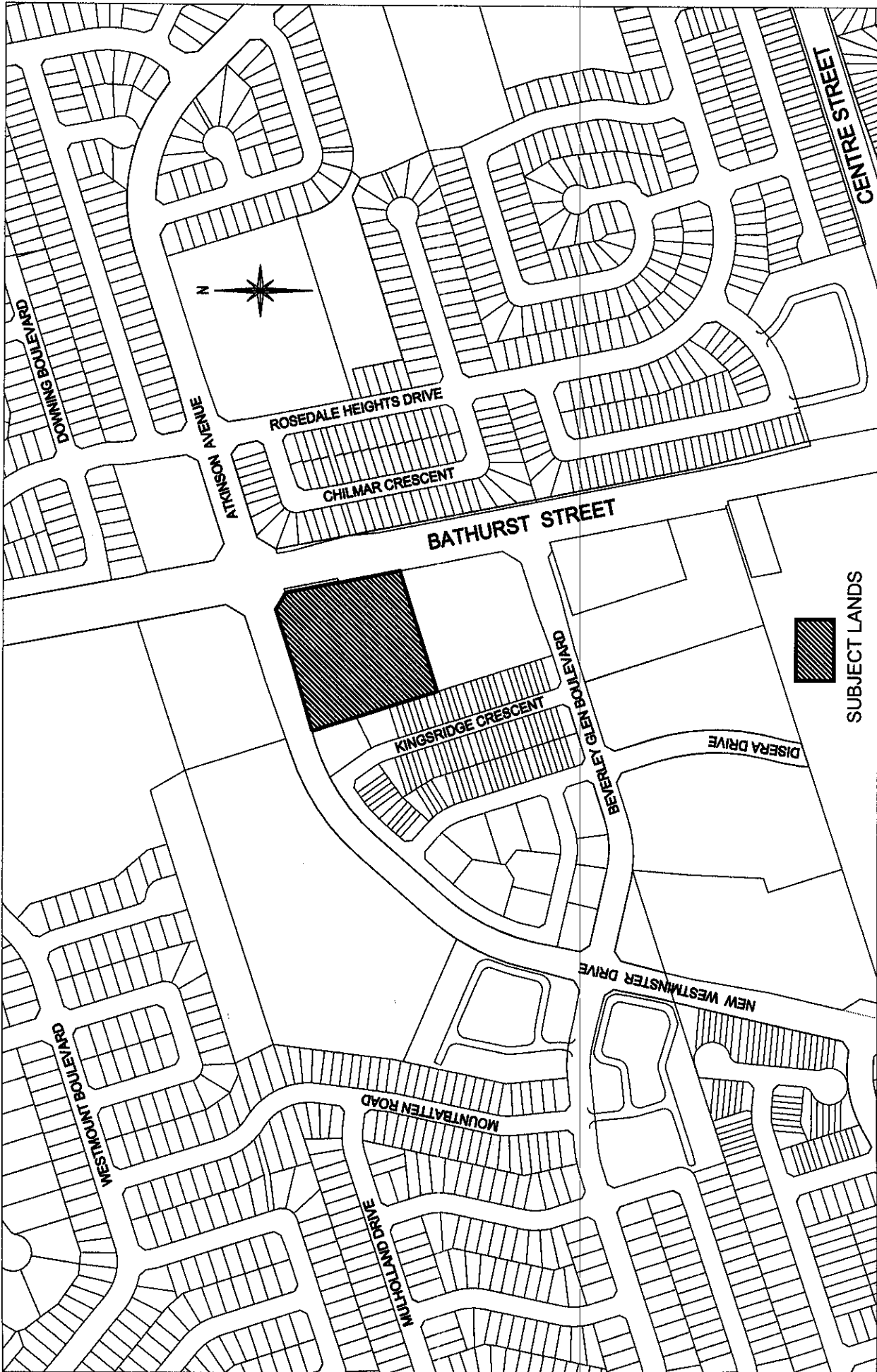
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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

/CM



Attachment **1**

FILE No.:
Z.04.048

Not to Scale

September 22, 2004

City of Vaughan

Community Planning Department

Location Map

Part of Lot 7,
Concession 2

APPLICANT:
BAIF DEVELOPMENTS LIMITED