

COMMITTEE OF THE WHOLE SEPTEMBER 7, 2004

OFFICIAL PLAN AMENDMENT FILE OP.04.009 ZONING BY-LAW AMENDMENT FILE Z.04.027 CITY OF VAUGHAN REPORT #P.2004.85

Recommendation

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment Application OP.04.009 (City of Vaughan) BE APPROVED to redesignate the lands to a Community Commercial Centre designation, and;
2. THAT Zoning By-law Amendment Application Z.04.027 (City of Vaughan) BE APPROVED to rezone the lands from M2 General Industrial Zone to C5 Community Commercial Zone with the addition of an automobile gas bar and car wash use.

Purpose

On May 25, 2004, the City of Vaughan initiated an application to amend Official Plan Amendment 350 and Zoning By-law 1-88 to redesignate and rezone the lands to the highest and best use.

Background - Analysis and Options

The 2.18 ha property is located on the northeast corner of Rutherford Road and Melville Avenue, in Lot 16, Concession 4, City of Vaughan.

The lands are designated "Service Centre", "Local Convenience Commercial" and "Prestige Industrial" by OPA 350 (Maple Community Plan), and zoned M2 General Industrial Zone by By-law 1-88, subject to Exception 9(796). The surrounding land uses are:

- North – CNR Tracks (M3 Industrial Zone)
- South – Rutherford Road; Industrial (EM1 Prestige Industrial Zone)
- East – CNR tracks, vacant (M3 Industrial and A Agricultural Zones)
- West – Melville Avenue; police station and Joint Operations Centre (M2 Industrial Zone)

On May 31, 2004, a notice of Public Hearing was circulated to all property owners within 120m of the subject lands and to the Maple Landing Ratepayers Association. To date, no responses have been received.

The recommendation of the Committee of the Whole on June 21, 2004, to receive the public hearing and forward a comprehensive report to a future Committee meeting, was ratified by Council on June 28, 2004.

Official Plan

The City owned lands at the northeast corner of Rutherford Road and Melville Avenue are designated "Service Centre" at the corner, "Local Convenience Commercial" along Rutherford Road and "Prestige Industrial" – Policy Area 1 in the rear of the property along Melville Avenue and abutting the CNR pull back track by OPA 350 (Maple Community Plan).

The proposed "Community Commercial Centre" designation is considered appropriate for the site in light of the surrounding land uses and its location at the intersection of a Regional Road and local collector road. This designation permits retail stores, supermarkets, restaurants, business

and professional offices, banks and financial institutions and personal service establishments. The corresponding zone category is the C5 Community Commercial Zone.

Zoning

The subject lands are currently zoned M2 General Industrial Zone by By-law 1-88, subject to Exception 9(796). A zoning amendment is required as the current zoning permits industrial uses with open storage that may only be used by a public authority. Since the City no longer requires the land nor the use, a rezoning of the subject lands would be appropriate.

The subject lands will be rezoned to C5 Community Commercial zone to match the corresponding proposed official plan designation. The C5 Community Commercial zone permits the following uses, provided that all uses shall be carried on entirely within a shopping center with no open storage:

- Office Building
- Place of Amusement
- Bank or Financial Institution
- Brewers Retail Outlet
- Business or Professional Office
- Club or Health Centre
- Eating Establishment
- Eating Establishment, Convenience with Drive-Through
- Eating Establishment, Take-Out
- L.C.B.O. Outlet
- Personal Service Shop
- Photography Studio
- Place of Entertainment
- Retail Store
- Service or Repair Shop
- Supermarket
- Veterinary Clinic
- Video Store

In addition to these uses, an automobile gas bar and car wash is included as a permitted use, consistent with the Official Plan.

Engineering

The Engineering Department has no objections to above noted proposal. With respect to servicing allocation, commercial lands do not require formal allocation.

York Region Transportation & Works

At this time the Regional Municipality of York has no objections to the reuse of the property with commercial uses in regards to the subject application. Upon submission and review of a formal Site Plan Application for the subject lands, the Regional Municipality of York shall provide the Owner of any property, financial, legal, insurance, technical, notification and other requirements, which will become part of the conditions of approval for the subject application.

CN Railway Properties

The development review section of CN Railway has the following comments:

- The Owner must install and maintain at his own expense, a chain link fence of minimum 1.83m height along the mutual property line.
- Any proposed alterations to the existing drainage pattern affecting Railway property must receive prior concurrence from the Railway and be substantiated by a drainage report to the satisfaction of the Railway.

Planning Considerations

The existing official plan designation of the subject lands permitted the City owned lands to be used for a maintenance operations centre and Regional work yard. Since the lands are no longer required for this purpose it was determined that a Community Commercial designation and zoning is appropriate and supportable in the context of the surrounding development. The commercial uses would be consistent with the existing and proposed commercial and prestige employment area uses located along the south side of Rutherford Road.

Vaughan Vision

This staff report is consistent with Vaughan Vision 2007, which encourages managed growth through the implementation of OPA 350.

Conclusion

Planning Staff consider the proposed re-designation and zoning to Community Commercial uses appropriate for the subject lands. Staff is of the opinion that the community commercial uses on the subject lands is supportable in light of the Official Plan policies and the area context in terms of the surrounding land uses.

Should Committee concur, the recommendation of this report can be adopted.

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



Location Map

Part of Lot 16,
Concession 4
APPLICANT:
CITY OF VAUGHAN



Community Planning Department

Attachment

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FILE No's:
OP. 04.009
& Z.04.027

May 27, 2004