

COMMITTEE OF THE WHOLE JUNE 20, 2005

OFFICIAL PLAN AMENDMENT FILE OP.04.021 ZONING BY-LAW AMENDMENT FILE Z.04.073 680401 ONTARIO LIMITED, IN TRUST FOR NETWORK REALTY REPORT #P.2005.12

Recommendation

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment File OP.04.021 (680401 Ontario Limited, In Trust For Network Realty) BE APPROVED, to increase the maximum net residential density on lands designated "Mixed Commercial/Residential Area" in OPA #471, from 148 to 170 units/ha (ie. from 78 to 129 units [increase of 51 units] on the subject lands, or from 227 to 278 units on the combined subject and northerly Alterra lands); and to reduce the maximum permitted commercial gross floor area from 1,100 m² to 557 m².
2. THAT Zoning By-law Amendment File Z.04.073 (680401 Ontario Limited, In Trust For Network Realty) BE APPROVED, to amend the site-specific provisions of the RA3 Apartment Residential Zone in Exception 9(545) of By-law 1-88, as follows:
 - a) require a minimum residential parking standard of 1.15 spaces/unit;
 - b) require a minimum commercial parking standard of 5.4 spaces/100 m² GFA;
 - c) permit a maximum of 56 surface parking spaces;
 - d) require a minimum 1.2m wide landscape strip abutting Dufferin Street, directly adjacent to the northwest corner of the building;
 - e) revise the building envelope on Exception Schedule "E-396" to facilitate a narrower and longer building footprint, consistent with the conceptual site plan on Attachment #2;
 - f) permit a maximum residential GFA of 13,087 m²;
 - g) permit a maximum commercial GFA of 557 m²;
 - h) permit a combined maximum residential/commercial GFA of 13,644 m²;
 - i) permit a maximum of 129 residential dwelling units on the subject lands, or a maximum of 278 units on the combined subject and northerly Alterra site; and,
 - j) require a minimum amenity space standard of 15.4 m²/unit.
3. THAT the implementing zoning by-law not be enacted until Council has approved a site plan application for the subject lands.

Economic Impact

There are no requirements for new funding associated with this report. The proposal will facilitate new assessment to the local tax base.

Purpose

1. The Owner has submitted an application to amend the Official Plan to:
 - a) increase the maximum net residential density on lands designated "Mixed Commercial/Residential Area" in OPA #471, from 148 to 170 units/ha (ie. from 78 to 129 units [increase of 51 units] on the subject lands, or from 227 to 278 units on the combined subject and northerly Alterra lands, as shown on Attachment #1; and
 - b) reduce the maximum permitted commercial gross floor area from 1,100 m² to 557 m².
2. The Owner has submitted an application to amend the Zoning By-law, to permit the following site-specific exceptions to the RA3 Apartment Residential Zone:
 - a) a reduction to the minimum required residential parking standard from 1.3 to 1.15 spaces/unit;
 - b) a reduction to the minimum required commercial parking standard from 5.5 to 5.4 spaces/100 m² GFA;
 - c) an increase in the maximum permitted number of surface parking spaces from 20 to 56 spaces;
 - d) a reduction to the minimum required landscape strip width abutting Dufferin Street, directly adjacent to the northwest corner of the building, from 1.5m to 1.2m;
 - e) a revision to the permitted building envelope on Exception Schedule "E-396" to facilitate a narrower and longer building foot-print, consistent with the conceptual site plan on Attachment #2;
 - f) an increase in the maximum permitted residential GFA from 12,255 m² to 13,087 m²;
 - g) a reduction to the maximum permitted commercial GFA from 1,100 m² to 557 m², as a result of the increase in the residential GFA;
 - h) an increase in the combined maximum permitted residential/commercial GFA from 13,355 m² to 13,644 m²;
 - i) an increase in the maximum permitted residential dwelling unit count on the subject lands from 78 to 129 units (increase of 51 units), or from 227 to 278 units on the combined subject and northerly Alterra property; and,
 - j) a reduction to the minimum required amenity space from 25 to 15.4 m²/unit.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located at the northeast corner of Steeles Avenue West and Dufferin Street, in Part of Lot 1, Concession 2, City of Vaughan. The 0.758 ha irregular-shaped lot has 77m frontage along Dufferin Street and 120m flankage along Steeles Avenue West.

The subject lands are designated “Mixed Commercial/Residential Area” by OPA #210 (Thornhill-Vaughan Community Plan), as amended by site-specific OPA #471, which also applies to the northerly abutting lands developed by Alterra for an 8-storey, 149 unit condominium apartment building (Chateau Ridge), with a combined land area of 1.638 ha. The subject lands are zoned RA3(H) Apartment Residential Zone with Holding “H” provision by By-law 1-88, subject to site-specific Exception 9(545). The surrounding land uses are:

- North - residential (RA3 Apartment Residential Zone)
- South - Steeles Avenue West; commercial (City of Toronto)
- East - open space (OS2 Open Space Park Zone)
- West - Dufferin Street; commercial (C6 Highway Commercial Zone and C1 Restricted Commercial Zone)

On January 28, 2005, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to the Glen Shields Ratepayers Association. To date, no comments have been received. The recommendation of the Committee of the Whole on February 21, 2005, to receive the Public Hearing report, and to forward a comprehensive report to a future Committee meeting, was ratified by Council on February 28, 2005.

Previous OMB Context

On February 23, 1994, the Ontario Municipal Board (OMB) issued a decision in regards to applications submitted and appealed by the previous owner (887174 Ontario Limited) to amend the Official Plan and Zoning By-law and for Site Plan approval affecting the lands at the northeast corner of Dufferin Street and Steeles Avenue West (ie. the subject and Alterra lands). The previous owner proposed to develop the 1.6 ha parcel with two, 17-storey apartment buildings with a total of 296 units, and a 6,000 m² office building. The OMB denied the appeals, and in its decision, provided guidance to the municipality, landowners and concerned parties as to how the Dufferin Street and Steeles Avenue West intersection should be treated in terms of policy development. The OMB recommended a comprehensive policy approach to development of the intersection, rather than on a site-specific basis; identification of an acceptable level of density and appropriate land uses; and attention to traffic and site access concerns.

Following the OMB decision, Council directed Staff and a team of consultants to undertake the Dufferin Street-Steeles Avenue Comprehensive Land Use Review, which commenced on December 15, 1994. On March 25, 1996, Council considered the final Study report, and resolved that Staff prepare the implementing official plan amendment, to which OPA #471 was adopted by Council on May 15, 1996, and was subsequently referred to the OMB together with the implementing zoning by-law amendment. On June 13, 1997, the OMB issued its decision in respect of OPA #471 and the site-specific zoning by-law amendment, and approved both amendment documents, which provides policies and requirements to facilitate comprehensive site development of the 1.6 ha lands, including but not limited to permitted uses, development and design objectives, parking standards, building height and setbacks as established within envelopes, landscaping and amenity area requirements, and development phasing.

Policy Context

a) Provincial Policy Statement

The Provincial Policy Statement (PPS) supports efficient land use, a range and mix of housing types and densities, and residential intensification, which encourages the use of public transit. The proposed increase in density meets the intent of the PPS.

b) Region of York - Official Plan

The Region of York's Official Plan designates the subject lands as "Urban Area", which is served by major transportation corridors and transit systems. An objective of the Regional Plan is to target growth to existing built-up portions of the urban areas, to encourage carefully planned intensification, and to provide for a broad range of housing types and higher density development. The proposed increase in density is consistent with the policies in the Regional Official Plan.

The Regional Planning Department has advised that they have no objections to the proposed increase in density, and that servicing allocation will need to be confirmed at the site plan stage. Should Vaughan Council approve the proposal and adopt an implementing Official Plan Amendment, the Region of York will be the final approval authority.

b) City of Vaughan – Official Plan

The subject lands are designated "Mixed Commercial/Residential Area" by OPA #210 (Thornhill-Vaughan Community Plan), as amended by site-specific OPA #471, which permits residential apartment buildings at a maximum net residential density of 148 units/ha. OPA #471 applies to the subject lands and the abutting northerly lands developed by Alterra (Chateau Ridge project) for 149 condominium apartment units within an 8-storey building, as shown on Attachment #2. For the purposes of calculating net residential density, a net hectare includes local and residential collector streets, public parks, as well as, land for the dwelling units, but excludes open space areas, road widenings, and commercial uses. The subject application proposes to increase the net residential density from 148 to 170 units/ha on the combined 1.638 ha lands, thereby requiring an amendment to the Official Plan.

The "Mixed Commercial/Residential Area" designation in OPA #471 also permits commercial uses to a maximum gross floor area of 1,100 m². To ensure the increase in residential density (51 units) is balanced with the amount of commercial in the development, the amendment to the Official Plan will also include a reduction to the maximum permitted commercial gross floor area from 1,100 m² to 557 m².

Traffic Impact

OPA #471 requires a traffic impact report to be submitted where an increase in density is proposed, in order to assess the impact of the development on the surrounding road network. On December 13, 2004, the applicant submitted a Traffic Impact Report prepared by BA Group Transportation Consultants, which assessed the traffic operations on the subject lands (proposed 129 units, plus 557 m² of commercial GFA), the northerly abutting Alterra lands (149 condominium apartment units), and Alterra's two site plan approved condominium apartment buildings (269 units) to be constructed on the north side of Maison Parc Court, together with traffic patterns on Dufferin Street and Steeles Avenue West.

The BA Group report indicated that the applicant's proposal would result in a marginal increase in vehicular activity, and negligible impact upon the operating conditions on Maison Parc Court. The relative operational impact on the Steeles Avenue West driveway access would also be negligible. BA Group concluded that the proposed increase in residential units and corresponding decrease in commercial GFA would result in negligible impacts upon the existing/proposed public road network in the vicinity of the subject lands.

Parking Impact

On June 14, 2005, the applicant submitted a Parking Impact Report prepared by BA Group Transportation Consultants, which assessed reduced parking standards for the residential and commercial components of the applicant's development proposal. The BA Group report indicated the following:

a) Residential Parking:

- the Zoning By-law requires a minimum of 1.5 spaces/residential unit, of which 1.3 spaces/unit is allocated to resident parking, and 0.2 spaces/unit to visitor parking;
- factors including transit accessibility, low vehicle ownership characteristics in the area, and parking supply/demand, would support a reduced residential parking supply/standard of 1.15 spaces/unit (a deficiency of 20 spaces), plus 0.2 spaces/unit for visitors, yielding 1.35 spaces/unit;
- the required parking spaces are to be augmented by 25 tandem parking spaces (where access is through another parking stall, and not directly from a driveway aisle) on the basis of 0.19 spaces/unit, to be utilized by residents requiring an additional parking space, and which are not counted in the calculation of required parking for the development; BA indicated that the proposed resident parking standard of 1.15 spaces/unit, plus the tandem parking standard of 0.19 spaces/unit, would yield a standard of 1.34 spaces/unit, which would be consistent with the original by-law requirement of 1.3 spaces/unit; and
- the proposal consists of 129 condominium apartment units, and on the basis of the proposed parking standards, would yield 149 resident parking spaces (plus 25 tandem spaces) on two levels of underground parking, and 26 surface spaces for visitors.

The BA Group report concluded that a resident parking standard of 1.15 spaces/unit (effectively 1.35 spaces/unit with tandem spaces included) similar to Alterra's Chateau Ridge project, combined with visitor parking of 0.2 spaces/unit is sufficient to accommodate the residential development.

b) Commercial Parking:

- the Zoning By-law requires commercial parking to be provided on the basis of 5.5 spaces/100 m² GFA;
- the proposal consists of 557 m² of commercial floor area, and 30 surface parking spaces to serve the commercial patrons, yielding a proposed parking standard of 5.4 spaces/100 m² GFA (a deficiency of 1 parking space);
- the proposal consists of a mixed-use commercial/residential development, which will draw (ie. walk) residential clientele from within the subject condominium apartment building, Alterra's northerly Chateau Ridge project, and Alterra's two approved condominium apartment buildings north of Maison Parc Court, which will likely reduce the overall parking demands associated with the commercial floor area, thereby reducing the overall requirement for commercial parking;
- additionally, there will be 26 residential visitor parking spaces located adjacent to the commercial parking supply, which can provide an efficient sharing opportunity to temporarily off-set peak demands for either the residential or commercial uses; and
- the type of commercial floor area typically exhibits a slightly higher turnover, and lower duration of stay characteristics, which translates into lower parking demands; the site-specific zoning by-law permits the following commercial uses on the subject lands: Bank or Financial Institution, Business or Professional

Office, Convenience Retail Store, Eating Establishment (provided the GFA of all such establishments does not exceed 350 m²), Personal Service Shop, Post Office, Retail Store, and Video Store.

The BA Group report concluded that the proposed parking standard of 5.4 spaces/100 m² GFA, yielding a one space deficiency, is sufficient to accommodate the proposed commercial development.

Servicing/Allocation

The increase in the number of residential apartment units from 78 to 129 units (increase of 51 units) on the subject lands, or from 227 to 278 units on the combined subject lands and northerly Alterra property, will necessitate the City and Region of York to confirm that adequate water supply and sewage capacity is available to accommodate the future site development at the site plan approval stage.

Parkland Dedication

The increase in the number of residential apartment units from 78 to 129 units (increase of 51 units) on the subject lands, or from 227 to 278 units on the combined subject lands and northerly Alterra site, and reduction in commercial GFA from 1,100 m² to 557 m², will necessitate the parkland dedication amount to be recalculated for the OPA #471 area, in accordance with the parkland dedication policies included within OPA #471, and the Planning Act. A park will be provided at the terminus of Maison Parc Court to serve the OPA #471 area, and therefore, additional parkland cannot be accommodated. Any additional dedication will be facilitated by way of a cash-in-lieu dedication, to be calculated at the site plan stage.

Density/Compatibility

The applicant has submitted a conceptual site plan and building elevations as provided on Attachments #2 and #3, respectively. The site plan shows a 6-storey, "L"-shaped mixed commercial/residential apartment building adjacent to the south and west lot lines, with an internal courtyard that includes a landscaped amenity area and 56 surface parking spaces to serve both residential visitors (26 spaces) and commercial patrons (30 spaces), and two levels of resident underground parking (149 spaces, plus 25 tandem spaces) that can be accessed from the east side of the building. The ground floor wing fronting on Dufferin Street will include 557 m² of commercial floor space, with the remainder of the building (13,087 m²) to contain 129 condominium apartment units. A pedestrian walkway located below the second-storey, links the internal courtyard with the public sidewalk at the Dufferin/Steeles intersection. The site will be served by a right-in/right-out access on Steeles Avenue West, and from the Dufferin Street/Maison Parc Court signalized intersection, by way of a driveway connection/easement through the northerly Alterra condominium site.

The OMB-approved Zoning By-law includes building envelopes for the subject and northerly Alterra sites as shown on Attachment #4. The location of the proposed mixed use building on the subject lands is generally consistent with the approved zoning envelope, however, the applicant is seeking a narrower and longer building foot-print, consistent with Alterra's Chateau Ridge condominium, which also sought and obtained zoning relief from the original building envelope. The applicant is proposing to increase the number of residential units on the subject lands, in light of the current market demand for smaller-sized units. Although the residential GFA is increasing from 12,255 m² to 13,087 m² (an increase of 832 m²), the commercial GFA is decreasing from 1,100 m² to 557 m² (a decrease of 543 m²), resulting in a net increase in the combined residential/commercial building GFA of 289 m² (from 13,355 m² to 13,644 m²). However, the proposal will not result in an increase to the maximum permitted building height of 6-storeys, nor will it result in a noticeable change to the mass and scale of the overall building.

The policies and provisions contained in OPA #471 and the site-specific zoning by-law apply to both the subject lands and the northerly abutting Alterra site, and is based on a comprehensive development plan that was approved by the OMB, to facilitate mixed commercial/residential uses at the northeast corner of Dufferin Street and Steeles Avenue West. Accordingly, these municipal land use documents regard the subject and Alterra sites as one lot, regardless of whether or not two or more buildings and structures are erected on any part thereof, and regardless of any conveyances, easements or condominium approvals. The OPA #471 lands have been severed into two parcels through previous decisions, with the applicant retaining ownership of the southerly lands (contains the existing Vinnie Zucchini's restaurant, which is to be demolished upon Council's approval of a site plan application), and Alterra acquiring ownership of the northerly parcel, which they have since built the 149-unit Chateau Ridge condominium. OPA #471 currently permits a maximum of 227 dwelling units, which would leave the applicant with the remaining 78 units to construct a building on the subject lands. The applicant is proposing to increase the number of units on the subject lands to 129, which would provide the proposed development with an additional 51 units, resulting in the overall combined unit count increasing from 227 to 278 units.

The Development Planning Department is satisfied that the proposed increase in density is appropriate and compatible with existing and approved development in the surrounding area, and will facilitate managed growth, intensification and revitalization of the Dufferin Street and Steeles Avenue West intersection, consistent with the Provincial Policy Statement and the Region of York Official Plan. Furthermore, the density increase will not result in on-site parking problems or impact traffic in the surrounding area, as concluded in the respective Parking and Traffic Impact reports prepared by the applicant's transportation consultant (BA Group).

For these reasons, the proposed increase to the maximum net residential density on the lands designated "Mixed Commercial/Residential Area" in OPA #471, from 148 to 170 units/ha (ie. from 78 to 129 units [increase of 51 units] on the subject lands, or from 227 to 278 units on the combined subject and northerly Alterra lands can be supported. The Development Planning Department can also support the corresponding reduction to the maximum permitted commercial gross floor area from 1,100 m² to 557 m², in order to ensure that parking and traffic impacts are maintained at acceptable levels.

Zoning

The subject lands are zoned RA3(H) Apartment Residential Zone with Holding "H" provision by By-law 1-88, subject to site-specific Exception 9(545). The Owner has submitted an application to amend the Zoning By-law to permit the following exceptions to the RA3 Apartment Residential Zone standards on the subject lands:

a) Residential Parking Standard

The site-specific zoning exception requires residential parking to be provided at a minimum standard of 1.3 spaces/unit. The Owner is proposing to reduce the residential parking standard to a minimum of 1.15 spaces/unit, to address the proposed deficiency of 20 parking spaces, and submitted a Parking Impact Report by BA Group Transportation Consultants. As discussed earlier in the "Parking Impact" section of this report, Staff can support the proposed reduction to the minimum residential standard from 1.3 to 1.15 spaces/unit.

b) Commercial Parking Standard

The site-specific zoning exception requires commercial parking to be provided at a minimum standard of 5.5 spaces/100 m² GFA. The Owner is proposing to reduce the commercial parking standard to a minimum of 5.4 spaces/100 m² GFA, to address the proposed deficiency of one (1) parking space, and submitted a Parking Impact Report by BA Group Transportation Consultants.

As discussed earlier in the “Parking Impact” section of this report, Staff can support the proposed reduction to the minimum commercial standard from 5.5 to 5.4 spaces/100 m2 GFA.

c) Surface Parking Spaces

The site-specific zoning exception permits a maximum of 20 surface parking spaces to be provided on the subject lands, whereas the applicant is proposing 56 surface spaces (30 commercial spaces, and 26 residential visitor spaces). As identified in the Parking Impact Report by BA Group Transportation Consultants, and discussed earlier in the “Parking Impact” section of this report, the proposed increase in surface parking spaces from 20 to 56 spaces can be supported, which are not visible from Dufferin Street or Steeles Avenue West. Also, the provision of additional surface parking spaces does not take away from providing an adequate landscaped amenity area within the courtyard.

d) Landscape Strip Width

The site-specific zoning exception requires a minimum 1.5m wide landscape strip to be provided adjacent to Dufferin Street, specifically at the northwest corner of the building, whereas the applicant is proposing 1.2m. The proposed building envelope shown on Attachment #2 is not parallel with the westerly property line, resulting in a slight tapering of the landscape strip at this specific corner. Staff can support the proposed minor reduction in the landscape strip width from 1.5m to 1.2m.

e) Building Envelope

The site-specific zoning exception includes a building envelope for the subject lands, as shown on Attachment #4. The Owner has proposed a modification to the approved building envelope, resulting in a narrower and longer building envelope, to coincide with the proposed building footprint as shown on Attachment #2. The revised building envelope will facilitate more appropriate internal suite layouts, to meet current market demand for smaller-sized units. The Development Planning Department can support the revision to the permitted building envelope to facilitate the conceptual building footprint on Attachment #2.

f) Residential, Commercial & Overall Building GFA

The site-specific zoning exception permits a maximum residential GFA of 12,255 m2 on the subject lands, whereas the applicant is proposing 13,087 m2 (an increase of 832 m2). However, with the proposed decrease in commercial GFA from 1,100 m2 to 557 m2 (a decrease of 543 m2), there will be a net increase in the combined residential/commercial building GFA of 289 m2 (from maximum 13,355 m2 to 13,644 m2).

The Development Planning Department can support the proposed increase in the maximum permitted residential GFA from 12,255 m2 to 13,087 m2; the proposed decrease in the maximum permitted commercial GFA from 1,100 m2 to 557 m2; and the proposed increase in the combined maximum residential/commercial building GFA from 13,355 m2 to 13,644 m2, which will facilitate an appropriate mixed-use site development.

g) Residential Dwelling Unit Count

The site-specific zoning exception permits a maximum residential dwelling unit count on the combined subject and Alterra lands of 227 units, whereas the proposed increase in density comprising an additional 51 units on the subject lands, will increase the overall dwelling unit count to 278. As discussed earlier in the “Density/Compatibility” section of this report, the Development Planning Department can support the increase in the maximum permitted residential dwelling unit count on the subject lands from 78 to 129 units (increase of 51 units), or from 227 to 278 units on the combined subject lands and northerly Alterra site.

h) Amenity Space

The site-specific zoning exception requires a minimum amenity space standard of 25 m²/residential dwelling unit, whereas the applicant is proposing a minimum standard of 15.4 m²/unit. Staff can support a reduction to the minimum amenity space standard from 25 to 15.4 m²/unit, which is consistent with reductions granted to other condominium apartment developments (including 15 m²/unit to Liberty Development Corporation in the Thornhill Town Centre).

Relationship to Vaughan Vision 2007

This report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'A-5', "Plan and Manage Growth".

Conclusion

The proposed applications to amend the Official Plan and Zoning By-law have been reviewed, in light of the policies contained in the Provincial Policy Statement, Region of York Official Plan, and the City's OPA #471, the requirements of By-law 1-88, comments from public agencies, and the surrounding land use context respecting existing and future development. The Development Planning Department is of the opinion that the proposed increase in density, and proposed zoning exceptions will facilitate an appropriate and compatible mixed-use residential/commercial development at the northeast corner of Dufferin Street and Steeles Avenue West. For the reasons identified in this report, it is recommended that the proposed applications to amend the Official Plan and Zoning By-law be approved.

Attachments

1. Location Map
2. Conceptual Site Plan/Building Envelope
3. Conceptual Elevations
4. Existing Zoning/Building Envelope

Report prepared by:

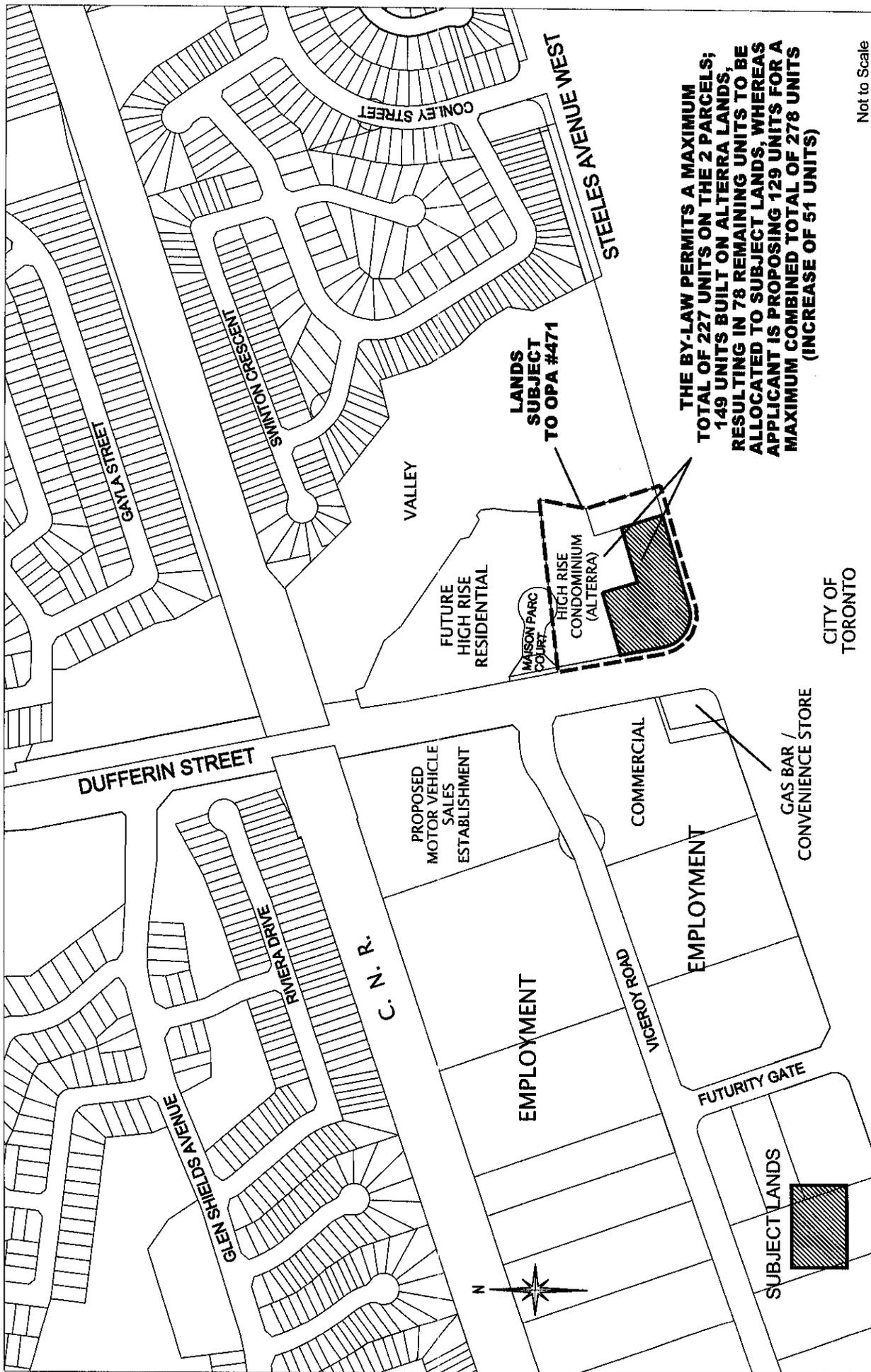
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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

/CM



**LANDS
SUBJECT
TO OPA #471**

**THE BY-LAW PERMITS A MAXIMUM
TOTAL OF 227 UNITS ON THE 2 PARCELS;
149 UNITS BUILT ON ALTERRA LANDS,
RESULTING IN 78 REMAINING UNITS TO BE
ALLOCATED TO SUBJECT LANDS, WHEREAS
APPLICANT IS PROPOSING 129 UNITS FOR A
MAXIMUM COMBINED TOTAL OF 278 UNITS
(INCREASE OF 51 UNITS)**

Not to Scale

Location Map

Part of Lot 1,
Concession 2
APPLICANT:
680401 ONTARIO LIMITED
IN TRUST FOR NETWORK REALTY

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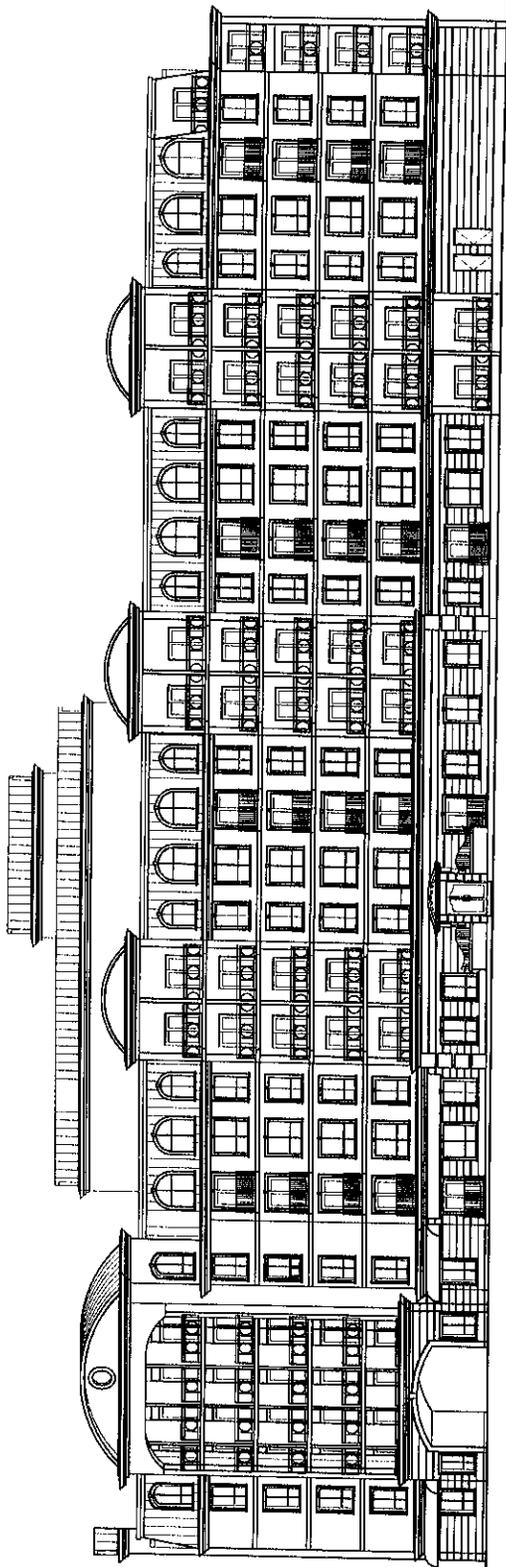


Development Planning Department

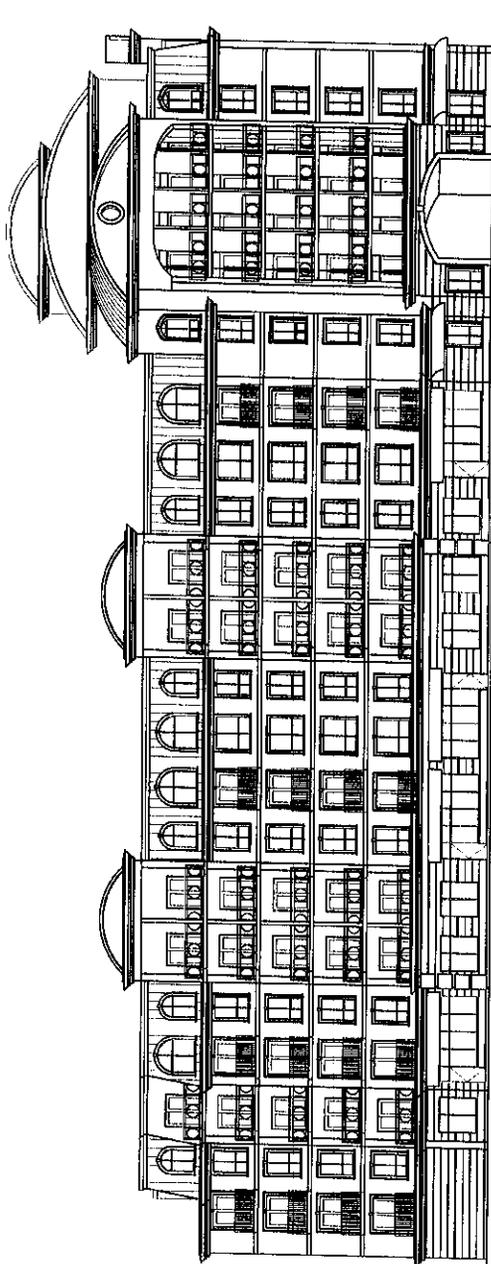
Attachment 1

FILE No.:
OP.04.021
& Z.04.073

June 16, 2005



STEELES AVE ELEVATION
DATE: 11/07



DUFFERIN STREET ELEVATION
DATE: 11/07

Not to Scale

Conceptual Elevations

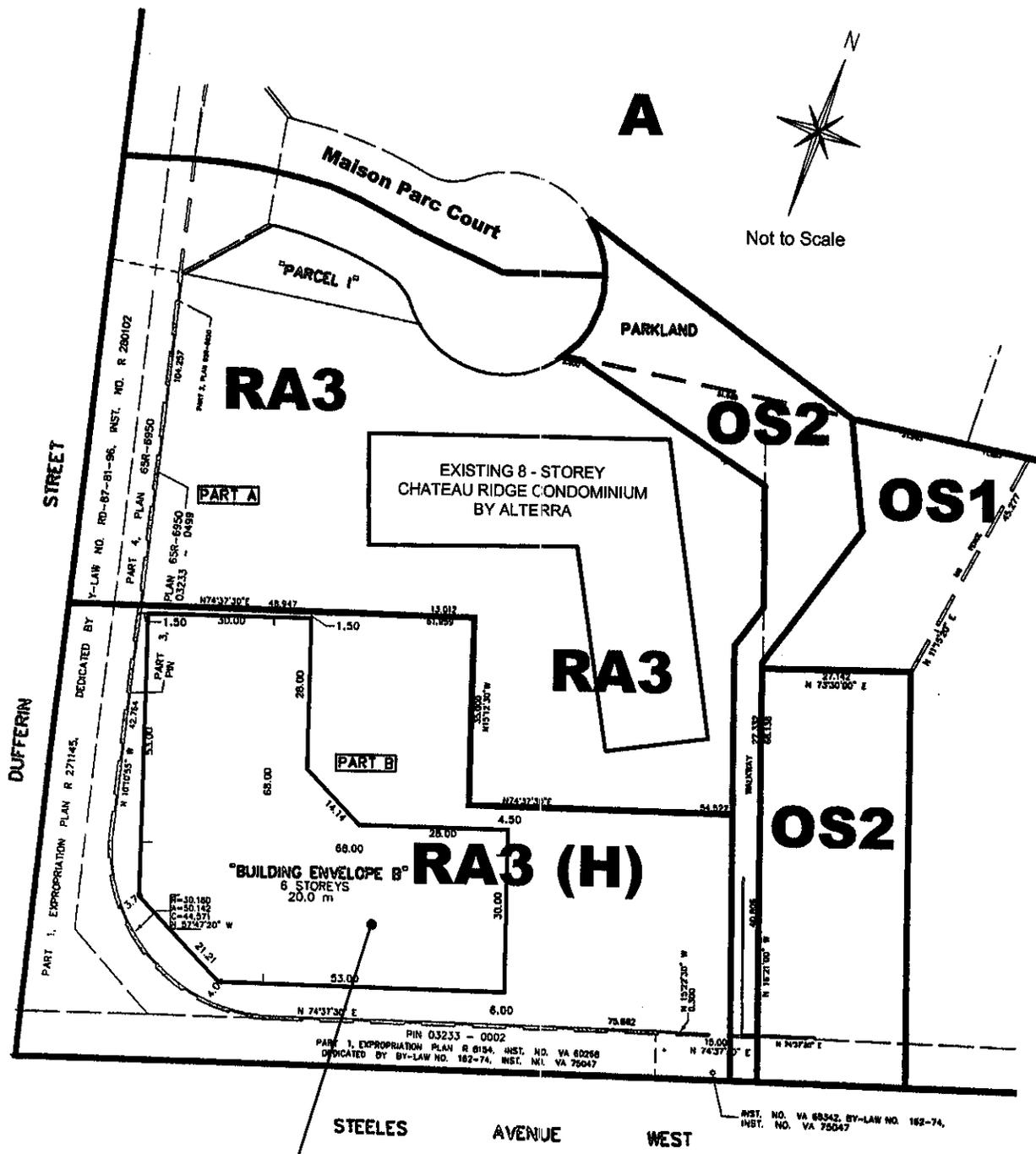
Part of Lot 1,
 Concession 2

APPLICANT:
 680401 ONTARIO LIMITED,
 IN TRUST FOR NETWORK REALTY



Development Planning Department

Attachment 3
 FILE No.:
 OP.04.021
 & Z.04.073
 June 16, 2005



Current Approved Zoning Envelope For Subject Lands

VA\UPT\ ATTACHMENTS\OP\04.021\2.04.073