

**ZONING BY-LAW AMENDMENT FILE Z.05.044
SITE DEVELOPMENT FILE DA.05.051
HEATHER HAND
REPORT #P.2005.59**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.05.044 (Heather Hand) BE APPROVED, to rezone the subject lands as shown on Attachment #1 from R2 Residential Zone to C1 Restricted Commercial Zone, to permit a real estate office use at 2162 Major Mackenzie Drive, as shown on Attachment #2, and a business or professional office use at 2174 Major Mackenzie Drive, as shown on Attachment #3, subject to the following conditions:
 - a) that the implementing Zoning By-law shall include the site-specific exceptions identified in this report.

2. THAT Site Development File DA.05.051 (Heather Hand) BE APPROVED, subject to the following conditions:
 - a) That prior to the execution of the site plan agreement:
 - i) the Development Planning Department shall approve the final site plan, landscaping plan, and building elevations;
 - ii) the Engineering Department shall approve the final site servicing and grading plan and stormwater management report;
 - iii) all hydro requirements of PowerStream Inc. shall be satisfied;
 - iv) the Owner shall satisfy all requirements of the Region of York Transportation and Works Department.
 - b) That the site plan agreement include the following provisions:
 - i) the Owner shall provide the City with a certified cheque payable to the City in the amount of (to be determined at a future date) for the future installation of the streetscape enhancements by Vaughan located in the Region of York right-of-way along Major Mackenzie Drive as shown on Attachments #4 and #5 as this section of Major Mackenzie Drive is undergoing a Streetscape Master Plan Study;
 - ii) a maintenance clause respecting that any enhanced landscaping or features other than tree planting on the Regional Road right-of-way will require the Owner to be subject to a one time dollar amount determined by the Development Planning Department in consultation with the Parks and Forestry Operations Department;
 - iii) the Owner shall agree to provide cross easements with the adjacent property owners for the purpose of vehicle access through the subject lands upon redevelopment of the adjacent properties, if necessary; and,
 - iv) the Owner shall pay to the City by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, prior to issuance of a Building permit, in accordance with Section 42 of the Planning Act. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the

Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.

Economic Impact

There are no requirements for new funding associated with this report.

Purpose

The Owner has submitted the following applications:

1. A Zoning By-law Amendment Application (File Z.05.044) to amend By-law 1-88, specifically rezone the subject lands shown on Attachment #1 from R2 Residential Zone to C1 Restricted Commercial Zone to permit a real estate office use at 2162 Major Mackenzie Drive, and a business and professional office use at 2174 Major Mackenzie Drive together with site-specific zoning exceptions required to implement the proposed site plan.
2. A Site Development Application (File DA.05.051) for the subject lands shown on Attachments #2 and #3, to facilitate the conversion of the existing residential dwellings (at 2162 & 2174 Major Mackenzie Drive) and garage (2174 Major Mackenzie Drive) on the subject lands for business and professional office uses.

Background - Analysis and Options

The subject lands shown on Attachment #1 consists of two properties (2162 and 2174 Major Mackenzie Drive) having lot areas of 983m² and 970m², respectively. The properties are located on the north side of Major Mackenzie Drive between Keele Street and Ontario Street, being Part of Lots 29, 30 and 36 on Registered Plan 72, City of Vaughan.

The subject lands are designated "Office Commercial" by OPA #350 (Maple Community Plan), and zoned R2 Residential Zone by By-law 1-88. The surrounding land uses are:

- North - existing residential (R2 Residential Zone)
- South - Major Mackenzie Drive; Maple Manor & Civic Centre (C1 Restricted Commercial & VCC Vaughan Civic Centre Zone)
- East - existing residential; Ontario Street (R2 Residential Zone)
- West - existing residential (R2 Residential Zone)

Public Hearing

On September 30, 2005, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to the Gates of Maple and Maple Village Ratepayers Associations.

Written comments were received from the adjacent property Owners to the northeast (9 Ontario Street), and the landowner located between the two properties on Major Mackenzie Drive (2168 Major Mackenzie Drive). Five residents attended the meeting and expressed concerns about noise and traffic.

The recommendation of the Committee of the Whole to receive the Public Hearing report of October 24, 2005 and to forward a comprehensive report to a future Committee meeting was ratified by Council on October 31, 2005. On June 9, 2006, a Notice of this Committee of the Whole meeting was sent to those individuals requesting notification or having expressed interest in the application.

Official Plan

The subject lands are designated "Office Commercial" by OPA #350 (Maple Community Plan), as amended by OPA #533 (Maple Focus Review), and subject to the site-specific policies that permit

the proposed business and professional office use. OPA #533 requires that the review of development applications in the Office Commercial area have regard to certain sections of the Maple Streetscape and Urban Design Guidelines. The relevant policies of the Maple Official Plan are identified below, as follows:

a) Proposed Land Use

OPA #350 as amended, permits office development to a maximum height of three storeys.

Section A, Planning Strategy and Policies, Subsection III, Paragraph 6, of OPA #350 states the following with respect to the Maple Commercial Core Area (in part):

“The vitality and function of the existing commercial areas of Maple at the Major Mackenzie Drive and Keele Street crossroads is to be reinforced by encouraging the redevelopment and intensification of property for businesses, residential and commercial purposes.”

The Maple Community Plan also includes a policy under Section II, Goals, subparagraph g), which identifies the need to encourage the provision of office commercial facilities to meet the needs of the residents and employees within the Maple Community

The proposed conversion of the existing residential dwellings to office uses conforms to the Official Plan.

b) Pedestrian Linkages

The Official Plan promotes the creation of new pedestrian linkages and references Sections 2.4, 2.6 and 2.7 of the Maple Streetscape and Urban Design Guidelines (MSUDG's). The proposed site plan includes unit pavers along the Major Mackenzie Drive frontage and hard surface landscape connections to and within the site.

c) Parking/Vehicular Access

OPA #350, as amended, requires that adequate and convenient off-street parking facilities be provided and that regard be given to Sections 5.2 and 5.3 of the Maple Streetscape and Urban Design Guidelines. The MSUDG's indicate that parking should be located at the rear of the buildings or within underground facilities. The proposal includes rear surface parking that is accessed by the existing single driveway on each property, which is desirable from a land use perspective, as it creates a better relationship between the existing buildings and the on-street pedestrian environment. The parking objectives of the Official Plan have been met in this respect.

d) Preservation of Buildings of Historic and Architectural Merit

The Official Plan requires that buildings having architectural/historic merit as identified by Heritage Vaughan, be incorporated into new development, are compatible, and achieve an integrated streetscape. The proposal includes the conversion of two existing buildings. The dwelling located at 2174 Major Mackenzie Drive is listed in the City's Significant Heritage Listing, and the changes that have been completed to the building (stucco façade and altering the front steps) have been considered by the Cultural Services Department, and they have advised that they do not have any concerns.

e) Site Plan Control

OPA #350, as amended, requires that development in the Maple Area be subject to a site plan agreement. The Applicant has applied for site plan approval (File DA.05.051), which is the subject of this report.

h) Summary

In view of the above, the Development Planning Department is satisfied that the Zoning By-law Amendment and Site Development Applications are consistent with the development criteria in the Official Plan, as amended.

Zoning

The subject lands are zoned R2 Residential Zone by By-law 1-88, which currently permits a single-detached residential dwelling on each site. The current proposal does not comply with the Zoning By-law.

The Owner has submitted a Zoning By-law Amendment Application to rezone the subject lands from R2 Residential Zone to C1 Restricted Commercial Zone to permit a business and professional office at 2174 Major Mackenzie, and a real estate office at 2162 Major Mackenzie Drive, and has identified the following site-specific zoning exceptions that are required to implement the proposed site plan as shown on Attachments #2 and #3:

<u>2162 Major Mackenzie</u>	<u>Proposed</u>	<u>Required</u>
- minimum front yard setback	1.8m	9m
- minimum exterior sideyard setback	1.8m	9m
- minimum lot depth	58.8m	60m
- minimum setback from an "R" Zone	1.5m	9m
- landscaping abutting and 'R' Zone	1.0m	2.4m
- landscaping abutting a street	1.0m	6m

<u>2174 Major Mackenzie</u>	<u>Proposed</u>	<u>Required</u>
- minimum front yard setback	2.3m	9m
- minimum rear yard setback	0.8m (garage)	15m
- minimum lot depth	59m	60m
- minimum distance to an 'R' Zone	0.0m (garage)	9m
- minimum aisle width	4.0m	6m
- minimum driveway width	6.0m	7.5m
- landscaping abutting an 'R' Zone	0.0m (garage)	2.4m

2174 Major Mackenzie Drive, as shown on Attachment #3 contains a frame shed in the rear that will remain and be used for a business and professional office, with a rear yard setback of 0.8m and the interior side yard setback of 0.0m.

The Development Planning Department can support the proposed zoning exceptions, which are considered to be technical in nature from the perspective that the existing buildings will remain on each site, and the variances identified above result from the proposed change in use of the buildings from residential to commercial. The proposed uses are also consistent with the Official Plan.

Compatibility

i) Land Use

The Owner is proposing a real estate office and a business or professional office use at 2162 and 2174 Major Mackenzie Drive, respectively. The Official Plan encourages this form of redevelopment, as identified in the policies for "Office Commercial Areas" for lands fronting on Major Mackenzie Drive, east of Cousins Lane, west of the C.N. Rail tracks. The Official Plan also anticipates the co-ordinated development of the individual properties along this frontage, through the use of integrated driveways, parking and site design.

The proposal would be in keeping with the evolution of uses along this segment of Major Mackenzie Drive. Maintaining the parking area at the rear of the lot and providing for potential

future access through internal laneways and circulation will also benefit the traffic flow and streetscape on Major Mackenzie Drive. 2162 Major Mackenzie Drive benefits from their access to Ontario Street. To provide the opportunity for combined accesses for adjacent properties, a condition has been included requiring the Owner to provide cross-easements for future access upon redevelopment of the adjacent parcels.

ii) Building Form

Compatibility of the building form with adjacent development is important and a requirement of the Official Plan. In this case, the existing residential buildings would be converted and utilized for business and professional office type uses, thereby maintaining the character of the area.

Given the Official Plan policies respecting the surrounding context, the Development Planning Department is satisfied that the proposed development will be compatible with the adjacent surrounding lands. Landscaping and fencing will be further utilized to achieve compatibility between the adjacent properties.

Site Design

i) 2162 Major Mackenzie Drive

The proposed site plan for 2162 Major Mackenzie Drive is shown on Attachment #2. The Owner intends to use the existing structure including the garage for a real estate office having a gross floor area of approximately 219m². The site is accessed from an existing driveway on Ontario Street leading to a proposed 8 car outdoor parking area. A new interlock walkway is proposed which provides pedestrian connection from Major Mackenzie into the site. A sodded open space area will be retained between the proposed parking lot and the existing structure.

ii) 2174 Major Mackenzie Drive

The proposed site plan for 2174 Major Mackenzie Drive is shown on Attachment #3. The Owner proposes to utilize the existing dwelling and garage for business and professional office uses having a gross floor area of approximately 334m². The site is accessed from the existing driveway on Major Mackenzie Drive, which will be extended along the east property line into the rear yard leading to a 9 car outdoor parking area. A pedestrian walkway is proposed from Major Mackenzie Drive to the existing structure. It is noted that a portion the existing garage extends onto the adjacent property to the east (2168 Major Mackenzie Drive), and these lands are in the process of being purchased by the Owner. In the interim, the Owner of 2168 Major Mackenzie Drive has transferred a portion of its lands as shown on Attachment #3 and equivalent to the land area of the garage encroachment, to the Owner of 2174 Major Mackenzie Drive. This will result in a 0m setback abutting the east property line.

The Region of York Transportation and Works Department has reviewed the applications and has no objections to the development concept in principle.

The proposed site plan is satisfactory to the Development Planning Department, subject to the conditions in this report. The Maple Streetscape Community Advisory Committee has reviewed the application and their comments will be discussed later in the report.

Building Elevations

2174 Major Mackenzie Drive, as shown on Attachment #7, is listed in the City of Vaughan's Inventory of Heritage Structures. The building utilizes a style common to Maple but has bay windows which are a distinctive feature of the structure. The Cultural Services Department has advised that the changes made to the building do not require any approvals. The Owner has relocated the front stairs of the existing building and is also proposing the relocation of the stairs leading to the rear each to accommodate the proposed driveway. In addition, the Owner is proposing to convert the existing rear garage to a studio used for business and professional offices. The studio, as shown on Attachment #8 will consist of the existing wood siding, and the

existing wood garage door will be replaced with glass. A coloured new dormer will be added to the second floor to provide light to the interior of the building.

2162 Major Mackenzie Drive, as shown on Attachment #6 is not considered of Heritage merit. The existing building has a mansard roof and its exterior has recently been covered in a beige stucco, and the windows on the south and east elevations have been replaced with larger full length commercial looking windows. The east elevation garage door facing Ontario Street has been replaced with aluminium framed glazed doors as the existing garage will be converted to office floor space.

Maple Streetscape and Urban Design Guidelines (MSUDGs)

The Maple Community Plan requires that development applications have regard for specific sections of the Maple Streetscape and Urban Design Guidelines. In addition, the balance of the guidelines, are used to assess development proposals in the Major Mackenzie Drive and Keele Street corridors within Maple. The vision for the Maple Core Area from a physical built form perspective is implemented through the Maple Streetscape and Urban Design Guidelines. In this context, Council has established the Maple Streetscape Advisory Committee (MSAC) to implement the MSUDG's. The Committee has considered the proposed development, and is satisfied with the proposal.

Parking

The proposed site plan indicates that 8 parking spaces will be provided at 2162 Major Mackenzie Drive, and 9 spaces will be provided at 2174 Major Mackenzie Drive. By-law 1-88 requires that parking for the commercial development be calculated as follows:

	<u>Required</u>	<u>Provided</u>
2162 Major Mackenzie Drive Real Estate Office 219m ² @ 4.5 spaces/100m ²	= 10 spaces	8 spaces
2174 Major Mackenzie Drive Business Office 334m ² @ 3.5 spaces/100m ²	= 12 spaces	9 spaces

The parking deficiency of 2 spaces (20%) for 2162 Major Mackenzie Drive, and 3 spaces (25%) for 2174 Major Mackenzie Drive, is supported by a parking study, that has been approved by the Engineering Department.

Landscaping

The landscape plan as shown on Attachments #4 and #5, incorporates the requirements of the Maple Streetscape and Urban Design Guidelines, including the prescribed unit pavers, trash receptacles, a bike lock up, planting bed raised with curb and soft landscaping. Extensive soft and hard landscaping is proposed at the front of the properties to enhance the proposed development and the rear existing landscaping is used to buffer the development from the existing residential uses to the north.

The Owner shall provide the City with a certified cheque made payable to Vaughan in the amount of (to be determined at a future date) for the future installation of the streetscape enhancements by Vaughan located in the Region of York right-of-way along Major Mackenzie Drive as shown on Attachments #4 and #5 as this section of Major Mackenzie Drive is undergoing a Streetscape Master Plan Study. This clause will be incorporated into the site plan agreement.

The subject lands will be subject to a maintenance clause respecting that any enhanced landscaping or features other than tree planting on the Regional Road right-of-way will require the Owner to be subject to a one time dollar amount determined by the Development Planning Department in consultation with the Parks and Forestry Operations Department. The maintenance clause will be incorporated into the site plan agreement. The final landscape plan and cost estimate must be approved by the Development Planning Department.

Rear Laneway

The MSUDGs identify a rear yard laneway system connecting the properties on the north side of Major Mackenzie Drive. The site plan, as currently designed, will not facilitate a rear laneway as the two sites (2162 & 2174 Major Mackenzie Drive) currently have a residential property located in between them as shown on Attachment #1. The Owner is however, willing to achieve this rear yard laneway in the future when the subject lands are redeveloped and the purchase and sale of the centre parcel (2168 Major Mackenzie Drive) is completed. Through the purchase of 2168 Major Mackenzie Drive, the Owner will have the opportunity to fulfill the requirement for a rear yard laneway system. While there is merit in achieving the rear laneway concept, in this particular situation, the current proposal cannot satisfy this requirement for a rear yard laneway at this time.

Heritage Vaughan

The Cultural Services Department has no concerns with the proposal for 2162 Major Mackenzie Drive. However, 2174 Major Mackenzie Drive is included on the City of Vaughan's *Listing of Significant Heritage Structures* (approved June 2005). Both properties are also within the proposed Maple Heritage Conservation District Study Area.

The subject lands have already received a building permit for interior alterations and have changed the exterior façade of the buildings by adding stucco (based on residential renovations). Building Permit 06-1031 was issued March 30, 2006 for 2162 Major Mackenzie Drive for interior alterations and windows. Building Permit 06-519 for 2174 Major Mackenzie Drive was issued on March 6, 2006 for interior alterations. The Cultural Services Department has seen the changes and do not have any concerns.

Parkland Dedication

The Owner will be required to pay the City, cash-in-lieu of the dedication of parkland for the office component, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City's Cash-in-lieu Policy, to the satisfaction of the Vaughan Legal Department, Real Estate Division.

Hydro

The Owner will be required to satisfy all hydro requirements to the satisfaction of PowerStream Inc.

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 Development Planning Department has reviewed the proposed Zoning By-law Amendment and Site Development applications in accordance with the goals and objectives of OPA #350 as amended, and the Maple Streetscape and Urban Design Guidelines. The proposed development concept conforms to the intent of the Maple Community Plan (OPA #350) and the Maple Streetscape and Urban Design Guidelines. The Development Planning Department is satisfied that the proposed Zoning By-law Amendment with site-specific exceptions and the Site Development Plan are appropriate to facilitate the proposed real estate and business and professional office uses in the existing buildings at 2162 and 2174 Major Mackenzie Drive, respectively.

Accordingly, the Development Planning Department can support the approval of the Zoning By-law Amendment and Site Development applications, subject to the comments and conditions of approval in this report.

Attachments

1. Location Map
2. Site Plan for 2162 Major Mackenzie Drive
3. Site Plan for 2174 Major Mackenzie Drive
4. Landscape Plan for 2162 Major Mackenzie Drive
5. Landscape Plan for 2174 Major Mackenzie Drive
6. Elevation Plan for 2162 Major Mackenzie Drive
7. Elevation Plan for 2174 Major Mackenzie Drive
8. Elevation Plan for 2174 Major Mackenzie Drive – Rear Studio

Report prepared by:

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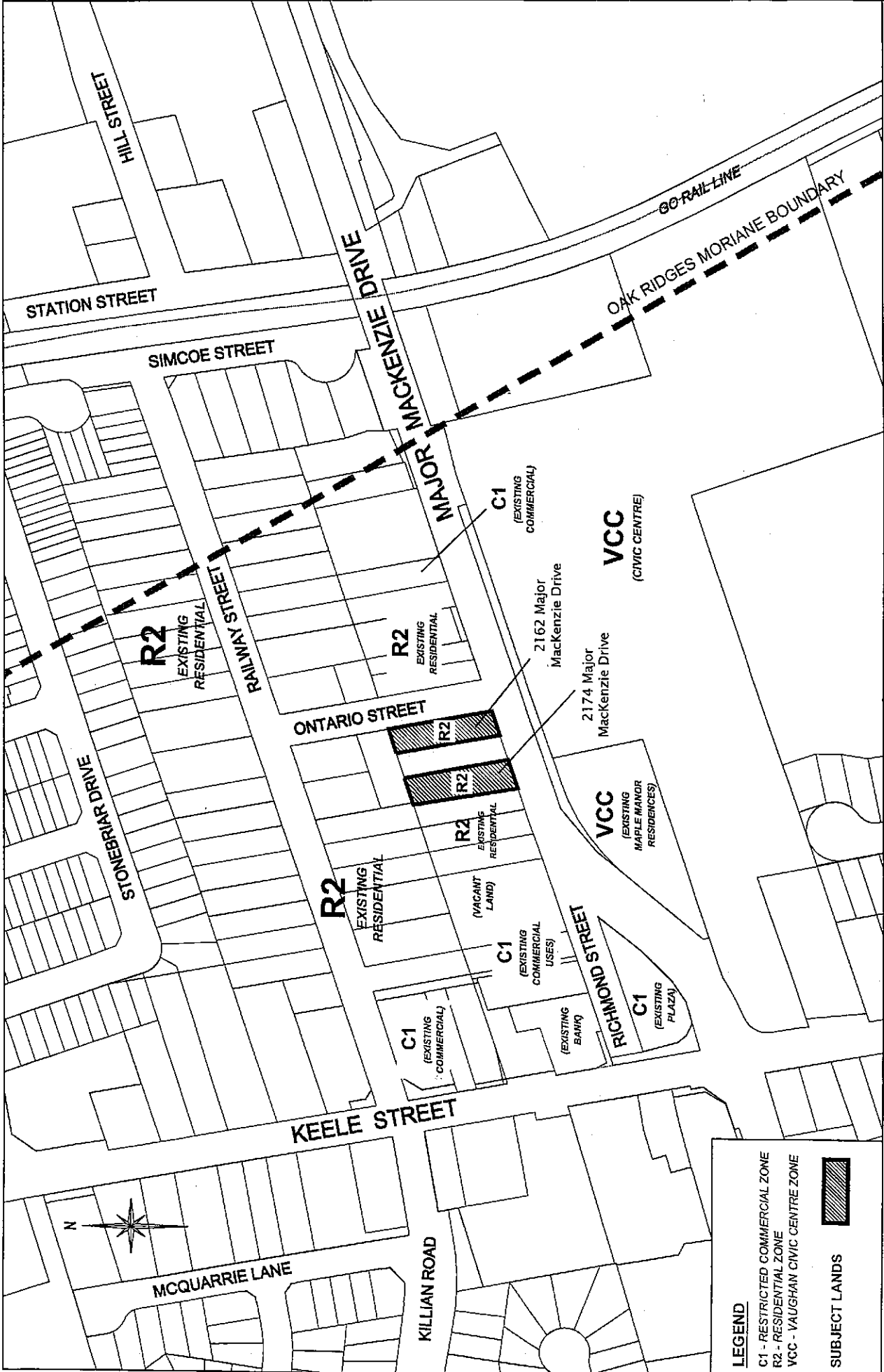
Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

/LG

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LEGEND

- C1 - RESTRICTED COMMERCIAL ZONE
- R2 - RESIDENTIAL ZONE
- VCC - VAUGHAN CIVIC CENTRE ZONE

SUBJECT LANDS

Attachment

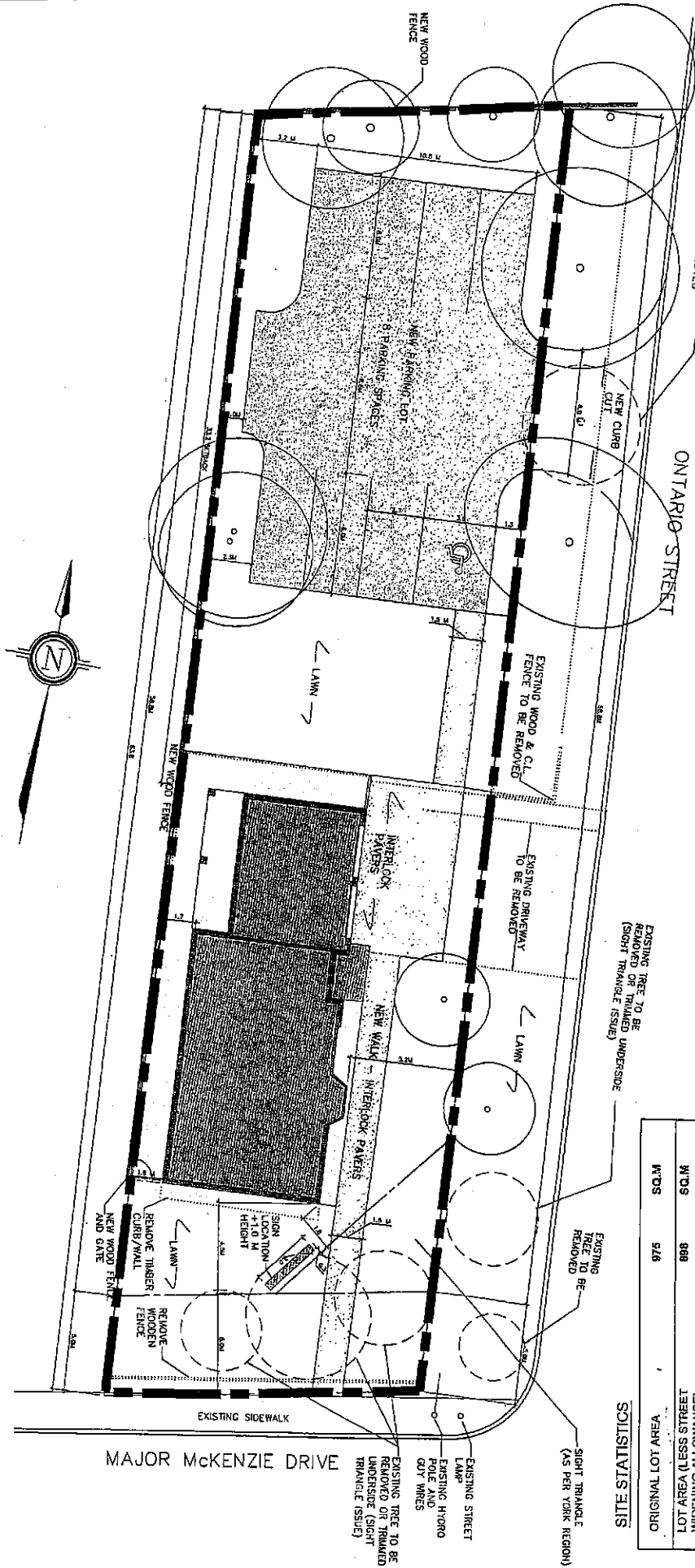
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 June 14, 2006

City of **Vaughan**
 Development Planning Department

Location Map

Part of Lot 21,
 Concession 3
 APPLICANT:
 HEATHER HAND

N:\DPT\1 ATTACHMENTS\Z.05.044



SITE STATISTICS

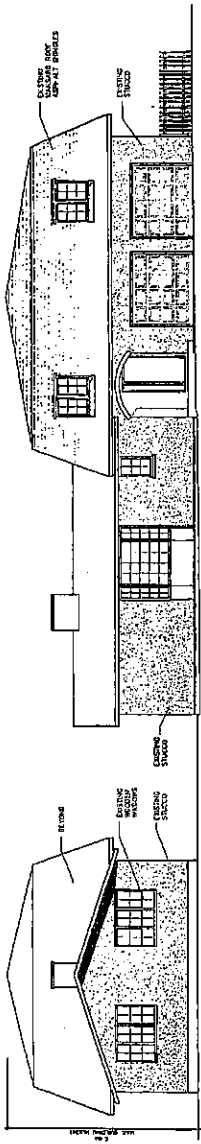
ORIGINAL LOT AREA	975	SQ.M
LOT AREA (LESS STREET WIDENING ALLOWANCE)	888	SQ.M
PARKING PROVIDED	8	SPACES
PARKING REQUIRED GENERAL OFFICE	8	SPACES
PARKING REQUIRED REAL ESTATE OFFICE	10	SPACES
BUILDING GFA EXISTING	175	SQ.M
GARAGE CONVERSION TO OFFICE	44	SQ.M
NEW TOTAL GFA	219	SQ.M
COVERAGE	143	SQ.M
GROUND FL. AREA	888	SQ.M
LOT AREA	888	SQ.M
DENSITY (F.A.R)	219	SQ.M
GEA	888	SQ.M
LOT AREA	888	SQ.M
LANDSCAPE OPEN SPACE	507	SQ.M
		56%

--- SUBJECT LANDS

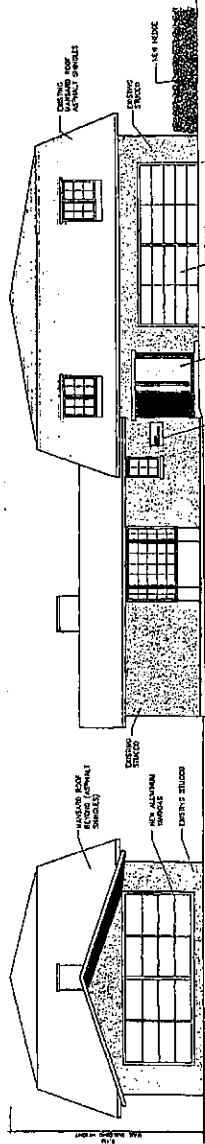
Attachment 2
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 June 14, 2006

City of Vaughan
 Development Planning Department

Site Plan for 2162 Major Mackenzie Drive
 APPLICANT: HEATHER HAND
 Part of Lot 21, Concession 3

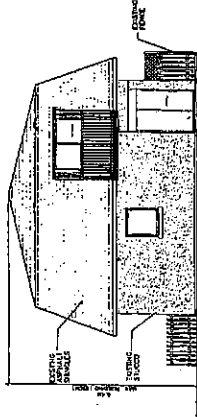


EXISTING SOUTH ELEVATION

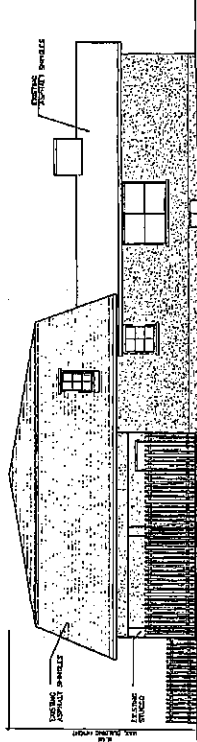


NEW SOUTH ELEVATION

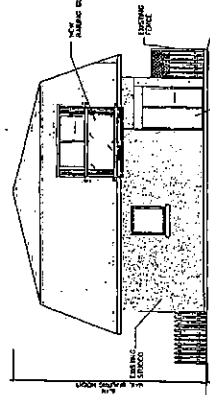
NEW EAST ELEVATION



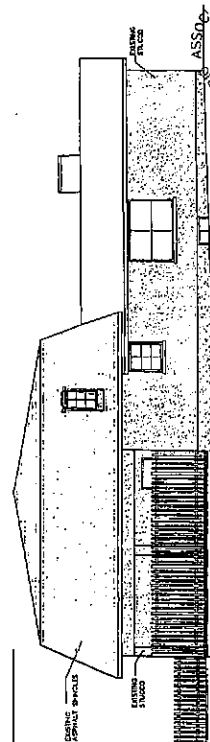
EXISTING NORTH ELEVATION



EXISTING WEST ELEVATION



NEW NORTH ELEVATION



NEW WEST ELEVATION

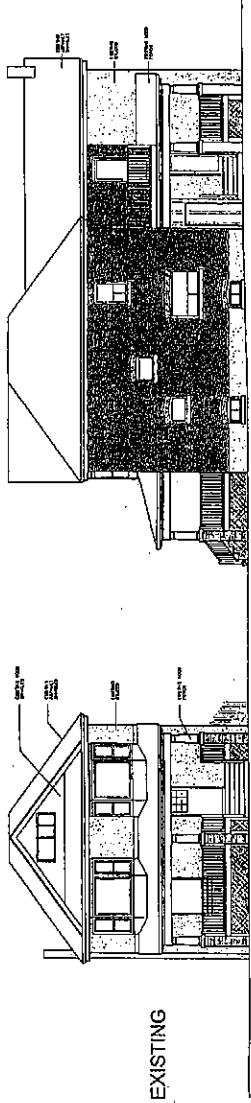
Elevation Plan for 2162 Major Mackenzie Drive

APPLICANT: HEATHER HAND
 Part of Lot 21, Concession 3



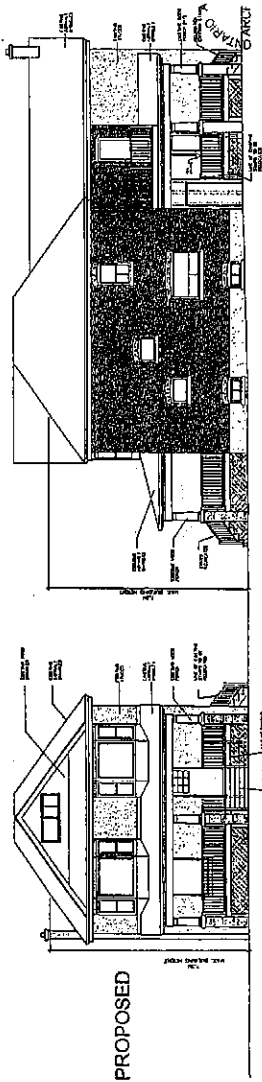
Development Planning Department

Attachment 6
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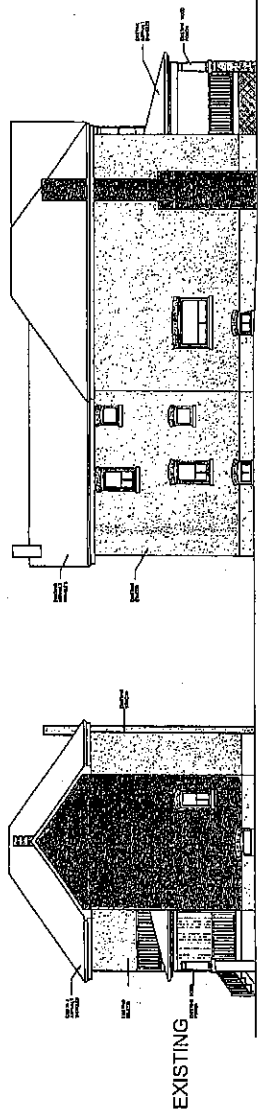


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EAST

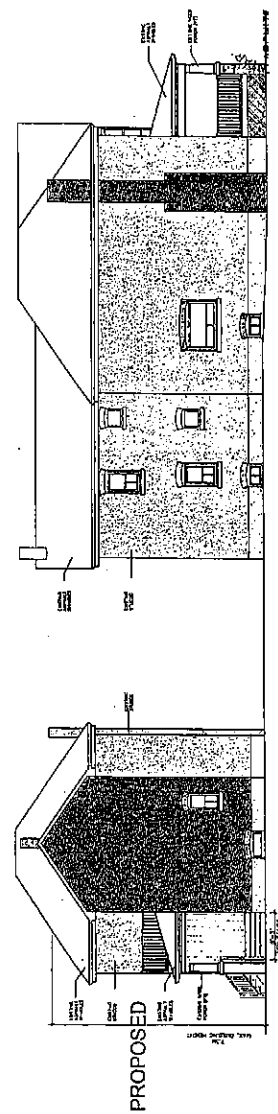


PROPOSED



EXISTING

WEST



PROPOSED

NO CHANGES

Elevation Plan for 2174 Major Mackenzie Drive

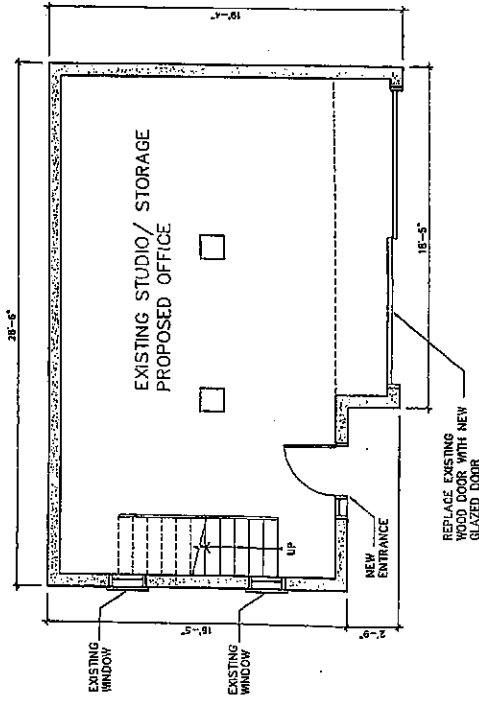
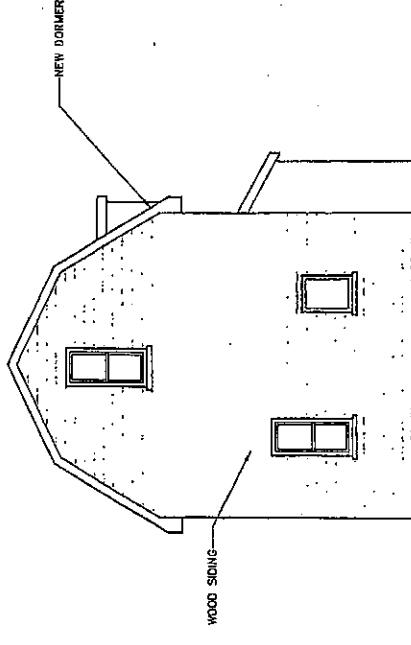
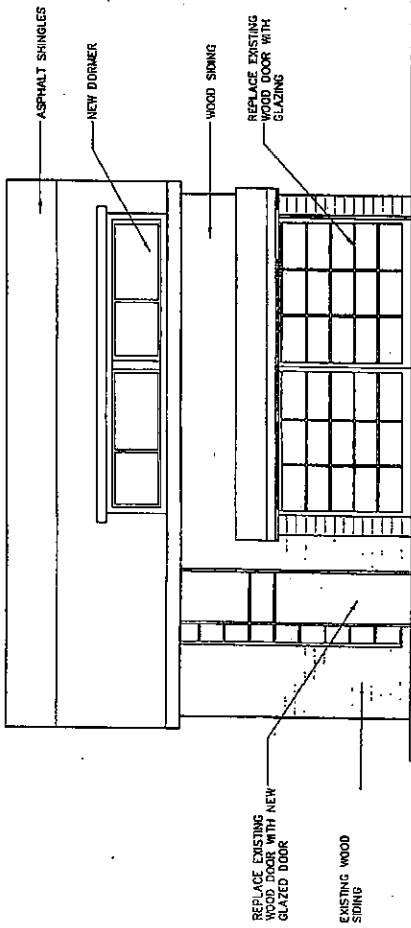
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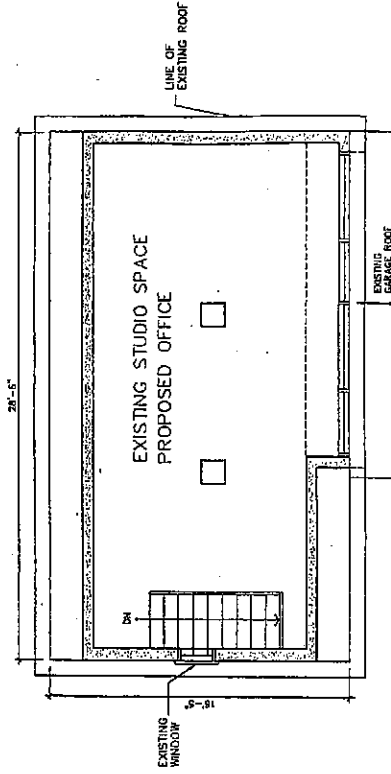
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Attachment 7

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GROUND FLOOR
AREA 48 SQ.M



SECOND FLOOR
AREA 43 SQ.M

**Elevation Plan for 2174
Major Mackenzie Drive -
Rear Studio**

APPLICANT: HEATHER HAND
Part of Lot 21,
Concession 3



Development Planning Department

Attachment 8

FILE NO.:
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