

COMMITTEE OF THE WHOLE JANUARY 11, 2011

ZONING BY-LAW AMENDMENT FILE Z.09.016 NINE-TEN WEST LIMITED WARD 4

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.09.016 (Nine-Ten West Limited) BE APPROVED, to rezone the subject lands shown on Attachments #1 and #2, from A Agricultural Zone to C4(H) Neighbourhood Commercial Zone with the "H" Holding Symbol, subject to the following condition to be included in the implementing zoning by-law:
 - a) that the removal of the "H" Holding Symbol shall be conditional upon Vaughan Council's approval of a site plan for an appropriately designed commercial development including the preservation of the Carrville Post Office and General Store on the property, which must be sited to the satisfaction of the Vaughan Cultural Services Division and Vaughan Development Planning Department.

Contribution to Sustainability

The contribution to sustainability will be determined through the site plan process.

Economic Impact

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

Communications Plan

On May 29, 2009, a Notice of Public Hearing was circulated to all property owners within 150m of the subject lands. Through this notice, comments from the public have been received by the Vaughan Development Planning Department expressing concern for the existing structure of heritage interest – the Carrville Post Office and General Store, as follows:

- Approval of the Zoning By-law Amendment Application to rezone the lands be conditional upon the Owner preserving the building without further vandalism; and,
- Effective security in the form of a tall wire fence, preferably with barbed wire along the top and that security lights and cameras be installed.

On July 8, 2009, the applicant responded in writing advising that a fence had been installed together with lighting and signage to reduce the likelihood of any further vandalism. In accordance with the requirements of Vaughan Cultural Services, the applicant has submitted a Heritage Impact Assessment which explores a number of alternatives associated with the integration of the existing structure into the future development of the overall commercial site.

The recommendation of the Committee of the Whole to receive the Public Hearing report of June 23, 2009, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Council on June 30, 2009.

Purpose

The Owner has submitted a Zoning By-law Amendment Application to rezone the 3,178m² subject lands shown on Attachments #1 and #2 from A Agricultural Zone to C4 Neighbourhood Commercial Zone. The rezoning is required to consolidate the subject lands with the adjacent

commercial properties to the north, west and east, which are zoned C4 Neighbourhood Commercial Zone, and also owned by the applicant. The consolidated lands would create a neighbourhood commercial block having a total area of approximately 9,810 m² or 0.981 ha.

Background - Analysis and Options

The 0.32 ha site is part of a larger land holding to the north, west and east, which is also owned by the applicant. The subject lands are located on the north side of Rutherford Road, east of Thomas Cook Avenue, municipally known as 1076 Rutherford Road, City of Vaughan. The surrounding land uses are shown on Attachment #2.

Official Plan

The subject lands are designated "Medium Density Residential/Commercial" by OPA #600, which permits neighbourhood commercial uses, which include such uses as a drug store, retail store, pharmacy, bank, and business and professional offices. The subject commercial lands are further designated "Low-Rise Mixed-Use" with a maximum height of 4-storeys and a maximum Floor Space Index of 1.5 by the new Vaughan Official Plan 2010, which is pending final approval from York Region. Retail uses are permitted within the "Low-Rise Mixed-Use" designation. The proposed rezoning would implement neighbourhood commercial uses that will serve the surrounding residential area. Accordingly, the proposal conforms to the Official Plans.

Zoning

The subject lands are zoned A Agricultural Zone by By-law 1-88. The proposal to rezone the subject lands to C4 Neighbourhood Commercial Zone requires an amendment to By-law 1-88. The proposal would facilitate the consolidation of the subject lands with the abutting commercial properties, to the north, west and east, which are also in the same ownership.

Vaughan Cultural Services

The Vaughan Cultural Services Division has reviewed the application to rezone the subject lands to C4 Neighbourhood Commercial Zone Division and has no objections. The proposed does not impact the siting or status of the existing Heritage Structure, identified as the former Carrville Post Office and General Store, which is not a designated heritage structure under the Ontario Heritage Act, however, is listed as a property of interest in the City of Vaughan's Heritage Inventory.

All issues respecting the relocation/reorientation and incorporation of the structure into an appropriately designed commercial development will be addressed through the future site plan process. The structure currently is situated partially within the required Rutherford Road widening along the frontage of the subject lands, which will also be addressed through the future site plan process. The Cultural Services Division has advised that they will not support the demolition of the structure. The Owner intends to relocate the structure into the site and outside of the future road widening. The Owner is required to obtain a Heritage Permit from the Cultural Services Division, which will be initiated in conjunction with the submission of the required site development application to the Vaughan Development Planning Department.

Planning Considerations

The subject lands are intended to be developed with neighbourhood commercial uses. The proposed rezoning to C4 Neighbourhood Commercial Zone conforms to the current Official Plan (OPA #600) with respect to the "Neighbourhood Commercial Area" policies, as well as, the policies of the new City of Vaughan Official Plan 2010. Rezoning the subject lands to C4 Neighbourhood Commercial Zone would consolidate the Owner's landholdings and facilitate a consistent zoning for the entire 9,810 m² site. Issues with respect to the preservation of the Carrville Post Office and General Store on the property will be appropriately addressed through the future site plan process. The Development Planning Department has no objection to the proposed rezoning, subject to applying an "H" Holding provision on the property, which will

provide an additional level of security to ensure that the disposition of the Carrville Post Office and General Store is satisfactorily addressed through the site plan process to the satisfaction of the Vaughan Cultural Services Division and the Vaughan Development Planning Department.

The subject lands will be zoned C4(H) Zone, and the removal of the "H" Holding provision through a future zoning by-law amendment application will be subject to site plan approval by Vaughan Council of an appropriate commercial development including satisfactorily addressing the preservation of the Carrville Post Office and General Store on the property to the satisfaction of the Vaughan Cultural Services Division and the Vaughan Development Planning Department.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Vitality".

Regional Implications

The Region of York Transportation Services Department has advised that they have no comment respecting the rezoning of the subject lands.

Conclusion

The Vaughan Development Planning Department has reviewed the proposal to rezone the subject lands located at 1076 Rutherford Road as shown on Attachments #1 and #2 in accordance with the Official Plan, Zoning By-law, internal and external public comments, and the area context, and can support the approval of Zoning By-law Amendment Application Z.09.016. The zoning application will consolidate the subject lands with the adjacent lands to the north, east and west, which are in the same ownership and will be zoned C4(H) Neighbourhood Commercial Zone with the "H" Holding Symbol to provide consistent commercial zoning that will facilitate a consolidated landholding and future site development with a neighbourhood commercial plaza. The conditions to remove the "H" Holding provision will be Vaughan Council's approval of a site plan for an appropriately designed commercial development on the property including the preservation of the Carrville Post Office and General Store, which must be to the satisfaction of the Vaughan Cultural Services Division and the Vaughan Development Planning Department.

Attachments

1. Context Location Map
2. Location Map
3. Proposed Rezoning

Report prepared by:

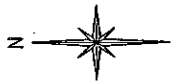
Arminé Hassakourians, Planner, ext. 8368
Christina Napoli, Acting Senior Planner, ext. 8483

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

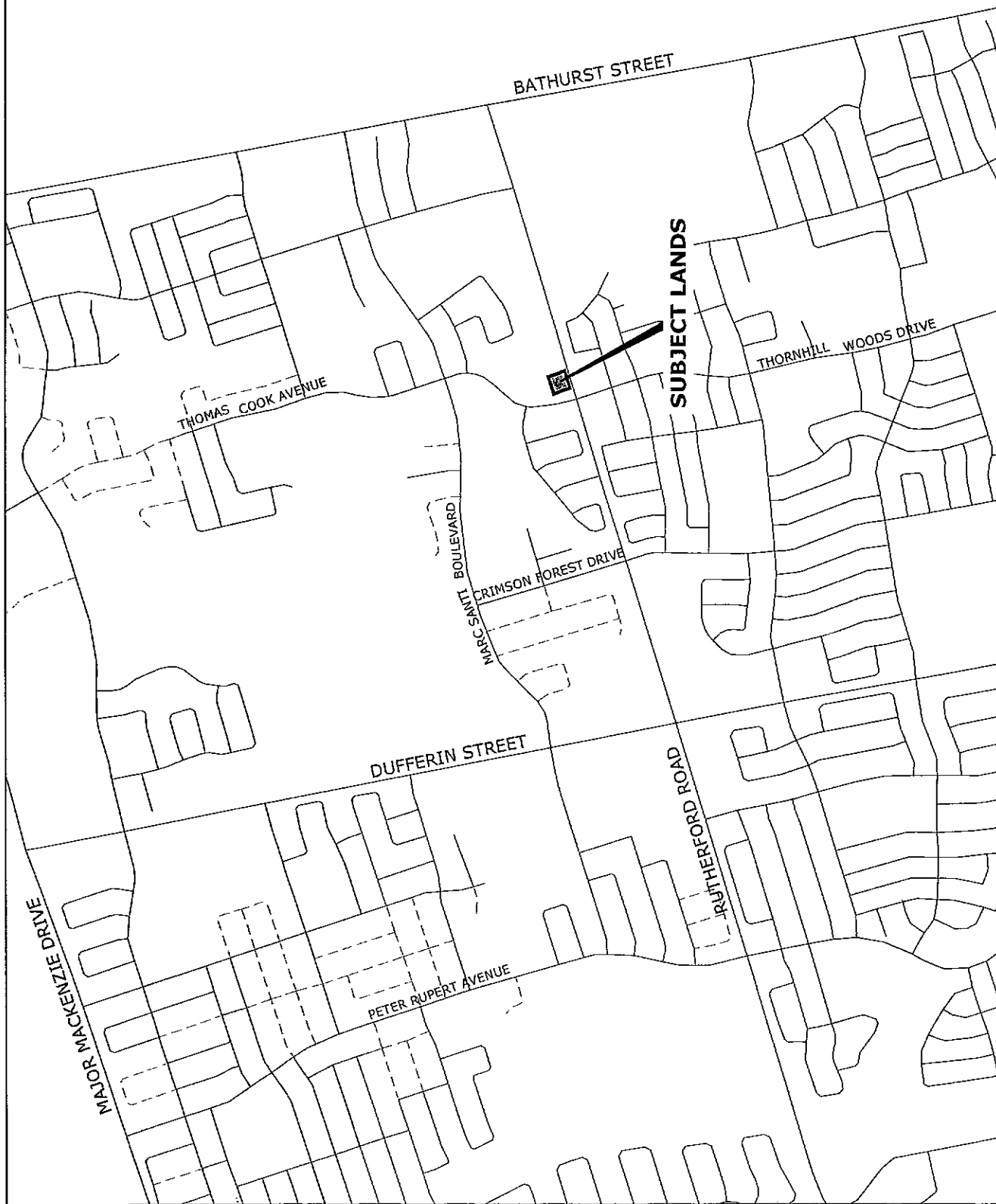
GRANT UYEYAMA
Director of Development Planning

/LG



Not to Scale

TOWN
OF
RICHMOND
HILL



SUBJECT LANDS

Context Location Map

Part of Lot 16,
Concession 2

Applicant:
NINE-TEN WEST LIMITED

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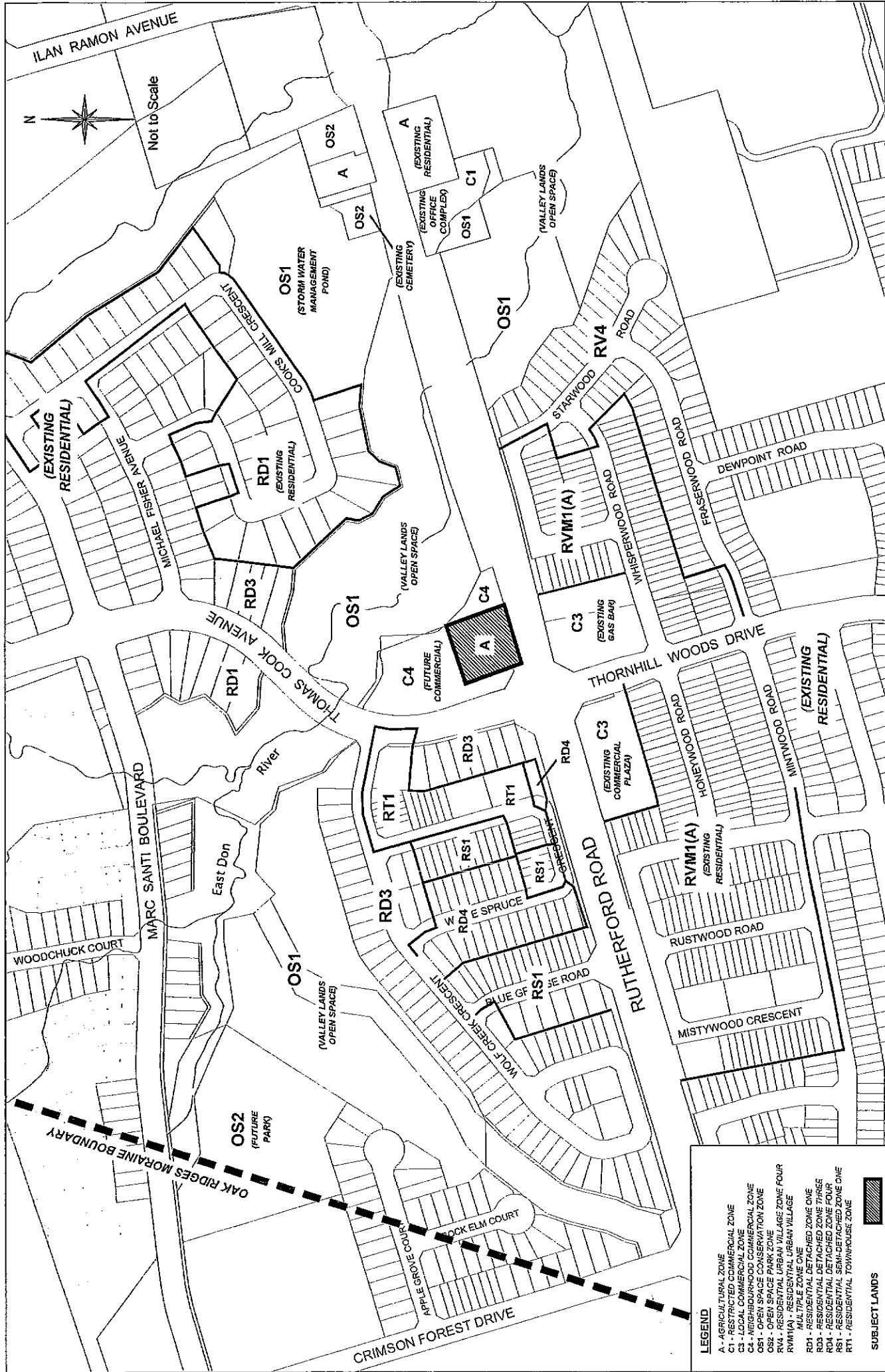


Attachment

File:
Z.09.016

Date:
December 6, 2010

1



LEGEND

- A - AGRICULTURAL ZONE
- C1 - RESTRICTED COMMERCIAL ZONE
- C3 - LOCAL COMMERCIAL ZONE
- OS1 - OPEN SPACE CONSERVATION ZONE
- OS2 - OPEN SPACE PARK ZONE
- RD1 - RESIDENTIAL DETACHED ZONE ONE
- RD3 - RESIDENTIAL DETACHED ZONE THREE
- RD4 - RESIDENTIAL DETACHED ZONE FOUR
- RS1 - RESIDENTIAL SEMI-DETACHED ZONE ONE
- RT1 - RESIDENTIAL TOWNHOUSE ZONE
- RVM1(A) - RESIDENTIAL URBAN VILLAGE
- RV4 - RESIDENTIAL URBAN VILLAGE ZONE FOUR
- MULTIPLE ZONE ONE

SUBJECT LANDS

[Hatched Box]

Location Map

Part of Lot 16,
Concession 2

Applicant:
NINE-TEN WEST LIMITED

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Not to Scale

APPLICANT PROPOSAL TO
REZONE SUBJECT LANDS
FROM 'A' AGRICULTURAL ZONE
TO 'C4' NEIGHBOURHOOD
COMMERCIAL ZONE
(TO BE DEVELOPED WITH
ADJACENT C4 LANDS)

PART 4 - SANITARY &
SEWER EASEMENT

BLOCK 110,
REGISTERED PLAN 65M-3917

PART 1 - LANDS
SUBJECT TO REZONING
APPLICATION

SOUTHEAST ANGLE OF
LOT 16, CONCESSION 2

PART 3, PLAN 65R-11000

PART 3, PLAN 65R-28002

PART 3, PLAN 65R-28002

PART 3, PLAN 65R-28002

PART 3, PLAN 65R-28002

PART 3, PLAN 65R-28002

PART 3, PLAN 65R-28002

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PART 3, PLAN 65R-28002

PART 3, PLAN 65R-28002

PART 3, PLAN 65R-28002

EXISTING STRUCTURE OF
HERITAGE INTEREST
(FORMER CARRVILLE POST OFFICE)

PART 3 - REGIONAL
ROAD WIDENING
(3m RESERVE)

RUTHERFORD ROAD

S PUBLIC HIGHWAY BY BY-LAW No. RD-237-88-74, INST. No. LT 474753

Proposed
Rezoning

Applicant:
NINE-TEN WEST LIMITED
Concession 2

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Attachment
3

File:
Z.09.016
Date:
December 6, 2010