

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES JANUARY 31, 2012

Item 1, Report No. 3, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on January 31, 2012.

1 **OFFICIAL PLAN AMENDMENT FILE OP.11.010**
ZONING BY-LAW AMENDMENT FILE Z.11.038
ROY MURAD
WARD 5

The Committee of the Whole (Public Hearing) recommends:

- 1) **That the recommendation contained in the following report of the Commissioner of Planning, dated January 17, 2012, be approved; and**
- 2) **That Communication C1 submitted by Mr. Michael Goldberg, Goldberg Group, 2171 Avenue Road, Suite No. 301, Toronto, M5M 4B4, be received.**

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for Files OP.11.010 and Z.11.038 (Roy Murad) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Contribution to Sustainability

The contribution to sustainability will be determined when the technical report is considered.

Economic Impact

This will be addressed when the technical report is completed.

Communications Plan

- a) Date Notice of Public Meeting was circulated: December 22, 2011
- b) Circulation Area: 150m and the Town of Markham
- c) Comments Received as of January 3, 2012: None

Purpose

The Owner has submitted the following applications on the subject lands shown on Attachments #1 and #2, to permit the continued use of the existing residential building for a Business and Professional Office, providing financial services:

1. Official Plan Amendment File OP.11.010 to amend the policies of OPA #210 (Thornhill Community Plan) to increase the maximum permitted gross floor area devoted to a Business and Professional Office use from 167.2 m² to 279.2 m² (entire existing building); and,
2. Zoning By-law Amendment File Z.11.038 to amend Zoning By-law 1-88, to add a Business and Professional Office use to the R1 Residential Zone, whereas only a single detached residential dwelling is permitted.

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Background - Analysis and Options

Location	<ul style="list-style-type: none">▪ 7822 Yonge Street, shown as “Subject Lands” on Attachments #1 and #2.
Official Plan Designation	<ul style="list-style-type: none">▪ “Low Density Residential” and subject to the policies of the Village of Thornhill Heritage District by OPA #210 (Thornhill Community Plan. Properties designated “Low Density Residential” located within the Thornhill Heritage District, with frontage onto Yonge Street (and Centre Street), may be used for Business and Professional Offices not exceeding 167 m² in total gross floor area. The proposal to permit a maximum gross floor area of 279.2 m² (entire existing building) does not conform to the Official Plan. Therefore, an Official Plan Amendment Application has been submitted to amend the current in-effect Official Plan.▪ “Low Rise Residential” and Thornhill Heritage Conservation District by the new City of Vaughan Official Plan 2010, (Volume 1 and 2, respectively), which was adopted by Vaughan Council on September 7, 2010 (modified on September 27, 2011), and is subject to approval by the Region of York.
Zoning	<ul style="list-style-type: none">▪ R1 Residential Zone by Zoning By-law 1-88, which permits a single detached residential dwelling only.▪ The commercial use of the building is not permitted in the R1 Zone. Therefore, a Zoning By-law Amendment Application has been submitted.
Surrounding Land Uses	<ul style="list-style-type: none">▪ Shown on Attachment #2.

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Preliminary Review

Following a preliminary review of the applications, the Development Planning Department has identified the following matters to be reviewed in greater detail:

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Conformity with Regional and City Official Plans	<ul style="list-style-type: none">▪ The applications will be reviewed in consideration of the applicable Regional and City Official Plan policies.
b.	Appropriateness of Proposal	<ul style="list-style-type: none">▪ The appropriateness of permitting an increase in the maximum gross floor area devoted to a Business and Professional Office use in the Official Plan, and permitting this use in the R1 Residential Zone in By-law 1-88, will be reviewed in consideration of changing the residential, commercial and office use mix of the property to entirely an office use, and resultant compatibility with the surrounding land use context, zoning implications and exceptions, and in consideration that the applications have been submitted to recognize an existing use within an existing building and no new development is proposed.▪ The applicant has submitted justification information to the City for review relating to the business, including: open Monday to Friday between 8 am to 5 pm; 8 employees; and, the basement is used for office purposes. Additional information such as frequency of visitors per day, and any other pertinent information to address the appropriateness of the proposal on the subject property, will be requested for review by the Development Planning Department.
c.	Related Site Plan File DA.11.099	<ul style="list-style-type: none">▪ The related Site Plan File DA.11.099 will be reviewed in consideration of the applicable Zoning By-law 1-88 requirements outlined for a Business and Professional Office use, including: number of required parking spaces, driveway width, and gravel versus the required paved parking area.
d)	Thornhill Heritage Conservation District Plan	<ul style="list-style-type: none">▪ The existing building (7822 Yonge Street) is designated under Part V of the <u>Ontario Heritage Act</u>. The Owner is not proposing any changes to the existing building. Review will be given to comments from the Vaughan Cultural Services Division.

Relationship to Vaughan Vision 2020/Strategic Plan

The applicability of these applications to the Vaughan Vision will be determined when the technical report is considered.

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Regional Implications

The applications have been circulated to the Region of York for review and comment. Any issues will be addressed when the technical report is considered.

Conclusion

The preliminary issues identified in this report and any other issues identified through the processing of the applications will be considered in the technical review of the applications, together with comments from 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.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan - Existing Building and Garage
4. Elevation Plan - Existing Building

Report prepared by:

Laura Janotta, Planner, ext. 8634
Christina Napoli, Senior Planner, ext. 8483
Mauro, Peverini, Manager of Development Planning, ext. 8407

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

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Item 2, Report No. 3, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on January 31, 2012.

2

**ZONING BY-LAW AMENDMENT FILE Z.07.059
ZEPCEL HOLDINGS INC.
WARD 1**

The Committee of the Whole (Public Hearing) recommends that the recommendation contained in the following report of the Commissioner of Planning, dated January 17, 2012, be approved:

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for File Z.07.059 (Zepcel Holdings Inc.) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Contribution to Sustainability

The contribution to sustainability will be determined when the technical report is considered.

Economic Impact

This will be addressed when the technical report is completed.

Communications Plan

- a) Date the Notice of a Public Hearing was circulated: December 22, 2011
- b) Circulation Area: 150m and to the Kleinburg & Area Ratepayers' Association
- c) Comments received as of January 11, 2012: None

Purpose

The Owner has submitted Zoning By-law Amendment File Z.07.059 to amend Zoning By-law 1-88, specifically to rezone the subject lands shown on Attachments #1 and #2 from C2 General Commercial Zone, subject to Exceptions 9(166) and 9(385), to C11 Mainstreet Commercial Zone, together with the following site-specific zoning exceptions to facilitate the development of a 2 – storey addition to the front of the existing building as shown on Attachments #3 to #5:

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	By-law Standards	By-law 1-88 Zone Requirements	Proposed Exceptions to C11 Mainstreet Commercial Zone
a.	Permitted Uses	Site-specific Exception 9(166) currently permits a garage and body shop on the property subject to specific development standards. Exception 9(385) only permits a retail monument shop on the property also subject to specific development standards.	<ul style="list-style-type: none"> ▪ Permit the following C11 Mainstreet Commercial Zone uses: - Art Gallery; - Bank or Financial Institution; - Bed and Breakfast; - Business or Professional Office; - Eating Establishment; - Eating Establishment, Convenience; - Eating Establishment, Take-Out; - Hotel; - Mixed-Use Development Mainstreet - Museum; - Personal Service Shop; - Pharmacy; - Photography Studio; - Regulated Health Professional; - Retail Store; - Studio; - Video Store; - Veterinary Clinic; and, - Day Nursery.
b.	Minimum Required Number of Parking Spaces	22 spaces (357.38m ² GFA @ 6 spaces/100m ²)	13 spaces
c.	Minimum Front Yard (Nashville Road)	2 m	0 m
d.	Minimum Rear Yard (North)	15 m	10.26 m
e.	Minimum Landscape Strip Width (Nashville Road)	2 m	0 m

Other zoning exceptions may be identified through the detailed review of the application.

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Analysis and Options

Location	<ul style="list-style-type: none"> ▪ North side of Nashville Road, east of Huntington Road, municipally known as 950 Nashville Road, as shown on Attachments #1 and #2. ▪ The 0.101 ha property is rectangular in shape with approximately 30.5 m frontage on Nashville Road and a lot depth of 38.38 m. There is an existing building on the property which is vacant, and was previously used as a Monument Shop.
Official Plan Designation	<ul style="list-style-type: none"> ▪ The subject lands are designated “Core Area – Mainstreet Commercial” by OPA #601 (Kleinburg-Nashville Community Plan), as amended by OPA #633, which permits local convenience commercial, personal service shops, professional and business offices, single detached residential dwellings, and bed and breakfast operations. ▪ OPA #601, as amended, restricts the maximum building height to 9.5 metres above finished grade for additions to buildings or the redevelopment of existing sites in the Core Area. The proposed 2-storey (8.6 m) addition to the existing building conforms to the policies of the Official Plan. ▪ The subject lands are designated “Low-Rise Mixed Use/Mainstreet Commercial” by the City of Vaughan Official Plan 2010 (VOP 2011), specifically Section 12.4 of Volume 2, which was adopted by Vaughan Council on September 7, 2010 (as modified on September 27, 2011) and is pending approval from the Region of York. Section 12.4 of Volume 2 of the Official Plan incorporates OPA #633 into the new VOP 2010, and therefore, the permitted uses are identical to the permitted uses identified by OPA #633. ▪ The subject lands are also designated as "Kleinburg North Low Rise Mixed-Use II" by the North Kleinburg-Nashville Secondary Plan (Volume 2 of VOP 2010). ▪ The application conforms to the Official Plans.
Zoning	<ul style="list-style-type: none"> ▪ The subject lands are zoned C2 General Commercial Zone, subject to Exceptions 9(166) and 9(385) by Zoning By-law 1-88. An amendment to Zoning By-law 1-88 is required to rezone the subject lands to C11 Mainstreet Commercial Zone to facilitate the proposed commercial development.
Surrounding Land Uses	<ul style="list-style-type: none"> ▪ Shown on Attachment #2.

Preliminary Review

Following a preliminary review of the application, the Development Planning Department has identified the following matters to be reviewed in greater detail:

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	MATTERS TO BE REVIEWED	COMMENT(S)
a.	City Official Plan Policies	<ul style="list-style-type: none"> ▪ The application will be reviewed in consideration of the applicable City Official Plan policies.
b.	Kleinburg-Nashville Heritage Conservation District	<ul style="list-style-type: none"> ▪ The subject lands are located within the Kleinburg-Nashville Heritage Conservation District and are designated under Part V of the Ontario Heritage Act. ▪ The application will be reviewed in consideration of the applicable policies of the Heritage Conservation Plan. The proposed building addition and elevation changes to the existing building exterior and property require review by Heritage Vaughan and approval of a Heritage Permit Application in addition to any other City permits/approvals.
c.	Appropriateness of the Proposed Rezoning and Site-Specific Exceptions	<ul style="list-style-type: none"> ▪ The appropriateness of the proposed commercial uses will be reviewed in the context of the surrounding existing and planned land uses, with particular consideration given to land use and built form compatibility. ▪ The appropriateness of the proposed 0 metre front yard setback along Nashville Road in light of the road widening already taken by the Region of York at this location must be reviewed.
d.	Traffic, Access and Parking	<ul style="list-style-type: none"> ▪ A Traffic Impact Study and Parking Study are required for review by the Vaughan Development/Transportation Engineering Department. ▪ Access to Nashville Road must be reviewed and approved by the Region of York.
e.	Servicing Issues	<ul style="list-style-type: none"> • Servicing for the site is proposed via a below grade holding tank as shown on Attachment #3, which must be reviewed and approved by the Vaughan Development/Transportation Engineering Department.
f.	Related Site Development File DA.11.087	<ul style="list-style-type: none"> ▪ Related Site Development File DA.11.087 has been submitted in support of the Zoning By-law Amendment Application to facilitate the development shown on Attachments #3 to #5. The following matters, but not limited to, will be considered through the review of the Site Development Application: <ul style="list-style-type: none"> - built form and site design, landscaping, building elevations and materials; - appropriate amenity for the day nursery use including shade areas, access to water and play area design; - sustainable site and development features; - pedestrian accessibility to the property and on the site; - site circulation and access along Nashville Road; - proposed location of garbage enclosure in relation to parking spaces and circulation of vehicles; - streetscaping (hard and soft) along Nashville Road within the Regional right-of-way; - integration of the proposed development with existing and planned uses along Nashville Road; and, - proposed signage details.
g.	Sustainability	<ul style="list-style-type: none"> ▪ Opportunities for sustainable design, permeable pavers, building materials, drought tolerant landscaping, bicycle racks to promote alternative modes of transportation, and energy efficient lighting, will be reviewed and implemented through the site plan approval process, if approved.

Relationship to Vaughan Vision 2020/Strategic Plan

The applicability of the application to the Vaughan Vision will be determined when the technical report is considered.

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Regional Implications

The application has been circulated to the Region of York for review and comment. The proposed driveway access onto Nashville Road, must be approved by the Region of York. In addition, the applicant is proposing landscaping within the Regional right-of-way along Nashville Road, which must be approved by the Region of York. These and any additional issues will be addressed when the technical report is considered.

Conclusion

The preliminary issues identified in this report and any other issues identified through the processing of the application will be considered in the technical review of the application, together with comments from the public and Council expressed at the Public Hearing or in writing, and will be addressed in a comprehensive report to a future Committee of the Whole meeting.

Attachments

1. Context Location Map
2. Location Map
3. Proposed Site Plan
4. South and East Building Elevations
5. North and West Building Elevations

Report prepared by:

Mark Johnson, Planner, ext. 8353
Carmela Marrelli, Senior Planner, ext. 8791
Mauro Peverini, Manager of Development Planning, ext. 8407

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)