

COMMITTEE OF THE WHOLE JUNE 16, 2003

**ZONING BY-LAW AMENDMENT FILE Z.03.019
SITE DEVELOPMENT FILE DA.03.010
JUDITH HOLZMAN
PRELIMINARY REPORT**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment Z.03.019 (Judith Holzman) BE APPROVED to permit a business or professional office use, subject to the following conditions:
 - a) that the implementing by-law provide the required exceptions to implement the approved site plan, including the minimum landscaping and yard requirements, and maintenance of the shed.
 - b) that prior to enactment of the implementing by-law; the Owner shall make arrangements regarding proof of the encroachment of the frame shed and the shared driveway onto the neighbouring property to the satisfaction of the City.
2. THAT Site Development Application DA.03.010 (Judith Holzman) BE APPROVED, subject to the following conditions:
 - a) That prior to the execution of the site plan agreement:
 - i) the final site plan shall be approved by the Commissioner of Planning;
 - ii) the final landscaping and signage shall be approved by the Urban Design Department;
 - iii) if required, the final grading and servicing plans and stormwater management report shall be approved by the Engineering Department;
 - iv) parking, access and on-site circulation shall be approved by the Engineering Department; and,
 - b) the Owner 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.

Purpose

On March 7, 2003, the Owner submitted an application to amend the Zoning By-law to rezone the subject lands to an appropriate commercial category to permit a law office. The existing dwelling is proposed to be converted to accommodate the office use within the existing dwelling. The Owner has also submitted a related site plan application (File DA.03.010). Through the review process, the required exceptions to the zoning standard will be identified.

Background - Analysis and Options

The 0.1 ha site is located on the north side of Major Mackenzie Drive, east of Keele Street, being Lot 53 on Registered Plan 72 (2126 Major Mackenzie Drive), in Part of Lot 21, Concession 3, City of Vaughan.

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

- North - residential (R2 Residential Zone)
- South - Major Mackenzie Drive; Civic Centre (A Agricultural Zone)
- East - residential (R2 Residential Zone)
- West - residential (R2 Residential Zone)

On March 14, 2003, a notice of public hearing was circulated to all property owners within 120m of the subject lands, and to the Gates of Maple Ratepayers Association. To date, no comments have been received. Any responses received will be addressed in the technical review and included in a comprehensive staff report to a future Committee of the Whole meeting.

Official Plan

The lands are designated "Office Commercial" by OPA #350 (Maple Community Plan), subject to the site-specific policies. The site-specific policies permit the proposed business and professional office use. The proposed office use conforms to the Official Plan.

Zoning

The subject lands are zoned R2 Residential Zone by By-law 1-88, which permits a detached residential dwelling. The proposed rezoning to C1 Restricted Commercial Zone would permit the use of the existing dwelling for a business or professional office.

The following exceptions to the C1 Zone standards will be required:

	<u>Required</u>	<u>Proposed</u>
Rear Yard Setback	15.0m	0.81m
Minimum Setback from an 'R' Zone	9.0m	0.00m
Minimum Landscaping Strip abutting an 'R' Zone	2.4m	0.00m
Minimum aisle width	6.0m	3.93m

Currently, the site contains two frame sheds in the rear. One of the sheds will be demolished to accommodate a paved parking area. The other shed will remain, reducing the rear yard setback to 0.81m and the side yard setback to 0.0m. The existing driveway aisle width as shown on the site plan is partly on the neighbouring property to the east. The owner must obtain a severance or easement regarding of the shed and the driveway, prior to the enactment of the zoning by-law.

Site Design

The site plan application provides for the use of the existing dwelling for a law office. The site alteration includes the addition of parking spaces and driveway access. The parking proposed on site will comply with the provisions set out by OPA #350 that states that all parking is to be located to reduce the visual impact of the automobile. The 11 parking spaces (a minimum of 10 spaces required) are to be located in the rear of the building and the driveway access to Major Mackenzie Drive at a signalized intersection.

Building Elevations

The subject lands are located in the former village core of Maple and is listed in the City of Vaughan's Inventory of Heritage Structures. The building is considered a significant heritage structure and integral to maintaining the historical streetscape and former village core of Maple.

The applicant is required to obtain approvals, to effect any renovations to the exterior façade of the building, such as additions or architectural changes.

Land Use/Compatibility

The application proposes a business or professional office use at this site. The Official Plan encourages this form of redevelopment, as identified in the policies for “Office Commercial Areas” 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 individuals 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 view from Major Mackenzie Drive. This site benefits from signalized access to Major Mackenzie Drive opposite the Civic Centre driveway. To provide the opportunity for combined accesses for adjacent properties, a condition had been included to require an agreement by the owner to provide cross-easements for future access upon redevelopment of adjacent parcels.

Conclusion

Staff is of the opinion that the proposed zoning amendment to permit a business and professional office use can be considered appropriate and compatible to the existing uses in the surrounding area. The proposal implements the policies of the Official Plan, which encourages office commercial use. The change in use will not affect the exterior appearance and aesthetics of the site and building.

For these reasons, Staff recommends approval of the Zoning By-law Amendment and Site Plan application to permit business and professional office use, with the exceptions to yard requirements, landscaping and aisle widths. Should the Committee concur, the recommendations in this report can be adopted.

Attachments

1. Location Map
2. Site Plan

Report prepared by:

Margaret Holyday, Planner 1, ext. 8216
Arto Tikiryan, Senior Planner, ext. 8212
Marco Ramunno, Manager of Development, ext. 8485

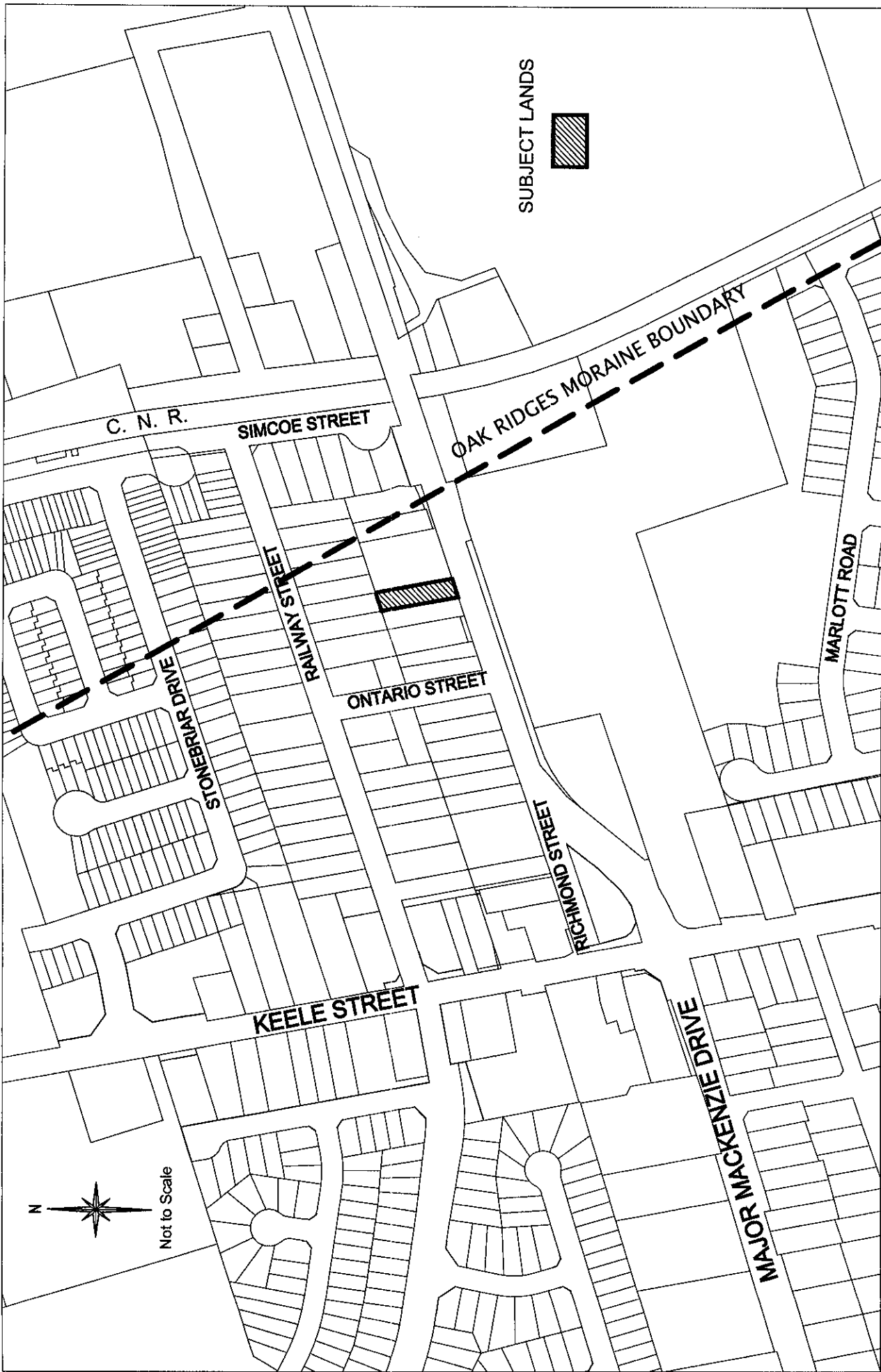
Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

JOANNE R. ARBOUR
Director of Community Planning

/LG

R:\WORKING\SITARZ\Judith Holzman.cw



Attachment **1**

FILE No.:
Z.03.019 &
DA.03.010

March 12, 2003

CITY OF **Vaughan**

Community Planning Department

Location Map

Part of Lot 21,
Concession 3

APPLICANT:
JUDITH HOLZMAN

RAILWAY STREET (BY REG'D PLAN 72)
 PIN 03343-0876 (LT)



LOT 49
 PIN 03343-0241 (LT)

LOT 52
 PIN 03343-0244 (LT)

LOT 55
 PIN 03343-0247 (LT)

Not to Scale

REGISTERED

PLAN

72

SUBJECT LANDS

LOT 48
 PIN 03343-0240 (LT)

LOT 53
 PIN 03343-0245 (LT)

LOT 54
 PIN 03343-0246 (LT)



MAJOR MACKENZIE DRIVE
 (REGIONAL ROAD No 25)
 ROAD ALLOWANCE BETWEEN LOTS 20 AND 21, CONCESSION 3
 PIN 03343-0872 (LT)

Attachment 2

FILE No.:
 Z.03.019 &
 DA.03.010

March 12, 2003



Community Planning Department

Site Plan

Part of Lot 21,
 Concession 3
 APPLICANT:
 JUDITH HOLZMAN