

**OFFICIAL PLAN AMENDMENT FILE OP.03.014 (OPA #652)
ZONING BY-LAW AMENDMENT FILE Z.00.081
RITAJO DEVELOPMENTS LIMITED AND G. MORELLI**

Recommendation

The Commissioner of Planning recommends:

1. THAT the draft Official Plan Amendment (OPA #652) and draft Zoning By-laws pertaining to the Morelli/Ritajo property be endorsed for filing with the Ontario Municipal Board, subject to Council's approval of site plan and draft plan of subdivision applications and any required modifications to the Zoning By-laws as a result of such approvals.
2. That the OMB be requested to withhold the Order with respect to the draft zoning by-law amendments until such time as the City has advised the OMB that a site plan application has been approved by Council, and any necessary revisions to the draft by-laws have been made to reflect the approved site plan.

Purpose

To inform Council respecting the proposed Official Plan Amendment (OPA #652) and draft Zoning By-laws to govern the land use and development on the Morelli lands within the Carrville District Centre, and to receive Council's direction with respect to the Ontario Municipal Board hearing scheduled to begin on April 13, 2004.

Background - Analysis and Options

The 3.6 ha Morelli/Ritajo property is located at the southwest corner of Dufferin Street and Rutherford Road, in Part of Lot 15, Concession 3, City of Vaughan (Planning Block 17). The lands also form the southwest quadrant of the Carrville District Centre. The surrounding land uses are:

- North - Rutherford Road; Carrville District Centre (Concession Block #18)
- South - residential (RVM1 (A)/RVM1 (WS-A) Zones)
- East - Dufferin Street; Carrville District Centre (Planning Block 10)
- West - Forest Run Boulevard; residential (RV4 and RVM1(B) Zones)

On August 11, 2000, the Owner filed an application to amend By-law 1-88 to rezone the subject property from A Agricultural Zone to C5 Community Commercial Zone. The Owner has appealed the Interim Control By-law for the area of the District Centre, and also OPA #550. On April 12, 2003, the Owner filed an application to amend the Official Plan to redesignate the lands from "District Centre" to a commercial designation, including a food store use. The Owner has subsequently revised the application to propose a combination of commercial and townhouse residential uses.

In June 2003, Council extended the Interim Control By-law for one year, to permit additional time to complete the Carrville District Centre Study. At a pre-hearing conference on October 24, 2003, upon the request of the City, the Board agreed to schedule a hearing in the spring of 2004, following the completion of the Carrville District Centre Study. This hearing has been scheduled to begin on April 13, 2004. Staff are continuing to work with the landowner's representatives to resolve the outstanding issues of the appeal.

Official Plan/Zoning

The subject lands are designated "District Centre" by OPA #600. The District Centre is envisioned as the focus of major development within the Carrville community, with a concentration of commercial uses, medium and high-density residential development, preferably in the form of mixed-use development, and supporting community facilities. The District Centre is also envisioned as the focus of public transit service within the Carrville community, with a centrally-located Transit Hub in the District Centre.

The lands are zoned A Agricultural by By-law 1-88.

Carrville District Centre (OPA #651)

The Carrville District Centre Study process included extensive public consultation with a stakeholder group comprised of local residents, development interests, public agencies and municipal staff. The process generated and evaluated several alternative development concepts for the District Centre, including the Morelli/Ritajo site. In order to produce a comprehensive and logical plan addressing the City's planning objectives, a wide range of issues were addressed, including land use compatibility, mix of uses, building heights, density, site integration, buffering, access, topographical and environmental considerations, transportation and parking requirements, through a series of five workshops.

On February 12, 2004, the preferred development concept was presented to the Stakeholder Consultation Group and was strongly supported. This development concept is reflected in the draft Carrville District Centre Plan (Official Plan Amendment #651) which was considered at a Public Hearing on March 1, 2004, and will be the subject of a technical report to Committee of the Whole. OPA #651 would permit the Morelli/Ritajo property to be developed for a combination of residential and commercial uses.

Morelli/Ritajo Property (OPA #652)

The draft OPA #652 for the Morelli/Ritajo property prepared for the upcoming OMB hearing, is consistent with the land use designations and policy framework in the Carrville District Centre Plan (OPA #651). The northerly portion of the site is designated "Mixed Use 1", encouraging residential and commercial uses in the same building, and the southern edge of the site is designated "Medium Density Residential". The landowner has proposed a supermarket and commercial uses in the northern portion and a townhouse development in the southerly part of the property, along Benjamin Hood Crescent.

On March 23, 2004, the landowner's development concept was presented and discussed at a public information meeting, for which notification was given to all residents in Block 17. Approximately 35 residents attended the meeting, in addition to development interests. The public response was positive and supportive of the development concept and planning process to date. One written response has been received from a resident on Belvia Road expressing concerns with the commercial block abutting Forest Run Boulevard rather than a row of residential units, and the possibility that a commercial driveway entrance to Forest Run Boulevard will result in increased truck traffic and shortcut traffic in the neighbourhood.

The zoning by-laws implementing draft OPA #652 are in draft form. They are to be filed with the OMB at the upcoming hearing, with a request that their approval be withheld pending approval of the required site plan. A draft plan of subdivision or consent will also be required to create the commercial and residential blocks. The zoning by-laws will be finalized to reflect the Council approved site plan and forwarded to the OMB for final approval.

Concept Plan

The development concept provides for townhouses along the southern edge of the property. Most of these units are proposed to face south onto Benjamin Hood Crescent, opposite the existing townhouses. Up to 4 units may front onto both Dufferin Street and Forest Run Boulevard, similar to the adjacent development to the south on these roads. The residential block is to be separated from the commercial block by draft plan of subdivision or consent.

The commercial portion of the site includes a small supermarket at the west end, a multi-unit, two-storey retail/office building at the northeast corner, and a third commercial building along Rutherford Road. Each building would have an entrance from the public sidewalk on Rutherford Road and/or Dufferin Street. The building at the Dufferin/Rutherford corner will wrap around the corner and include a second storey for offices.

The location, shape and size of the development area effectively limit available options for the placement of the supermarket. Proximity to the Dufferin Street/Rutherford Road intersection restricts the only available, full movement driveway to the site to Forest Run Boulevard, with any other driveways being a right-in/right-out design. Forest Run Boulevard is a wider primary road, rather than a local road, designed to provide an entrance to the neighbourhood for all traffic.

As such, the westerly siting for the supermarket should best minimize truck movement into the existing neighbourhood. The enclosed loading dock on the west side of the building should compel any large trucks to exit the site via the right-out accesses onto Rutherford Road or Dufferin Street because of the difficulty of making the sharp turns from the loading area to go either north or south on Forest Run Boulevard. Locating the supermarket in the central or east part of the site would not impose the same limitation on the movement of large trucks. Signage can be used to prevent truck traffic from infiltrating the neighbourhood.

The concept plan will be reviewed in detail upon submission of a formal site plan application for both the commercial and residential portions. Future review on the zoning provisions and site plan will include the following key issues:

- landscaping and streetscaping requirements,
- conformity with the development and urban design policies of OPA #651,
- traffic impacts, access, parking and loading requirements, with particular consideration for the abutting residential neighbourhood,
- buffering of loading, parking and site servicing facilities, and
- integration with the planned open space network north of Rutherford Road.

Land Use Designations

The proposed designations for the subject lands are “Mixed Use 1” on the northern portion and “Medium Density Residential” on the southern portion.

The “Mixed Use 1” designation refers to buildings that include retail uses at grade with residential and/or office uses above. The list of uses permitted within this designation is as follows:

- mixed-use with commercial and residential uses in the same building, with retail uses located at grade
- single use commercial is also permitted within the “Mixed Use 1” designation
- stacked townhouses and residential apartments
- a broad variety of retail and service commercial activity, excluding:
 - individual retail uses in buildings with ground floor plates in excess of 5,750 m² in size
 - drive-through facilities, associated with any use

- retail uses that require outdoor storage, with the exception of a seasonal garden center ancillary to another permitted retail use, offices, public and institutional uses, public health facilities, places of worship, special needs housing, cultural, entertainment and social facilities, non-profit clubs and organizations, community facilities and public utilities

The maximum building height permitted within the “Mixed Use 1” designation is six-storeys, and the permitted density range is 50-150 units per hectare in the residential portion of the building (FSI of 3.0). These policies are consistent with the proposed Official Plan for the Carrville District Centre (OPA #651).

OPA #652 also includes incentive policies to encourage mixed-use development, consistent with the Carrville District Centre Plan, including the opportunity to increase permitted retail floor space and reduce required parkland dedication, in exchange for building a mixed use development at the initial stage.

The “Medium Density Residential” designation applies to the southerly part of the Morelli property, as an appropriate transition between the low density neighbourhood to the south, and the proposed commercial uses. This designation permits the following uses:

- street, block and stacked townhouses
- places of worship and all types of special needs housing
- cultural and social facilities
- community facilities such as day care facilities, parks, urban squares and open space linkages, and public utilities

The maximum building height permitted within the “Medium Density Residential” designation is four-storeys, and the permitted density range is 35-40 units per hectare (maximum FSI of 2.0), which is consistent with the proposed Carrville District Centre Plan.

The final configuration and lotting of the residential component will be established through the site plan application process, prior to finalization of the appropriate zoning provisions through the OMB.

Vaughan’s OPA #604

Provincial legislation provides that where Planning Act applications were not filed prior to November 16, 2001, properties are subject to the Oak Ridges Moraine Conservation Plan. The Morelli lands are subject to the “Settlement Area” policies of the ORMCP. The applicant’s consultant has submitted the required “Oak Ridges Moraine Conformity Report” which confirms that the lands do not contain any key natural heritage features, hydrologically sensitive features, or impact any wellhead protection areas.

Region of York Official Plan

Regional Staff have reviewed the land use designations proposed for the subject lands. They have advised that the proposed development is generally consistent with the principles of the Regional Official Plan for development in Urban Centres, and with the main principles of the Carrville District Centre Study.

Relationship to Vaughan Vision 2007

Proposed Official Plan Amendment #652 incorporates several of the priorities defined in the “Vaughan Vision 2007” statement. The proposed plan implements OPA #600 policies for managed growth (Section 4.7), through adherence to population projections, densities, and the transit and urban design policies outlined in the City’s Official Plan.

Conclusion

Official Plan Amendment #652 has been prepared in conformity with the Carrville District Centre Plan (draft OPA #651), and is a product of the same public consultation process and comprehensive review. The proposed land use designations and policies of OPA #652 are also consistent with those in the Carrville District Centre Plan received by Committee of the Whole at the Public Hearing on March 1, 2004.

The applicant's consultants have been involved throughout the District Centre study process and are in agreement respecting the Official Plan designations in OPA #652. Staff is of the opinion that Official Plan Amendment #652 addresses the requirements of OPA #600, and conforms with the Carrville District Centre Plan (draft OPA #651) and the York Region Official Plan. Should Committee concur, the recommendation contained in this report can be adopted.

Attachments

1. Location Map
2. Carrville District Centre Plan (OPA #651), Schedule "1" - Land Use
3. Proposed Morelli OPA #652 (FOR COUNCILLORS ONLY)
4. Three Draft Zoning By-laws (FOR COUNCILLORS ONLY)

Report prepared by:

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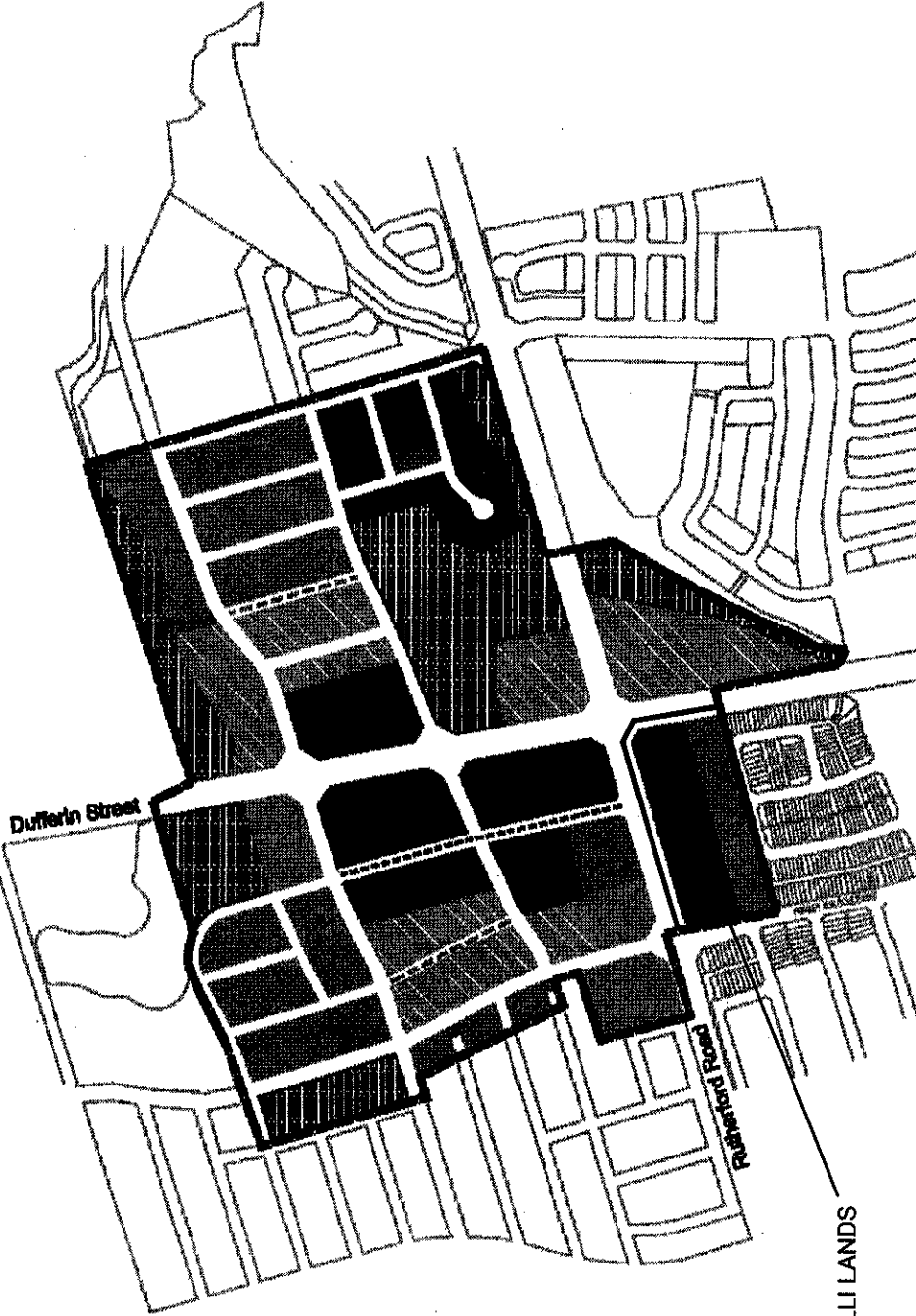
Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

WAYNE M^cEACHERN
Manager of Policy

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MORELLI LANDS

	Mixed Use 1		Stormwater Management		Study Area		Potential Gas Bar Location
	Mixed Use 2		Community Amenity		Main Street		
	High Density Residential		Parks		Special Character Street		
	Medium Density Residential		Valleylands/Woodlots		Tram Hub		

Secondary Plan for Carrville District Centre

Part of Lot 16, Concession 3
 APPLICANT:
 CITY OF VAUGHAN



Community Planning Department

Attachment 2
 FILE No.: OPA 652
 Not to Scale
 March 24, 2004