

**2. ZONING BY-LAW AMENDMENT FILE Z.05.005
SHIPLAKE INVESTMENTS (RUTHERFORD LTD.)
PRELIMINARY REPORT**

P.2005.15

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for File Z.05.005 (Shiplake Investments (Rutherford Ltd.)) BE RECEIVED; and, that any issues identified be addressed by Staff in a comprehensive report to the Committee of the Whole.

Purpose

The Owner has submitted an application to amend the Zoning By-law to permit a Drive-Through use in conjunction with the permitted Bank or Financial Institution use in the C4 Neighbourhood Commercial Zone. Exceptions to the C4 Zone standards to increase the total combined maximum permitted gross floor area of all buildings on the property from 9,662m² to 9,678m² (an additional 16m²) and a 20 space reduction in the minimum required parking on the site from 581 to 561 spaces, are also proposed to facilitate the development of the bank and drive-through (Building "B") shown on Attachment #2.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located at the southwest corner of Rutherford Road and Bathurst Street, (9200 Bathurst Street), in Part of Lot 15, Concession 2, City of Vaughan.

The rectangular-shaped 3.74 ha site has 123 m frontage on Bathurst Street and 238m flankage on Rutherford Road. The site is known as the Rutherford Village Shopping Centre and is developed with a supermarket, an eating establishment with drive through, drugstore and video store building, and two multi-unit commercial buildings as shown on Attachment #2. The location of the bank/financial institution (Building "B") was approved through the original site development application (File DA.00.142) in January 2002. An amendment to the registered site plan agreement will be required to facilitate the proposed drive-through, and revisions to the building foot-print and parking layout, should the proposed exceptions to the by-law be approved.

The subject lands are designated "Medium Density Residential/Commercial" and further identified as a "Neighbourhood Commercial Centre" by OPA #600 and on the Block 10 Plan. The Official Plan permits a broad range of neighbourhood commercial uses, including a bank and financial institution, and an amendment would not be required to facilitate a drive-through. The lands are zoned C4 Neighbourhood Commercial Zone by By-law 1-88, subject to Exception 9(1076) which does not permit a drive-through associated with a permitted bank or financial institution use. The surrounding land uses are:

- North - Rutherford Road; vacant/future Block 11 development (Agricultural Zone)
- South - vacant/future Block 10 development (Agricultural Zone)
- East - Bathurst Street; residential/commercial (Town of Richmond Hill)
- West - valley lands (OS1 Open Space Conservation Zone)

On February 11, 2005, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands. To date, no comments have been received. Any responses received will be addressed in the technical review, and included in a comprehensive report to a future Committee of the Whole meeting.

Preliminary Review

Following a preliminary review of the proposed application, Staff has identified the following matters to be reviewed in greater detail:

- review will be given to the appropriateness of adding a drive-through use associated with a permitted bank or financial institution uses in the C4 Zone;
- the appropriateness of the proposed exceptions to the C4 Zone, including the increase in the permitted gross floor area and reduction in the required number of parking spaces, will be reviewed to ensure proper site design and minimal impact on the existing development site and to the surrounding area.

Relationship to Vaughan Vision 2007

The applicability of this proposal to the Vaughan Vision will be determined when the technical report is completed.

Conclusion

The above issues, but not limited to, 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 be addressed in a comprehensive report to a future Committee of the Whole meeting. In particular, Staff will review the appropriateness of adding a drive-through use with the permitted bank in Building 'B', and the exceptions to the C4 Zone to facilitate the proposed revisions to the site plan.

Attachments

1. Location Map
2. Site Plan

Report prepared by:

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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

/LG



Not to Scale

TOWN OF
RICHMOND HILL

SUBJECT LANDS



BATHURST STREET

AGRICULTURAL

EXISTING PLACE
OF WORSHIP

OPEN
SPACE

RESIDENTIAL

BATHURST GLEN DRIVE

YESSAINT DRIVE

EAST DON RIVER

BLOCK 11
FUTURE DEVELOPMENT

RUTHERFORD ROAD

RESIDENTIAL

NORMA COURT

SHARWOOD ROAD

FRASERWOOD ROAD

DEWPOINT ROAD

CLOVIS STREET

APPLE BLOSSOM DRIVE

Location Map

Part of Lot 15,
Concession 2

APPLICANT:
SHIPLAKE INVESTMENTS
(RUTHERFORD LTD.)

N:\DFT\1 ATTACHMENTS\Z\Z-05.005



Development Planning Department

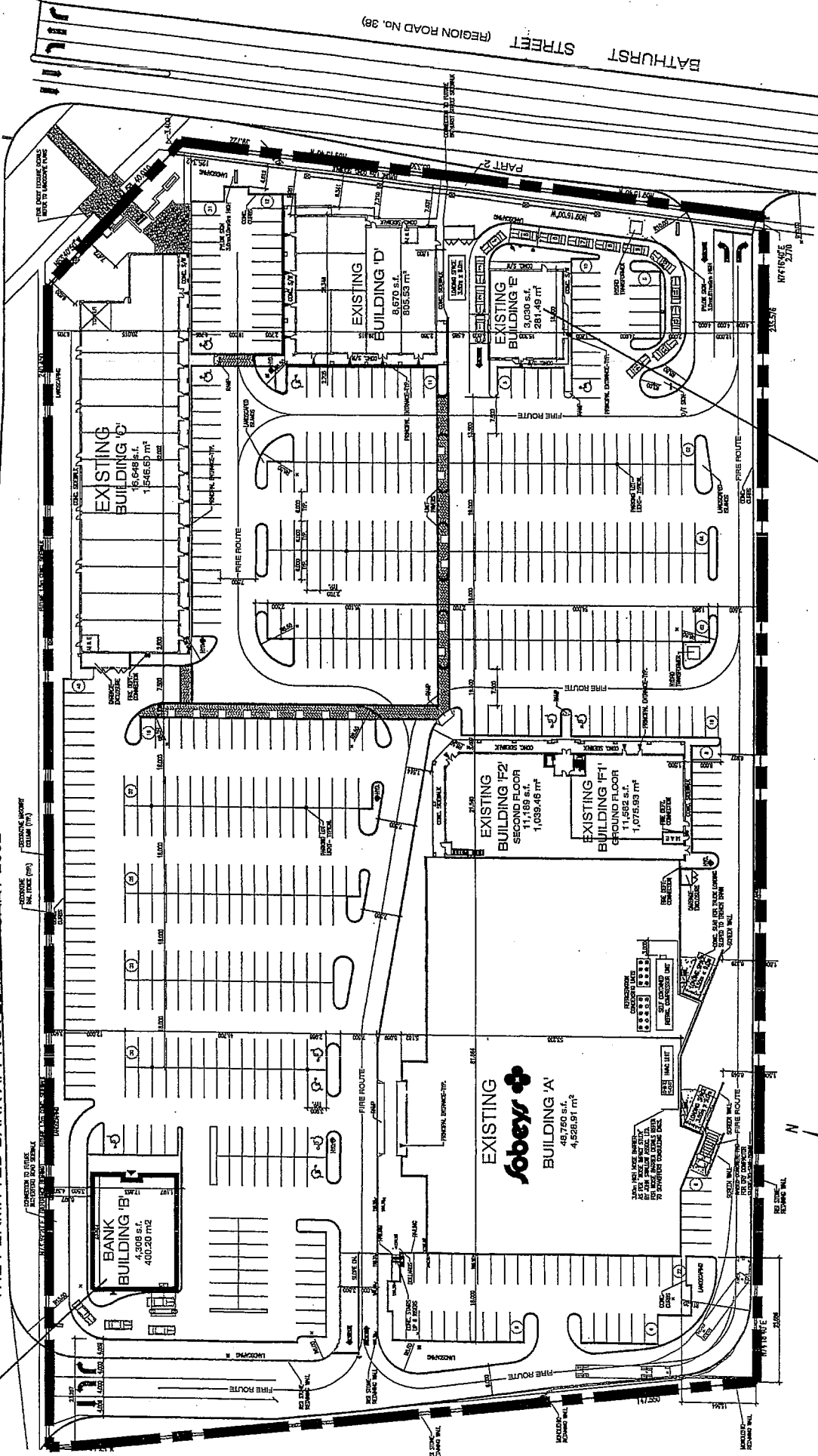
Attachment 1

FILE No.:
Z-05.005
RELATED FILE:
DA.00.142

February 25, 2005

PROPOSED DRIVE-THROUGH USE TO BE ASSOCIATED WITH
THE PERMITTED BANK APPROVED IN JANUARY 2002

RUTHERFORD ROAD



EXISTING TIM HORTON'S
WITH DRIVE-THROUGH

Not to Scale

SUBJECT LANDS

Site Plan

Part of Lot 15,
Concession 2
APPLICANT:
SHIPLAKE INVESTMENTS
(RUTHERFORD LTD.)



Development Planning Department

Attachment 2

FILE No.:
Z.05.005
RELATED FILE:
DA.00.142
February 25, 2005