

**COMMITTEE OF THE WHOLE MAY 14, 2007**

**OFFICIAL PLAN AMENDMENT FILE OP.06.014  
ZONING BY-LAW AMENDMENT FILE Z.06.036  
WILLIAM GROBANPOULOS, ET AL.**

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment File OP.06.014 (William Grobanopoulos, Et Al.) BE APPROVED, to amend OPA #350 (Maple Community Plan) to permit a business and professional office and a personal service shop as additional uses in the "Low Density Residential" designation within the existing building located on the subject lands as shown on Attachment #1, and that the implementing Official Plan Amendment include a policy requiring the Owner to provide appropriate buffering and/or screening of the parking area from the adjacent residential properties as part of the site plan process.
2. THAT Zoning By-law Amendment File Z.06.036 (William Grobanopoulos, Et Al.) BE APPROVED, to amend By-law 1-88 to permit a business and professional office and a personal service shop as additional uses and that the lands be zoned with the addition of the Holding Symbol "(H)" to the existing R1V Old Village Residential Zone on the subject lands shown on Attachment #1, and that the implementing zoning by-law include the following site-specific exceptions:
  - i) the Holding Symbol "H" shall be removed upon Council's approval of a site development application;
  - ii) restrict the business and professional office and personal service shop uses to the existing building only to a maximum combined GFA of 186m<sup>2</sup>; and,
  - iii) permit a minimum garage dimension of 2.9m x 6.0m.

**Economic Impact**

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

**Communications Plan**

N/A

**Purpose**

The Owner has submitted the following applications on the subject lands shown on Attachment #1:

1. An Official Plan Amendment Application (File OP.06.014) to amend OPA #350 (Maple Community Plan), to permit a business and professional office and personal service shop as additional uses in the "Low Density Residential" designation within the existing detached dwelling on the subject lands shown on Attachment #2; and,
2. A Zoning By-law Amendment Application (File Z.06.036) to amend Zoning By-law 1-88, to permit a business and professional office and personal service shop uses within the existing detached dwelling as additional uses in the R1V Old Village Residential Zone, and the following exception to permit a minimum garage dimension of 2.9m x 6.0m, whereas the By-law requires 3.0m x 6.0m.



## **Background - Analysis and Options**

The subject lands shown on Attachment #1 are located on the south side of Major Mackenzie Drive, west of Keele Street, being Lot 5 on Registered Plan 4626 (2401 Major Mackenzie Drive), City of Vaughan.

The rectangular-shaped 0.153 ha site has 30.68m of frontage on the south side of Major Mackenzie Drive and a lot depth of 50 m. The subject lands contain an existing detached residential dwelling as shown on Attachment #2, which will be retained with the exception of a portion of the garage, which will be removed to facilitate a 6 metre wide driveway along the east property line.

The subject lands are designated "Low Density Residential" by OPA #350 (Maple Community Plan), and zoned R1V Old Village Residential Zone by By-law 1-88. The surrounding land uses are:

- North - Major Mackenzie Drive; vacant (C6 Highway Commercial Zone)
- South - existing residential (R1V Old Village Residential Zone)
- East - existing day care (R1V Old Village Residential Zone)
- West - existing residential (R1V Old Village Residential Zone)

## **Public Hearing**

On May 5, 2006, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to the Maple Landing Ratepayers Association, to consider the original proposal shown on Attachment #3. The original site plan provided for a circular driveway around the existing building to accommodate on-site circulation. The driveway had a minimum driveway width of 4m, whereas By-law 1-88 requires a minimum driveway width of 6m. Written comments were received from the immediate neighbour to the west (1 Gram Street), stating their objection to the proposal. The neighbour stated that they would rescind their objection if their property was included in the subject amendments. Also, they proposed that a visual buffer such as a privacy fence and a row of cedar trees of similar height to act as a noise buffer be provided along the common property line. As of April 12, 2007, no other written comments have been received.

The recommendation of the Committee of the Whole to receive the Public Hearing report of May 29, 2006 and to forward a comprehensive report to a future Committee meeting was ratified by Council on June 12, 2006.

On February 27, 2007, the Owner submitted a revised preliminary site plan proposal as shown on Attachment #2, which is the subject of this staff report. This current proposal minimizes paved areas, provides for two-way rather than one way vehicular movement, maximizes landscaped areas, and will allow for landscaped buffer areas to be provided adjacent to the west and south property lines abutting the adjacent residential lots, all of which will be reviewed at the site plan stage.

## **Official Plan**

### **a) City of Vaughan**

The subject lands are designated "Low Density Residential" by OPA #350 (Maple Community Plan). The Official Plan permits single detached and semi-detached housing units and other building forms which do not exceed the permitted density, institutional uses and open space. The proposed business and professional office and personal service shop uses are not permitted within the "Low Density Residential" designation, and therefore, an Official Plan Amendment is required.



b) Region of York

The subject lands are designated "Urban Area" by the Region of York's Official Plan, which would permit urban-type uses in conformity with the Regional Plan.

The Owner submitted a request from exemption for Regional approval for the amendment to the Official Plan. In a letter dated May 24, 2006, the Region of York exempted the application from Regional approval, stating that the proposal is considered to be a routine matter of local significance. However, the Region has reserved the right to provide further comments at the site plan stage on matters including, but not limited to, vehicular and pedestrian access.

Zoning

The subject lands are zoned R1V Old Village Residential Zone by By-law 1-88, which does not permit the proposed business and professional office and personal service shop uses on the subject lands. In addition, a zoning exception is required to permit a garage having a dimension of 2.9m x 6.0m, whereas By-law 1-88 requires a minimum garage size of 3.0m x 6.0m. The exception is necessitated with the proposal to remove a portion of the existing garage, to facilitate a 6m driveway aisle along the east property line.

Site Plan

The subject lands are developed with an existing one-storey detached dwelling with an attached garage as shown on Attachment #2. The existing dwelling would remain on the site and be converted for use as a business and professional office and personal service shop. In order to accommodate these uses, the Owner is proposing to construct a 10 car outdoor parking area located at the rear of the property, as well as, retaining one parking space in the modified garage. Parking for the proposed uses is calculated as follows:

	<u>By-law 1-88 Requirement</u>	<u>Proposed</u>
Professional Office 101.5m <sup>2</sup> @ 3.5 spaces/100m <sup>2</sup>	4	4
Personal Service Shop 84.5m <sup>2</sup> @ 6 spaces/100m <sup>2</sup>	6	6
Handicapped Parking for the Physically Challenged	1	1
Total	11	11

The parking area will be accessed from a 7.5m wide driveway access on Keele Street, and a proposed 6m wide driveway aisle located between the existing garage and the east property line, as shown on the preliminary site plan on Attachment #2. In order to accommodate the 6m wide driveway, a portion of the existing garage will be demolished. Some of the existing landscaping between the garage and the east property line will also be removed in order to accommodate the proposed driveway. However, a 1m wide landscaped strip will be maintained along the east property line. A pedestrian walkway connecting the sidewalk on Major Mackenzie Drive to the front door of the existing dwelling is proposed. Alterations to the existing front yard condition are required in order to accommodate a widened driveway between the existing dwelling and Major Mackenzie Drive as shown on Attachment #2.

Other changes to the existing site conditions will be considered for the subject lands at the site development stage, including the provision of additional landscaping on the property. In addition, the site development application will be reviewed by the Maple Streetscape Community Advisory Committee.



### City Engineering Department

The Engineering Department has reviewed the proposed site plan (Attachment #2) prepared by Evans Planning, with respect to access, vehicular on-site circulation and parking, and has advised the Development Planning Department that they are satisfied with the plan.

### Planning Considerations

The Development Planning Department has reviewed the applications to amend the Official Plan and Zoning By-law to permit a business and professional office and personal service shop uses within the existing building located on the subject lands. By-law 1-88 defines these uses as follows:

"Business and Professional Office – Means the use of a building or part of a building in which one or more persons are employed in the administration, direction or management of a business, agency, brokerage or organization, or by professionally qualified persons and their support staff, and shall include but not be limited to an office of a regulated health professional, lawyer, dentist, architect, engineer, stock broker, accountant, real estate or insurance agency, veterinarian or a similar professional person's office but shall not include a veterinary clinic."

"Personal Service Shop - Means a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons, and includes a barber's shop, hair dressing establishment, a shoe shine shop and other similar services, but does not include a body rub parlour."

The City Engineering Department is satisfied with the 6m wide (two-way) driveway leading to the parking area located at the rear of the property, which is sufficient to accommodate two-way traffic, in accordance with the minimum driveway width standards in By-law 1-88.

The subject lands are located within a land use context comprised of an existing day care facility with its parking lot abutting the subject lands to the immediate east, single detached dwellings to the south and west, and Major Mackenzie Drive and a vacant site (closed service station) to the immediate north. The Development Planning Department is satisfied that there will be no impacts resulting from the proposal respecting the lands to the east, given the location of the parking area on those lands, which abut the mutual property line. The proposed parking area in the rear yard is separated from the residential uses to the south and west by approximately 4.7m and 7.9m, respectively. This is a sufficient setback to minimize impacts from the parking area on the adjacent land uses and to accommodate mitigation measures as may be required including landscape screening and buffering, which will be considered in detail at the site plan approval stage. A clause will be included in the implementing official plan amendment, if the subject application is approved, requiring that appropriate buffering/screening be reviewed and implemented at the site plan stage.

The proposed business and professional office and personal service shop uses are appropriate given the changing nature of land uses in the vicinity of the subject lands, particularly along Major Mackenzie Drive. The lands to the immediate east are developed with a commercial use (day care) and the lands to the north include a retail plaza and a vacant commercial site, which until recently was used as a service station. The lands on the north side of Major Mackenzie Drive, directly opposite the subject lands are also designated "Maple Commercial Core Area" by OPA #350 (Maple Community Plan), which permits commercial and business and professional office



uses. Other commercial uses exist along Major Mackenzie Drive, east towards Keele Street, and to the west towards Jane Street.

In addition, the intensity of the proposed business and professional office or personal service shop uses on the subject lands should be minimal given that they will be restricted to 186 m<sup>2</sup>, being the size of the existing dwelling. A clause in this respect will be included in the implementing zoning by-law, if the application is approved.

The Owner has requested that the subject lands be zoned with the addition of the Holding Symbol "(H)" rather than withholding an implementing zoning by-law until a Site Development Application is approved by Council. The implementing by-law will restrict the additional uses to the existing building. The only new development contemplated on the site is the parking area in the rear yard. Accordingly, given that there is no major redevelopment occurring on the site, the Development Planning Department is satisfied that the Owner's request to rezone the lands with the Holding Symbol "(H)" is acceptable. The condition for removal of the Holding Symbol "(H)" will be Council's approval of a Site Development Application for the subject lands. In view of the above, the Development Planning Department can support the applications to amend the Official Plan and Zoning By-law.

### **Regional Implications**

The Region of York will be providing further detailed comments at the future site plan stage, including but not limited to, vehicular and pedestrian access.

### **Relationship to Vaughan Vision 2007**

This report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'A-5', "Plan and Manage Growth".

### **Conclusion**

The Development Planning Department has reviewed the applications to amend OPA #350 (Maple Community Plan) and Zoning By-law 1-88 to permit a business and professional office and personal service shop uses on the subject land, in the context of the applicable Official Plan policies, By-law 1-88 standards, site constraints, and the existing and planned land uses in the surrounding neighbourhood. The proposed land uses can be accommodated on the subject lands in a manner that is acceptable with the surrounding land uses. The intensity and scale of the proposed uses is considered acceptable and will be restricted to the size of the existing dwelling. Accordingly, the Development Planning Department recommends that the applications to amend the Official Plan and Zoning By-law be approved, and that the subject lands be zoned with the addition of the Holding Symbol "(H)" to the current R1V Old Village Residential Zone, and that the removal of the Holding Symbol "(H)" be subject to Council's approval of a future Site Plan Development Application for the subject lands.



**Attachments**

1. Location Map
2. Site Plan
3. Original Site Plan (Public Hearing - May 29, 2006)

**Report prepared by:**

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Respectfully submitted,

JOHN ZIPAY  
Commissioner of Planning

MARCO RAMUNNO  
Director of Development Planning

/LG





# Location Map

Part of Lot 20,  
Concession 4

APPLICANT:  
WILLIAM GROBANPOULOS ET AL.

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Development Planning Department

# Attachment

FILE No.:  
OP.06.014 & Z.06.036

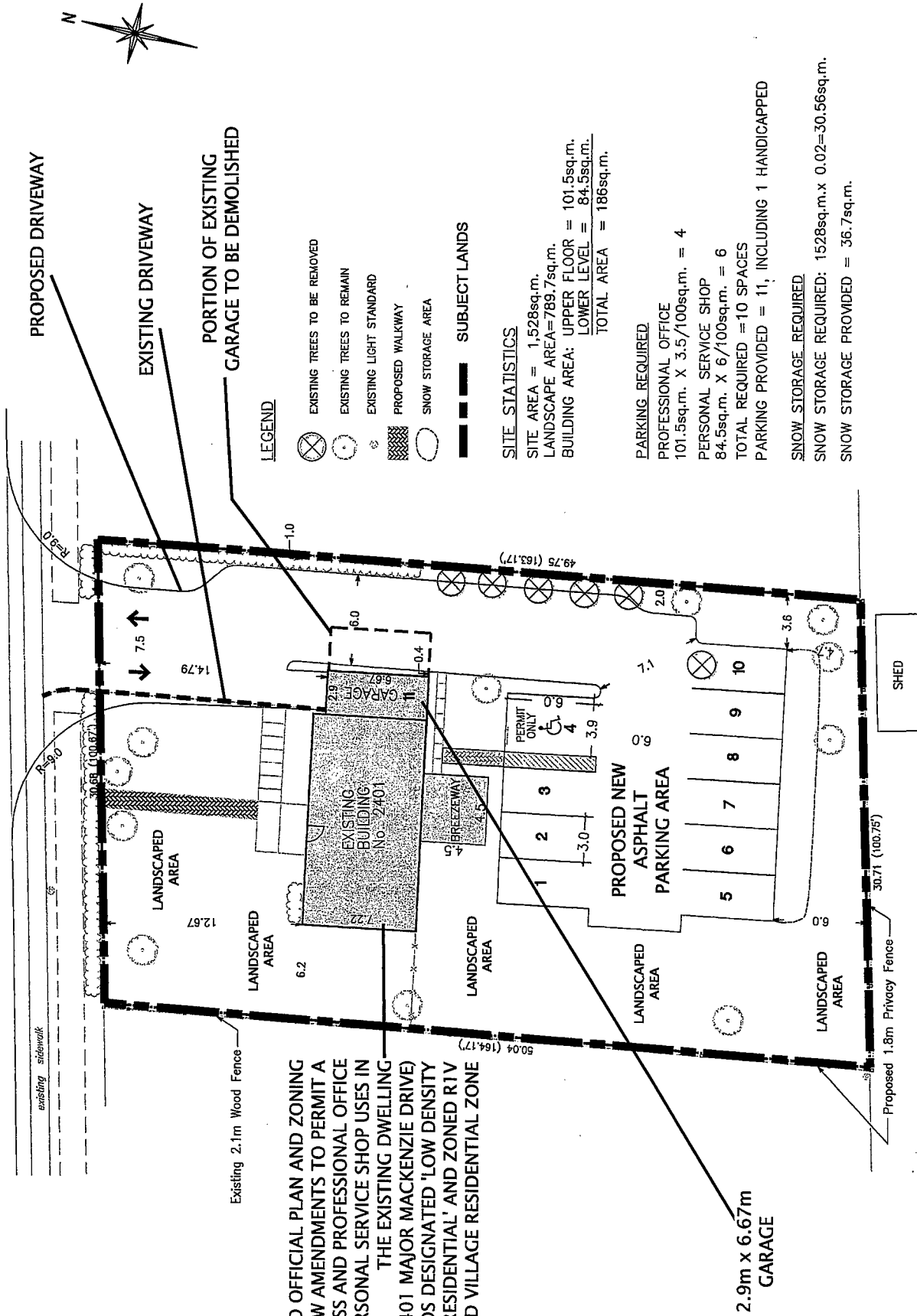
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April 03, 2007

# 1



MAJOR MACKENZIE DRIVE



PROPOSED OFFICIAL PLAN AND ZONING  
BY-LAW AMENDMENTS TO PERMIT A  
BUSINESS AND PROFESSIONAL OFFICE  
& A PERSONAL SERVICE SHOP USES IN  
THE EXISTING DWELLING  
(2401 MAJOR MACKENZIE DRIVE)  
ON LANDS DESIGNATED 'LOW DENSITY  
RESIDENTIAL' AND ZONED R1V  
OLD VILLAGE RESIDENTIAL ZONE

# LEGEND

- EXISTING TREES TO BE REMOVED
- EXISTING TREES TO REMAIN
- EXISTING LIGHT STANDARD
- PROPOSED WALKWAY
- SNOW STORAGE AREA
- SUBJECT LANDS

## SITE STATISTICS

SITE AREA = 1,528sq.m.  
LANDSCAPE AREA=789.7sq.m.  
BUILDING AREA: UPPER FLOOR = 101.5sq.m.  
LOWER LEVEL = 84.5sq.m.  
TOTAL AREA = 186sq.m.

## PARKING REQUIRED

PROFESSIONAL OFFICE  
101.5sq.m. X 3.5/100sq.m. = 4  
PERSONAL SERVICE SHOP  
84.5sq.m. X 6/100sq.m. = 6  
TOTAL REQUIRED =10 SPACES  
PARKING PROVIDED = 11, INCLUDING 1 HANDICAPPED

## SNOW STORAGE REQUIRED

SNOW STORAGE REQUIRED: 1528sq.m.x 0.02=30.56sq.m.  
SNOW STORAGE PROVIDED = 36.7sq.m.

## Site Plan

Part of Lot 20,  
Concession 4

APPLICANT:  
WILLIAM GROBANPOULOS ET AL.

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The City Above Toronto

Development Planning Department

## Attachment

2

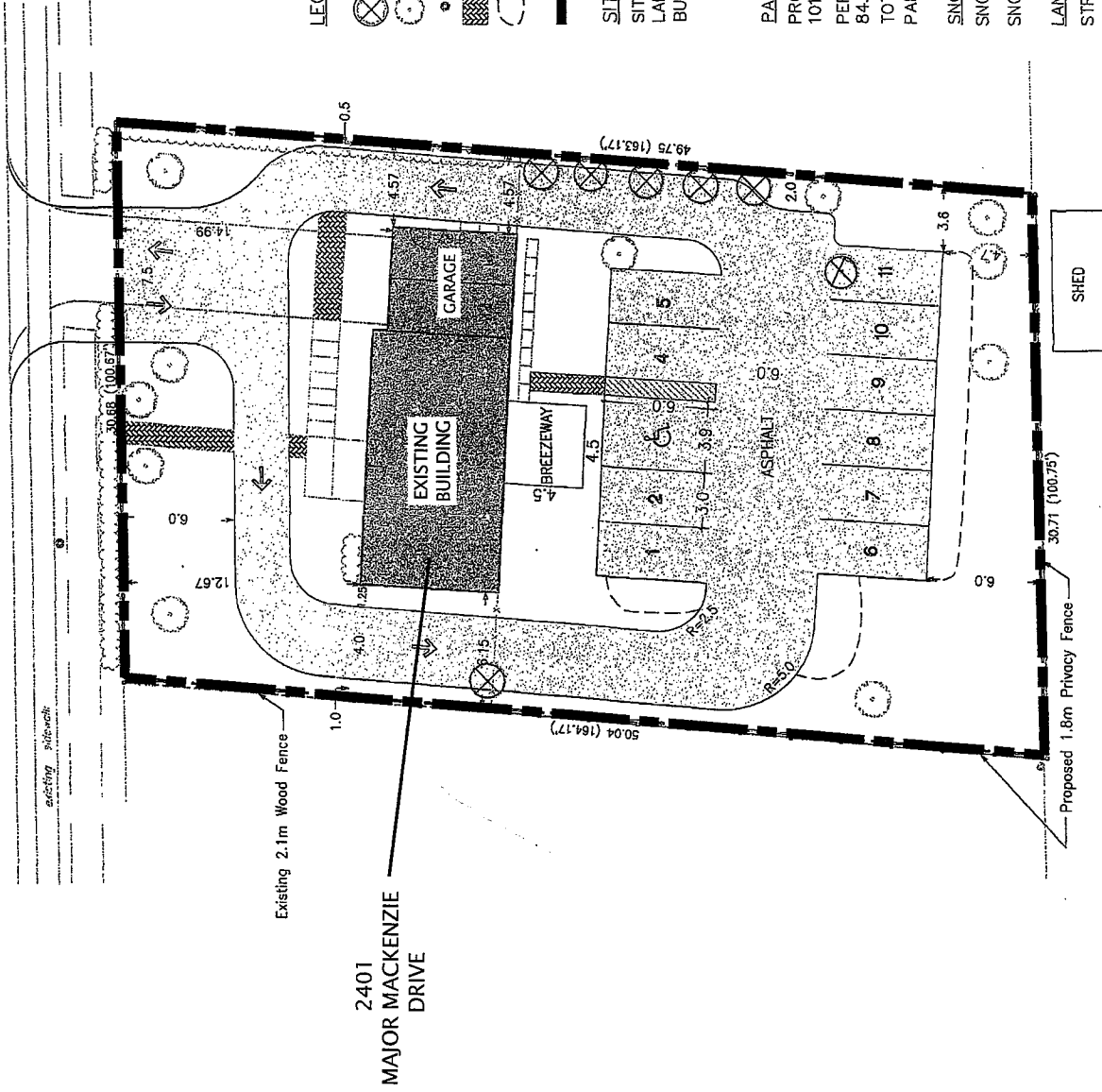
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OP.06.014 & Z.06.036

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April 03, 2007



MAJOR MACKENZIE DRIVE



# Original Site Plan (Public Hearing - May 29, 2006)

APPLICANT: WILLIAM GROBANPOULOS ET AL.

Part of Lot 20, Concession 4



The City Above Toronto

Development Planning Department

**Attachment 3**

FILE No.: OP.06.014 & Z.06.036

Not to Scale

April 17, 2007