

**ZONING BY-LAW AMENDMENT FILE Z.07.006
GATE TRAIL ESTATES INC.
REPORT #P.2007.13**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.07.006 (Gate Trail Estates Inc.) BE APPROVED, to rezone an 11,315.6m² portion of the subject lands (Parts-2-4) from M1 Restricted Industrial Zone to C4 Neighbourhood Commercial Zone; and, to amend the existing site-specific Exception 9(1217) to increase the maximum permitted lot area on the subject lands zoned C4 Zone from 5.41 ha to 6.54 ha.

Economic Impact

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

Communications Plan

N/A

Purpose

The Owner has submitted a Zoning By-law Amendment Application on the subject lands shown on Attachment #1, specifically to amend By-law 1-88, to undertake the following:

1. Rezone an 11,315.6m² portion of the subject lands shown on Attachment #2 as Parts 2, 3, and 4 from M1 Restricted Industrial Zone to C4 Neighbourhood Commercial Zone, to be consistent with the C4 Zone on Part 1 of the subject lands; and,
2. Amend the existing site-specific Exception 9(1217) to increase the maximum permitted lot area on the subject lands zoned C4 Neighbourhood Commercial Zone from 5.41 ha (Part 1) to 6.54 ha to encompass Parts 1, 2, 3 and 4 as shown on Attachment #2.

The intent of this application is to consolidate land and provide a consistent C4 Neighbourhood Commercial zoning and standards for the subject lands.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located at the northwest corner of Rutherford Road and Bathurst Street, on the east side of Ilan Ramon Avenue and on the south side of George Kirby Street, in Planning Block 11, being part of Lot 16, Concession 2, City of Vaughan. The 6.54 ha site has 230.6m frontage along Bathurst Street and 240.0m, 280.5m and 250.0m flankage along Rutherford Road, Ilan Ramon Avenue and George Kirby Street, respectively.

The subject lands are designated "Medium Density Residential/Commercial Area" by OPA #600, with a Neighbourhood Commercial Centre" overlay. The subject lands are located within the approved Block 11 Plan, which shows the entire subject lands consolidated as "Neighbourhood Commercial". The subject lands are zoned M1 Restricted Industrial Zone (Parts 2, 3 and 4) by By-law 1-88, subject to site-specific Exception 9(358), and C4 Neighbourhood Commercial Zone

(Part1) by By-law 1-88, subject to site-specific Exception 9(1217). Parts 2, 3 and 4 were not part of the adjacent Draft Plan of Subdivision (File 19T-95062) approval process, which included Part 1. Parts 2, 3 and 4 were acquired at a later date by the Owner with the intention of consolidating the existing land holdings. The subject lands currently contain industrial structures located on Part 3, and new home sales offices located on Part 1. The surrounding land uses are:

- North - George Kirby Street; townhouses under construction, (RT1(H) Residential Townhouse Zone with Holding Provision)
- South - Rutherford Road; existing multi-unit commercial plaza (C4 Neighbourhood Commercial Zone)
- East - Bathurst Street; existing multi-unit commercial plaza (Town of Richmond Hill)
- West - Ilan Ramon Avenue; future stormwater management pond (OS1 Open Space Conservation Zone and M1 Restricted Industrial Zone)

On March 23, 2007, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to the Town of Richmond Hill. To date, no written comments have been received by the Development Planning Department. The recommendation of the Committee of the Whole on April 16, 2007, to receive the public hearing report and to forward a technical report to a future Committee meeting was ratified by Council on April 23, 2007.

Other Applications

Previously, at a Public Hearing held on June 19, 2006, Council considered applications to amend the Official Plan and Zoning By-law (Files OP.06.005 and Z.06.013-Gate Trail Estates Inc.) on the subject lands (ie. the lands covered by Parts 1-4 on Attachment #2 of this report) to:

1. Amend OPA #600 to:

Redesignate the subject lands from "Medium Density Residential/Commercial Area" to "High Density Residential/Commercial Area" to permit 8 high-rise buildings with the number of storeys ranging from 4 to 30, and one single storey commercial building. The amendment proposed a total of 8,682m² of commercial GFA and 2,416 residential units (for a maximum net residential density of 370 units/ha); and,
2. Amend Zoning By-law 1-88 to rezone the subject lands from C4 Neighbourhood Commercial Zone and M1 Restricted Industrial Zone to an appropriate zoning category in order to facilitate the proposed development. The application also proposed to retain all of the uses currently permitted in the C4 Neighbourhood Commercial Zone, plus have drive-through facilities operating in conjunction with a bank or financial institution and eating establishment uses.

Both the proposed Official Plan and Zoning By-law Amendment applications have been inactive since the Public Hearing held on June 19, 2006. It is noted that a number of residents from the neighbouring municipality of Richmond Hill attended the Public Hearing to voice their concerns respecting the proposed increase in density and height of the buildings.

The applicant has advised that they will be closing Files: OP.06.005 and Z.06.013, upon approval of the subject zoning application (File Z.07.006).

Official Plan

The subject lands are designated "Medium Density Residential/Commercial Area" by OPA #600 with a "Neighbourhood Commercial Centre" overlay.

Permitted uses in a "Neighbourhood Commercial Centre" may include a food store, a drug store, other retail, pharmacies, banks and financial institutions, business and professional offices, personal services, restaurants, service station and gas bar, but shall not include, a department store.

The policies also indicate that a "Neighbourhood Commercial Centre shall be developed in accordance with a comprehensive site plan, which shall be pedestrian-oriented and transit-friendly, and which shall be approved by the City.

To date, a site development application has not been submitted for review. The proposed rezoning is to facilitate a land consolidation for future commercial development of the property. The zoning application conforms to the Official Plan.

Zoning

Parts 2, 3 and 4 of the subject lands are zoned M1 Restricted Commercial Zone, subject to site-specific Exception 9(358), whereas Part 1 of the subject lands is zoned C4 Neighbourhood Commercial Zone, subject to site-specific Exception 9(1217). Site-specific Exception 9(358) addresses lot coverage and gross floor area requirements for the existing M1 Restricted Industrial Use, which will no longer apply, should the proposed rezoning be approved. In order for the subject lands (Parts 1, 2, 3 and 4) to comply to the standards of the C4 Neighbourhood Commercial Zone, any necessary zoning exceptions to facilitate the subject proposal will be consolidated within site-specific Exception 9(1217). This would include an exception to increase the maximum lot area requirement from 5.41 ha (Part 1) to 6.54 ha to encompass Parts 1, 2, 3, and 4 as shown on Attachment #2. Exception 9(1217) increased the maximum lot area from 2.5 ha to 5.41 ha to address the size of Part 1 through the original zoning implementation for the draft plan of subdivision. Parts 2, 3 and 4, however, were not in the ownership of the applicant at that time and therefore, were not rezoned to commercial nor accounted for in the maximum lot area requirement, and therefore requires an amendment to the zoning by-law.

The above-noted zoning matters will be discussed in greater detail in the "Planning Considerations" section of this report.

Block Plan

The approved Block 11 plan identifies the subject lands as a Neighbourhood Commercial Area.

Engineering Department

The City Engineering Department has advised that detailed comments will be provided at the Site Development Application stage.

Toronto and Region Conservation Authority (TRCA)

The TRCA has reviewed the proposed application and has no objection to the zoning application, however, should it be determined through the Site Development Application review process that stormwater discharge is flowing into the valley lands to the west of the subject lands, a TRCA Permit will be required.

Region of York Transportation and Works Department

The Region of York Transportation and Works Department has reviewed the proposed application and has no objection, but will provide detailed comments at the Site Development Application stage.

Planning Consideration

The subject lands being Parts 1, 2, 3 and 4 as shown on Attachment #2 have always been intended for neighbourhood commercial use. The proposed rezoning conforms to the criteria set forth in OPA #600 with respect to "Neighbourhood Commercial Areas". The rezoning and site-specific exceptions are also in keeping with the Council approved Block 11 Plan, which depicts the subject lands as a Neighbourhood Commercial Area. Rezoning Parts 2, 3 and 4 of the subject lands to C4 Zone would consolidate the Owner's land holdings with Part 1, to facilitate a consistent zoning. The required site-specific exception would address the new lot size of 6.54 ha given the addition of Parts 2, 3 and 4 with Part 1. The Development Planning Department has no objections to the proposed rezoning and site-specific exceptions.

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".

Regional Implications

N/A

Conclusion

The Development Planning Department has reviewed the proposed application to rezone Parts 2, 3 and 4 of the subject lands (Attachment #2) and provide site-specific exceptions respecting the maximum lot area and maximum gross leasable area for the entirety of the subject lands (Parts 1, 2, 3 and 4), and can support the approval of Zoning By-law Amendment Application Z.07.006. The proposed application to consolidate the subject lands and provide consistent zoning and development standards implements the "Neighbourhood Commercial Area" policies of the Official Plan and the approved Block 11 Plan, and is supported by the Development Planning Department.

Attachments

1. Location Map
2. Zoning Plan
3. Block 11 Plan

Report prepared by:

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Grant Uyeyama, Manager of Development Planning, ext. 8635

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

/LG



TOWN OF
RICHMOND
HILL

(EXISTING
RESIDENTIAL)

(EXISTING
COMMERCIAL
PLAZA)

(EXISTING
RESIDENTIAL)

BATHURST STREET

RT1
(EXISTING
TOWNHOUSES)

FUTURE
TOWNHOUSES

RT1(H)

GEORGE KIRBY STREET

C4
(VACANT/
FUTURE
COMMERCIAL)

M1
(EXISTING
INDUSTRIAL
USES)

C4
(EXISTING
COMMERCIAL
PLAZA)

A
(EXISTING
AGRICULTURAL
USES)

ILAN RAMON AVENUE

OS1
(FUTURE
STORMWATER
MANAGEMENT
POND)

OS1
(VALLEY
LANDS)

OS2
(CEMETERY)

A
(EXISTING
CHURCH)

OS1
(VALLEYLANDS)

RUTHERFORD ROAD

OS1
(FUTURE STORMWATER
MANAGEMENT POND)

RR
(EXISTING
RESIDENTIAL)

OS1

STARWOOD
(EXISTING
RESIDENTIAL)

ROAD

BLOCK 11
New Residential
Community

MARC SAINT JEAN
Boulevard

East Don River

(EXISTING
RESIDENTIAL)

(EXISTING
RESIDENTIAL)

(EXISTING
RESIDENTIAL)

(EXISTING
RESIDENTIAL)

(EXISTING
RESIDENTIAL)

(EXISTING
RESIDENTIAL)

(EXISTING
RESIDENTIAL)

(EXISTING
RESIDENTIAL)

LEGEND

- A - AGRICULTURAL ZONE
- C4 - NEIGHBOURHOOD COMMERCIAL ZONE
- M1 - RESTRICTED INDUSTRIAL ZONE
- OS1 - OPEN SPACE CONSERVATION ZONE
- OS2 - OPEN SPACE PARK ZONE
- RR - RURAL RESIDENTIAL ZONE
- RT1 - RESIDENTIAL TOWNHOUSE ZONE

SUBJECT LANDS



Location Map

Part of Lot 16,
Concession 2

APPLICANT:
GATE TRAIL ESTATES INC.

N:\DFT\1 ATTACHMENTS\X\07.006



The City Above Toronto

Development Planning Department

Attachment 1

FILE No.:
Z.07.006

Not to Scale

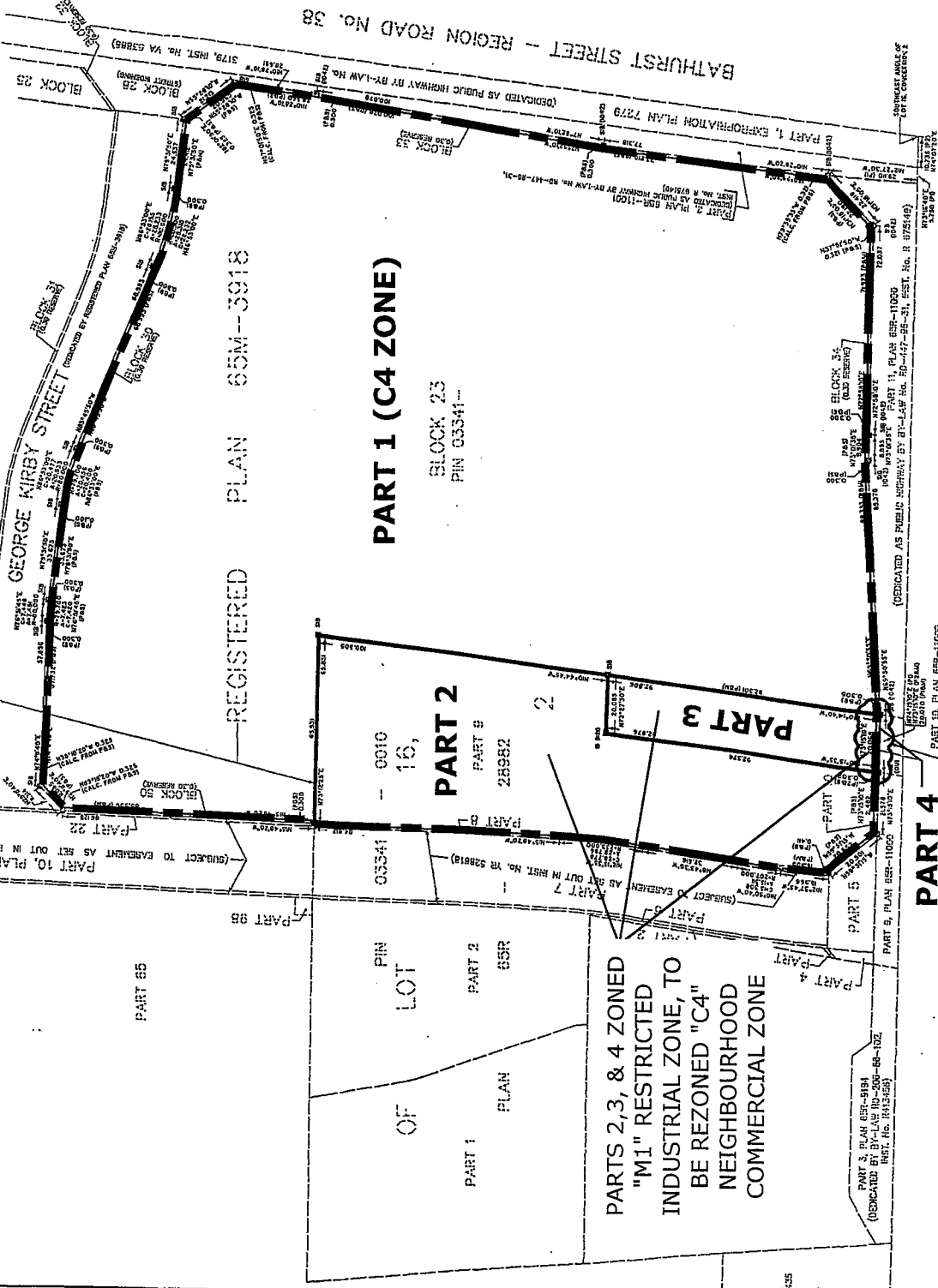
March 22, 2007

CONCESSION

PART 55

2

PART 21, PLAN 65R-28995



SITE AREA:

PART 1 = 5.41 ha.
 PARTS 2,3,4 = 1.13 ha.
TOTAL 6.54 ha.

SUBJECT LANDS

PART 1 (C4 ZONE)

BLOCK 23
PIN 03341-

PART 2
PART 9
28982

PARTS 2,3, & 4 ZONED
 "M1" RESTRICTED
 INDUSTRIAL ZONE, TO
 BE REZONED "C4"
 NEIGHBOURHOOD
 COMMERCIAL ZONE

Zoning Plan

Part of Lot 16,
Concession 2

APPLICANT:
GATE TRAIL ESTATES INC.

NO. (UFT) - ATTACHMENTS V.07.006



The City Above Toronto

Development Planning Department

Attachment 2

FILE No.:
Z.07.006

Not to Scale
March 22, 2007

**BLOCK PLAN
BLOCK 11
CITY OF VAUGHAN**

LEGEND

- Low Density Residential
- Medium Density Residential
- High Density Residential
- Commercial
- Institutional
- Schools
- Parks
- Woodlots
- Stormwater Management
- Valleylands, Open Space and Nature Reserve
- Greenways
- Arterial Buffers
- Collector Streets
- Primary Streets
- Local Streets
- Walkway/Stream Crossing

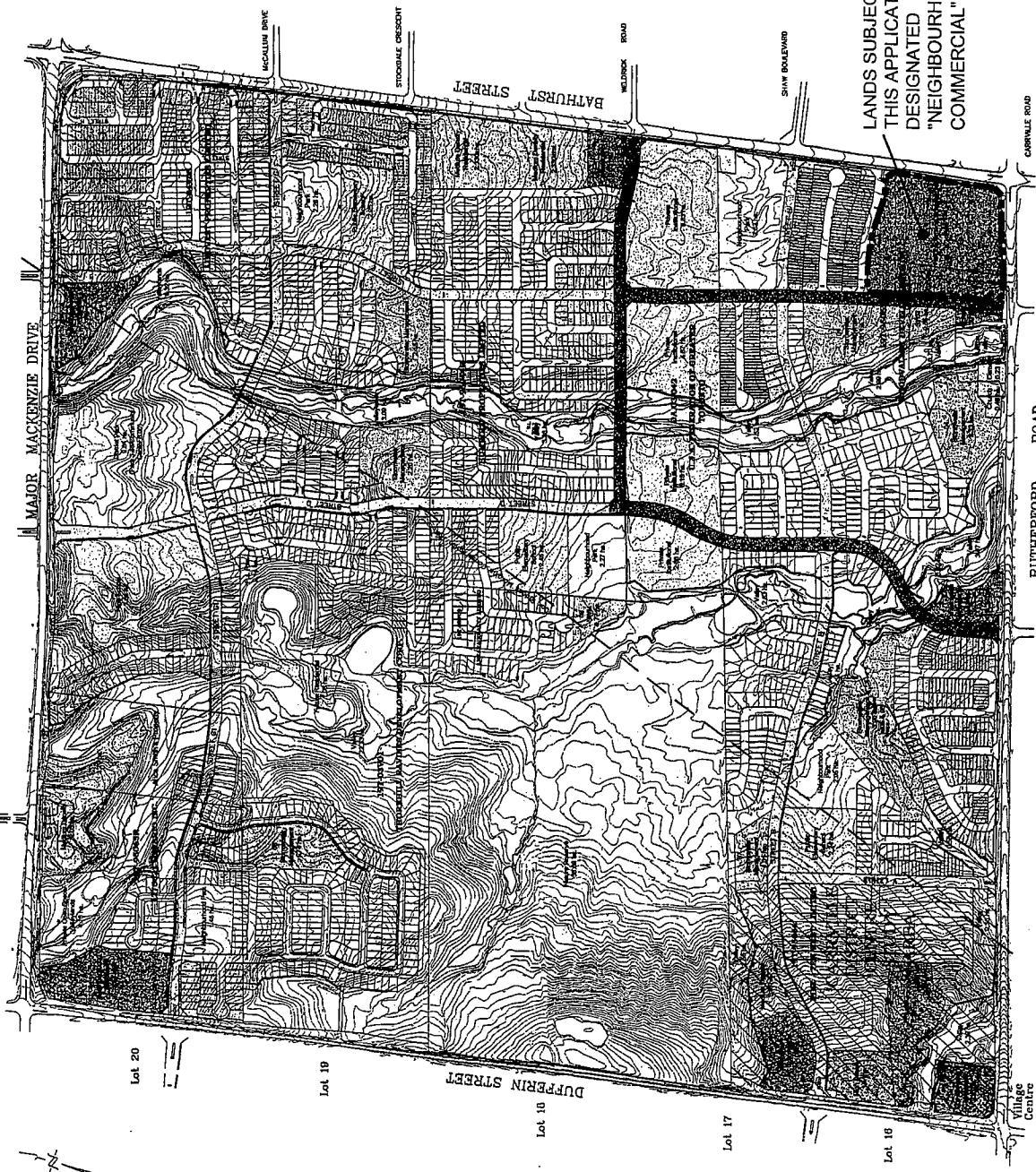
Valley feature limits obtained with Toronto Region Conservation Authority and City in April 2001, and Feb 2002. Limits subsequently refined where necessary in accordance with slope stability, cut & fill analysis and urban design considerations.

Floodline (Schaeffgen December 2002)
Property Ownership Limit

Note: The final width of the buffer adjacent to the Valleylands shall be confirmed for the Vaughan lands prior to approval of the draft plan of subdivision for the Vaughan lands.

SCALE: 1:4000
OCT 12 2004
Dwg. # BH-1023

ALCORN & ASSOCIATES LIMITED
Land Planning and Development Consultants
14 West Beaver Creek Rd. #100
Markham, Ontario L3R 0V3
Tel: 905.477.8888



LANDS SUBJECT TO THIS APPLIED DESIGNATED "NEIGHBOURHOOD COMMERCIAL"

Approved Block 11 Plan

Part of Lot 16,
Concession 2
APPLICANT:
GATE TRAIL ESTATES INC.
N:\DPT\1 ATTACHMENTS\A-07.006



The City Above Toronto

Development Planning Department

Attachment 3
FILE No.: Z.07.006
Not to Scale
March 22, 2007