

**COMMITTEE OF THE WHOLE JUNE 16, 2008**

**ZONING BY-LAW AMENDMENT FILE Z.07.003  
SITE DEVELOPMENT FILE DA.07.069  
BERKID INVESTMENTS LTD.**

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.07.003 (Berkid Investments Ltd.) BE APPROVED, to permit the following uses and exceptions to the R1 Residential Zone, on the subject lands shown on Attachment #1, to facilitate the severance of the property into two individual lots, and to permit the development of a new building on the lands to be severed, and to permit business and professional office and medical office uses, or residential or any combination thereof, with the following exceptions:
  - i) a minimum lot frontage of 15 m, whereas the By-law requires 18.0 m;
  - ii) a minimum lot area of 570 m<sup>2</sup>, whereas the By-law requires 700 m<sup>2</sup>;
  - iii) a minimum front yard setback of 5.3 m, whereas the By-law requires 7.5 m;
  - iv) a minimum interior side yard setback of 1.2 m, whereas the By-law requires 1.5m in one yard and 4.5 m in the other yard;
  - v) a minimum exterior side yard setback of 1.5 m, whereas the By-law requires 4.5m;
  - vi) a minimum of 8 parking spaces on "Part 2", as shown on Attachment #2, whereas the By-law requires 10 spaces;
  - vii) a minimum existing driveway width (one-way) of 3.16 m, whereas the By-law requires 5.4 m;
  - viii) permit shared parking aisles and access between both properties, whereas the By-law requires that all parking aisles and access be provided and maintained on the same lot; and
  - ix) a minimum rear yard landscaping of 17% on "Part 1", and 13% on "Part 2", as shown on Attachment #2, whereas the By-law requires 60%.
  
2. THAT Site Development File DA.07.069 (Berkid Investments Ltd.) BE APPROVED, subject to the following conditions:
  - a) that prior to the execution of the site plan agreement or letter of undertaking, whichever is in effect:
    - i) the final site plan, landscape plan, and building elevations shall be approved to the satisfaction of the Vaughan Development Planning Department;
    - ii) the final site grading and servicing plan, storm water management report, access, parking and on-site circulation shall be approved to the satisfaction of the Vaughan Engineering Department;
    - iii) all hydro requirements shall be fulfilled to the satisfaction of Powerstream Inc.;
    - iv) the proposed location of a bus shelter pad, if required, be finalized and approved to the satisfaction of the Region of York – York Region Transit;
    - v) the implementing Zoning By-law shall be in full force and effect; and,

- vi) the Owner shall apply for and receive Consent from the Committee of Adjustment to sever the existing property into two individual parcels, and obtain the required easements to facilitate shared access between the two properties;
- b) that the site plan agreement or letter of undertaking, whichever is in effect, include the following provision:
  - i) The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, prior to issuance of a Building Permit, in accordance with Section 42 of the Planning Act. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.

### **Economic Impact**

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

### **Communications Plan**

On March 23, 2007, a Notice of Public Hearing for the Zoning By-law Amendment Application was circulated to all property owners within 120m of the subject lands. Through the circulation, no written comments were received by the Development Planning Department, and there were no concerns expressed by the public at the Public Hearing on April 16, 2007.

The recommendation of the Committee of the Whole to receive the Public Hearing report of April 16, 2007, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Council on April 23, 2007.

### **Purpose**

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

1. A Zoning By-law Amendment Application (File Z.07.003) to amend the site-specific R1 Residential Zone standards in Exception 9(220) to By-law 1-88, to facilitate the severance of the property into two individual lots each having frontage on Centre Street of 15.25 m (Part 2) and 15.3 m (Part 1) respectively, as shown on Attachment #2, and to facilitate the construction of a new two-storey building (Attachment #7) on the westerly severed parcel with the same uses as permitted for the existing two-storey building being a medical office, business and professional office, and one residential unit, or any combination thereof. The application also requires the following exceptions in order to bring the existing and proposed buildings into compliance with the R1 Residential Zone standards:
  - i) permit a minimum lot frontage of 15 m;
  - ii) permit a minimum lot area of 570 m<sup>2</sup>;
  - iii) permit a minimum front yard setback of 5.3m;
  - iv) permit a minimum interior side yard setback of 1.2m;
  - v) permit a minimum exterior side yard setback of 1.5 m;
  - vi) permit a minimum of 8 parking spaces on "Part 2", as shown on Attachment #2;
  - vii) permit a minimum existing driveway width (one-way) of 3.16 m;
  - viii) permit shared parking, parking aisles and access between both properties (Parts 1 and 2 as shown on Attachment #2); and

- ix) permit a minimum rear yard landscaping of 17% on "Part 1", and 13% on "Part 2".
2. A Site Development Application (File DA.07.069) to permit the development of a new 265.9m<sup>2</sup> building on the lands to be severed (Part 2) to be used for business and professional office, medical office and residential uses or any combination thereof; and, to permit exterior upgrades to the existing 158m<sup>2</sup> building on the lands to be retained (Part 1), which will be used for permitted business and professional office, medical office, personal service shop (hair/esthetics salon) and residential uses, or any combination thereof, as shown on Attachment #2. The pertinent site statistics are as follows:

Total Site Area: 1172 m<sup>2</sup>

Part 1: (Existing building on retained lands)

Lot Area: 572 m<sup>2</sup>  
 Ground Floor Area: 85 m<sup>2</sup>  
 Gross Floor Area: 158 m<sup>2</sup>  
 Landscaped Area: 168 m<sup>2</sup> (29.5%)  
 Lot Coverage: 104 m<sup>2</sup> (18.1%)  
 Lot Frontage: 15.3 m  
 Lot Depth: 38m +/-  
 Building Height: 7.0 m  
 Required Parking: 6 spaces (@3.5 spaces/100 m<sup>2</sup>)  
 Proposed Parking: 7 spaces

Part 2: (Proposed building on severed lands)

Lot Area: 620 m<sup>2</sup>  
 Ground Floor Area: 134.8 m<sup>2</sup>  
 Gross Floor Area: 265.9 m<sup>2</sup>  
 Landscaped Area: 227.2 m<sup>2</sup> (36.6%)  
 Lot Coverage: 146.8 m<sup>2</sup> (23.7%)  
 Lot Frontage: 15.25 m  
 Lot Depth: 38m +/-  
 Building Height: 8.0 m  
 Required Parking: 10 spaces (@3.5 spaces/100 m<sup>2</sup>)  
 Proposed Parking: 8 spaces

**Background - Analysis and Options**

Location

The subject lands shown on Attachment #1 are located on the north side of Centre Street, and west of Yonge Street, municipally known as 78 Centre Street, City of Vaughan. The subject lands are currently occupied by a two-storey historic building (on Part 1) included in the City's "Listing of Significant Heritage Structures (LSHS)". The surrounding land uses are shown on Attachment #1.

Official Plan

The subject lands are designated "Low Density Residential" within the Thornhill Heritage District by OPA #210 (Thornhill Community Plan), as amended by site-specific OPA #456. This designation provides opportunities for single-detached residential lots fronting onto Centre Street, east of Brooke Street, within the Village of Thornhill Heritage District, to be used for business and professional offices, and/or retail commercial uses not exceeding 167.2m<sup>2</sup> in total gross floor area, in addition to the permitted residential uses.

OPA #456 amended the “Low Density Residential” provisions of OPA #210 to permit a personal service shop use (i.e. hair/esthetics salon) in addition to retail, office commercial and low density residential uses, with no gross floor area restrictions, which is applicable to the subject lands. The proposed zoning amendment and site development applications conform to the Official Plan.

### Zoning

The subject lands are zoned R1 Residential Zone by By-law 1-88, subject to Exception 9(220), which permits one personal service shop (hair salon/esthetics) or one medical office, business and professional offices, and one (1) residential unit, or any combination thereof, provided all of these uses are located only within the existing main building and the total floor area of the uses together shall not exceed 145m<sup>2</sup>. Furthermore, the existing site-specific exception establishes building envelopes and setbacks, and identifies locations for landscaping, number of parking spaces, and driveway widths, which do not support the proposed development of a second lot and building as proposed by the applicant. The following exceptions to the R1 Residential Zone are required to bring the proposed site development into compliance, as follows:

	<u>Required</u>	<u>Proposed</u>
• Minimum lot frontage	18.0 m	15 m
• Minimum lot area	700 m <sup>2</sup>	570 m <sup>2</sup>
• Minimum front yard setback	7.5 m	5.3
• Minimum interior side yard setback	1.5m and 4.5 m	1.2 m
• Minimum exterior side yard setback	4.5m	1.5 m
• Minimum parking on “Part 2”	10 spaces	8 spaces
• Minimum driveway width	5.4 m	3.16 m
• Shared parking access and aisles	not permitted	to permit
• Minimum rear yard landscaping (Part 1)	60%	17%
• Minimum rear yard landscaping (Part 2)	60%	13%

The main use of the proposed building will be consistent with the uses currently permitted for the existing building, minus the personal service shop use. Both buildings will primarily be used for business and professional offices. The Development Planning Department considers the proposal to maintain the existing R1 Residential Zone with the above-noted site-specific exceptions to the zone standards, to be consistent and compatible with the surrounding area.

The Development Planning Department has reviewed with the proposed changes to the Zoning By-law and to site-specific Exception 9(220) and have no objections to the proposed changes required to implement the second building on the subject lands.

### Site Design

The proposed site plan is shown on Attachment #2. The proposal supports the severance of the existing property into two smaller parcels, the construction of a new 265.9m<sup>2</sup> building on the lands to be severed, and minor exterior alterations to the existing 158m<sup>2</sup> structure located on the lands to be retained. Both parcels will have frontage on Centre Street. Pedestrian access to both buildings will be from a pedestrian walkway to the public sidewalk along Centre Street and walkways at the rear of the building from the parking area and to the public laneway to the west.

The site is proposed to be landscaped with a mix of coniferous, deciduous and ornamental trees, and a mix of shrubs, perennials and ornamental grasses as shown on Attachment #3. The prime concentration of landscaping is situated at the front of the proposed buildings along the Centre Street frontage, with some small gardens at the rear of both structures. There are several mature trees along the north and east property lines, which the proposal will maintain. The proposed

landscaping features will create a consistent and uniform streetscape appearance along Centre Street with respect to the residential appearance and heritage features of the property.

The final site plan and landscape plans must be approved to the satisfaction of the Development Planning Department.

#### Access and Parking

Vehicular access to the rear parking area for both buildings will be utilized through improvements to the existing driveway situated east of the existing building and will operate in a circular pattern, entering "one-way" from Centre Street and exiting "one-way" through access into the public laneway to the west as shown on Attachment #2. An exception to the By-law is required to allow for the shared parking aisles and driveway access for both lots, as the By-law requires that all parking aisles and access be provided and maintained on the same lot.

By-law 1-88 requires the minimum parking requirement for the most intensive use on the site, for the proposed business and professional offices, be calculated as follows:

Part 1: Total parking required -  $158\text{m}^2 @ 3.5 \text{ spaces}/100 \text{ m}^2 \text{ GFA} = 6 \text{ parking spaces}$

Part 2: Total parking required -  $265.9\text{m}^2 @ 3.5 \text{ spaces}/100\text{m}^2 \text{ GFA} = 10 \text{ parking spaces}$

"Part 1" proposes 7 parking spaces and "Part 2" proposes 8 parking spaces. "Part 1" will have a parking surplus of 1 space, and "Part 2" will have a parking deficiency of 2 spaces. The proposed parking is considered to be appropriate to support the proposed uses on the site. An exception for reduced parking will be provided for the Part "2" lands.

#### Building Elevations

The existing and proposed building elevations are shown on Attachments #4, #5, #6, and #7. The existing two-storey historic building is included in the City's "*Listing of Significant Heritage Structures (LSHS)*". Any works to be done to this structure requires the approval of Heritage Vaughan and the Cultural Services Division. There are no major structural changes proposed for the existing structure with the exception of a larger porch being added to the rear of the structure, and certain architectural elements being updated or repaired, including a new roof (Attachment #6). The proposed changes to the existing heritage structure are consistent with the Thornhill Heritage Conservation District policies and surrounding community.

The proposed two-storey structure although not a heritage structure must comply with the policies within the Thornhill Heritage Conservation District and requires approval from Heritage Vaughan and the Cultural Services Division. The proposed building (Attachment #7) will be constructed with dark green prefinished wood siding and refinished red wood shutters. A 'traditional' brick chimney will be located along the western wall and the roof will be finished with 'traditional' asphalt shingles. The Cultural Services Division and Heritage Vaughan approved the Site Plan and the building elevations for both buildings at the Heritage Vaughan meeting on May 21, 2008.

The final building elevations must be approved to the satisfaction of the Development Planning Department, in accordance with the approvals from Heritage Vaughan and the Cultural Services Division.

#### Services

The final site servicing and grading plan and storm water management report, must be approved to the satisfaction of the City Engineering Department.

All hydro requirements must be addressed by the Owner, to the satisfaction of PowerStream Inc.

### Parkland Dedication

The Vaughan Real Estate Division advises that the Owner will be required to pay to the City, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with Section 42 of the Planning Act. The Owner shall submit an appraisal of the subject lands, prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.

### Sustainability

The Development Planning Department's Urban Design Section has recommended that the development include the use of permeable pavers to reduce the amount of stormwater runoff, and to provide benches, bicycle racks and other 'street furniture' to encourage alternate forms of transportation and to support the Thornhill Heritage Conservation Plan. Furthermore, Urban Design Staff have recommended the inclusion of high quality landscaping and pedestrian connections to the public sidewalk to reinforce the pedestrian realm and network of the development. The Development Planning Department will continue to work with the Owner to ensure environmentally sustainable features are incorporated into the development.

### Relationship to Vaughan Vision 2020

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Vitality".

### Regional Implications

The site abuts Centre Street, which is not under the jurisdiction of the Region of York. However, York Region Transit operates a bus route along Centre Street and has requested that the applicant provide a bus pad for a future transit stop in front of the subject lands. The applicant is continuing to work with York Region Transit to determine the most appropriate location of the bus pad, if required. The Development Planning Department will continue to work with the Applicant and York Region Transit regarding the location of the bus pad, if required.

### Conclusion

The Development Planning Department has reviewed the proposed Zoning By-law Amendment Application to rezone the subject lands to facilitate the severance of the property into two individual lots, and to permit the development of a new building on the lands to be severed to be used for business and professional office, medical office, and residential uses, or any combination thereof. Development Planning Staff is of the opinion that the proposed zoning amendment to permit these uses and the associated exceptions requested to facilitate the development of the subject lands are appropriate and compatible with the existing uses on the property and in the surrounding area. The proposal implements the policies of OPA #210, as amended by OPA #456, which permits low-intensity office and commercial and residential development along Centre Street in this location.

The related Site Development Application to facilitate the creation of a second lot with a second building, and shared access and aiseways, to permit the above-noted uses on the subject lands can be supported by the Development Planning Department.

**Attachments**

1. Location Map
2. Proposed Site Plan
3. Landscape Plan
4. Existing and Proposed – North/South Elevations
5. Existing Building Elevations
6. Existing Building Elevations Upgraded
7. Proposed Building Elevations

**Report prepared by:**

Ryan Mino, Planner 1, ext. 8213  
Arto Tikiryan, Senior Planner, ext. 8212

Respectfully submitted,

JOHN ZIPAY  
Commissioner of Planning

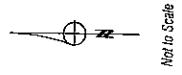
GRANT UYEVAMA  
Manager of Development Planning

/LG



- Legend**
- C1 - RESTRICTED COMMERCIAL ZONE
  - OS2 - OPEN SPACE PARK ZONE
  - R1 - RESIDENTIAL ZONE
  - R1V - OLD VILLAGE RESIDENTIAL ZONE

**Subject Lands**



# Location Map

Part of Lot 31,  
Concession 1

APPLICANT:  
BERKID INVESTMENTS LTD.

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Development Planning Department

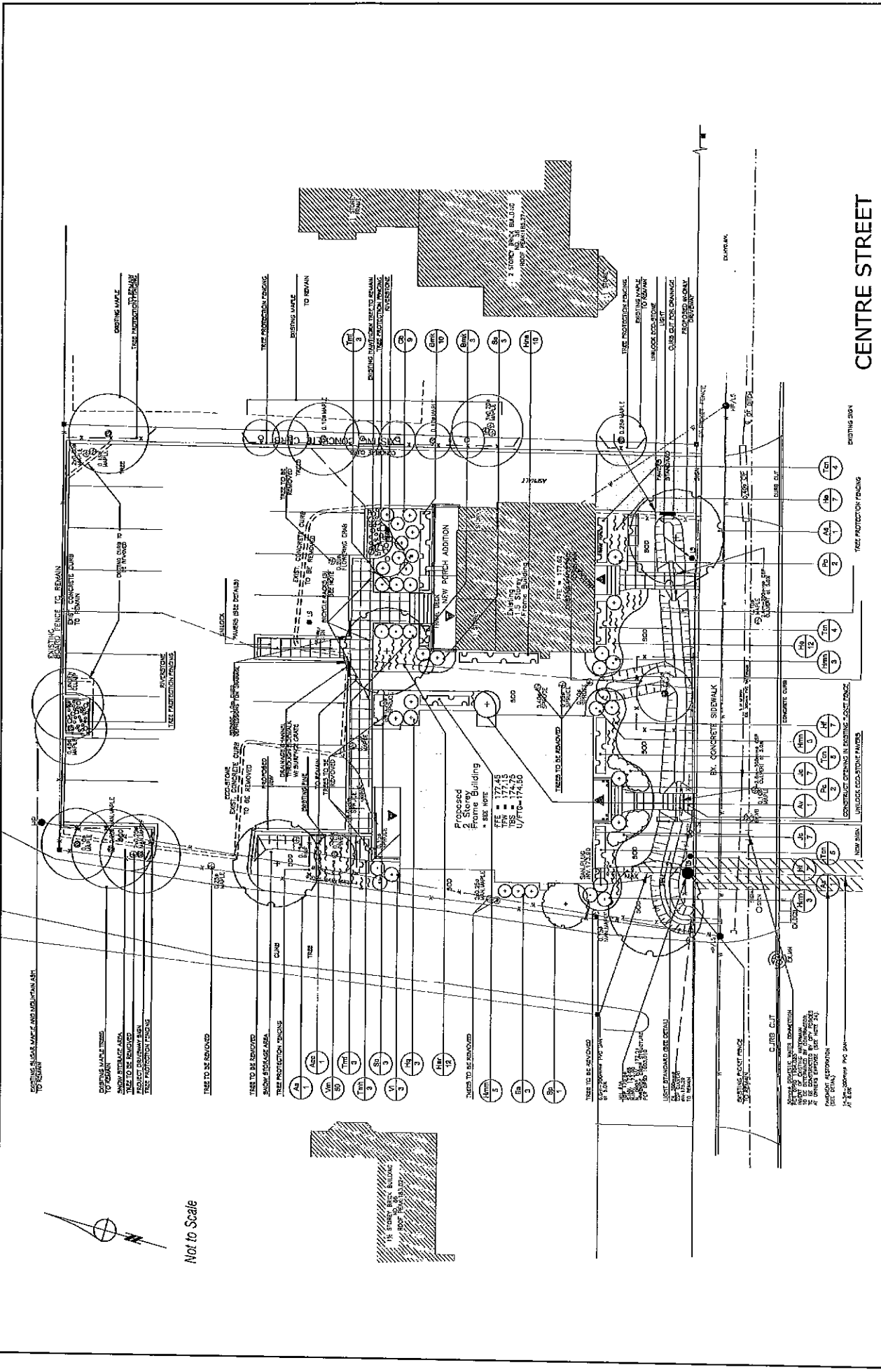
# Attachment

FILE No.: DA.07.069  
RELATED FILE: Z.07.003

June 11, 2008







Not to Scale

# Landscape Plan

Part of Lot 31,  
Concession 1

APPLICANT:  
BERKID INVESTMENTS LTD.

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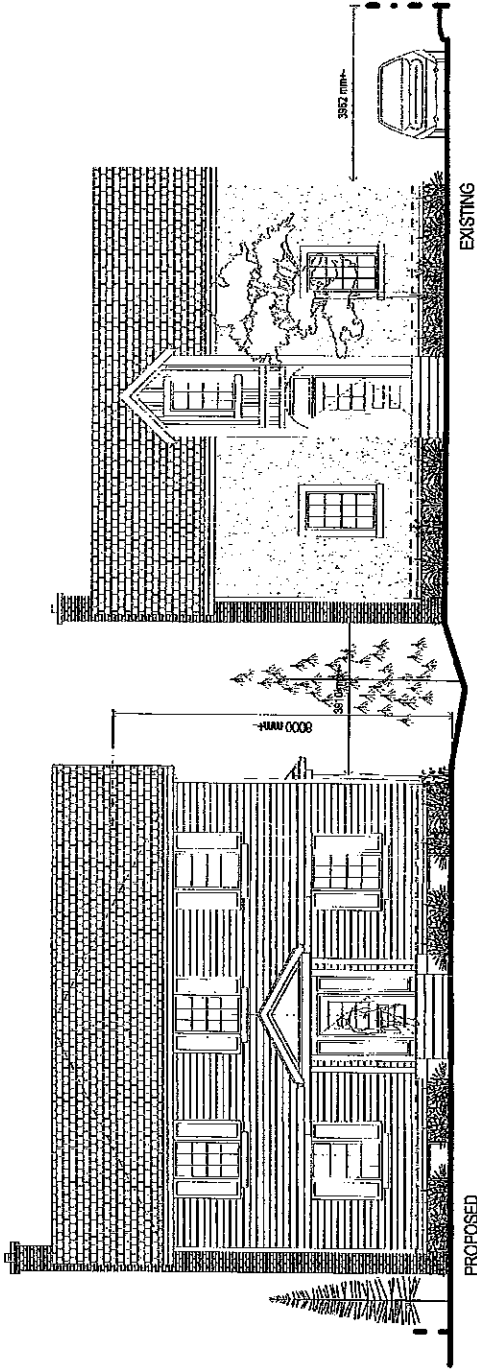
The City Above Toronto

Development Planning Department

# Attachment 3

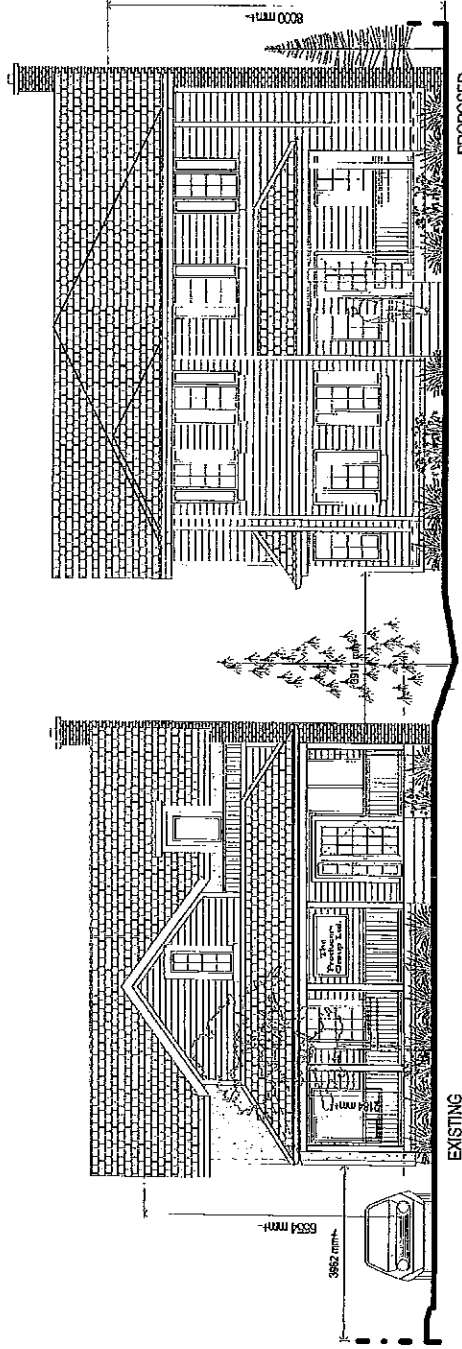
FILE No.: DA.07.069  
RELATED FILE:  
Z.07.003

June 11, 2008



SOUTH ELEVATION

STREETSCAPE VIEW OF EXISTING & NEW



REAR/PARKING VIEW OF EXISTING & NEW

NORTH ELEVATION

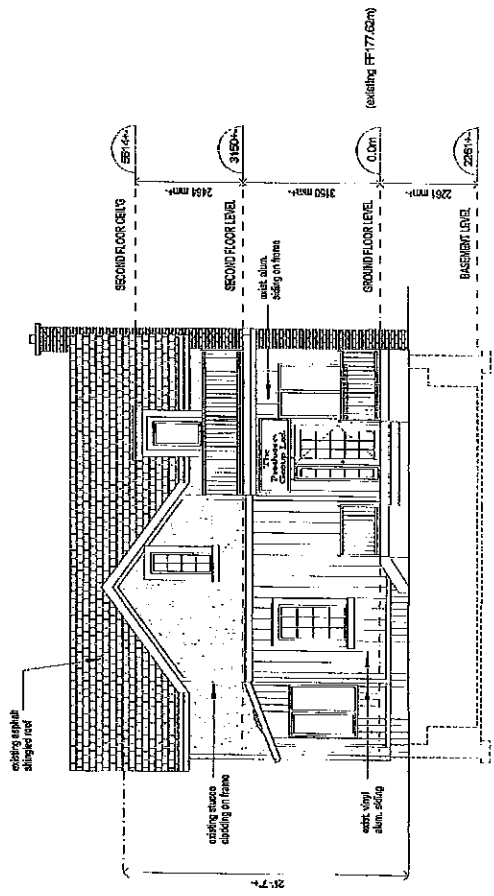
**Existing & Proposed  
North/South Elevations**

APPLICANT:  
BERKID INVESTMENTS LTD.  
INDPT11 ATTACHMENTS/DA/04.07.068.049

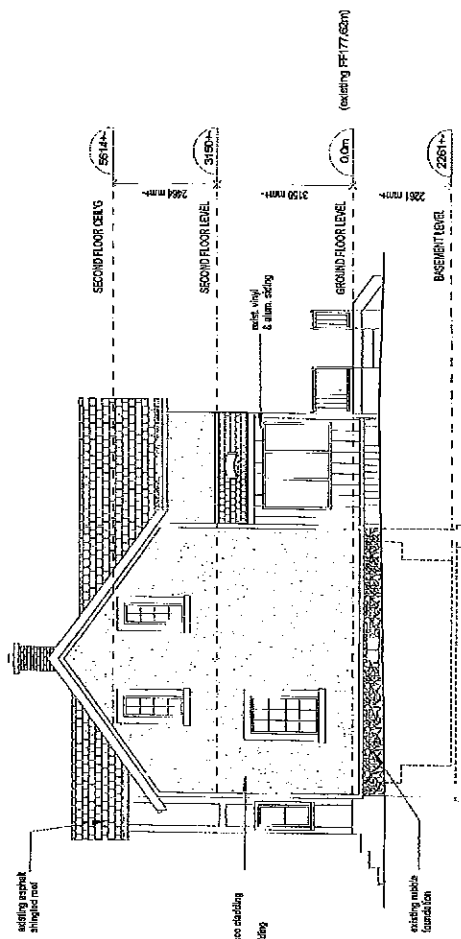
Part of Lot 31,  
Concession 1



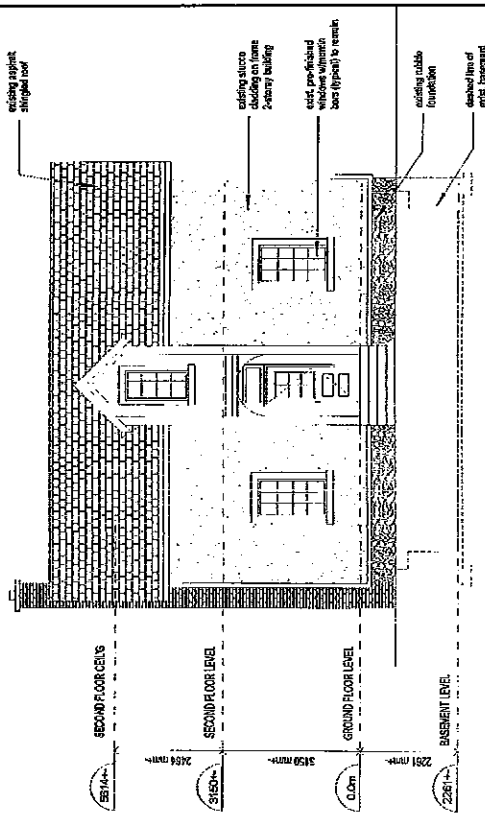
Development Planning Department



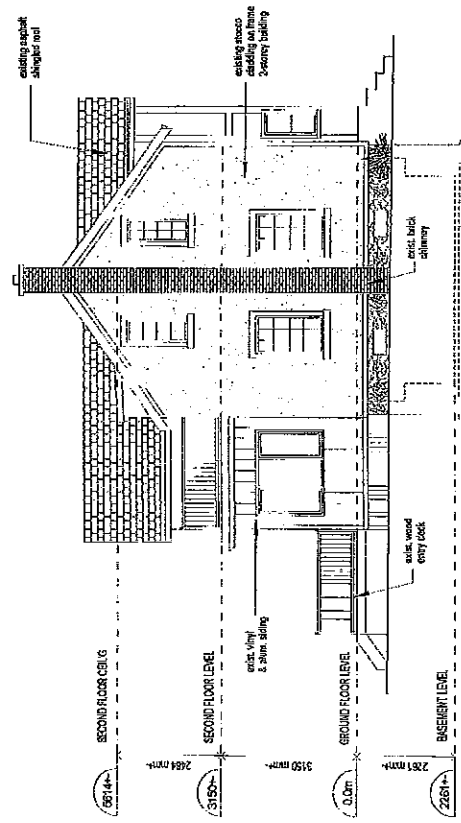
**NORTH ELEVATION - EXIST.**



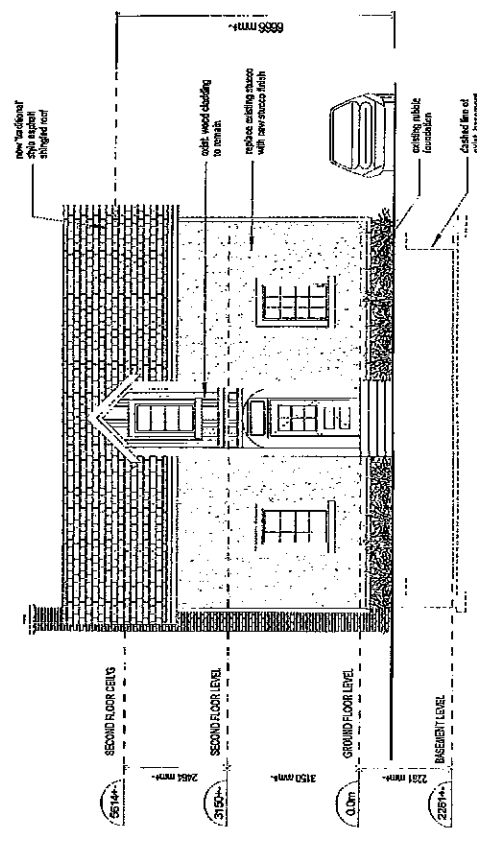
**EAST ELEVATION - EXIST.**



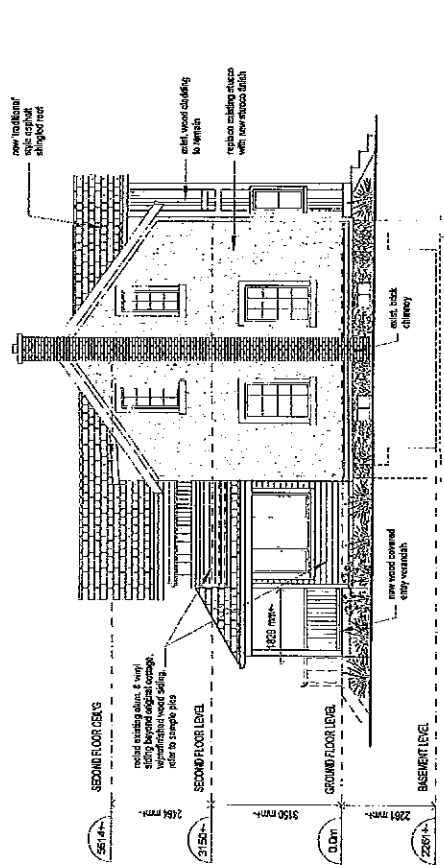
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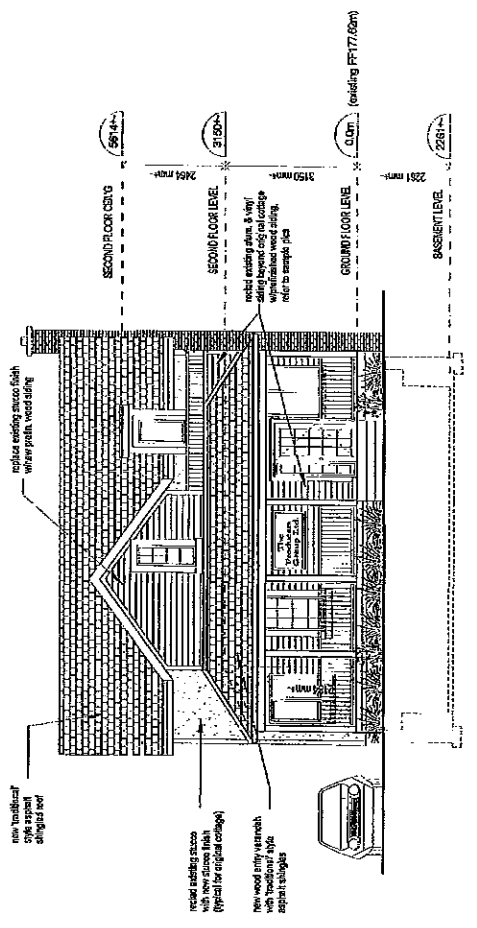
**WEST ELEVATION - EXIST.**



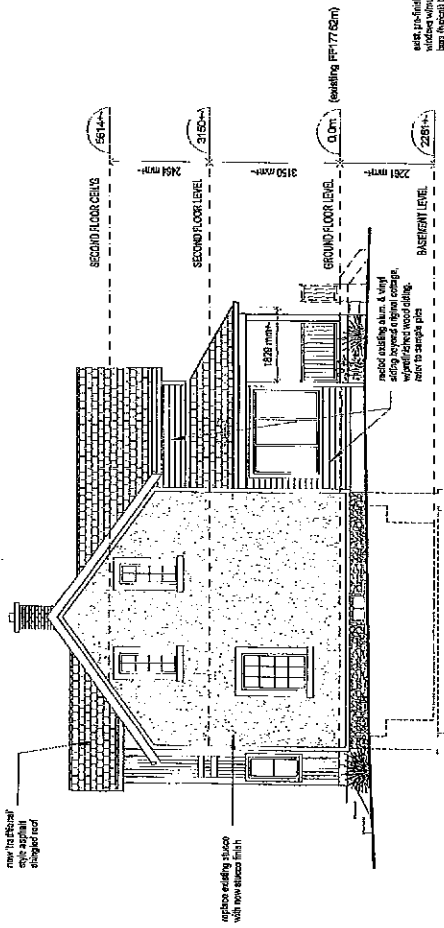
SOUTH ELEVATION - Exist/Proposed



WEST ELEVATION - Exist/Proposed



NORTH ELEVATION - Exist/Proposed



EAST ELEVATION - Exist/Proposed

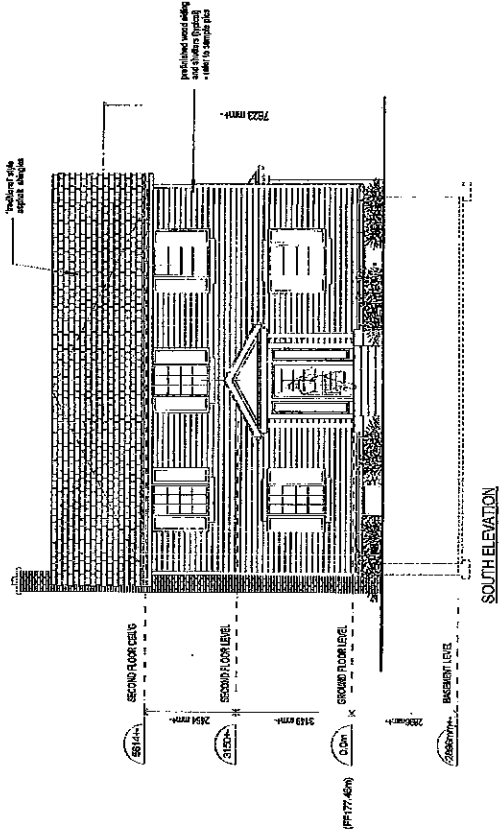
# Existing Building Elevations Upgraded

APPLICANT:  
BERKID INVESTMENTS LTD.  
Part of Lot 31,  
Concession 1

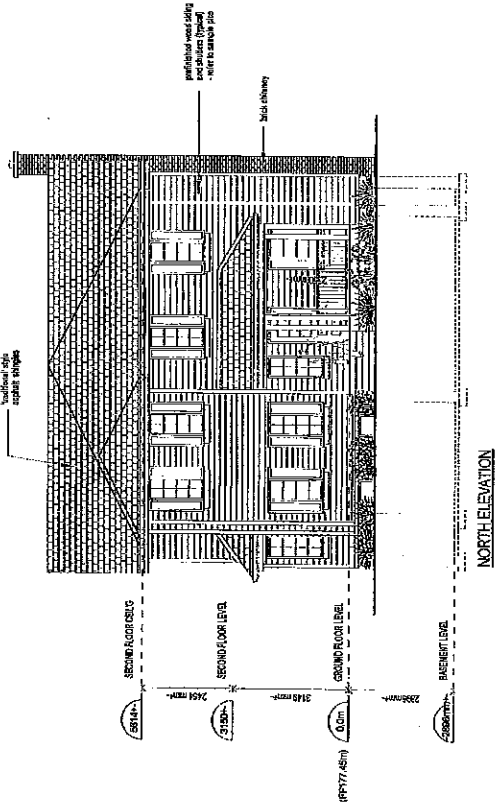
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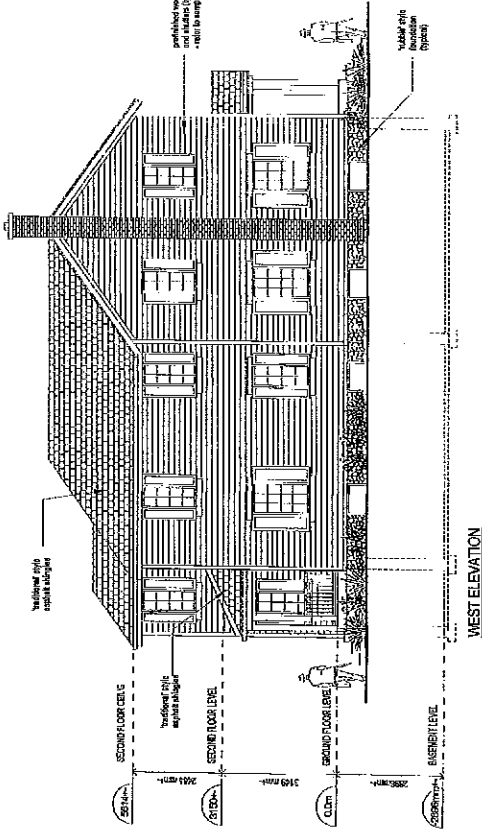
Development Planning Department



SOUTH ELEVATION

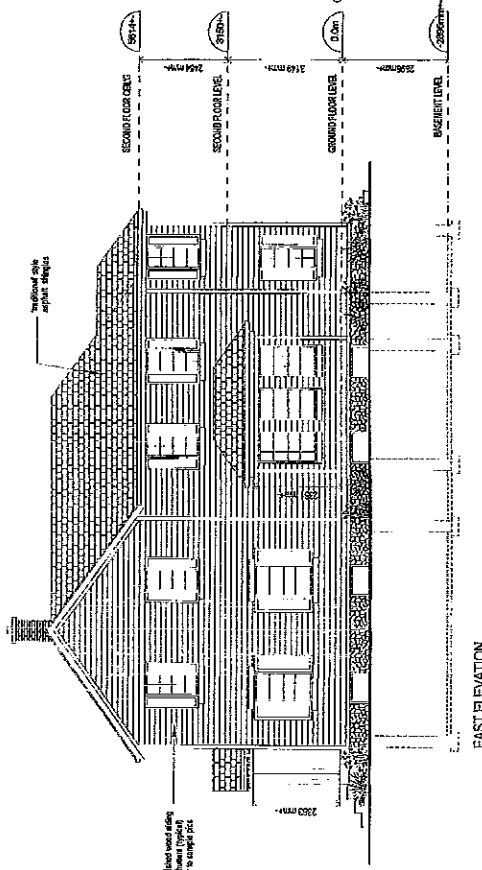


NORTH ELEVATION



WEST ELEVATION

NEW BUILDING ELEVATIONS



EAST ELEVATION

# Proposed Building Elevations

APPLICANT:  
BERKID INVESTMENTS LTD.

Part of Lot 31,  
Concession 1

NOTIFY ATTACHMENTS\DA\66 07 08B.dwg



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Development Planning Department

# Attachment 7

FILE No.: DA.07.069  
RELATED FILE:  
Z.07.003

June 11, 2008