

**2. ZONING BY-LAW AMENDMENT FILE Z.09.010
 TONLU HOLDINGS LTD.
 WARD 1**

P.2009.16

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for File Z.09.010 (Tonlu Holdings Ltd.) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Economic Impact

This will be addressed when the technical report is completed.

Communications Plan

On March 27, 2009, a Notice of Public Hearing was circulated to all property owners within 150m of the subject lands. As of April 15, 2009, 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.

Purpose

The Owner has submitted a Zoning By-law Amendment Application (File Z.09.010), specifically to amend Exception Paragraph 9(821) of By-law 1-88 on the subject lands shown on Attachment #1, but not limited to, as follows:

- i) permit a Day Nursery as an additional permitted use within the existing building with two (2) associated outdoor play areas; and,
- ii) recognize the location of the existing buildings, shown on Attachment #2 on the subject lands, within a building envelope with the following setbacks and landscape buffers:

Standards	Requirements of Exception 9(821)	Proposed Exceptions
Minimum Front Yard Setback (Major Mackenzie)	5.0 m	2.8 m
Minimum Interior Yard Setback (East Property Line)	9.0 m	2.0 m
Landscape Buffer Strip Width (along Major Mackenzie)	6.0 m	2.8 m

Background - Analysis and Options

The subject lands are located on the north side of Major Mackenzie Drive, between Melville Avenue and Keele Street, in Part of Lot 21, Concession 4, municipally known as 2600 Major Mackenzie Drive, City of Vaughan. The surrounding land uses are shown on Attachment #1.

The subject lands are designated "Low Density Residential" by OPA #350 (Maple Community Plan). OPA #350 permits daycare uses at focal points throughout the community without an

amendment to the plan. The “Jacob Rupert House” exists on the property, which is designated under Part IV of the Ontario Heritage Act, and is a focal point in the Maple Community. The proposal conforms to the Official Plan.

The lands are currently zoned R1 Residential Zone, subject to Exceptions 9(305) and 9(821) of By-law 1-88. The proposed Day Nursery use is not permitted on the subject lands and therefore, a By-law amendment is required.

Preliminary Review

Following a preliminary review of the application, the Development Planning Department has identified the following matters to be reviewed in greater detail:

- i) the application will be reviewed in the context of the policies contained within OPA #350 (Maple Community Plan), Zoning By-law 1-88, and the surrounding land uses to determine the appropriateness of the proposed zoning by-law amendment;
- ii) a corresponding Site Development Application is required to facilitate the proposal and will be reviewed on the merits of, including but not limited to, the location, size and access to the outdoor play area, proposed signage, potential parking or traffic impact, and potential changes, if any, to the landscaping plan and building elevations; and,
- iii) the application must be reviewed by Heritage Vaughan and any recommendations will be considered in the review of the application.

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

The application has been circulated to the Region of York for review and comment. Any issues will be addressed when the technical report is considered.

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, the Zoning By-law Amendment Application will be reviewed in the context of the policies of the Official Plan, the zoning requirements in By-law 1-88, the appropriateness of the proposed use, the area context, compatibility with the existing uses in the surrounding area, and the recommendations of Heritage Vaughan.

Attachments

1. Location Map
2. Site Plan

Report prepared by:

Stephen Lue, Planner, ext. 8210

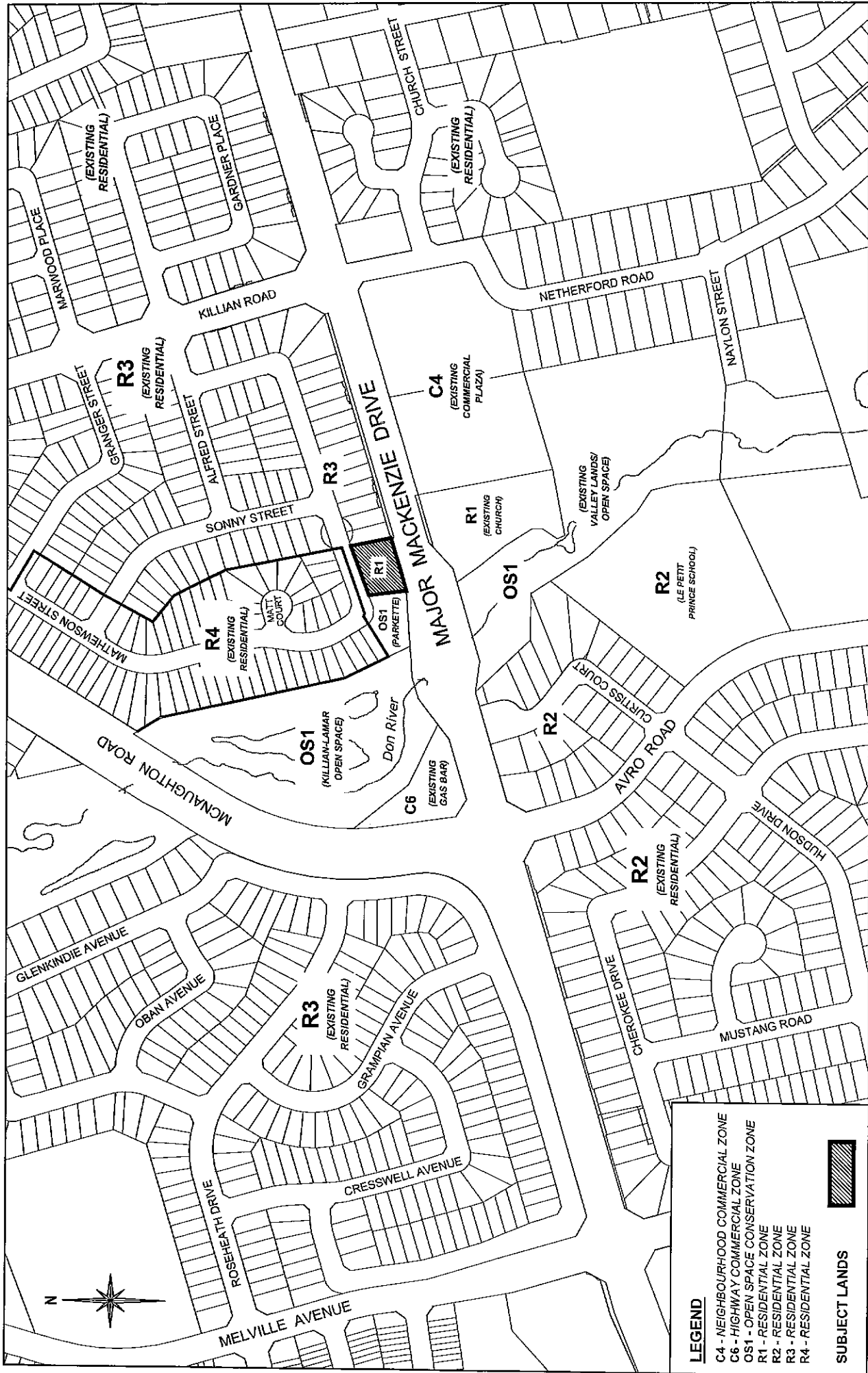
Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

GRANT UYEHAMA
Director of Development Planning

/CM

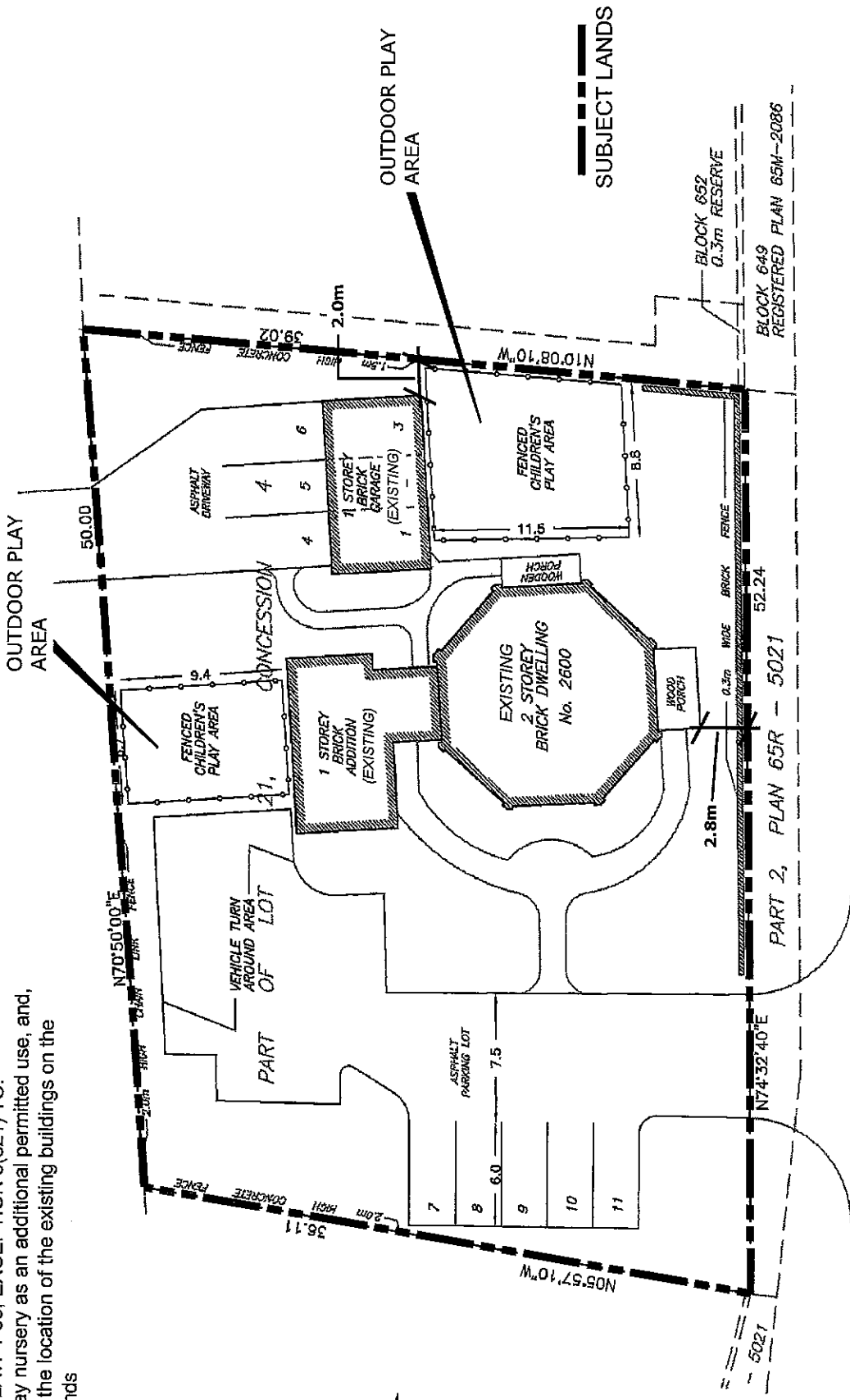


NA DPT 1 - ATTACHMENTS Z.09.010

ZONING AMENDMENT APPLICATION

AMEND BY-LAW 1-88, EXCEPTION 9(821) TO:
 i) permit a day nursery as an additional permitted use, and,
 ii) recognize the location of the existing buildings on the subject lands

MATHEWSON STREET
 (DEDICATED BY REGISTERED PLAN 65M-2295)



MAJOR MACKENZIE DRIVE WEST

Site Plan

Part of Lot 21,
 Concession 4

APPLICANT:
 TONLU HOLDINGS LTD.

NA\OFTA\ ATTACHMENTS\Z\3.09.010



Development Planning Department

Attachment 2
 FILE No.:
 Z.09.010
 Not to Scale
 March 27, 2009