

COMMITTEE OF THE WHOLE MARCH 23, 2010

**ZONING BY-LAW AMENDMENT FILE Z.05.036
SITE DEVELOPMENT FILE DA.09.020
THE DOCTOR'S HOUSE DINING CORP.
WARD 1**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.05.036 (The Doctor's House Dining Corp.) BE APPROVED, specifically to amend By-law 1-88, for the subject lands shown on Attachment #2 to facilitate the development of a 943.3 m² addition to the existing Doctor's House (eating establishment) and a new 3,540.8 m², 3-storey, 72 suite hotel shown on Attachment #3, as follows:
 - a) rezone a portion of the subject lands identified as Area 1 on Attachment #3, from R1 Residential Zone to C11 Mainstreet Commercial Zone;
 - b) rezone a portion of the subject lands on Attachment #3 from R1 Residential Zone to:
 - i) OS1 Open Space Conservation Zone (identified as Area 2 on Attachment #3), which was leased to the Owner from the Toronto and Region Conservation Authority (TRCA) and is to be renaturalized and returned to the TRCA, free and clear of any encumbrances;
 - ii) OS1 Open Space Conservation Zone (identified as Area 3 on Attachment #3) to permit a buffer ranging from 2.5 m to 5 m in width, which includes a pedestrian promenade and landscaped courtyard, to be dedicated into public ownership to either the City or the TRCA, free and clear of any encumbrances;
 - iii) OS1 Open Space Conservation Zone (identified as Area 5 on Attachment #3) to permit a buffer ranging from 5 m to 10 m in width for open space/valleyland uses to be dedicated into public ownership to either the City or the TRCA, free and clear of any encumbrances; and,
 - iv) OS1 Open Space Conservation Zone (identified as Area 6 on Attachment #3) for open space/valleyland uses to be dedicated into public ownership to either the City or the TRCA, free and clear of any encumbrances;
 - c) rezone a portion of the subject lands from C11 Mainstreet Commercial Zone to OS1 Open Space Conservation Zone (identified as Area 4 on Attachment #3), to permit a buffer ranging from 2.5 m to 5 m in width for a pedestrian promenade and landscaped courtyard to be dedicated into public ownership to either the City or the TRCA, free and clear of any encumbrances;
 - d) permit the following uses on the subject lands as follows:
 - i) permit in Building "A" (The Doctor's House) only an eating establishment not to exceed a gross floor area of 3,189.3 m² and related accessory uses such as an outdoor patio not to exceed a floor area of 150 m², seminar rooms and entertainment associated with the eating

establishment shall be permitted, provided Adult Entertainment as defined by Licensing By-law 315-2005, as amended, is not permitted, and provided all refuse and recycling associated with the eating establishment use shall be stored internally;

- ii) permit in Building "A" (The Doctor's House) a banquet hall use, not to exceed a net floor area of 930 m² as a related accessory use, where there is both an eating establishment and hotel on the subject lands;
 - iii) permit in Building "B" (Office) only a business or professional office use, not to exceed a gross floor area of 134 m²;
 - iv) permit in Building "C" (Retail) only one commercial use, not to exceed a gross floor area of 91 m²;
 - v) permit in Building "D" (Chapel) only a place of worship, not to exceed a gross floor area of 230 m²;
 - vi) permit in Building "E" (Inn) only a hotel use not to exceed a gross floor area of 3,540.8 m² and a height of 3 storeys (9.5 m); and,
- e) require a minimum 10 m setback for any building or structure or swimming pool, above or below grade, in the C11 Mainstreet Commercial Zone from lands zoned OS1 Open Space Conservation Zone;
 - f) delete zoning Exception 9(49) for Building "A" (The Doctor's House) and Building "B" (Office), which had site-specific exceptions respecting the minimum parking space size, minimum number of parking spaces and permitted uses within building envelopes, and zoning Exception 9(239) for Building "C" (Retail), which had site-specific exceptions respecting the maximum gross floor area, minimum front yard and minimum number of parking spaces, which are obsolete and in light of the new proposal requires modifications; and,
 - g) include the zoning exceptions to the C11 Mainstreet Commercial Zone and existing site-specific exceptions, as identified in Table 1 of this report.
2. THAT Site Development File DA.09.020 (The Doctor's House Dining Corp.) BE APPROVED, subject to the following conditions:
- a) that prior to the execution of the Site Plan Letter of Undertaking:
 - i) the final site plan, building elevations and landscaping plan shall be approved by the Vaughan Development Planning Department, including, but not limited to:
 - a) indicating on the site plan and floor plan the location of the cistern in the basement area to gather and reuse rain water for irrigation purposes as part of the sustainability features to be provided for the proposal; and,
 - b) justifying the context for how the trails within the buffer areas shown on Attachment #5 as OS1 Open Space Conservation Zone, fit in with the overall trail plan for the Kleinburg-Nashville Community or removing the trails, to the satisfaction of the Vaughan Development Planning Department and the TRCA;

- ii) the final site grading, servicing, stormwater management and lighting plans, and stormwater management and traffic reports shall be approved by the Vaughan Development and Transportation Engineering Department, including, but not limited to:
 - a) providing details for an unimpeded maintenance access road to the valley system, which is to include, the access road right-of-way width, access road material and load bearing capacity of the access road;
 - iii) the Owner shall satisfy the requirements of Heritage Vaughan in accordance with the Heritage Permit to the satisfaction of the Vaughan Recreation and Culture Department, Cultural Services Division, including, in accordance with the resolution of Vaughan Council at its meeting on January 26, 2010, but not limited to:
 - a) that the applicant provide samples of all exterior cladding materials and paint samples for consideration and approval by Cultural Services staff;
 - iv) the Owner shall satisfy the requirements of the Toronto and Region Conservation Authority, including, but not limited to:
 - a) receiving approval under Ontario Regulation 166/06 by the Toronto and Region Conservation Authority;
 - b) providing the context for how the trails within the buffer areas shown on Attachment #5 as OS1 Open Space Conservation Zone, fit in with the overall trail plan for the Kleinburg-Nashville Community; and,
 - c) removing any buildings and/or structures, including stairs, within the OS1 Open Space Conservation Zone.
3. THAT the *Parking Requirements - Doctor's House Expansion, 21 Nashville Road, Kleinburg*, dated May 12, 2009, by Mark Engineering, to support 302 parking spaces to be implemented by Zoning By-law Amendment File Z.05.036 (The Doctor's House Dining Corp.) to facilitate Site Development File DA.09.020 (The Doctor's House Dining Corp.), where cash-in-lieu of parking is not required BE APPROVED.
4. THAT the Owner shall pay cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, for the 72 suite hotel, to Vaughan, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City's approved "Cash-in-Lieu of Parkland Policy". The Owner shall submit an approved appraisal of the subject lands, in accordance with Section 42 of the Planning Act, 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.

Contribution to Sustainability

The Owner has advised that the sustainable features that will be incorporated into the proposed development include as follows:

- i) provision of bicycle racks near to Building "E" (Inn);
- ii) provision of two stream waste and recycle receptacles near all main building entrances;

- iii) incorporation of permeable pavers in all areas where interlocking pavers have been specified;
- iv) provision of a cistern with an area of approximately 120 m² in the basement area to gather and reuse rain water for irrigation purposes;
- v) introduction of plantings at the edges of asphalt areas to minimize the heat island effect; and,
- vi) provision of a "white roof" in all proposed structures to reduce the heat island effect.

Economic Impact

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

Communications Plan

On December 15, 2006, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to the Kleinburg and Area Ratepayers' Association. The Public Hearing was held on January 22, 2007, and the recommendation to receive the Public Hearing report, and to address, including, but not limited to, the cultural heritage resources and limits of development, was ratified by Vaughan Council on January 29, 2007. As of March 3, 2010, no written comments have been received by the Development Planning Department.

Purpose

The Owner has submitted the following applications on the subject lands shown on Attachments #1 and #2:

1. A Zoning By-law Amendment Application (File Z.05.036) to amend By-law 1-88, as follows for the subject lands shown on Attachment #3:
 - i) to rezone a portion of the subject lands from R1 Residential Zone to C11 Mainstreet Commercial Zone in By-law 167-2006 to permit a 943.3 m² addition to the existing eating establishment not to exceed a gross floor area of 3,189.3 m² and related accessory uses such as an outdoor patio not to exceed a floor area 150 m², seminar rooms and entertainment associated with the eating establishment, and a new 3,540.8 m², 3-storey, 72 suite hotel;
 - ii) to add a banquet hall use not to exceed 930 m², as a related accessory use within Building "A" (The Doctor's House), to both an eating establishment and hotel on the subject lands;
 - iii) to provide exceptions to the zoning and parking requirements in the C11 Mainstreet Commercial Zone in By-law 167-2006;
 - iv) to rezone a portion of the subject lands from R1 Residential Zone to OS1 Open Space Conservation Zone to be renaturalized and dedicated to the Toronto and Region Conservation Authority or the City;
 - v) to rezone a portion of the subject lands from R1 Residential Zone to OS1 Open Space Conservation Zone to permit a 10 m wide buffer, which includes a pedestrian promenade and landscaped courtyard, to be dedicated to the Toronto and Region Conservation Authority or the City; and,
 - vi) to rezone a portion of the of the subject lands from C11 Mainstreet Commercial Zone to OS1 Open Space Conservation Zone to permit a 10 m wide buffer, which includes a pedestrian promenade and landscaped courtyard, to be dedicated to the Toronto and Region Conservation Authority or the City; and,

2. A Site Development Application (File DA.09.020) to facilitate a 943.3 m² addition to the existing Doctor's House eating establishment and a new 3,394.4 m², 3-storey, 72 suite hotel, as shown on Attachments #3 to #6.

Background - Analysis and Options

Location

The subject lands shown on Attachments #1 and #2 are located on the south side of Nashville Road, west of Islington Avenue, being Lots 41 to 43 inclusive and Part of Lot 44 on Plan 9, City of Vaughan. The subject lands have an area of 1.89 ha and frontage of 70.84 m on Nashville Road.

Supporting Documents

The Owner, in support of the applications, has submitted the following documents:

- i) *A Report to The Doctor's House Dining Corp. - Phase I Environmental Site Assessment, Proposed Commercial Development, 21 Nashville Road, City of Vaughan, dated August 15, 2008, by Soil Engineers Ltd.;*
- ii) *A Report to The Doctor's House Dining Corp. - Phase II Environmental Site Assessment, Proposed Commercial Development, 21 Nashville Road, City of Vaughan, dated October 28, 2008, by Soil Engineers Ltd.;*
- iii) *Geotechnical Investigation - Slope Stability and Erosion Analysis, 21 Nashville Road, Kleinburg, Ontario, dated February 8, 2008, by Terraprobe Limited;*
- iv) *Stormwater Management Report - Doctor's House Dining Corporation, Proposed Three-Storey Inn and Restaurant Addition, Community of Kleinburg, City of Vaughan, dated September 23, 2008 and revised to December 10, 2008, by EMC Group Limited;*
- v) *Traffic Impact Study for the Expansion to Doctor's House, Kleinburg, City of Vaughan, dated August 2009, by Mark Engineering; and,*
- vi) *Parking Requirements - Doctor's House Expansion, 21 Nashville Road, Kleinburg, dated May 12, 2009, by Mark Engineering.*

Official Plan

The subject lands are designated "Mainstreet Commercial" (tableland) and "Valley and Stream Corridor" (valleyland) by OPA #601 (Kleinburg-Nashville Community Plan), as amended by OPA #633, and are located within the Kleinburg-Nashville Heritage Conservation District, designated under Part V of the Ontario Heritage Act. The property includes the original "Doctor's House" building, which is designated under Part IV of the Ontario Heritage Act.

The "Mainstreet Commercial" designation permits small scale hotels/village inns and restaurant uses. The subject lands shown on Attachment #2 are currently developed with an eating establishment and related accessory uses including an outdoor patio, banquet hall, seminar rooms and entertainment associated with the eating establishment. The Owner proposes to expand the eating establishment and banquet hall uses within Building "A" (The Doctor's House) and to develop a 3-storey, 72 suite hotel (Inn) (Building "E"), shown on Attachment #3.

In Subsection 4.4.2.4 "Development Standards", the "Mainstreet Commercial" policies of the Official Plan provides specific development standards for development within the "Mainstreet Commercial" designation such as limiting the maximum height for buildings to 9.5 m and

providing a maximum floor space index within the range of 0.2 to 1.0. The new Building "E" (Inn) is to have a height of 9.5 m to the mid-point of a gable roof, which is in conformity with the Official Plan. The subject lands, with a total gross floor area of 7,186.1 m² on a site area of 11,401.10 m², will have a floor space index of 0.63, which is within the allowable floor space index range of the Official Plan.

The Official Plan includes a cash-in-lieu of parking policy for the purpose of providing and maintaining off-site parking. The cash-in-lieu of parking is applicable where a parking study is not supported by the City. The Owner submitted *Parking Requirements - Doctor's House Expansion, 21 Nashville Road, Kleinburg*, dated May 12, 2009, by Mark Engineering, which supported the provision of 302 parking spaces for the proposal. As the reduction in parking spaces for the subject lands can be supported by the Vaughan Development/Transportation Engineering Department and the Vaughan Development Planning Department as discussed later in this report, cash-in-lieu of parking is not required for the subject lands, in accordance with the Official Plan. A recommendation to this effect has been included in this report.

Kleinburg-Nashville Heritage Conservation District

The subject lands are located within the Kleinburg-Nashville Heritage Conservation District and are designated under Part V of the Ontario Heritage Act and the original "Doctor's House" building is designated under Part IV of the Ontario Heritage Act. The Owner has submitted a Heritage Permit application, which includes cultural heritage resources, which are to be reviewed by the Vaughan Cultural Services Division and Heritage Vaughan, in accordance with the Kleinburg-Nashville Heritage Conservation District Guidelines and the Official Plan, and be subject to the Heritage Permit process, as discussed later in this report.

Zoning

The subject lands shown on Attachment #2 are zoned C11 Mainstreet Commercial Zone and R1 Residential Zone by By-law 1-88, as amended by By-law 12-93 [Exception 9(49)], By-law 150-79 [Exception 9(239)] and By-law 167-2006. The C11 Mainstreet Commercial Zone respecting the subject lands permits eating establishment, hotel and retail store uses, as well as, a place of worship. However, the R1 Residential Zone does not permit the proposed development. To facilitate the proposed development shown on Attachment #3, an amendment to By-law 1-88 is required to rezone portions of the subject lands, as well as, to provide exceptions to the C11 Mainstreet Commercial Zone standards. The details of the zoning amendment are as follows:

a) Rezoning

Portions of the subject lands require rezoning to the following zones, to facilitate the proposed commercial development, to rehabilitate lands to a naturalized state and to maintain open space/valleylands shown on Attachment #3:

- i) rezone a portion of the subject lands (Area 1) from R1 Residential Zone to C11 Mainstreet Commercial Zone in By-law 1-88, as amended by By-law 167-2006 to permit the eating establishment and hotel uses, with an accessory outdoor patio not to exceed a gross floor area of 150 m², and banquet hall not to exceed a net floor area of 930 m²;
- ii) rezone a portion of the subject lands from R1 Residential Zone to OS1 Open Space Conservation Zone - Area 2, which was leased to the Owner from the Toronto and Region Conservation Authority (TRCA) and is to be renaturalized and returned to the TRCA, free and clear of any encumbrances;
- iii) rezone a portion of the subject lands from R1 Residential Zone to OS1 Open Space Conservation Zone - Area 3 to permit a buffer ranging in width from 2.5 m to 5 m, which

includes a pedestrian promenade and landscaped courtyard, to be dedicated to the City or TRCA, free and clear of any encumbrances;

- iv) rezone a portion of the subject lands from R1 Residential Zone to OS1 Open Space Conservation Zone - Area 5 to permit a buffer ranging from 5 m to 10 m in width for open space/valleyland uses to be dedicated to the City or TRCA, free and clear of any encumbrances;
 - v) rezone a portion of the subject lands from R1 Residential Zone to OS1 Open Space Conservation Zone - Area 6 for open space/valleyland uses to be dedicated to the City or TRCA, free and clear of any encumbrances; and,
 - vi) rezone a portion of the subject lands from C11 Mainstreet Commercial Zone to OS1 Open Space Conservation Zone - Area 4 to permit a buffer ranging in width from 2.5 m to 5 m, which includes a pedestrian promenade to be dedicated into public ownership to either the City or the TRCA, free and clear of any encumbrances.
- b) Proposed Uses and Exceptions

The proposed commercial development shown on Attachment #3, will be developed in accordance with the C11 Mainstreet Commercial Zone in By-law 1-88, as amended by By-law 167-2006, with the following exceptions, but not limited to:

- i) permit in Building "A" (The Doctor's House) only an eating establishment not to exceed a total gross floor area (GFA) of 3,189.3 m² and related accessory uses such as an outdoor patio not to exceed a total floor area of 150 m², seminar rooms and entertainment associated with the eating establishment shall be permitted, provided Adult Entertainment as defined by Licensing By-law 315-2005, as amended, is not permitted, and provided that all refuse and recycling associated with the eating establishment uses shall be stored internally;
- vi) permit in Building "A" (The Doctor's House) a banquet hall use, not to exceed a net floor area of 930 m² as a related accessory use, where there is both an eating establishment and hotel on the subject lands;
- ii) permit in Building "B" (Office) only a business or professional office use, not to exceed a gross floor area of 134.00 m²;
- iii) permit in Building "C" (Retail) only one retail store use, not to exceed a gross floor area of 91 m²;
- iv) permit in Building "D" (Chapel) only a place of worship, not to exceed a gross floor area of 230 m²;
- v) permit in Building "E" (Inn) only a hotel use not to exceed a gross floor area of 3,540.8 m² and a height of 3 storeys (9.5 m), provided that all refuse and recycling associated with the hotel use shall be stored internally; and,

The following zoning exceptions to the C11 Mainstreet Commercial Zone of By-law 1-88, as amended by By-law 167-2006, are required to facilitate the proposal, but are not limited to:

Table 1: Proposed Zoning Exceptions

Standard	By-law 1-88, as amended by, By-law 167-2006 C11 Mainstreet Commercial Zone Requirements	Exceptions to the C11 Mainstreet Commercial Zone
Maximum Front Yard (Nashville Road)	6 m	24.1 m for Building "A" (The Doctor's House) 7.6 m for Building "C" (Retail) 49.5 m for Building "D" (Chapel)
Maximum Gross Floor Area	0.6 times the area of the lot excluding lands zoned Open Space (Maximum GFA = 6,840.6 m ²)	0.63 times the area of the lot excluding lands zoned Open Space (Maximum GFA = 7,185.1 m ²) Building A – 3189.3m ² Building B – 134 m ² Building C – 91 m ² Building D – 230 m ² Building E – 3540.8 m ²
Minimum 10 m Setback for any Building or Structure or Swimming Pool, above or below grade, in the C11 Mainstreet Commercial Zone from the OS1 Open Space Conservation Zone	New Standard	10 m
Minimum Landscaping Strip Width abutting a Street (Nashville Road)	6 m	2 m
Minimum Landscaping Strip Width abutting an Open Space Zone (to the South)	2.4 m	0 m

Standard	By-law 1-88, as amended by, By-law 167-2006 C11 Mainstreet Commercial Zone Requirements	Exceptions to the C11 Mainstreet Commercial Zone
Minimum Landscaping Strip Width abutting a Commercial Zone (to the West of Building "B" and along east property line)	1.8 m	0 m
Location of an Outdoor Patio accessory to an Eating Establishment	An outdoor patio accessory to an eating establishment is not permitted in any yard between a building and a Residential Zone	Permit an outdoor patio, not to exceed a floor area of 150 m ² , accessory to an eating establishment in the west interior yard between Building "A" (The Doctor's House) and a Residential Zone
Minimum Parking Area to be Located no closer to the Street than the Main Building	Main Building is Building "A" (The Doctor's House) which is 24.1 m from the street	Permit parking to be a minimum of 3.5 m from the street
Minimum Number of Loading Spaces	2	1
Loading and Unloading Location Requirements	No loading and unloading between a building and a street	To permit loading and unloading only between a building and the east lot line
Storage Requirements for All Refuse and Recycling Containers	New Standard	All refuse and recycling containers shall be stored internally within a building being Building "A" (The Doctor's House)
Minimum Parking Space Dimensions	2.7 m x 6 m	2.7 m x 5.98 m for Parking Space Area "A" 2.7 m x 5.52 m for Parking Space Area "B" 2.7 m x 5.76 m for Parking Space Area "C"

Standard	By-law 1-88, as amended by, By-law 167-2006 C11 Mainstreet Commercial Zone Requirements	Exceptions to the C11 Mainstreet Commercial Zone
Minimum Parking Requirements	<p><u>Building "A"</u> (The Doctor's House)</p> <p>i) Existing GFA of 2,246 m²: 1 parking space for every four persons comprised in the designed maximum capacity of 643 seats - 163 spaces required</p> <p>ii) Additional GFA of 943.3 m²: 1 parking space for every four persons comprised in the designed maximum capacity of 163 seats, OR 16 spaces/100 m² GFA, whichever is greater - 151 spaces required</p> <p>iii) Outdoor patio not to exceed a floor area of 150 m² - 1 parking space for every four persons comprised in the designed maximum capacity of 75 seats or 16 spaces/100 m² GFA, whichever is greater - 24 parking spaces required</p> <p><u>Building "B"</u> 5 parking spaces required Office 134 m² GFA (3.5 parking spaces/100 m²)</p> <p><u>Building "C"</u> 6 spaces required Retail – 91 m² GFA (6 parking spaces/100 m²)</p> <p><u>Building "D"</u> 26 parking spaces required Chapel - 230 m² GFA (11 parking spaces/100 m²)</p> <p><u>Building "E"</u> 72 spaces required Inn with 72 Suites (1 parking space/suite)</p> <p>Total Required – 447 spaces</p>	<p><u>Building "A"</u> (The Doctor's House)</p> <p>i) Existing GFA of 2,246 m²: 1 parking space for every four persons comprised in the designed maximum capacity of 643 seats - 161 spaces provided</p> <p>ii) Additional GFA of 943.3m²: 1 parking space for every 4 persons comprised in the designed maximum capacity of 163 seats - 41 spaces provided</p> <p>iii) Outdoor patio - 1 parking space for every 4 persons comprised in the designed maximum capacity of 75 seats - 19 parking spaces provided</p> <p><u>Building "B"</u> 3 spaces provided</p> <p><u>Building "C"</u> 6 spaces provided</p> <p><u>Building "D"</u> 0 spaces provided</p> <p><u>Building "E"</u> 72 spaces provided</p> <p>Total Provided - 302 spaces</p>

The subject lands previously received exceptions through 2 site-specific by-laws. By-law 12-93 [Exception 9(49)] for Building "A" (The Doctor's House) and Building "B" (Office), had site-specific exceptions respecting the minimum parking space size, minimum number of parking spaces and permitted uses within building envelopes. By-law 150-79 [Exception 9(239)] for Building "C" (Retail), had site-specific exceptions respecting the maximum gross floor area, minimum front yard and minimum number of parking spaces. Given the current development proposal, several of these exceptions are now obsolete and will be deleted entirely or somewhat revised, including the exception for developing within the building envelopes and permitting commercial parking within the R1 Residential Zone due to the expansion of Building "A" (The Doctor's House) and the addition of the new Building "E" (Inn) outside of the building envelopes, as well as, rezoning the lands from R1 Residential Zone to C11 Mainstreet Commercial Zone to allow parking for the proposal.

An exception to the zoning is required to permit the banquet hall use (maximum 930m²) as an accessory related use, to both the eating establishment and hotel uses combined. As the expansion of the banquet hall will facilitate the hotel use in order to accommodate the related functions, the banquet hall is considered an accessory use to the hotel use and the eating establishment use.

The exceptions to permit a maximum front yard of 24.1 m for Building "A" (The Doctor's House), 7.6 m for Building "C" (Retail) and 49.5 m for Building "D" (Chapel) and to permit a minimum parking space size respecting the length for Parking Space Areas "A", "B" and "C" of 5.98 m, 5.52m and 5.76 m, respectively, recognize the existing location of the buildings and parking space sizes shown on Attachment #3. The minimum parking area, which is to be located no closer to the street than the main building, will have an exception to permit the parking areas to be a minimum of 3.5 m from the street whereas the existing main Building "A" (The Doctor's House) is 24.1 m from the street.

The exception to the maximum gross floor area from 0.6 times the lot area, which would permit a maximum gross floor area of 6,840.6 m² to 0.63 times the lot area, which would permit a maximum gross floor area of 7,185.1 m² is minor and is due to the increase in GFA in relation to the lot area being reduced and dedicated to the City or TRCA.

Generally, a minimum landscaping strip width of 6m is required abutting a street (Nashville Road). However, the C11 Mainstreet Commercial Zone permits 2 m, which will be reflected on the site plan. The exception to the minimum landscaping strip width abutting a Commercial Zone of 0 m is due to providing a 10 m buffer from the open space/valleylands to the west of Building "E" (Inn) and providing parking along the east property line.

The exception to the minimum landscaping strip width abutting an Open Space Zone from 2.4 m to 0 m is due to the 7 m wide, 470 m² open space lands that are to be zoned OS1 Open Space Conservation Zone - Area 2 shown on Attachment #3, which was leased to the Owner from the Toronto and Region Conservation Authority (TRCA) and paved for parking, being renaturalized and returned to the TRCA.

Exceptions are to be provided for the OS1 Open Space Conservation Zone - Area 3 shown on Attachment #3 to permit a buffer ranging from 2.5 m to 5 m in width, which will include a pedestrian promenade and landscaped courtyard, and OS1 Open Space Conservation Zone - Area 4 to permit a buffer ranging from 5 m to 10 m in width for open space/valleyland uses that are to be dedicated to the City or TRCA. The OS1 Open Space Conservation Zone - Areas 5 and 6 when joined together provide a minimum 10 m ecological buffer requirement of the TRCA.

c) Parking

The By-law requires a minimum of 447 parking spaces, which includes 5 barrier free parking spaces. The site plan proposes 306 parking spaces of which 302 parking spaces are required by

the Parking Study to support the proposal, which includes 6 barrier free parking spaces. The eating establishment and banquet hall addition to Building "A" (The Doctor's House) requires exceptions to By-law 1-88 for the minimum number of parking spaces. Building "A" (The Doctor's House) previously received exceptions to the minimum number of parking spaces and parking space size through By-law 12-93.

The proposal is deficient a minimum of 145 parking spaces, which requires the submission of a parking generation assessment/study, a heritage property assessment, and a landscape and tree analysis in accordance with the requirements of OPA #633, for review and approval by the City. The Owner submitted the required information, *Parking Requirements - Doctor's House Expansion, 21 Nashville Road, Kleinburg*, dated May 12, 2009, by Mark Engineering, along with the site plan and elevations for the Heritage Permit and landscape plans, in support of the proposal, in accordance with the Official Plan. This parking study was prepared for the subject lands, and the following conclusions and recommendations of the parking report supported the reduction of parking (in part):

"This survey indicates that there is more than sufficient parking to serve the existing development. The expansion of the restaurant by 37 percent would result in a peak use of about 45 spaces. The addition of 1 space for each of the rooms in the inn would increase the typical maximum usage to 115+/- spaces. This is less than the existing parking supply.

However, the peak parking usage tends to occur when there is a significant event at the site, such as a large wedding reception. Then it is expected that the proposed capacity might be approached.

It is concluded from the above that the 302 parking spaces proposed for the expanded Doctor's House development should be more than sufficient to serve the expected parking demands of the site."

The Vaughan Development/Transportation Engineering Department reviewed the *Parking Requirements - Doctor's House Expansion, 21 Nashville Road, Kleinburg*, dated May 12, 2009, by Mark Engineering, and advises that the parking supply figures appear to be based on supporting analysis provided in the report and therefore, they agree with the conclusions and can support the proposed minimum required of 302 parking spaces.

Building "D" (Chapel) with a gross floor area 230 m² is required to provide 26 parking spaces. The Chapel will be deficient 26 parking spaces. The Owner advises that the Chapel is to be used only for functions such as wedding parties and photo sessions, and not for any religious congregation. The Chapel is to function as an accessory related use to the eating establishment and hotel uses, and therefore does not require parking to be provided in accordance with the By-law.

The Development Planning Department is satisfied with the amount of parking spaces to be provided for the proposal, as the reduction in parking spaces is due to the leased land that previously provided parking being renaturalized and returned to the Toronto and Region Conservation Authority. Further, the underground parking structure was modified to provide a 10 m setback for any building or structure, above or below grade from the open space/valleylands resulting in a further reduction in the amount of parking spaces to be provided on the subject lands. For these reasons, the Development Planning Department is satisfied that the reduction in parking can be supported for the subject lands.

The Development Planning Department is satisfied that the requested rezoning from R1 Residential Zone to C11 Mainstreet Commercial Zone and OS1 Open Space Conservation Zone to facilitate the proposal shown on Attachment #3 and the requested additional uses and

exceptions discussed above are appropriate for the development of the subject lands as discussed in this report.

Site Plan

Site Plan approval is required for the development of the subject lands for the addition to the existing Doctor's House and a new, 3-storey, 72 suite hotel shown on Attachments #3 to #6, with 306 parking spaces distributed over an at-grade surface parking area and 2 underground parking areas. The proposal has two accesses both from Nashville Road. The easterly access is the main access, which is to be used to get to the parking and loading areas for Building "A" (The Doctor's House) and Building "E" (Inn). The westerly access is limited to servicing primarily Building "B" (Office) and Building "C" (Retail) with 14 parking spaces. The site statistics for the proposed site plan are as follows:

a) Site Plan

Land Use	Area
Lot Area (Gross)	1.841ha
Open Space/Valleylands to be dedicated to TRCA	0.700 ha (7,009.4 m ²)
Lot Area (Net)	1.141 ha (11,401m ²)
Frontage	70.84 m
Coverage	27.3% (3,116.4 m ²)

Building	Height (Maximum 9.5 m)	Existing Gross Floor Area (m ²)	Proposed Gross Floor Area (m ²)	Total (Gross Floor Area (m ²))
A (The Doctor's House)	2 - Storeys	2,246.0	943.3	3,189.3
B (Office)	2 - Storeys	134.0	0	134.0
C (Retail)	1 - Storey	91.0	0	91.0
D (Chapel)	1 - Storey	230.0	0	230.0
E (Inn) - 72 Suites	3 - Storeys	0	3,540.8	3,540.8
	Total	2,701	4,484.1	7,185.1
Outdoor Patio Area (Floor Area)		150.0		150.0

b) Urban Design/Landscaping

The development proposes to provide a 2.5 m to 5 m wide pedestrian promenade and landscaped courtyard in the west yard, consisting of soft and hard landscaping, within the buffer lands to be zoned OS1 Open Space Conservation Zone - Areas 3 and 4 as shown on Attachments #3 and #5. These lands are part of the overall 10 m buffer as required by the Toronto and Region Conservation Authority. A trail system has been recently proposed within the buffer to be zoned OS1 Open Space Conservation Zone - Areas 2, 5 and 6. The trail system abuts the rear property line of the commercial property at 10462 Islington Avenue and traverses west then north to Nashville Road. The Owner is required to justify the recently proposed trail system or remove it from the plans, to the satisfaction of the Development Planning Department and the TRCA.

The proposal is for an addition to the existing structure built in 1974 on the site of the original Doctor's House barn, at the back of the historical main house fronting on Nashville Road shown

as Building "A" (The Doctor's House) on Attachment #3. The footprint and elevations for the addition to Building "A" (The Doctor's House) and the new hotel Building "E" (Inn) reflect the typical design in which additions, i.e., "tails and wings", would be added for a typical 19th century inn. The roof plan design incorporates multiple roof types, including a flat roof design, not typical of 19th century architecture in order to screen the rooftop mechanical equipment. The proposed building designs reflect the City's requirements and the Kleinburg-Nashville Heritage Conservation District Guidelines.

The Development Planning Department is satisfied with the proposal, provided that the Owner submits samples of the building finishes and cladding materials, an updated landscape cost estimate and justification for the trails within the buffer lands, which are to be approved to the satisfaction of the Development Planning Department and the Cultural Services Division. A condition to this effect has been included in the recommendation of this report.

Kleinburg-Nashville Heritage Conservation District

The Owner submitted a Heritage Permit application (HP.2009.016) as the subject lands are located within the Kleinburg-Nashville Heritage Conservation District and are designated under Part V of the Ontario Heritage Act and the original "Doctor's House" building is designated under Part IV of the Ontario Heritage Act. On November 18, 2009, the Heritage Vaughan Committee approved the Heritage Permit application subject to conditions, which were approved by Vaughan Council at its January 26, 2010 meeting. The Vaughan Recreation and Culture Department, Cultural Services Division has reviewed the proposal and has no objection provided the requirements of the Cultural Services Division, subject to the following Heritage Vaughan Committee conditions, of which a condition to this effect has been included in the recommendation of this report are addressed, as approved by Vaughan Council at its January 26, 2010 meeting:

"Recommendation

Heritage Vaughan Committee recommends:

- a) That the Heritage Permit application for an addition to the existing structure at 21 Nashville Road (as per Attachment #1) [in this report it would be Attachment #6] be approved; and,
- b) That the applicant provide samples of all exterior cladding materials and paint samples for consideration and approval by Cultural Services staff."

Vaughan Development/Transportation Engineering Department

The Vaughan Development/Transportation Engineering Department has no objections to the proposal and provides the following comments:

- a) Environmental Site Assessment (ESA)

The Owner submitted the following reports, which were reviewed by the Vaughan Engineering Department, and concluded that the soil and groundwater meet Table 2, Industrial, Commercial, Community Property Use Standards of the *Environmental Protection Act*:

- i) *A Report to The Doctor's House Dining Corp. - Phase I Environmental Site Assessment, Proposed Commercial Development, 21 Nashville Road, City of Vaughan, dated August 15, 2008, by Soil Engineers Ltd.; and,*

- ii) *A Report to The Doctor's House Dining Corp. - Phase II Environmental Site Assessment, Proposed Commercial Development, 21 Nashville Road, City of Vaughan, dated October 28, 2008, by Soil Engineers Ltd.*

The Vaughan Engineering Department advised that an environmental site assessment was not required as the use is existing and the proposal is for an expansion of the use.

b) Development/Transportation

The Vaughan Engineering Department has reviewed the proposal and requires that a revised site plan, grading, servicing, stormwater management, noise and traffic/transportation plans and reports be submitted for approval to the satisfaction of the Engineering Department, prior to the execution of the Site Plan Letter of Undertaking, including providing details for an unimpeded maintenance access road to the valley system, which is to include, the access road right-of-way width, access road material and load bearing capacity of the access road. A recommendation to this effect has been included in this report.

c) Water Supply and Sanitary Services

Water supply capacity and sewage servicing capacity currently exists for the proposal and additional allocation is not required.

Vaughan Real Estate Division

The Vaughan Real Estate Division has advised that the Owner shall pay cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands to Vaughan, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City's approved "Cash-in-Lieu of Parkland Policy" for the 72 suite hotel Building "E" (Inn). Cash-in-lieu of the dedication of parkland is not required for the addition to Building "A" (The Doctor's House). A condition to this effect has been included in the recommendation of this report.

Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority (TRCA) has reviewed the proposal and is satisfied that the development addresses the requirements of the TRCA provided that the concerns as discussed below are addressed.

The TRCA has reviewed the proposal and advises that the subject lands are partially located within the Regulated Area of the Humber River Watershed, and therefore in accordance with Ontario Regulation 166/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation) permits will be required for any activity within the regulated area prior to final approval of the site plan. A condition to this effect has been included in the recommendation of this report.

The TRCA has advised that a minimum 10 m buffer from the limit of the natural feature (stable top-of-the-bank and/or dripline of significant vegetation, as staked with the Owner) is required, and that the open space/valleylands below the top-of-the-bank, behind the dripline and the buffer lands be rezoned as open space and dedicated into public ownership to either the City or TRCA, free and clear of any encumbrances. The TRCA has agreed that the buffer ranging from 2.5 m to 5 m, which includes a pedestrian promenade and landscaped courtyard, shown on Attachment #3 as OS1 Open Space Conservation Zone - Areas 3 and 4 is to be dedicated into public ownership to the City or TRCA, free and clear of any encumbrances. The open space/valleylands will be zoned to reflect the TRCA requirements shown on Attachment #3 as OS1 Open Space Conservation Zone - Areas 2 to 6 inclusive.

The proposal recently indicates a trail system within the open space/valley lands shown on Attachments #3 and #5 as OS1 Open Space Conservation Zone - Areas 2, 5 and 6. The TRCA requires that the Owner provide the context for how the trails within the buffer areas fit in with the overall trail system/plan for the Kleinburg-Nashville Community prior to the final approval of the site plan. A condition to this effect has been included in the recommendation of this report.

Planning Considerations

The Development Planning Department has reviewed the Zoning By-law Amendment and Site Development Applications. The zoning exceptions required to implement the proposal are considered to be acceptable as many of the exceptions are a result of the proposed development providing a 10 m wide buffer for open space/valleyland uses, which is to be dedicated to the City or TRCA, free and clear of any encumbrances and for the 7 m wide open space lands which were leased to the Owner from the Toronto and Region Conservation Authority (TRCA) and paved for parking that are to be renaturalized and returned to the TRCA. The balance of the zoning exceptions is to recognize the existing building and uses on the subject lands. The zoning exceptions to facilitate the proposal would result in development that is compatible with the surrounding land uses and conforms to the Official Plan.

The subject lands are located within the Kleinburg-Nashville Heritage Conservation District and are designated under Part V of the Ontario Heritage Act and the original "Doctor's House" building is designated under Part IV of the Ontario Heritage Act. The siting and elevations of the addition to Building "A" (The Doctor's House) and new hotel Building "E" (Inn) reflect the typical architecture for a typical 19th century inn. The proposal, which is in accordance with the Kleinburg-Nashville Heritage Conservation District Guidelines, was approved by Heritage Vaughan Committee on November 18, 2009 and Vaughan Council on January 26, 2010.

The applications have also been reviewed by the required City Departments and external public agencies and are being supported, subject to the conditions included in this report. On this basis, the Development Planning Department can support the approval of the development applications, subject to the comments and recommendations in this report.

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

The Region of York has reviewed the proposal and advised that the Region has no comments or objections to the proposed development.

Conclusion

Zoning By-law Amendment File Z.05.036 (The Doctor's House Dining Corp.) and Site Development File DA.09.020 (The Doctor's House Dining Corp.) have been reviewed in accordance with the policies of OPA #601 (Kleinburg-Nashville Community Plan), as amended by OPA #633 and the Kleinburg-Nashville Heritage Conservation District guidelines, the requirements of the C11 Mainstreet Commercial Zone of Zoning By-law 1-88, as amended By-law 167-2006, comments from City Departments and external public agencies, and the area context. The applications will facilitate the expansion of the eating establishment and accessory banquet hall within Building "A" (The Doctor's House) and the development of the 3-storey, 72 suite hotel Building "E" (Inn). The Development Planning Department is satisfied that the proposal can be developed in a manner that is appropriate and compatible with the existing community, subject to the recommendations in this report.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Underground Parking Area
5. Landscape Plan
6. Elevations

Report prepared by:

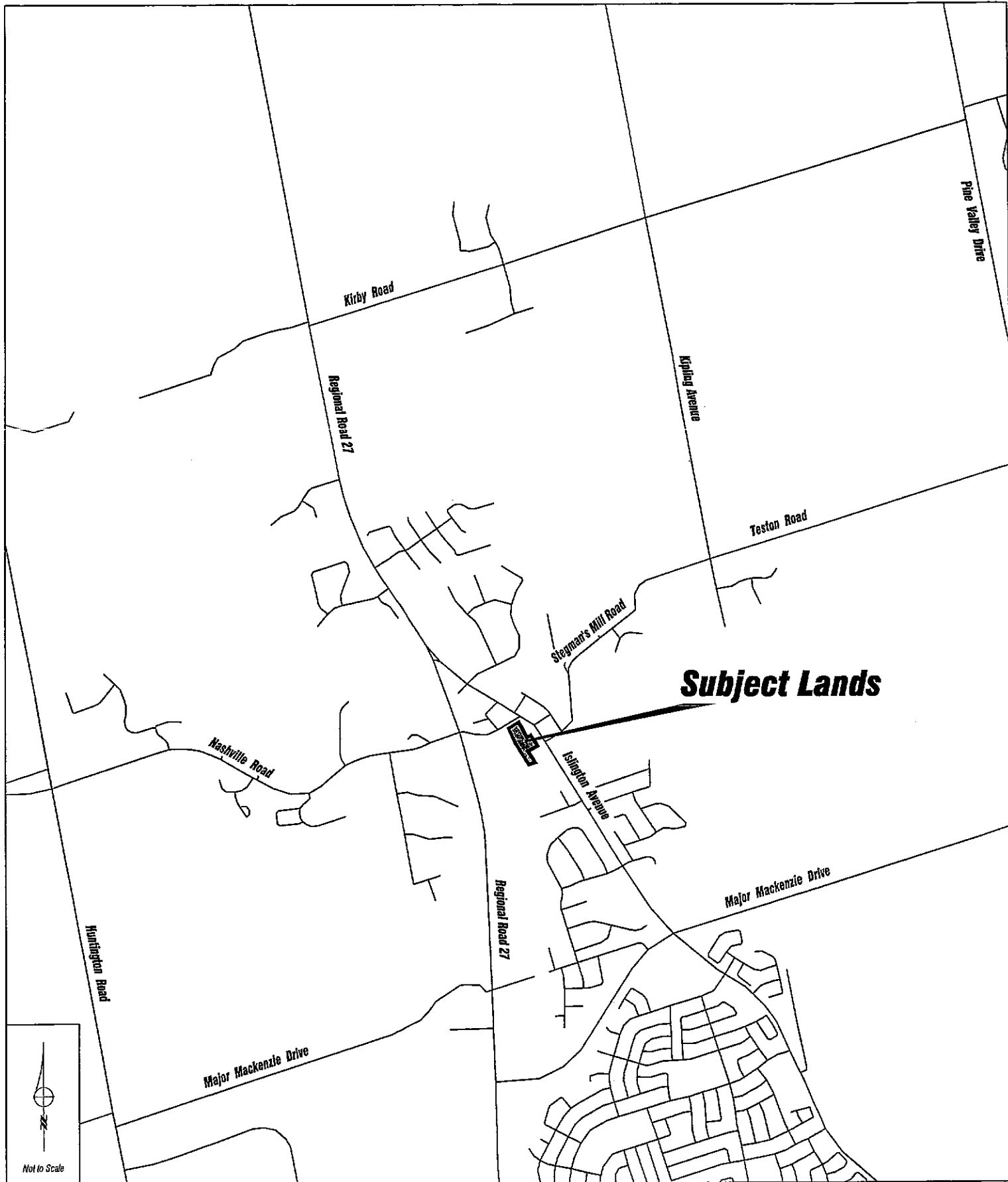
Judy Jeffers, Planner, ext. 8645
Carmela Marrelli, Senior Planner, ext. 8791
Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

GRANT UYEVAMA
Director of Development Planning

/CM



Context Location Map

LOCATION:
Part of Lot 24, Concession 8

APPLICANT:
The Doctor's House Dining Corp.

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The City Above Toronto

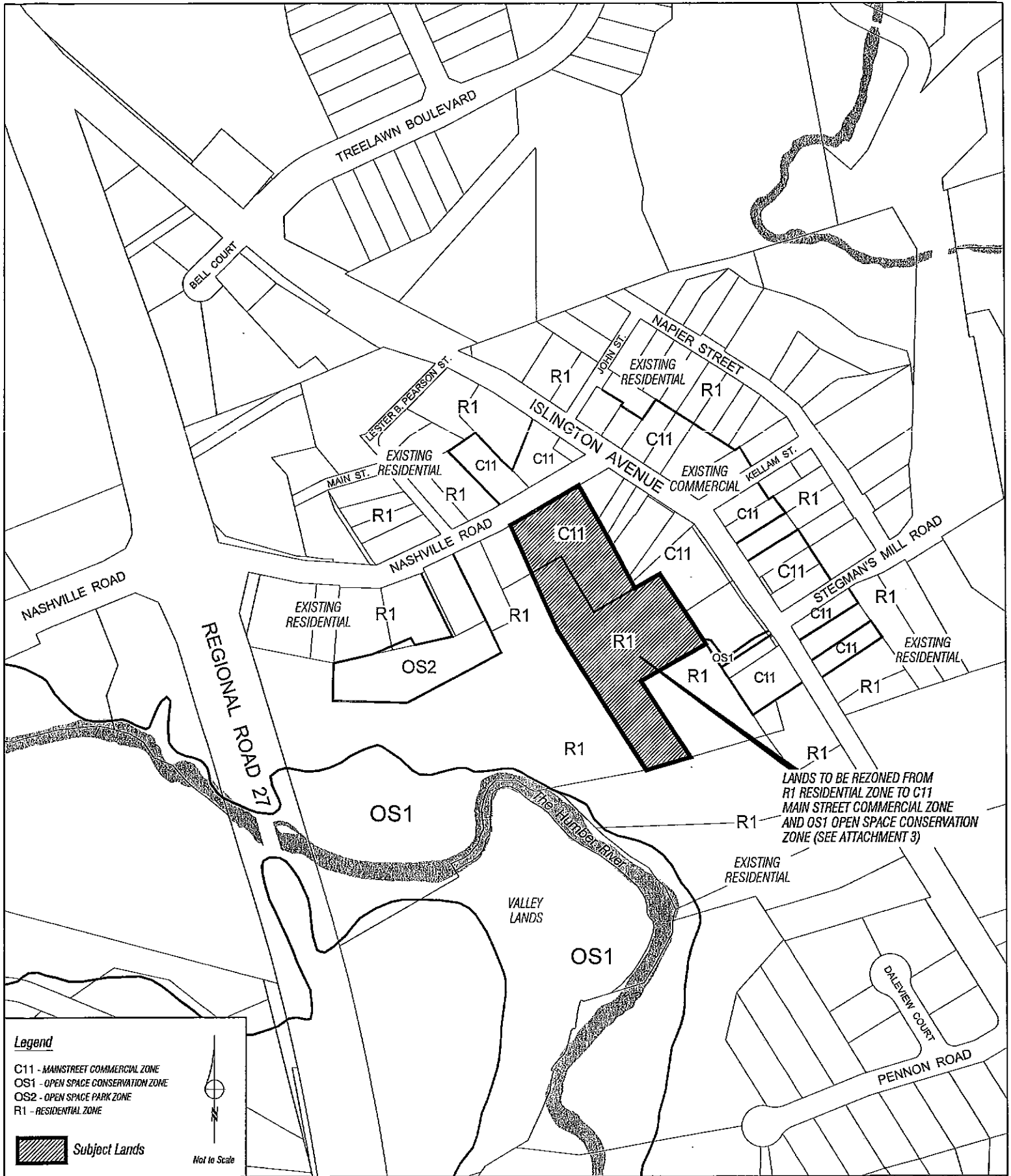
Development Planning Department

Attachment

FILE:
Z.05.036/DA.09.020

DATE:
February 19, 2010

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Location Map

LOCATION:
Part of Lot 24, Concession 8

APPLICANT:
The Doctor's House Dining Corp.

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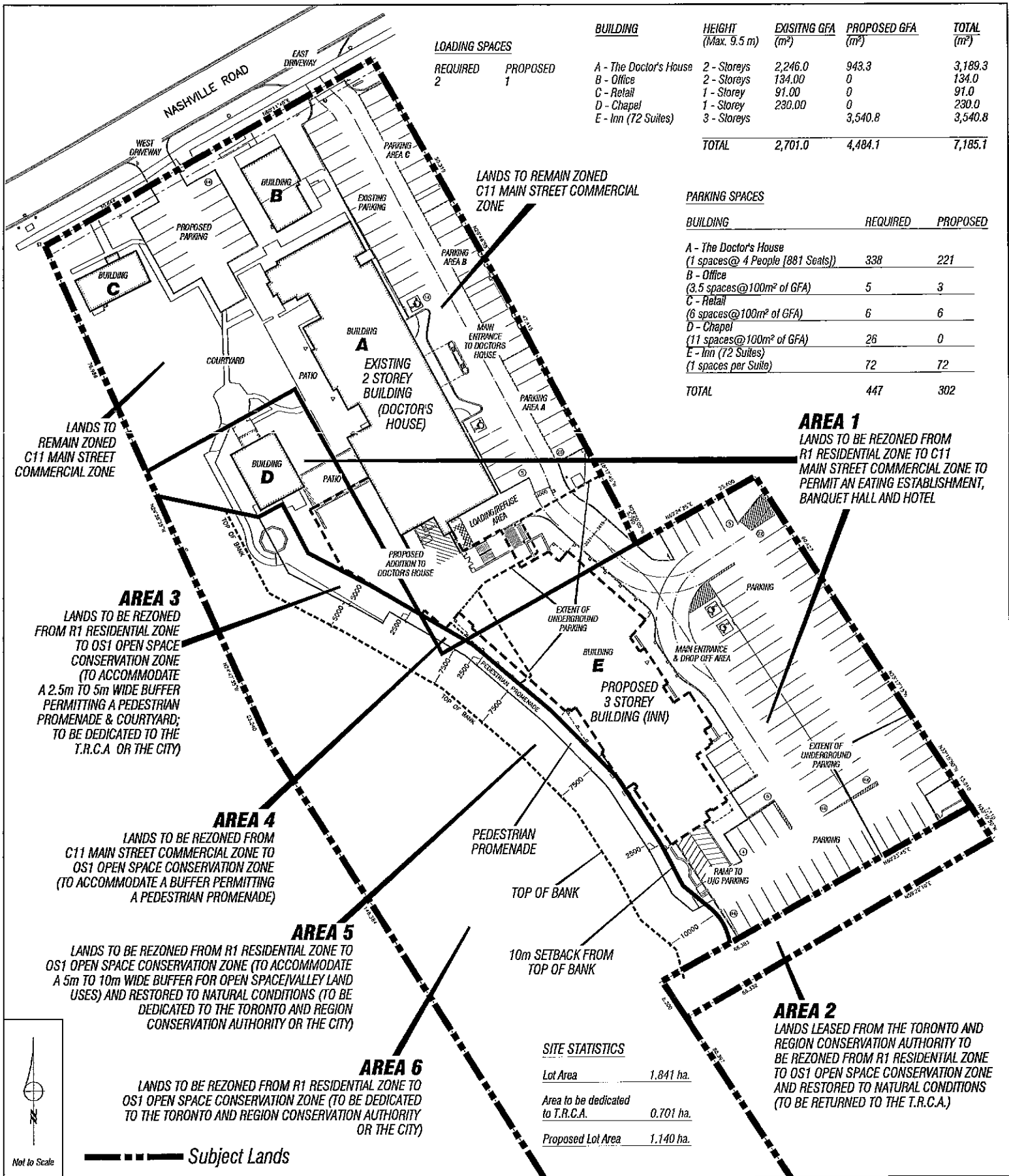
Development Planning Department

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Z.05.036/DA.09.020

DATE:
February 19, 2009

2



LOADING SPACES

REQUIRED	PROPOSED
2	1

BUILDING	HEIGHT (Max. 9.5 m)	EXISTING GFA (m ²)	PROPOSED GFA (m ²)	TOTAL (m ²)
A - The Doctor's House	2 - Storeys	2,246.0	943.3	3,189.3
B - Office	2 - Storeys	134.00	0	134.0
C - Retail	1 - Storey	91.00	0	91.0
D - Chapel	1 - Storey	230.00	0	230.0
E - Inn (72 Suites)	3 - Storeys		3,540.8	3,540.8
TOTAL		2,701.0	4,484.1	7,185.1

PARKING SPACES

BUILDING	REQUIRED	PROPOSED
A - The Doctor's House (1 spaces @ 4 People [881 Seats])	338	221
B - Office (3.5 spaces @ 100m ² of GFA)	5	3
C - Retail (6 spaces @ 100m ² of GFA)	6	6
D - Chapel (11 spaces @ 100m ² of GFA)	26	0
E - Inn (72 Suites) (1 spaces per Suite)	72	72
TOTAL	447	302

LANDS TO REMAIN ZONED C11 MAIN STREET COMMERCIAL ZONE

LANDS TO REMAIN ZONED C11 MAIN STREET COMMERCIAL ZONE

AREA 1
LANDS TO BE REZONED FROM R1 RESIDENTIAL ZONE TO C11 MAIN STREET COMMERCIAL ZONE TO PERMIT AN EATING ESTABLISHMENT, BANQUET HALL AND HOTEL

AREA 3
LANDS TO BE REZONED FROM R1 RESIDENTIAL ZONE TO OS1 OPEN SPACE CONSERVATION ZONE (TO ACCOMMODATE A 2.5m TO 5m WIDE BUFFER PERMITTING A PEDESTRIAN PROMENADE & COURTYARD; TO BE DEDICATED TO THE T.R.C.A. OR THE CITY)

AREA 4
LANDS TO BE REZONED FROM C11 MAIN STREET COMMERCIAL ZONE TO OS1 OPEN SPACE CONSERVATION ZONE (TO ACCOMMODATE A BUFFER PERMITTING A PEDESTRIAN PROMENADE)

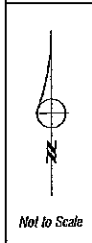
AREA 5
LANDS TO BE REZONED FROM R1 RESIDENTIAL ZONE TO OS1 OPEN SPACE CONSERVATION ZONE (TO ACCOMMODATE A 5m TO 10m WIDE BUFFER FOR OPEN SPACE/VALLEY LAND USES) AND RESTORED TO NATURAL CONDITIONS (TO BE DEDICATED TO THE TORONTO AND REGION CONSERVATION AUTHORITY OR THE CITY)

AREA 6
LANDS TO BE REZONED FROM R1 RESIDENTIAL ZONE TO OS1 OPEN SPACE CONSERVATION ZONE (TO BE DEDICATED TO THE TORONTO AND REGION CONSERVATION AUTHORITY OR THE CITY)

SITE STATISTICS

Lot Area	1,841 ha.
Area to be dedicated to T.R.C.A.	0.701 ha.
Proposed Lot Area	1,140 ha.

AREA 2
LANDS LEASED FROM THE TORONTO AND REGION CONSERVATION AUTHORITY TO BE REZONED FROM R1 RESIDENTIAL ZONE TO OS1 OPEN SPACE CONSERVATION ZONE AND RESTORED TO NATURAL CONDITIONS (TO BE RETURNED TO THE T.R.C.A.)



Site Plan

LOCATION:
Part of Lot 24, Concession 8

APPLICANT:
The Doctor's House Dining Corp.

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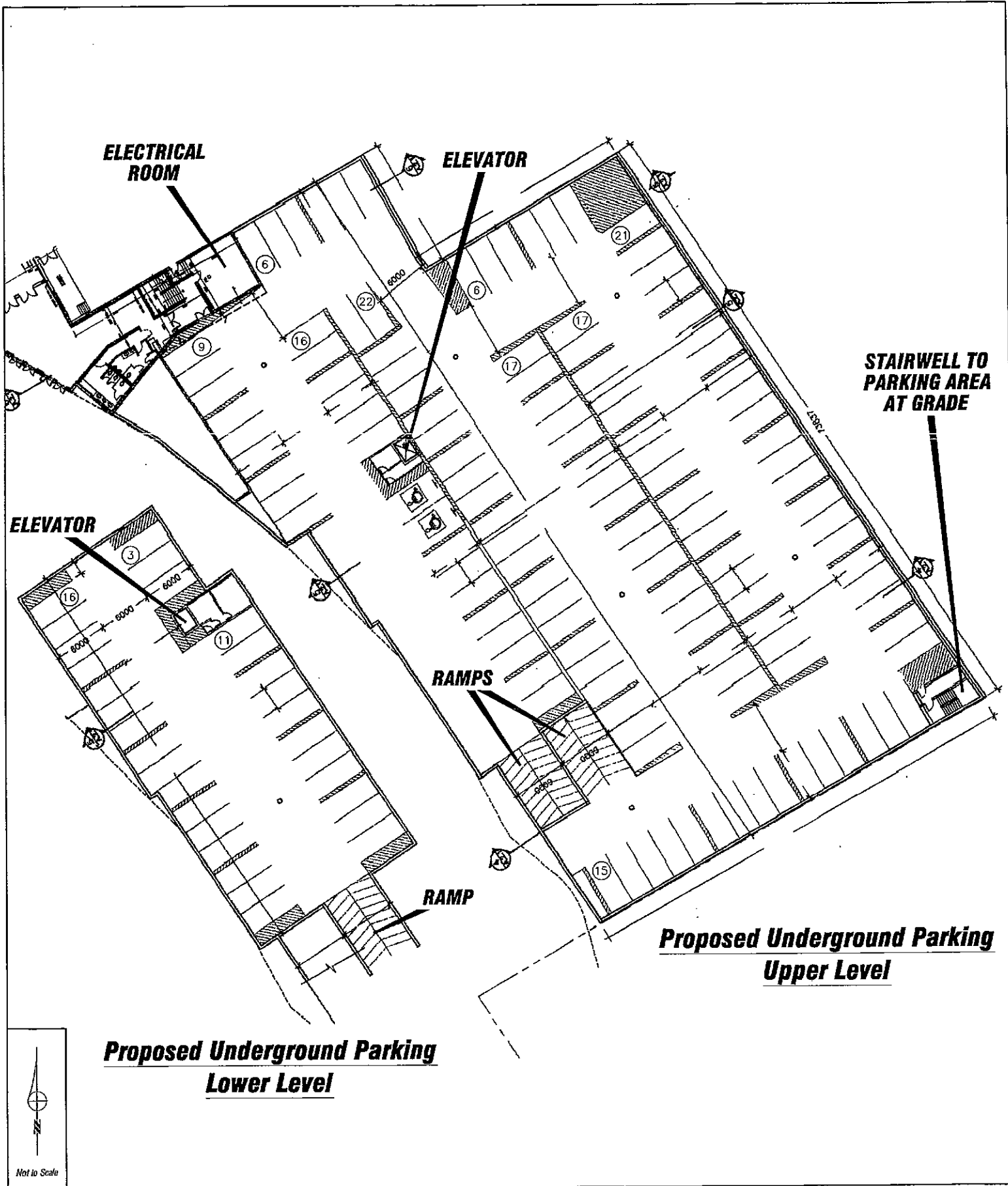
The City Above Toronto
Development Planning Department

Attachment

FILE:
Z.05.036/DA.09.020

DATE:
February 19, 2009

3



Underground Parking Areas

LOCATION:
Part of Lot 24, Concession 8

APPLICANT:
The Doctor's House Dining Corp.

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The City Above Toronto

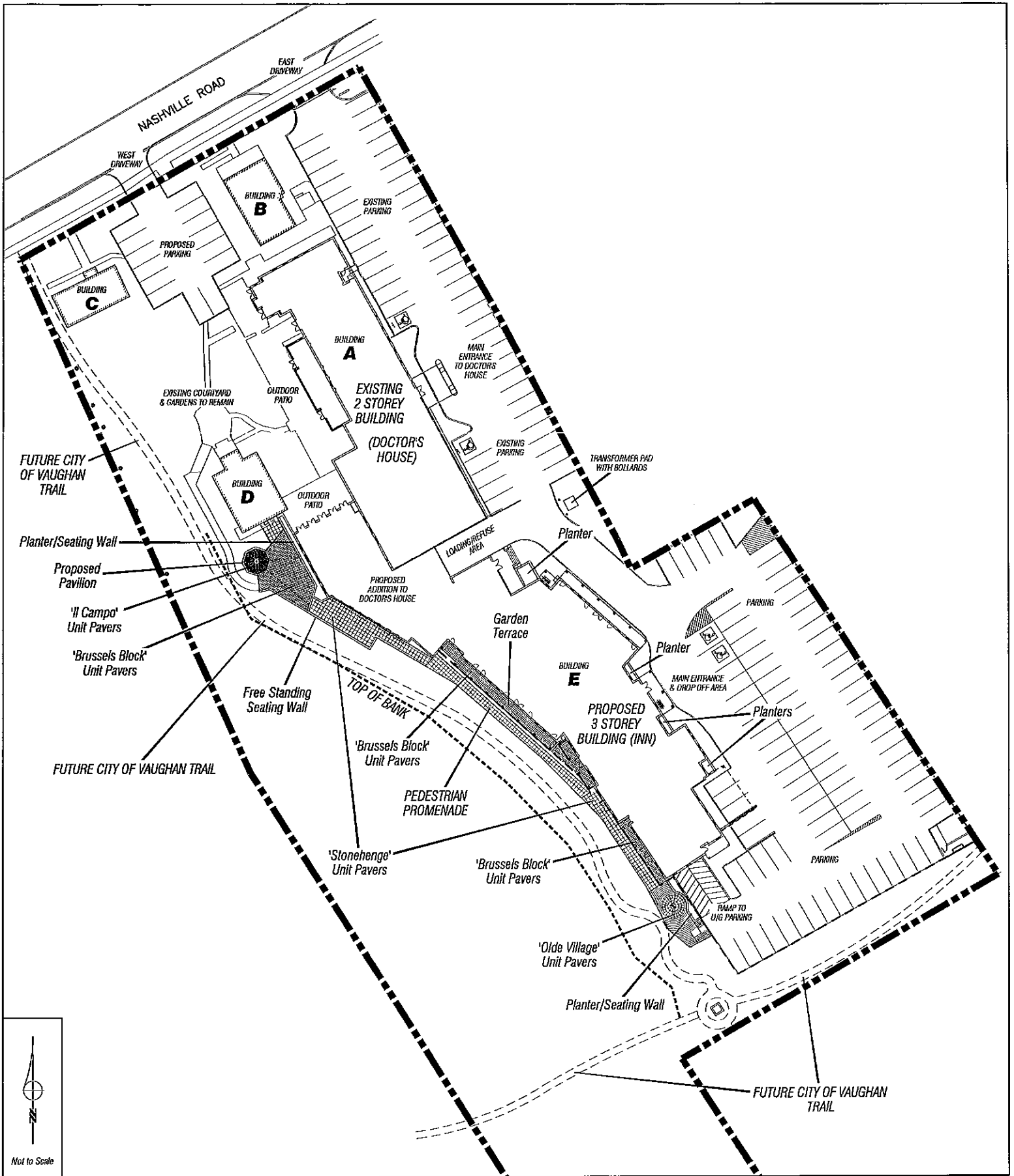
Development Planning Department

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FILE:
Z.05.036/DA.09.020

DATE:
February 19, 2009

4



Landscape Plan

LOCATION:
Part of Lot 24, Concession 8

APPLICANT:
The Doctor's House Dining Corp.

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The City Above Toronto

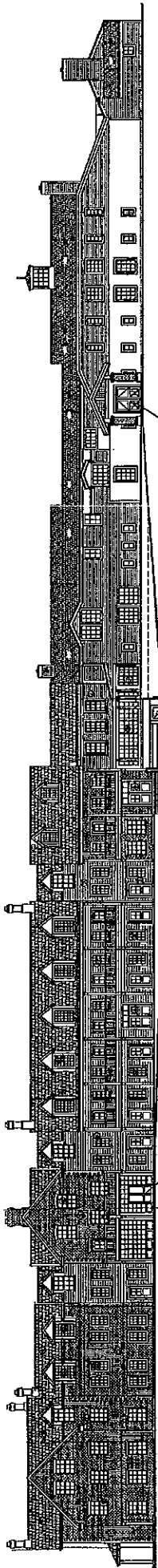
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February 19, 2009

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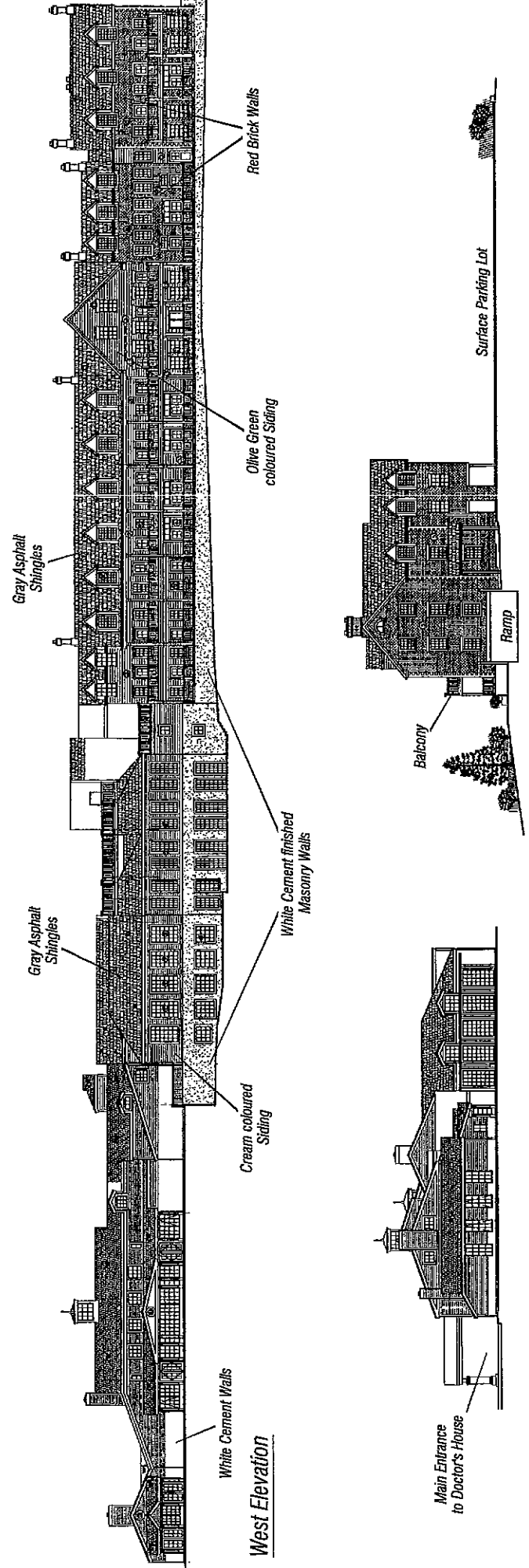


East Elevation

Main Entrance to Doctor's House

Loading/Refuse Area

Main Entrance to Inn



West Elevation

White Cement Walls

Cream coloured Siding

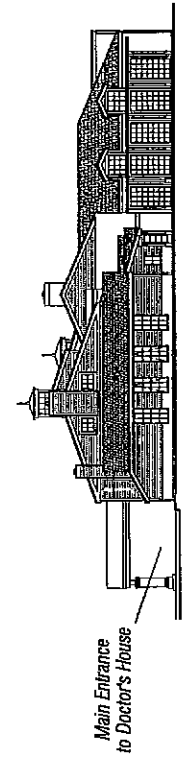
White Cement finished Masonry Walls

Gray Asphalt Shingles

Gray Asphalt Shingles

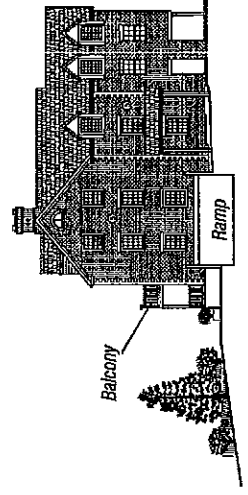
Olive Green coloured Siding

Red Brick Walls



North Elevation (Doctor's House - Facing Nashville Road)

Main Entrance to Doctor's House

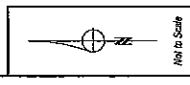


South Elevation (Inn, with ramp entrance to Proposed Underground Parking Structure)

Balcony

Ramp

Surface Parking Lot



Elevations

LOCATION:
Part of Lot 24, Concession 8

APPLICANT:
The Doctor's House Dining Corp.
1140711 - 1174646/0131.1/15.035.LR.01.00101-049