

**COMMITTEE OF THE WHOLE MAY 15, 2012**

**OFFICIAL PLAN AMENDMENT FILE OP.11.010**

**ZONING BY-LAW AMENDMENT FILE Z.11.038**

**SITE DEVELOPMENT FILE DA.11.099**

**ROY MURAD**

**WARD 5 – VICINITY OF YONGE STREET AND CENTRE STREET**

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment File OP.11.010 (Roy Murad) BE APPROVED, to amend OPA #210 (Thornhill Community Plan), specifically the "Low Density Residential" policies for properties located within the Thornhill Heritage District, to increase the maximum permitted gross floor area devoted to a Business and Professional Office use on the subject lands shown on Attachments #1 and #2, from 167.2m<sup>2</sup> to 279.2 m<sup>2</sup> (entire existing building).
2. THAT Zoning By-law Amendment File Z.11.038 (Roy Murad) BE APPROVED, to amend Zoning By-law 1-88, specifically the R1 Residential Zone to permit a Business and Professional Office use (Financial Advisory Services) on the subject lands shown on Attachments #1 and #2, together with the site-specific zoning exceptions identified in Table 2 of this report.
3. THAT Site Development File DA.11.099 (Roy Murad) BE APPROVED, to facilitate the use of the existing single-detached dwelling on the subject lands shown on Attachments #1 and #2 for the purpose of a Business and Professional Office Use (Financial Advisory Service), as shown on Attachments #3 and #4, subject to the following conditions:
  - a) that prior to the execution of the Site Plan Letter of Undertaking:
    - i) the final site plan shall be approved by the Vaughan Development Planning Department; and,
    - ii) the final grading plan shall be approved by the Vaughan Development/Transportation Engineering Department; and,
  - b) that the Site Plan Letter of Undertaking 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 the issuance of a Building Permit in accordance with the Planning Act and the City's Cash-in-lieu Policy. The Owner shall submit an 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.
4. THAT the Region of York be requested to modify the City of Vaughan Official Plan 2010 to include a site-specific policy for the subject lands shown on Attachments #1 and #2 and designated "Low Rise-Residential" to permit an Office use with a maximum gross floor area of 279.2m<sup>2</sup>.

### **Contribution to Sustainability**

There are no changes to the existing building and site through the processing of the subject applications.

### **Economic Impact**

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

### **Communications Plan**

On December 22, 2011, a Notice of Public Hearing was circulated to all property owners within 150m of the subject lands, and to the Town of Markham. To date, no comments have been received. The recommendation of the Committee of the Whole to receive the Public Hearing report of January 17, 2012, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council on January 31, 2012.

### **Purpose**

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

1. Official Plan Amendment File OP.11.010, to amend the policies of OPA #210 (Thornhill Community Plan), specifically the "Low Density Residential" policies for properties located within the Thornhill Heritage District, to increase the maximum permitted gross floor area devoted to a Business and Professional Office use on the subject lands from 167.2 m<sup>2</sup> to 279.2 m<sup>2</sup> (entire existing building) as follows:

Table 1: Official Plan Amendment File OP.11.010		
	Official Plan Policy (OPA #210, as amended)	Proposed Amendment to OPA #210, as amended
a.	Properties designated "Low Density Residential" located within the Thornhill Heritage District, with frontage onto Yonge Street (and Centre Street), may be used for Business and Professional Offices not exceeding 167.2 m <sup>2</sup> in gross floor area.	Notwithstanding the floor space restriction outlined in Section 2.2.2.5 b) ii) of OPA #210, the lands known as 7822 Yonge Street, being Part of Lot 31, Concession 1, may be developed for a Business and Professional Office with a maximum gross floor area of 279.2 m <sup>2</sup> .

2. Zoning By-law Amendment File Z.11.038, to amend Zoning By-law 1-88, specifically to permit a Business and Professional Office use (Financial Advisory Service) on the subject lands zoned R1 Residential Zone, together with the following site-specific zoning exceptions:

Table 2: Zoning By-law Amendment File Z.11.038

	By-law Standard	By-law 1-88, R1 Zone Requirements	Proposed Exceptions to the R1 Zone
a)	Permitted Use	Business and Professional Office not permitted.	Permit a Business and Professional Office use with a maximum gross floor area of 279.2 m <sup>2</sup> (entire existing building).
b)	Parking Area Requirements	The surface of all parking spaces, related driveways and maneuvering areas shall be paved with hot-mix asphalt.	The surface of the parking area and driveway shall be gravel.
c)	Minimum Parking Requirement	3.5 spaces per 100 m <sup>2</sup> of GFA=10 spaces plus 1 barrier free parking space	3 parking spaces

3. Site Development File DA.11.099, to facilitate the use of the existing residential dwelling with a Business and Professional Office providing financial services, as shown on Attachments #3 and #4. No changes are proposed to the existing building and site at 7822 Yonge Street. The structure was earlier renovated under City of Vaughan Heritage Permit HP.2007.032.

### **Background - Analysis and Options**

#### **Location**

The 0.8 ha site is located on the west side of Yonge Street, north of Centre Street (7822 Yonge Street), City of Vaughan. The property is considered a through lot with approximately 18 m of frontage on Yonge Street and Old Yonge Street, and is developed with a single detached residential dwelling, currently being used as a business and professional office providing financial advisory services. The property is located within the Thornhill Heritage Conservation District.

#### **Land Use Policies/Planning Considerations**

The Development Planning Department has reviewed the Official Plan Amendment Application to permit a Business and Professional Office with a maximum gross floor area of 279.2 m<sup>2</sup> in a "Low Density Residential" designation, in light of the following land use policies:

#### **a) Region of York Official Plan**

The subject lands are designated "Urban Area" by the Region of York Official Plan (RYOP) and located on the Yonge Street corridor. Section 5.4 of the RYOP outlines policies for the

development of Regional Corridors encouraging compact, mixed-use, well-designed, pedestrian-friendly and transit-oriented built form. The RYOP establishes policies to revitalize and preserve cultural heritage resources within core historic areas. The proposal to permit a business and professional office providing financial services within an existing heritage building, located in the Thornhill Heritage District, is consistent with the Regional Official Plan. Furthermore, the Region of York has advised that the Amendment is consistent with "Community Building" policies (Section 5.2) of the RYOP that directs development to existing built-up portions of urban areas and is intended to promote complete communities with opportunities for employment, recreation and housing.

The Region of York Development Review Committee has considered Official Plan Amendment File OP.11.010 and determined that the Amendment is a matter of local significance and that the proposal does not adversely affect Regional interests. Pursuant to Regional Council authorization By-law A-0265-1999-017, the application has been exempted from approval by Regional Planning Committee and Council. The Amendment will come into effect following its adoption by Vaughan Council and the expiration of the required appeal period, if approved.

b) Thornhill Vaughan Heritage Conservation District Plan, 2007

The subject lands are designated under Part V of the Ontario Heritage Act and are subject to the policies of the Thornhill Vaughan Heritage Conservation District Plan, which denotes the area as a collection of buildings, streets and open spaces that collectively are of special historical and/or architectural significance to the community. Specifically, the subject lands (7822 Yonge Street) is a listed property within the District signifying that it is a building of architectural and historic value. The structure is also included in the Canadian Inventory of Historic Buildings (CIHB) and the Ontario Inventory of Buildings (OIB). The Owner is not proposing changes to the existing building. The City of Vaughan Cultural Services Division has no objection to the applications as the current exterior appearance and condition of the building will not be affected.

c) City of Vaughan Official Plan

The subject lands are designated "Low Density Residential" by in-effect OPA #210 (Thornhill Community Plan), as amended by OPA #669. The proposal for a Business and Professional Office greater than 167.2 m<sup>2</sup> does not conform to the Official Plan. In light of the Regional policies encouraging a mixed use built form within Regional Corridors, the Official Plan Amendment to permit an increase in area devoted to a Business and Professional Office from 167.2 m<sup>2</sup> to 279.2 m<sup>2</sup> (entire existing building) can be supported by the Vaughan Development Planning Department.

OPA #669 implements the recommendations of The Thornhill Yonge Street Study, 2005. It is the intent of the study that the area become a mixed use area, and be developed as a higher order transit corridor. Commercial and employment growth are encouraged through redevelopment. The streetscape policies require a minimum 7 m public realm between the curb edge (Yonge Street) and building front, whereas the existing building is setback 11.25 m. The proposal is consistent with the policies of OPA #669.

d) Vaughan Official Plan (VOP) 2010

The subject lands are designated "Low-Rise Residential" (Volume 1) and "Thornhill Heritage Conservation District Plan" (Volume 2) by the new City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified on September 27, 2011 and April 17, 2012), and is before the Ontario Municipal Board. The "Low-Rise Residential" designation sets out policies that provide for residential, home occupations, private home day care, and small scale commercial uses. Section 12.2, Heritage Conservation District, of Volume 2 of VOP 2010 states that land use planning decisions within the areas identified in VOP 2010 as Heritage Conservation Districts shall conform to the requirements of

the applicable Heritage Conservation District Plan, which was discussed above. The subject proposal conforms to VOP 2010.

Should Vaughan Council find merit in the subject Official Plan Amendment File OP.11.010, the Region of York is requested to modify the City of Vaughan Official Plan 2010 to facilitate a site-specific policy on the subject lands to permit an Office use with a gross floor area of 279.2 m<sup>2</sup>. A condition to this effect has been included in the recommendation of this report.

### Zoning

The subject lands are zoned R1 Residential Zone by Zoning By-law 1-88, which does not permit the proposed business and professional office use. The Owner has submitted Zoning By-law Amendment File Z.11.038 to add a Business and Professional Office use (Financial Advisory Service) to the R1 Residential Zone for the existing building shown on Attachments #3 and #4. The use change is supported by the Region of York Official Plan, which encourages a mixed use, compact development along Regional Corridors such as Yonge Street. OPA #669, the Thornhill Yonge Street Study, encourages commercial and employment growth through redevelopment. It is the intent of OPA #669 that Yonge Street become a mixed use area. The existing land uses in the area consist of residential, institutional, and both service and retail commercial uses. Given the review of the policies and principles of planning documents governing the area, the existing mix of land uses in the area, and that no alterations or changes are proposed to the existing site or building, the proposed zoning amendment to permit an additional use on the subject lands in the R1 Zone can be supported by the Development Planning Department.

The exception to the parking requirements of Zoning By-law 1-88, Section 3.8 k), to allow gravel for the surface material of all driveways and parking spaces is in keeping with the policies of the Thornhill Vaughan Heritage Conservation District Plan, 2007. The Plan strives to conserve the heritage value and heritage attributes of a heritage resource. Section 4.6.4 of the Plan requires that commercial parking lots "complement the special character of the District". Maintaining the gravel parking area and driveway of 7822 Yonge Street can be supported by the Development Planning Department as it reflects the special historical significance of the community.

The City's Zoning By-law 1-88 requires that parking be provided at a rate of 3.5 spaces/100 m<sup>2</sup> of gross floor area for a business or professional office use, which results in 10 spaces for the subject property plus one barrier free space. The Owner is proposing a total of 3 parking spaces with access from Old Yonge Street. The Owner has submitted a parking study that supports the proposed parking ratio. This parking study has been reviewed and approved by the Vaughan Development/Transportation Engineering Department. To support the reduction to the parking ratio, the Owner has advised that the subject lands are served by public transit with bus stops on the northwest and southeast corners of Yonge Street and Centre Street. Some of these routes also provide connections to GO Transit and the TTC. The applicant has advised that the proposed business and professional office will operate Monday to Friday between 8:00 am and 5:00 pm with 8 employees. Clients will come to the office during business hours.

### Site Design and Building Elevations

The site plan and building elevations on Attachments #3 and #4 show an existing two-storey residential building. No exterior changes to the building and site are proposed by the applications. The existing residence at 7822 Yonge Street was earlier renovated and expanded under City of Vaughan Heritage Permit HP.2007.032. The Vaughan Cultural Services Division has no objection to the proposed applications as the current exterior appearance and condition of the building and site will not be affected. During the earlier redevelopment of the existing residence, the site was landscaped. No additional landscaping is proposed.

Vehicular access to the site is from a 9.6 m wide gravel driveway on Old Yonge Street, which will serve the 3 parking spaces. There is a 3.2m existing curb cut on Yonge Street, however, no

parking or access is proposed from this location. Pedestrian connections are from Yonge Street and Old Yonge Street.

Canada Post does not require a centralized mailbox facility since only one business and professional office unit is proposed.

Garbage and recycling pick-up is private and will be stored within the existing garage. The applicant has advised that two household size garbage bags will be generated per week and one residential recycling container. A snow storage area of 28.5 m<sup>2</sup> or 3.3% of the lot area is provided and snow will be cleared privately.

#### Vaughan Development/Transportation Engineering Department

The Official Plan Amendment, Zoning By-law Amendment and Site Plan applications were reviewed by the Vaughan Development/Transportation Department. Comments were received and have been addressed by the applicant through a second submission of the site plan as shown on Attachment #3.

The Owner is required to submit a revised grading plan showing the overland flow route.

The Development/Transportation Engineering Department required the Owner to submit a parking study to support the proposed parking reduction. This study has been reviewed and approved and the Development/Transportation Engineering Department can support the exception to the parking ratio for 3 spaces.

The final grading plan must be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department.

#### Relationship to Vaughan Vision 2020/Strategic Plan

This staff report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Manage Growth & Economic Well-being".

#### Regional Implications

The subject lands are located on Yonge Street, which is a Regional Road. The Region of York Transportation Services Department has no objection to the applications as no works are proposed within the Yonge Street road allowance.

#### Conclusion

The Official Plan Amendment File OP.11.010, Zoning By-law Amendment File Z.11.038 and Site Development File DA.11.099 have been reviewed in accordance with the Region of York Official Plan, the Thornhill Vaughan Heritage Conservation District Plan 2007, OPA #210 (Thornhill Community Plan) as amended by OPA #669, Zoning By-law 1-88, comments from City departments and external public agencies, and the area context. The Vaughan Development Planning Department is satisfied that the proposed increase in gross floor area devoted to a Business and Professional office providing financial services from 167.2 m<sup>2</sup> to 279.2 m<sup>2</sup> (the entire existing building) is appropriate and compatible with the existing uses in the surrounding area, and in keeping with Regional Official Plan policies. Accordingly, the Development Planning Department can support the approval of the Official Plan and Zoning By-law Amendment and Site Development applications, subject to the conditions in this report.

**Attachments**

1. Context Location Map
2. Location Map
3. Site Plan – Existing Building and Garage
4. Elevations – Existing Building

**Report prepared by:**

Carol Birch, Planner, ext. 8216

Christina Napoli, Senior Planner, ext. 8483

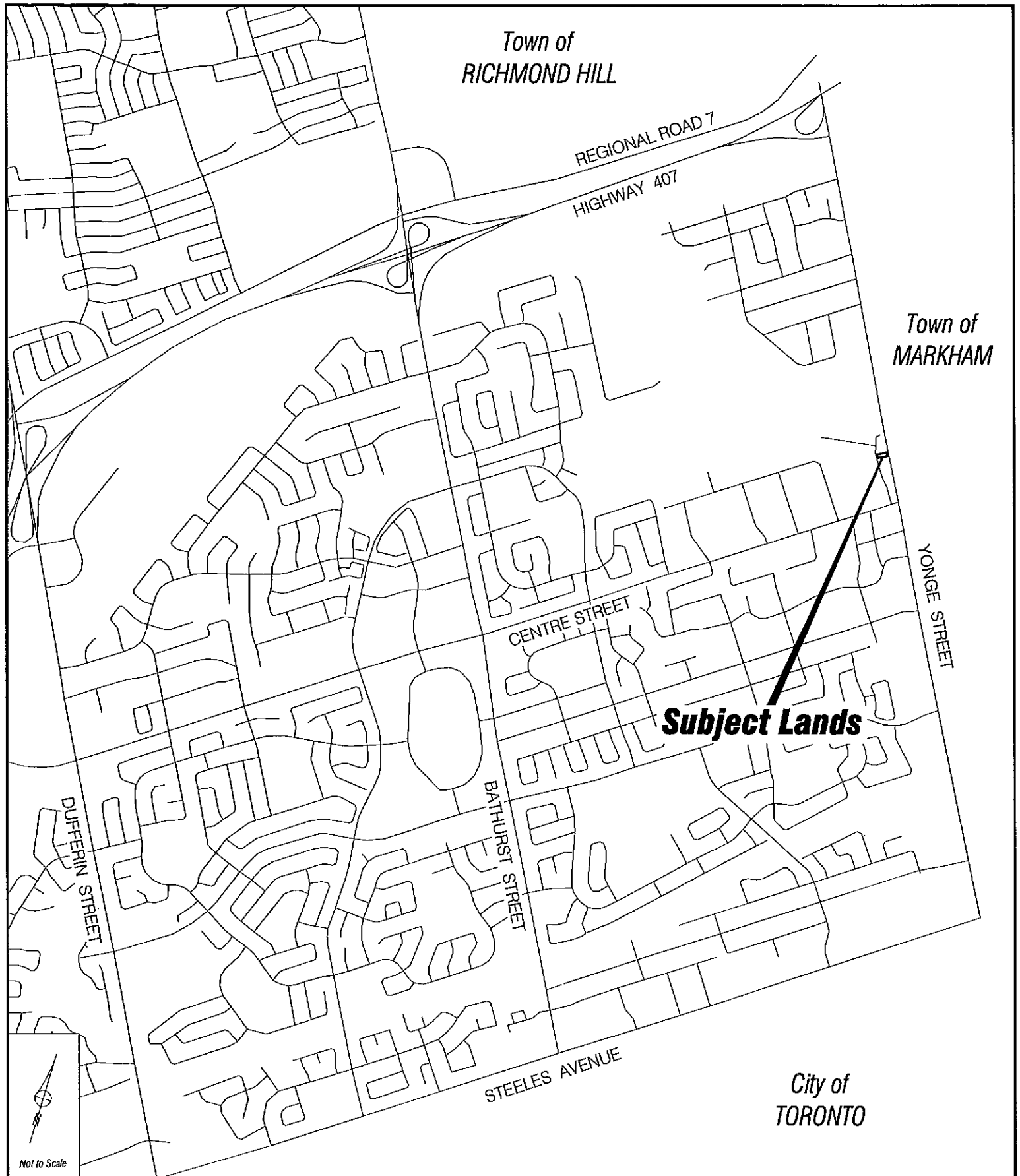
Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN MACKENZIE  
Commissioner of Planning

/CM

GRANT UYHEYAMA  
Director of Development Planning



## Context Location Map

LOCATION:  
Part of Lot 31, Concession 1

APPLICANT:  
Roy Murad

H:\DEPT\1 ATTACHMENTS\OP\op.1 L010z.11.038.rev.dwg



Development Planning Department

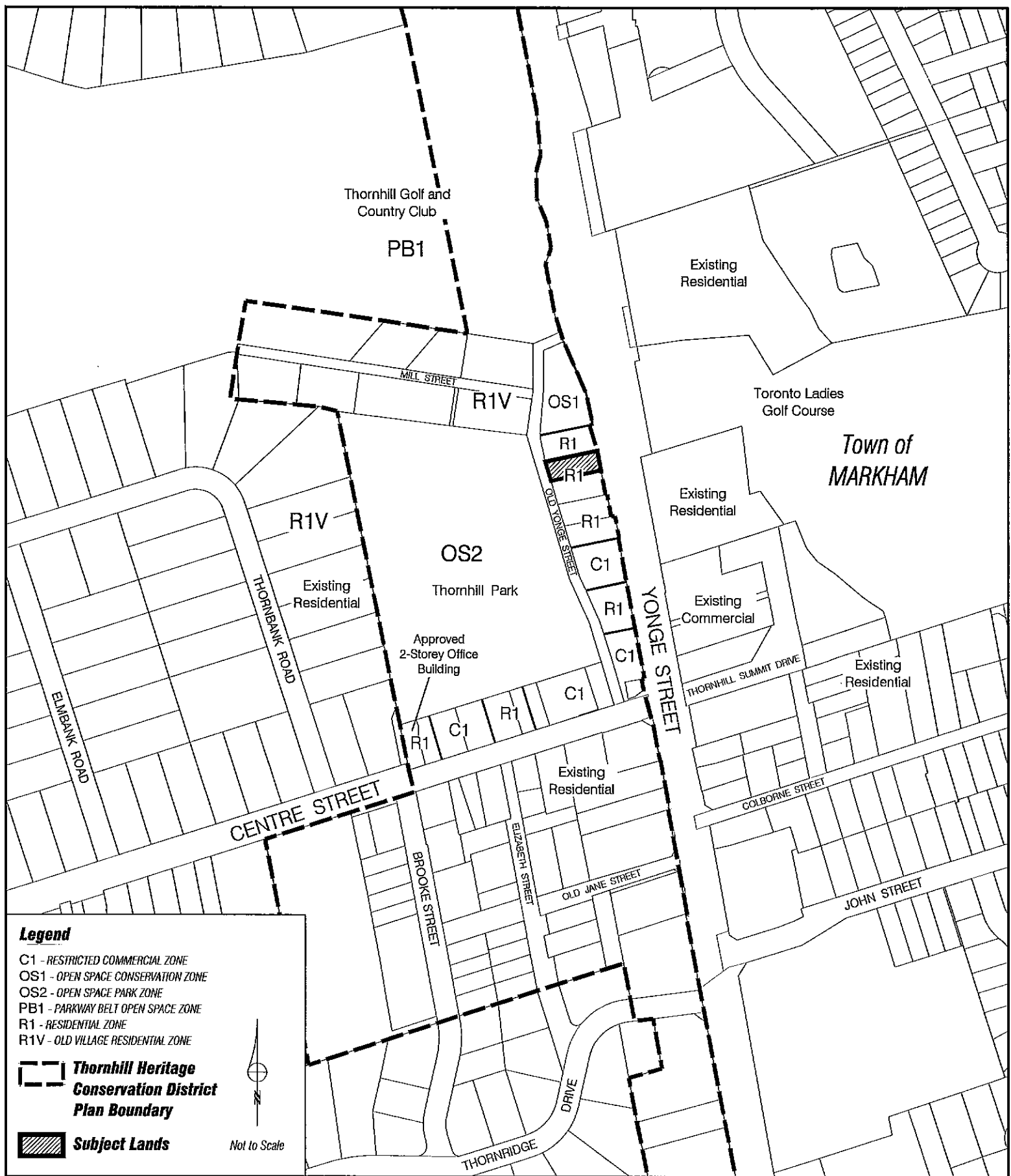
## Attachment

FILES:  
OP.11.010, Z.11.038, DA.11.099

DATE:  
April 11, 2012

1





## Location Map

LOCATION:  
Part of Lot 31, Concession 1

APPLICANT:  
Roy Murad

N:\OFFICE\ATTACHMENTS\OP\op.11.010z.11.038rev.dwg



Development Planning Department

## Attachment

FILES:  
OP.11.010, Z.11.038, DA.11.099

DATE:  
April 11, 2012

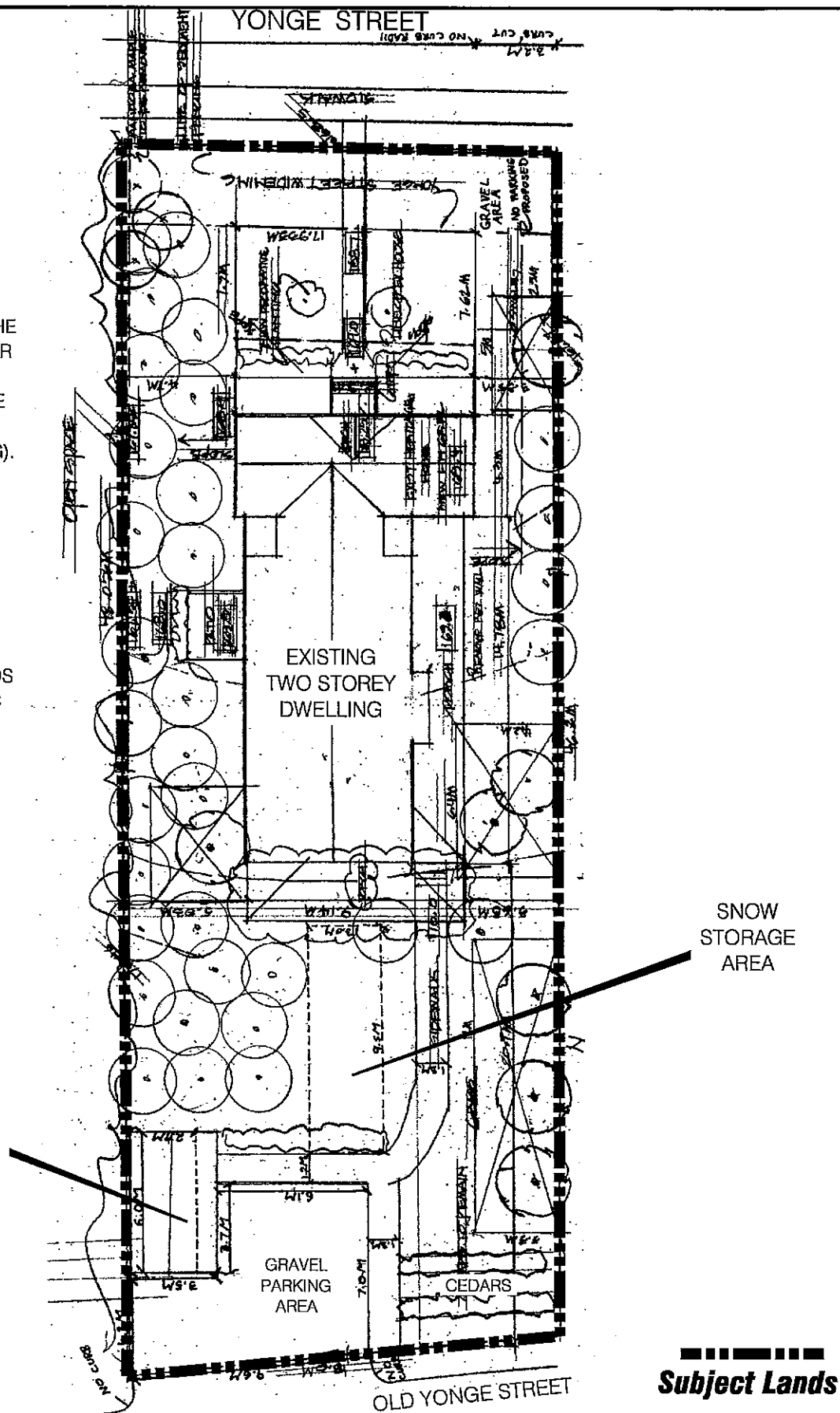
2

## OFFICIAL PLAN AMENDMENT

AMEND OPA #210 (THORNHILL COMMUNITY PLAN) TO INCREASE THE MAXIMUM PERMITTED GROSS FLOOR AREA DEVOTED TO A BUSINESS & PROFESSIONAL OFFICE USE ON THE SUBJECT LANDS FROM 167.2m<sup>2</sup> TO 279.2m<sup>2</sup> (ENTIRE EXISTING BUILDING).

## ZONING BY-LAW AMENDMENT

AMEND ZONING BY-LAW 1-88, SPECIFICALLY THE R1 RESIDENTIAL ZONE TO PERMIT A BUSINESS & PROFESSIONAL OFFICE USE (NOT PERMITTED) ON THE SUBJECT LANDS TOGETHER WITH THE SITE-SPECIFIC ZONING EXCEPTIONS IDENTIFIED IN TABLE 2 OF THIS REPORT.



## Site Plan - Existing Building & Garage

APPLICANT: Roy Murad  
LOCATION: Part of Lot 31, Concession 1



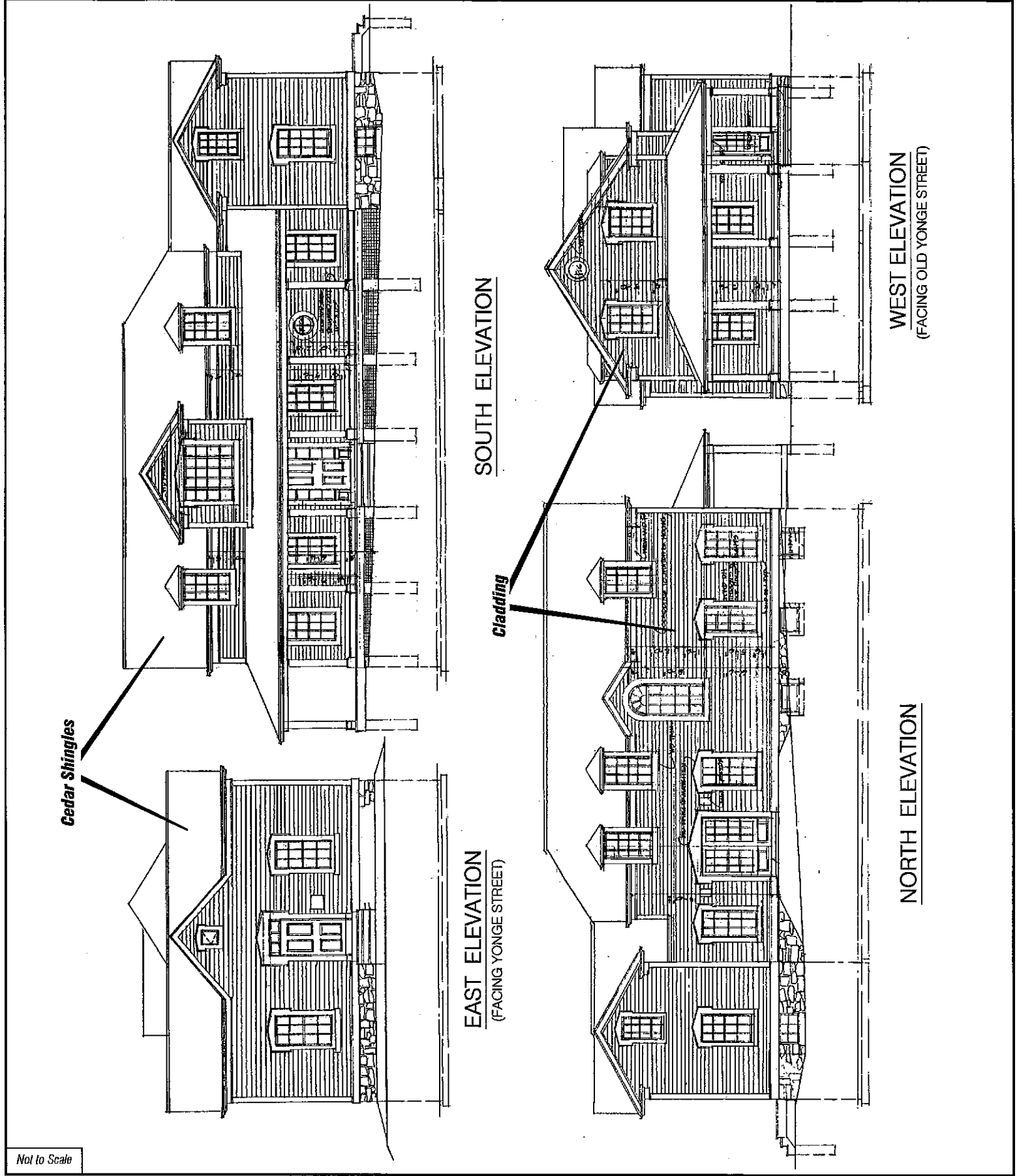
Development Planning Department

## Attachment

FILES:  
OP.11.010, Z.11.038, DA.11.099

DATE:  
April 11, 2012

3



# Elevations - Existing Building

APPLICANT: Roy Murad  
 LOCATION: Part of Lot 31, Concession 1

H:\OFFICE\1 ATTACHMENTS\OP\op.11.010z.11.038rev.dwg



Development Planning Department

Attachment

FILES:  
 OP.11.010, Z.11.038, DA.11.099

DATE:  
 April 11, 2012

4