

**3. ZONING BY-LAW AMENDMENT FILE Z.12.006
LANCE KOTTON
WARD 2**

P.2012.12

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for File Z.12.006 (Lance Kotton) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Contribution to Sustainability

The contribution to sustainability will be determined when the technical report is considered.

Economic Impact

This will be addressed when the technical report is completed.

Communications Plan

- a) Date the Notice of a Public Meeting was circulated: March 9, 2012
- b) Circulation Area: 150m and to the Vaughanwood Ratepayers Association
- c) Comments received as of March 20, 2012: None

Purpose

The Owner has submitted Zoning By-law Amendment File Z.12.006 on the subject lands shown on Attachments #1 and #2, to amend Zoning By-law 1-88, specifically the RM2 Multiple Residential Zone, subject to Exception 9(1277), to facilitate the conversion of the existing Nursing Home building (7890 Pine Valley Drive) shown on Attachment #3, to an Apartment Dwelling with a total of 51 units and with a common kitchen, dining room, and activity room to be marketed to Seniors as rental units, together with the following site-specific zoning exceptions:

	By-law Standard	By-law 1-88, RM2 Multiple Residential Zone, Exception 9(1277) Requirements	Proposed Exceptions to RM2 Multiple Residential Zone, Exception 9(1277)
a.	Permitted Uses	i) a nursing home, containing a maximum of 45 beds, and including nursing stations, lounge areas, a common dining room and kitchen, activity rooms and the following accessory uses, provided that such accessory uses are internal thereto with no direct access to the outside, all restricted to a maximum total gross floor area of 3160 m ² .	i) permit an Apartment Dwelling with 51 units and including a common dining room, kitchen, and activity room to be marketed to Seniors as rental units with a maximum gross floor area of 3,334 m ² .

	By-law Standard	By-law 1-88, RM2 Multiple Residential Zone, Exception 9(1277) Requirements	Proposed Exceptions to RM2 Multiple Residential Zone, Exception 9(1277)
		<ul style="list-style-type: none"> one personal service shop restricted to a hair salon with a maximum gross floor area of 30 m²; and, one convenience retail store, restricted to a tuck shop with a maximum gross floor area of 15 m². 	
b.	Maximum lot Coverage	30%	31%
c.	Minimum Parking and Location Requirements	<p>For an Apartment:</p> <ul style="list-style-type: none"> 90 parking spaces (1.5 spaces per unit plus 0.25 visitor spaces/unit) parking spaces are required to be located on the subject lands <p>(Note: Site was developed with required 22 spaces for Nursing Home use)</p>	<p>For an Apartment: proposed 52 parking spaces</p> <p>1.0 space per unit distributed as follows:</p> <ul style="list-style-type: none"> 13 on-site visitor parking spaces; 9 on-site tenant parking spaces; and, 30 off-site tenant parking spaces (as identified on Attachment #1).
d.	Minimum Lot Area Per Unit	55 m ² per unit (bed)	49 m ² per unit

Other zoning exceptions may be identified through the detailed review of the application.

The Owner is also proposing minor modifications to the existing building and property including a 35.5 m² atrium addition and cosmetic changes to the building exterior, and changes to the existing parking configuration and landscaping as shown on Attachment #3. The Owner has also advised that nursing care will not be provided on the site.

Analysis and Options

Location	<ul style="list-style-type: none"> West side of Pine Valley Drive, between Villa Park Drive and Royal Gardens Boulevard, north of Regional Road 7, known municipally as 7890 Pine Valley Drive, City of Vaughan, as shown on Attachments #1 and #2.
----------	--

	<ul style="list-style-type: none"> ▪ The 0.42 ha property has 52.2 m frontage on Pine Valley Drive and is developed with a 4-storey Nursing Home that is currently vacant. ▪ The southern approximately one-third of the site is undeveloped and forms part of the open space valley system (zoned OS1) as shown on Attachment #2.
<p>Official Plan Designation</p>	<ul style="list-style-type: none"> ▪ The property is designated "Low Density Residential" (tableland) and "Open Space" (valleyland) by OPA #240 (Woodbridge Community Plan). OPA #240 includes an institutional policy that permits homes for the aged to be located in the vicinity of the commercial core, community commercial or residential areas. The proposed apartment dwelling use conforms to the Official Plan. ▪ The subject lands are designated "Low-Rise Residential" (tableland) and "Natural Area" (valleyland) by Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified September 27, 2011) and is pending approval from the Ontario Municipal Board. The proposed use is not permitted in the "Low Rise Residential" designation, and therefore, does not conform to VOP 2010.
<p>Zoning</p>	<ul style="list-style-type: none"> ▪ The property is zoned RM2 Multiple Residential Zone (tableland) and OS1 Open Space Conservation Zone (valleyland) by Zoning By-law 1-88, subject to Exception 9(1277) as shown on Attachment #2, which permits a Nursing Home with a maximum of 45 beds on the site. The Owner is proposing to amend Exception (1277) to convert the existing Nursing Home as shown on Attachment #3, to an Apartment Dwelling to be marketed to Seniors. The proposed conversion does not comply with Zoning By-law 1-88, and therefore, an amendment to the By-law is required. ▪ The applicant has advised that the proposed units will not be equipped with cooking facilities, save and except for a microwave and a small refrigerator. Zoning By-law 1-88 does not contain a definition for a market rental unit without cooking facilities. A site-specific definition for the proposed unit is required to facilitate the development, if approved.
<p>Surrounding Land Uses</p>	<ul style="list-style-type: none"> ▪ Shown on Attachment #2.

Preliminary Review

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

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Regional and City Official Plan Policies	<ul style="list-style-type: none"> ▪ The application will be reviewed in consideration of the applicable Regional and City Official Plan policies.
b.	Appropriateness of Proposed Use and Zoning Exceptions	<ul style="list-style-type: none"> ▪ The appropriateness of the proposed use and the site-specific exceptions to Zoning By-law 1-88 will be reviewed in the context of the surrounding existing and planned land uses.
c.	Proposed Parking	<ul style="list-style-type: none"> ▪ The Owner is proposing to provide parking to serve the Apartment Dwelling as follows: <ul style="list-style-type: none"> • 22 parking spaces located on the subject lands (13 visitor and 9 tenant parking spaces); • 30 tenant parking spaces at an off-site valet parking location, which may be located within an existing building or outside at grade level. The Owner has identified three potential properties to accommodate the off-site parking spaces including 107 Whitmore Road, 171 Marycroft Road, and 4800 Regional Road 7 (current Vaughanwood Mall site; proposed high density residential application), as shown on Attachment #1; and, <p>The Owner has submitted a Parking Assessment Report prepared by Cole Engineering in support of the proposed parking supply and parking arrangement. The site currently provides 14 underground parking spaces and 8 at-grade parking spaces. The application will be reviewed to ensure that the proposed parking strategy is appropriate with respect to the number of spaces proposed on-site and in particular, securing and implementing off-site parking. The applicant must identify the specific location for the proposed off-site parking spaces and whether they will be accommodated within an existing building or at-grade.</p> <p>If considered appropriate, the property that would accommodate the off-site parking must be reviewed to ensure that it complies with Zoning By-law 1-88 with respect to the minimum parking requirement for the site, including sufficient parking for all existing uses and the proposed off-site parking. A zoning by-law amendment may be required on the off-site parking site. All off-site parking, if approved, must be registered on the title of the property with the appropriate easement(s) in favour of the subject property with the City of Vaughan identified as having interest in the easement. An agreement between property owners is not acceptable. In addition, the details of the proposed valet parking arrangements will be reviewed, however, the proposed arrangement at 4800 Regional Road 7 is not a long term viable site given the high density development proposal on the lands.</p>

	MATTERS TO BE REVIEWED	COMMENT(S)
d.	Site Plan Application	<ul style="list-style-type: none"> ▪ Related Site Development File DA.12.014 has been submitted in support of the proposed Zoning By-law Amendment application to facilitate on-site works including landscaping, parking layout and minor cosmetic changes to the existing building.
e.	Toronto and Region Conservation Authority Regulation Area	<ul style="list-style-type: none"> ▪ This area is regulated by the Toronto and Region Conservation Authority, and therefore, the TRCA must review the application.
f.	Servicing Allocation	<ul style="list-style-type: none"> ▪ Housing marketed to Seniors' that includes a common central kitchen and dining room and no cooking facilities within each dwelling unit are exempt and the allocation of servicing capacity is not required in accordance with Region of York Policy, which must be confirmed for this application.

Relationship to Vaughan Vision 2020/Strategic Plan

The applicability of the 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 preliminary issues identified in this report and any other issues identified through the processing of the application, 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 will be addressed in a comprehensive report to a future Committee of the Whole meeting.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan

Report prepared by:

Eugene Fera, Planner, ext. 8064

Carmela Marrelli, Senior Planner, ext. 8791

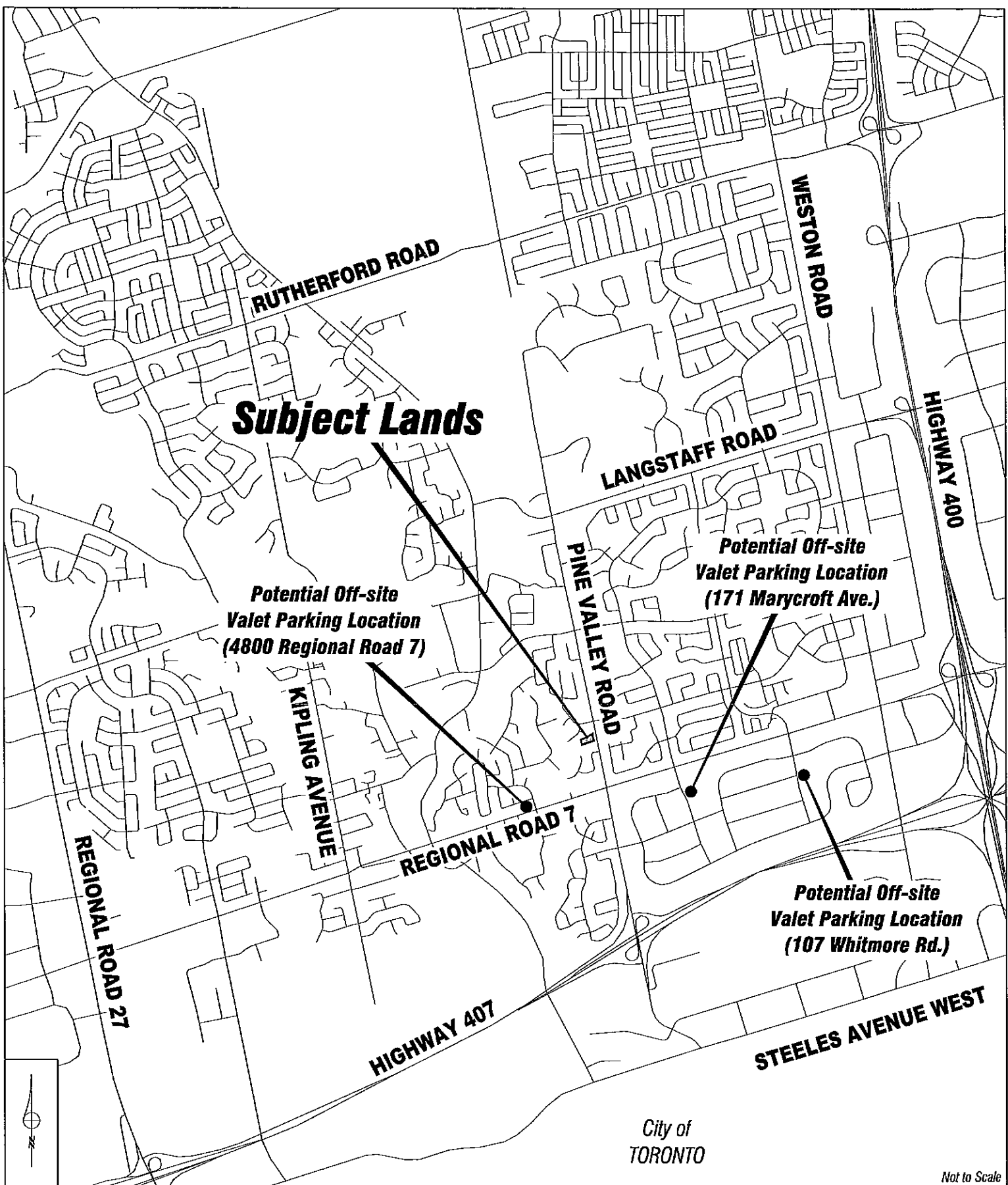
Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN MACKENZIE
Commissioner of Planning

GRANT UYEVAMA
Director of Development Planning

/CM



Context Location Map

LOCATION:
Part Lot 6, Concession 7

APPLICANT:
Lance Kotton

N:\DFT\1 ATTACHMENTS\2\z.12.006da.12.014.dwg

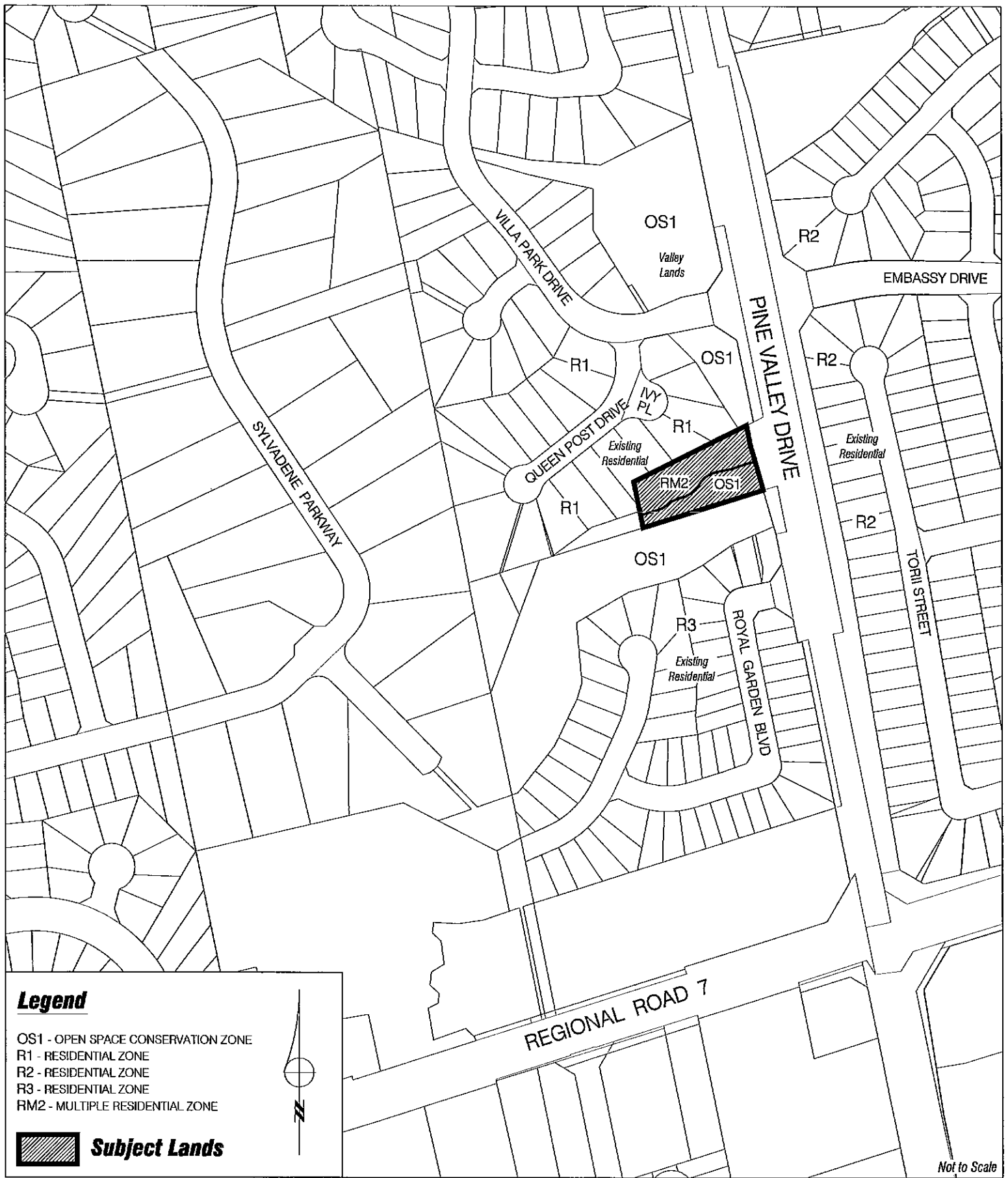


Attachment

FILE: Z.12.006
REALTED FILE: DA.12.014

DATE:
February 28, 2012

1



Location Map

LOCATION:
Part Lot 6, Concession 7

APPLICANT:
Lance Kotton

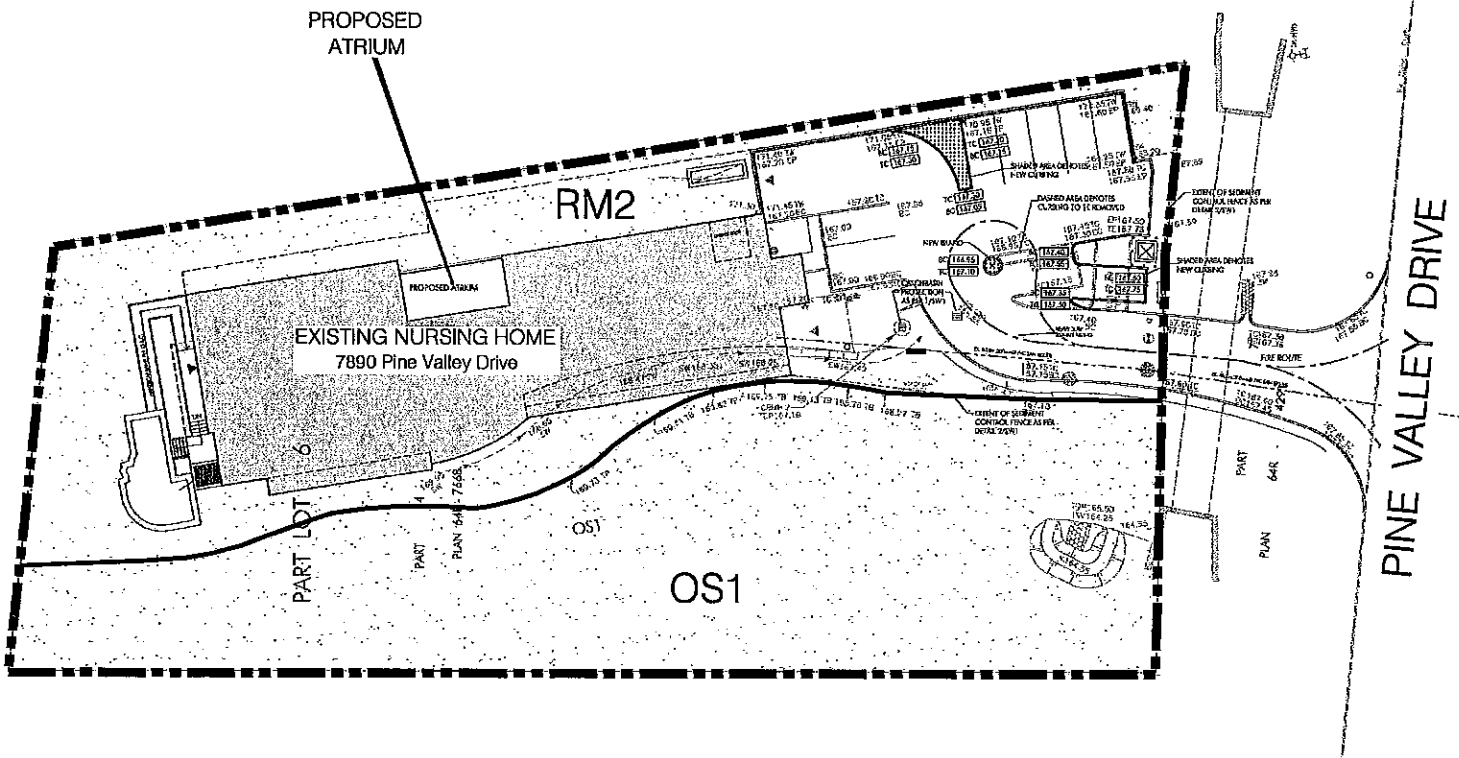
N:\DFT\1 ATTACHMENTS\Z\z.12.006da.12.014.dwg



Attachment
FILE: Z.12.006
REALTED FILE: DA.12.014

DATE:
February 28, 2012

2



ZONING BY-LAW AMENDMENT

AMEND ZONING BY-LAW 1-88, SPECIFICALLY THE RM2 MULTIPLE RESIDENTIAL ZONE, SUBJECT TO EXCEPTION 9(1277) TO PERMIT THE CONVERSION OF THE EXISTING NURSING HOME TO AN APARTMENT DWELLING WITH 51 UNITS AND COMMON FACILITIES TO BE MARKETING TO SENIORS AS RENTAL UNITS, TOGETHER WITH THE ZONING EXCEPTIONS IDENTIFIED IN THIS REPORT.

Subject Lands —————

Not to Scale

Site Plan

LOCATION:
Part Lot 6, Concession 7

APPLICANT:
Lance Kotton

H:\DFT\1 ATTACHMENTS\Z\z.12.006da.12.014.dwg



Attachment

FILE: Z.12.006
REALTED FILE: DA.12.014

DATE:
February 28, 2012

3