

CITY OF VAUGHAN

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 21, 2005**

Item 1, Report No. 16, of the Committee of the Whole (Public Hearing), which was adopted, as amended, by the Council of the City of Vaughan on March 21, 2005, as follows:

*By receiving the written submission of Mr. Paul De Buono, Vaughan Watch Inc., 9983 Keele Street, Suite 105, Vaughan, L6A 3Y5, dated March 14, 2005.*

1 **ZONING BY-LAW AMENDMENT FILE Z.05.004  
HUMBERPLEX DEVELOPMENTS INC.  
PRELIMINARY REPORT**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated March 7, 2005, be approved; and
- 2) That the following deputations be received:
  - a) Mr. Claudio Brutto, 61 Creditview Road, Suite One, Woodbridge, L4L 9N4, on behalf of the applicant;
  - b) Mr. Robert Klein, Kleinburg and Area Ratepayers' Association, 8 Daleview Court, Kleinburg, L0J 1C0; and
  - c) Mr. Paul De Buono.

**Recommendation**

The Commissioner of Planning recommends:

THAT the Public Hearing report for File Z.05.004 (Humberplex Developments Inc.) BE RECEIVED; and that any issues identified be addressed by Staff in a comprehensive report to the Committee of the Whole.

**Purpose**

The Owner has submitted an application to amend the Zoning By-law to permit an increase in the maximum permitted building height from 9.5m to 11m for the single detached residential dwelling units in Approved Draft Plan of Subdivision 19T-01V04, as shown on Attachment #2.

**Background - Analysis and Options**

The 36.8ha subject lands shown on Attachment #1 are located north of Nashville Road, on the east side of Highway #27, in Part of Lot 27, Concession 8, City of Vaughan. On August 6, 2003, the Ontario Municipal Board approved Draft Plan of Subdivision 19T-01V04 for 167 single-detached dwelling units with frontages ranging from 15m to 18m and lot areas of 540m<sup>2</sup>. The draft plan of subdivision also includes lands for a 1.11ha park, 1.55ha stormwater management pond facility, 5.48ha open space valleylands, and a 1.35ha TransCanada Pipeline block.

The residential tableland portion of the subject lands are designated "Serviced Residential" by OPA #601 (Kleinburg-Nashville Community Plan), and zoned R1 Residential Zone by By-law 1-88, subject to Exception 9(1162). The surrounding land uses are:

- North - Copper Creek Golf Course (OS2 Open Space Park Zone)
- South - open space (OS2 Open Space Park Zone); residential (R1 Residential Zone)
- West - open space (OS2 Open Space Park Zone), water tower/open space, (A Agricultural Zone); Regional Road #27

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East - valley lands (OS1 Open Space Conservation Zone)

On February 11, 2005, a Notice of Public Hearing was circulated to all property owners within 120 metres of the subject lands and to the Kleinburg and Area Ratepayers Association. No comments have been received to date. Any responses received will be addressed in the technical review and included in a detailed staff report to a future Committee of the Whole meeting.

**Preliminary Review**

Following a preliminary review of the proposed application, Staff has identified the following matters to be reviewed in greater detail:

- the appropriateness of the increased height will be reviewed in accordance with the urban design policies in the Official Plan respecting built form, compatibility and enhancement of the unique rural heritage character of the community; and,
- the proposed architectural design of the single detached dwelling units will feature high pitched roofs as shown on Attachment #3; the R1 Residential Zone permits a maximum building height of 9.5m for a single detached dwelling unit, whereas 11m is proposed; the By-law defines building height as the vertical distance between the average elevation of the finished grade at the front of the building and in the case of a gable, hip or gambrel roof, the mean height between the eaves and the highest point of the roof.

**Relationship to Vaughan Vision 2007**

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

**Conclusion**

The above issues, but not limited to, will be considered in the technical review of the application, together with comments expressed by the public and Council at the Public Hearing or in writing, and addressed in a comprehensive report to a future Committee of the Whole meeting. In particular, the proposal will be reviewed in light of the urban design policies in OPA #601 (Kleinburg-Nashville Community Plan) and the area context.

**Attachments**

1. Location Map
2. Draft Plan of Subdivision 19T-01V04
3. Typical Elevation Plan

**Report prepared by:**

Judy Jeffers, Planner, ext. 8645  
Mauro Peverini, Senior Planner, ext. 8407  
Grant Uyeyama, Manager of Development Planning, ext. 8635

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(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

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**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 21, 2005**

Item 2, Report No. 16, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on March 21, 2005.

**2                                 ZONING BY-LAW AMENDMENT FILE Z.05.005  
SHIPLAKE INVESTMENTS (RUTHERFORD LTD.)  
  PRELIMINARY REPORT**

**The Committee of the Whole (Public Hearing) recommends:**

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated March 7, 2005, be approved; and**
- 2) That the deputation of Mr. Tony Volpentesta, Bousfields Inc., 3 Church Street, Suite 200, Toronto, M5E 1M2, on behalf of the applicant, be received.**

**Recommendation**

The Commissioner of Planning recommends:

THAT the Public Hearing report for File Z.05.005 (Shiplake Investments (Rutherford Ltd.)) BE RECEIVED; and, that any issues identified be addressed by Staff in a comprehensive report to the Committee of the Whole.

**Purpose**

The Owner has submitted an application to amend the Zoning By-law to permit a Drive-Through use in conjunction with the permitted Bank or Financial Institution use in the C4 Neighbourhood Commercial Zone. Exceptions to the C4 Zone standards to increase the total combined maximum permitted gross floor area of all buildings on the property from 9,662m<sup>2</sup> to 9,678m<sup>2</sup> (an additional 16m<sup>2</sup>) and a 20 space reduction in the minimum required parking on the site from 581 to 561 spaces, are also proposed to facilitate the development of the bank and drive-through (Building "B") shown on Attachment #2.

**Background - Analysis and Options**

The subject lands shown on Attachment #1 are located at the southwest corner of Rutherford Road and Bathurst Street, (9200 Bathurst Street), in Part of Lot 15, Concession 2, City of Vaughan.

The rectangular-shaped 3.74 ha site has 123 m frontage on Bathurst Street and 238m flankage on Rutherford Road. The site is known as the Rutherford Village Shopping Centre and is developed with a supermarket, an eating establishment with drive through, drugstore and video store building, and two multi-unit commercial buildings as shown on Attachment #2. The location of the bank/financial institution (Building "B") was approved through the original site development application (File DA.00.142) in January 2002. An amendment to the registered site plan agreement will be required to facilitate the proposed drive-through, and revisions to the building foot-print and parking layout, should the proposed exceptions to the by-law be approved.

The subject lands are designated "Medium Density Residential/Commercial" and further identified as a "Neighbourhood Commercial Centre" by OPA #600 and on the Block 10 Plan. The Official Plan permits a broad range of neighbourhood commercial uses, including a bank and financial institution, and an amendment would not be required to facilitate a drive-through. The lands are zoned C4 Neighbourhood Commercial Zone by By-law 1-88, subject to Exception 9(1076) which does not permit a drive-through associated with a permitted bank or financial institution use. The surrounding land uses are:

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North - Rutherford Road; vacant/future Block 11 development (Agricultural Zone)  
South - vacant/future Block 10 development (Agricultural Zone)  
East - Bathurst Street; residential/commercial (Town of Richmond Hill)  
West - valley lands (OS1 Open Space Conservation Zone)

On February 11, 2005, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands. To date, 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.

**Preliminary Review**

Following a preliminary review of the proposed application, Staff has identified the following matters to be reviewed in greater detail:

- review will be given to the appropriateness of adding a drive-through use associated with a permitted bank or financial institution uses in the C4 Zone;
- the appropriateness of the proposed exceptions to the C4 Zone, including the increase in the permitted gross floor area and reduction in the required number of parking spaces, will be reviewed to ensure proper site design and minimal impact on the existing development site and to the surrounding area.

**Relationship to Vaughan Vision 2007**

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

**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, Staff will review the appropriateness of adding a drive-through use with the permitted bank in Building 'B', and the exceptions to the C4 Zone to facilitate the proposed revisions to the site plan.

**Attachments**

1. Location Map
2. Site Plan

**Report prepared by:**

Andrea Seca, Planner, ext. 8215  
Arto Tikiryan, Senior Planners, ext. 8212  
Grant Uyeyama, Manager of Development Planning, ext. 8635

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(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)