

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2007

Item 1, Report No. 20, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on April 23, 2007.

**1 ZONING BY-LAW AMENDMENT FILE Z.07.006
GATE TRAIL ESTATES INC.**

The Committee of the Whole (Public Hearing) recommends:

- 1) **That the recommendation contained in the following report of the Commissioner of Planning, dated April 16, 2007, be approved; and**
- 2) **That the deputation of Mr. Don Given, Malone Given, 140 Renfrew Drive, Suite 201, Markham, L3R 6B3, on behalf of the applicant, be received.**

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for File Z.07.006 (Gate Trail Estates Inc.) BE RECEIVED; and that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Economic Impact

This will be addressed when the technical report is completed.

Communications Plan

N/A

Purpose

The Owner has submitted an application on the subject lands shown on Attachment #1, to amend the Zoning By-law, specifically By-law 1-88, to undertake the following:

1. Rezone a 11,315.6m² portion of the subject lands shown on Attachment #2 as Parts 2, 3 and 4 from M1 Restricted Industrial Zone to C4 Neighbourhood Commercial Zone, to be consistent with the C4 Zone on Part 1; and,
2. Amend the existing site-specific exception to increase the maximum permitted lot area on the subject lands zoned C4 Neighbourhood Commercial Zone from 5.41ha to 6.54ha (Part 1) to encompass Parts 1, 2, 3 and 4 as shown on Attachment #2.

The intent of this application is to consolidate land and provide a consistent C4 Neighbourhood Commercial zoning and standards for the subject lands.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located at the northwest corner of Rutherford Road and Bathurst Street, on the east side of Ilan Ramon Avenue and on the south side of George Kirby Street, in Planning Block 11, City of Vaughan. The 6.54 ha site has 230.6m frontage along Bathurst Street and 240.0m, 280.5m and 250.0m flankage along Rutherford Road, Ilan Ramon Avenue and George Kirby Street, respectively.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2007

Item 1, CW(PH) Report No. 20 – Page 2

The subject lands are designated "Medium Density Residential/Commercial Area" by OPA #600, with a "Neighbourhood Commercial Centre" overlay. The subject lands are located within the approved Block 11 Plan, which shows the entire consolidated lands as "Neighbourhood Commercial". The subject lands are zoned M1 Restricted Industrial Zone (Parts 2, 3 and 4) by By-law 1-88, subject to site-specific Exception 9(358), and C4 Neighbourhood Commercial Zone (Part 1) by By-law 1-88, subject to site-specific Exception 9(1217). Parts 2, 3 and 4 were not part of the adjacent Draft Plan of Subdivision (File 19T-95062) approval process, which included Part 1. These new Parts were acquired at a later date by the Owner with the intention of consolidating their existing land holdings. The subject lands are relatively vacant, with the exception of a few industrial structures located on Part 3, and 3 sales offices located on Part 2. The surrounding land uses are:

- North - George Kirby Street; vacant/future townhouses (RT1(H) Residential Townhouse Zone with Holding provision)
- South - Rutherford Road; existing multi-unit commercial plaza (C4 Neighbourhood Commercial Plaza)
- East - Bathurst Street; existing multi-unit commercial plaza located within Town of Richmond Hill
- West - Ilan Ramon Avenue; future stormwater management pond (OS1 Open Space Conservation Zone and M1 Restricted Industrial Zone) and future commercial (M1 Zone)

On March 23, 2007, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to the Town of Richmond Hill. As of March 28, 2007, no written comments have been received by the Development Planning Department. Any comments received will be addressed in the technical review and included in a comprehensive report to a future Committee of the Whole meeting.

Other Applications

Previously at the Public Hearing held on June 19, 2006, Council considered applications to amend the Official Plan and Zoning By-law (Files OP.06.005 and Z.06.013 – Gate Trail Estates Inc.) on the subject lands (ie. the lands covered by Parts 1-4 on Attachment #2 of this report) to:

1. Amend OPA No. 600 to:
 - a) redesignated the subject lands from "Medium Density Residential/Commercial Area" to "High Density Residential/Commercial Area" to permit 8 high-rise buildings with the number of storeys ranging from 4 to 30 storeys, and one single storey commercial building, with a total of 8,682m² of commercial GFA and 2,416 residential units as shown on Attachments #2 and #3; and,
 - b) to permit a maximum net residential density of 370 units/ha.
2. Amend Zoning By-law 1-88 to rezone the subject lands from C4 Neighbourhood Commercial Zone and M1 Industrial Zone to appropriate zoning categories to facilitate the proposed development. The Owner is proposing to also retain all of the uses currently permitted in the C4 Neighbourhood Commercial Zone, plus have drive-through facilities operating in conjunction with a bank or financial institution and eating establishment uses.

The Applicant will need to advise the Development Planning Department in writing as to the disposition of these above-noted applications, and whether these applications will be formally closed, in light of the subject new zoning application (File Z.07.006).

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2007

Item 1, CW(PH) Report No. 20 – Page 3

Preliminary Review

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

- i) the proposed rezoning of Parts 2, 3 and 4 to C4 Neighbourhood Commercial Zone to be consistent with the C4 Zone on Part 1, and the proposed increase in the site area from 5.41ha (Part 1) to 6.54ha (Parts 1 - 4 inclusive) to recognize the consolidation of the identified parcels under a single ownership, will be reviewed in light of the "Neighbourhood Commercial" policies in the Official Plan and the approved Block 11 Plan, and the C4 Zone standards in By-law 1-88.

Relationship to Vaughan Vision 2007

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

Regional Implications

N/A

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.

Attachments

1. Location Map
2. Zoning Plan
3. Approved Block 11 Plan

Report prepared by:

Arminé Hassakourians, Planner, ext. 8368
Arto Tikiryan, Senior Planner, ext. 8212
Grant Uyeyama, Manager of Development Planning, ext. 8635

/LG

(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.)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2007

Item 2, CW(PH) Report No. 20 – Page 2

The subject lands are zoned R1 Residential Zone by By-law 1-88, subject to Exception 9(220), which permits one personal service shop (hair salon/esthetics) or one medical office, business and professional offices, and one (1) residential unit, provided all of these uses are located only within the existing main building and the total floor area of the uses together shall not exceed 145m². Furthermore, the site-specific exception establishes building envelopes and setbacks, and identifies locations for landscaping, number of parking spaces, and driveway widths, which do not support the construction of a second dwelling on the subject lands.

The Owner proposes to sever the existing lot into two equal 596.6m² parcels of land, both with 15.62m of frontage on Centre Street as shown on Attachment #2. The proposed lots would not comply with the minimum required lot frontage of 18m in an R1 Zone, but would comply to the minimum lot area requirement of 540m². A new dwelling is proposed on the lands to be severed and the existing building will be maintained on the lands to be retained. The existing dwelling has an existing gross floor area of 158m², with a proposed lot coverage of 14.26%. The new dwelling on the lands to be severed will have a gross floor area of 172m², with a proposed lot coverage of 14.43%. The total combined gross floor area of both dwellings will be 330m². The Owner does not propose to change the existing zone category and permitted uses, but rather seek relief from the site-specific exceptions to facilitate the proposal.

The surrounding land uses are as follows:

- North - Thornhill Park (OS2 Open Space Park Zone)
- South - Centre Street; existing residential and business and professional offices (R1V Old Village Residential Zone)
- East - existing commercial uses (C1 Restricted Commercial Zone)
- West - public lane; existing day care, existing residential (R1V Old Village Residential Zone)

On March 23, 2007, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands. As of March 28, 2007, no written comments have been received by the Development Planning Department. Any comments 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, the Development Planning Department has identified the following matters to be reviewed in greater detail:

- i) the application will be reviewed in the context of the policies contained within OPA #210 (Thornhill Community Plan), By-law 1-88, and the surrounding area context and uses, to determine the appropriateness of the proposal to sever the existing lot and to permit a second dwelling to be used for uses currently permitted under site-specific Exception (220);
- ii) the application will be reviewed in the context of the policies contained within the Thornhill Heritage Conservation District Plan. Heritage issues related to the proposed Zoning By-law Amendment were considered at a Heritage Vaughan Meeting on March 21, 2007, which will be considered as input by the Development Planning Department in the technical analysis of the proposal;
- iii) alternatives for the proposed driveway access to the rear parking areas will be reviewed in consideration of shared driveway access and parking uses to minimize the paving in the front yard and to reduce pedestrian and automobile conflicts along the Centre Street Frontage;

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2007

Item 2, CW(PH) Report No. 20 – Page 3

- iv) the appropriateness of maintaining the existing site-specific R1 Residential Zone on the subject lands versus rezoning the lands to a suitable Commercial Zone will be reviewed;
- v) the proposed severance and construction of a new dwelling for office, commercial and residential uses will require the submission of a formal site plan application to allow for a comprehensive review of the proposal, including but not limited to, the location within the Thornhill Heritage District, access, landscaping, building elevations and signage; and,
- vi) if necessary, further studies may be required to be submitted to be reviewed in support of this application, and may include but not be limited to, planning justification, traffic, parking, and noise reports.

Relationship to Vaughan Vision 2007

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

Regional Implications

N/A

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, a more comprehensive review will be undertaken to consider the implications of the proposal within the context of the policies in OPA #210, By-law 1-88, and in light of driveway access, the surrounding uses, and the area context. Furthermore, the proposal will be reviewed in the context of the Thornhill Heritage Conservation District policies and the recommendations of Heritage Vaughan.

Attachments

1. Location Map
2. Conceptual Site Plan
3. Conceptual Front Elevation – New Dwelling

Report prepared by:

Ryan Mino, Planner 1, ext. 8213
Arto Tikiryan, Senior Planner, ext. 8212
Grant Uyeyama, Manager of Development Planning, ext. 8635

/CM

(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.)