

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 17, 2013**

Item 3, Report No. 37, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on September 17, 2013.

**3**

**OFFICIAL PLAN AMENDMENT FILE OP.13.007  
ZONING BY-LAW AMENDMENT FILE Z.13.019  
EDWARD LETICHEVER  
WARD 5 - VICINITY OF CENTRE STREET AND DUFFERIN STREET**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning and the Director of Development Planning, dated September 3, 2013, be approved;
- 2) That the deputation by Mr. Alexander Abramovich, Agent, on behalf of Mr. Edward Letichever, Owner, be received; and
- 3) That Communication C29 from Mr. Mario G. Racco, President, Brownridge Ratepayers Association, Checker Court, Thornhill, dated August 31, 2013, be received.

#### **Recommendation**

The Commissioner of Planning and the Director of Development Planning recommend:

1. THAT the Public Hearing report for Files OP.13.007 and Z.13.019 (Edward Letichever), 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 Hearing was circulated: August 9, 2013
- b) Circulation Area: 150 m and to the Brownridge Ratepayers Association
- c) Comments Received as of August 20, 2013: None

#### **Purpose**

The Owner has submitted the following applications on the subject lands shown on Attachments #1 and #2 to facilitate the development of a 4-storey, 800 m<sup>2</sup> office building with ground floor commercial as shown on Attachments #3 to #5:

1. Official Plan Amendment File OP.13.007, specifically to amend in-effect OPA #210 (Thornhill Vaughan Community Plan) as amended by OPA #672, to redesignate the subject lands from "Low Density Residential" with a "Special Policy Area" overlay to "General Commercial" to permit a 4-storey office building; and,
2. Zoning By-law Amendment File Z.13.019, specifically to amend Zoning By-law 1-88 to rezone the subject lands from R1 Residential Zone to C1 Restricted Commercial Zone, and to permit the following site-specific zoning exceptions to implement the proposal:

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Table 1:

	<b>By-law Standard</b>	<b>By-law 1-88 C1 Restricted Commercial Zone Requirements</b>	<b>Proposed Exceptions to C1 Restricted Commercial Zone Requirements</b>
a)	Minimum Front Yard Setback (Centre Street)	9 m	6 m
b)	Minimum Setback to a Residential Zone (westerly side yard)	9 m	3 m
c)	Maximum Building Height	11 m	14.7 m
d)	Permitted Uses	<ul style="list-style-type: none"> <li>- Automotive Retail Store</li> <li>- Banking or Financial Institution</li> <li>- Boating Showroom</li> <li>- Business or Professional Office</li> <li>- Club or Health Centre</li> <li>- Eating Establishment</li> <li>- Eating Establishment, Convenience</li> <li>- Eating Establishment, Take-out</li> <li>- Funeral Home</li> <li>- Hotel</li> <li>- Laboratory</li> <li>- Motor Vehicle Sales Establishment</li> <li>- Office Building</li> <li>- Personal Service Shop</li> <li>- Pharmacy</li> <li>- Photography Studio</li> <li>- Place of Entertainment</li> <li>- Radio Transmission Establishment</li> <li>- Retail Store</li> <li>- Service or Repair Shop</li> <li>- Video Store</li> </ul>	<p>Only permit the following uses:</p> <ul style="list-style-type: none"> <li>- Office Building</li> <li>- Business or Professional Office</li> <li>- Retail Store</li> <li>- Convenience Eating Establishment</li> <li>- Personal Service Shop</li> <li>- Pharmacy</li> <li>- Photography Studio</li> </ul>
e)	Minimum Lot Depth	60 m	50.94 m (existing)

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f)	Minimum Parking Requirement	<p>Office Building = <math>755.3 \text{ m}^2</math>  <math>@3.5 \text{ spaces}/100 \text{ m}^2 = 27</math>  parking spaces</p> <p>Parking ratios for uses other than office in an Office Building are based on the cumulative gross floor areas of the individual proposed uses. The GFA of each use must be identified to calculate the total number of required parking spaces.</p>	a minimum of 25 parking spaces
g)	Minimum Landscape Strip Width where a Commercial Zone Abuts a Residential Zone (westerly side yard)	2.4 m	0.9 m

Additional zoning exceptions may be identified through the detailed review of the applications.

### Background - Analysis and Options

Location	<ul style="list-style-type: none"> <li>The subject lands are located on the south side of Centre Street, east of Dufferin Street, as shown on Attachments #1 and #2.</li> </ul>
Official Plan Designation	<ul style="list-style-type: none"> <li>“Low Density Residential” with a “Special Policy Area” overlay by in-effect OPA #210 (Thornhill Vaughan Community Plan), as amended by OPA #672 (Centre Street Corridor Plan). OPA #672 does not identify permitted uses in the Special Policy Area but rather states: “Lands within the Special Policy Area shall be subject to further study by the applicant. Prior to the submission of any development proposal, the applicant shall provide a planning study, including a traffic report, public participation component, rationale for proposed density and land uses, noise study, and a height and massing study demonstrating consistency with the urban design principles of OPA #672. This Study shall provide the justification for any proposed Official Plan Amendment to redesignate the lands. Until such Official Plan Amendment is submitted in accordance with the aforementioned Special Policy Area requirements, the current OPA #210 (Thornhill Community Plan) “Low Density Residential” designation shall apply to the subject land.” (Section 2.2.6, in part, OPA #672). The proposed office building is not permitted in the “Low Density Residential” designation, which only permits single detached dwellings, and, therefore, an Official Plan Amendment is required pursuant to the above noted policies of OPA #672.</li> </ul>

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	<ul style="list-style-type: none"><li>▪ The 2003 Thornhill Centre Study, which resulted in OPA #672, did not provide a detailed land use analysis for the Dufferin/Centre Street “Western Gateway” area as shown on Attachment #3, and therefore, the land use plan and policies for the Western Gateway have not been reviewed comprehensively resulting in the placement of the “Special Policy Area” overlay designation on the southwest and south east quadrants, as shown on Attachment #3. The southeast corner of Dufferin Street and Centre Street is primarily under the ownership of the Province of Ontario, represented by Infrastructure Ontario (IO). These lands were retained to accommodate a future interchange with Highway 407ETR. The decision to proceed with an interchange has not been made at this time. Should an interchange not be required or should an alignment be identified that does not require the use of the Special Policy Area lands, then this area may be considered for alternative uses.</li><li>▪ VOP 2010 identifies the “Western Gateway”, as shown on Attachment #3, as a required Secondary Plan Area. The Policy Planning Department has direction to proceed with a Dufferin/Centre Street Intersection Study for which, a Terms of Reference is currently being finalized. The subject lands are located within Secondary Plan Study Area.</li><li>▪ “Low-Rise Residential” 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, March 20, 2012, and April 17, 2012), as further modified and endorsed by Region of York Council on June 28, 2012, and approved, in part, on July 23, 2013, by the Ontario Municipal Board.</li><li>▪ The “Low-Rise Residential” designation does not permit the proposed office building. The proposed office building development does not conform to VOP 2010.</li></ul>
Zoning	<ul style="list-style-type: none"><li>▪ R1 Residential Zone by Zoning By-law 1-88, which only permits single detached dwelling units. The proposal to permit an 800 m<sup>2</sup> office building on the subject lands does not comply with Zoning By-law 1-88, and therefore, a Zoning By-law Amendment is required.</li></ul>
Surrounding Land Uses	<ul style="list-style-type: none"><li>▪ Shown on Attachment #2.</li></ul>

#### Preliminary Review

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

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	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Conformity with Provincial policies, Regional and City Official Plans	<ul style="list-style-type: none"> <li>▪ The applications will be reviewed in consideration of the applicable Provincial policies, and Regional and City Official Plan policies.</li> <li>▪ The subject lands are within the Dufferin Street and Centre Street required Secondary Plan Area as identified in VOP 2010. The appropriateness of these applications will be reviewed in conjunction with issues identified for the Dufferin/Centre Street Intersection Area Secondary Plan Study, including but not limited to, establishing a preferred land use and urban design plan, reviewing current Provincial, Regional and Municipal policy frameworks, recent completed and on-going planning studies such as the Concord GO Secondary Plan, and future road connections with the surrounding lands to the south, east and west, including Highway 407ETR.</li> <li>▪ The Policy Planning Department has received direction from Council to proceed with the Dufferin/Centre Street Intersection Area Secondary Plan Study. A study commencement date has not yet been identified.</li> </ul>
b.	Appropriateness of Proposed Rezoning and Uses	<ul style="list-style-type: none"> <li>▪ The appropriateness of the proposed 800 m<sup>2</sup> office building will be reviewed in consideration of, but not limited to, the proposed rezoning from residential to commercial and the site-specific exceptions to facilitate the intended development, compatibility with the surrounding land uses, built form, urban design, environmental sustainability, transition with existing and planned development, parking, and traffic.</li> </ul>
c.	Urban Design and Architectural Guidelines	<ul style="list-style-type: none"> <li>▪ The proposed development must conform to the applicable Centre Street Land Use Study, Centre Street Urban Design Guidelines and Centre Street Streetscape Plan. The Urban Design Brief prepared by Metropolitan Consulting Inc. must be reviewed to the satisfaction of the Vaughan Development Planning Department.</li> </ul>
d.	Studies and Reports	<ul style="list-style-type: none"> <li>▪ The Owner has submitted the following studies and reports in support of the applications, which must be approved to the satisfaction of the Region of York and/or the Vaughan Development/Transportation Engineering Department: <ul style="list-style-type: none"> <li>i) Servicing Feasibility Report;</li> <li>ii) Environmental Noise Impact Study;</li> <li>iii) Phase I Environmental Site Assessment;</li> <li>iv) Hydraulic Analysis; and,</li> <li>v) Traffic Impact Study.</li> </ul> </li> </ul>

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e.	Parkland Dedication	<ul style="list-style-type: none"> <li>The Owner will be required to pay cash-in-lieu of parkland dedication to the City of Vaughan in accordance with the Planning Act and the City's Cash-in-Lieu Policy, if approved.</li> </ul>
f.	Planning Justification Report	<ul style="list-style-type: none"> <li>The Planning Justification Report prepared by Metropolitan Consulting in support of the proposal must be reviewed to the satisfaction of the Vaughan Development Planning Department.</li> </ul>
g.	Public Participation Report	<ul style="list-style-type: none"> <li>The Public Participation Report prepared by Metropolitan Consulting, was submitted in accordance with the requirements of OPA #672. The report indicates that the Owner consulted with all neighbouring landowners prior to submitting the subject applications. The adjacent landowners have indicated no objection or concerns with the proposal, which will need to be confirmed.</li> </ul>
h.	Toronto and Region Conservation Authority (TRCA)	<ul style="list-style-type: none"> <li>The watercourse that traverses the southeast portion of the subject lands is part of Fisherville Creek, which is a tributary of the Don River. The Hydraulic Analysis prepared by Valdor Engineering Inc. must be reviewed and approved by the Toronto and Region Conservation Authority (TRCA). The TRCA must determine the limits of development including any appropriate ecological buffers and structural building setbacks. The Owner must satisfy all requirements of the TRCA.</li> </ul>
i.	Tree Inventory and Assessment Report	<ul style="list-style-type: none"> <li>The Tree Inventory and Assessment Report prepared by Phoenix Tree Care Ltd. in support of the proposal must be reviewed to the satisfaction of the Vaughan Development Planning Department. The health of the trees and trees to be removed and preserved will be reviewed and identified.</li> </ul>
j.	Site Development File DA.13.042	<ul style="list-style-type: none"> <li>The Owner has submitted Site Development File DA.13.042, which will be reviewed concurrently with the zoning application to ensure appropriate building and site design, signage details, parking, landscaping, stormwater management, and site servicing and grading.</li> <li>Opportunities for sustainable design within the site including permeable pavers, bio-swales, drought tolerant landscaping, energy efficient lighting, reduction in pavement, etc, will be reviewed and implemented through the Site Plan approval process, if approved.</li> </ul>
k.	Infrastructure Ontario	<ul style="list-style-type: none"> <li>This application has been circulated to Infrastructure Ontario – Land Use Planning Realty Planning and Development for review and comment as the subject lands are in the vicinity of Provincially-owned lands. The Owner must satisfy all requirements of Infrastructure Ontario.</li> </ul>

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

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

**Regional Implications**

The applications have 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 applications will be considered in the technical review of the applications, 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. Excerpt from OPA #672 Schedule 'A'
4. Site Plan
5. Landscape Plan
6. Building Elevations

**Report prepared by:**

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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.)