

**EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017**

**ZONING BY-LAW AMENDMENT FILE Z.17.021**  
**PETER EDREY**  
**WARD 5 - VICINITY OF YONGE STREET AND CENTRE STREET**

1) That the recommendation contained in the following report of the Director of Development Planning and Senior Manager of Development Planning, dated December 5, 2017, be approved;

1. **Mr. Ryan Guetter, Weston Consulting, Millway Avenue, Vaughan, representing the applicant; and**
2. **Ms. Shirley Porjes, Elizabeth Street, Thornhill; and**

C3	P. Christopher Mullin and Sandie R. Brooks, Old Jane Street, Thornhill, dated December 4, 2017;
C4	Ruth Belch and Lindsay Belch, Elizabeth Street, Thornhill, dated December 4, 2017;
C5	Steven Klupt and Michelle Kendall, Elizabeth Street, Thornhill, dated December 4, 2017;
C6	Greg and Bozana Ilic, Elizabeth Street, Thornhill, dated December 3, 2017;
C7	Shirley Porjes and Atul Gupta, Elizabeth Street, Thornhill, dated December 2, 2017;
C8	Heather Kelly and Denis Kelly, Old Jane Street, Thornhill, dated December 3, 2017; and
C9	Robert Kember and Paula Kember, Elizabeth Street, Thornhill, dated December 4, 2017.

1. THAT the Public Hearing report for Zoning By-law Amendment File Z.17.021 (Peter Edrey) BE RECEIVED; and that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

 $\dots/2$

**CITY OF VAUGHAN**

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**Communications Plan**

- a) Date the Notice of Public Hearing was circulated: November 10, 2017.

The Notice of Public Hearing was also posted on the City's web-site at [www.vaughan.ca](http://www.vaughan.ca) and a Notice Sign was installed along the Centre Street frontage in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: 150 m and to the Springfarm Ratepayers' Association.

- c) Any written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication. All written comments that are received will be reviewed by the Development Planning Department as input in the application review process and will be addressed in a technical report to be considered at a future Committee of the Whole meeting.

**Purpose**

To receive comments from the public and the Committee of the Whole on the following application for the subject lands shown on Attachments #1 and #2 to permit business or professional office uses only in the existing heritage dwelling (Josiah Purkis House), as shown on Attachment #3:

1. Zoning By-law Amendment File Z.17.021, to rezone the subject lands from R1V Old Village Residential Zone, as shown on Attachment #2, and subject to site-specific Exception 9(662) to C1 Restricted Commercial Zone in the manner shown on Attachment #3, together with the following site-specific zoning exceptions:

Table 1:

	<b>Zoning By-law 1-88 Standard</b>	<b>C1 Restricted Commercial Zone Requirements</b>	<b>Proposed Exceptions to the C1 Restricted Commercial Zone Requirements</b>
a.	Minimum Number of Required Parking Spaces	11 parking spaces	8 parking spaces comprised of:  - 6 spaces located on the subject lands as shown on Attachment #3  - 2 spaces located on the property municipally known 140 Brooke Street (Holy Trinity Church) as shown on Attachment #2

**CITY OF VAUGHAN**

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b.	Location of the Required Parking	Parking spaces and areas shall be provided and maintained on the lot on which the building is erected.	Permit 2 parking spaces to be located and maintained off-site on the property municipally known as 140 Brooke Street (Holy Trinity Church).
c.	Minimum Aisle Width	6 m	4.4 m
d.	Minimum Lot Depth	60 m	27.9 m (existing lot depth)
e.	Minimum Front Yard Setback	9 m	3.6 m (existing condition)
f.	Minimum Rear Yard Setback	15 m	8 m (existing condition)
g.	Minimum Exterior Yard Setback (Elizabeth Street)	9 m	7.4 m (existing condition)
h.	Minimum Setback from a 'R' Zone to Any Building Structure (south property line)	9 m	8.2 m (existing condition)
i.	Minimum Parking Space Size	2.7 m by 6 m	2.2 m by 5.7 m
j.	Maximum Driveway Width	7.5 m	9 m

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k.	Minimum Landscape Strip Width	6 m	3.6 m (Centre Street) 0 m (Elizabeth Street)
l.	Minimum Landscape Strip where a Commercial Zone abuts a Residential Zone (Rear Lot Line)	2.4 m landscape strip within the subject lands	0 m (existing condition)

Additional zoning exceptions may be identified through the detailed review of the application and will be considered in a technical report to a future Committee of the Whole meeting.

**Background - Analysis and Options**

Location	<ul style="list-style-type: none"> <li>The subject lands are located on the southeast corner of Centre Street and Elizabeth Street, and are municipally known as 39 Centre Street, shown as "Subject Lands" on Attachments #1 and #2.</li> </ul>
Related Files	<ul style="list-style-type: none"> <li>Zoning By-law Amendment File Z.03.034 was previously approved by Council on June 27, 2005 to permit the existing home occupation (Accountant) use on the property.</li> </ul>
Official Plan Designation	<ul style="list-style-type: none"> <li>The subject lands are designated "Low-Rise Mixed-Use" by Vaughan Official Plan 2010 (VOP 2010) and are located within an Intensification Area ("Local Centres") as identified on Schedule "1" – Urban Structure of VOP 2010, which does not prescribe a maximum building height or a density.</li> <li>The subject lands are located within the Thornhill Heritage Conservation District and are subject to the policies of Section 12.2.1.1c "Heritage Conservation Districts" of VOP 2010 (Volume 2).</li> <li>The "Low-Rise Mixed-Use" designation permits office uses. Policy 9.2.2.2c. of VOP 2010 states (in part) "the ground floor frontage of buildings facing arterial and collector streets shall predominantly consist of retail uses or other active uses that animate the street". The proposed conversion of an existing home occupation to an office use conforms to VOP 2010.</li> </ul>

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Zoning	<ul style="list-style-type: none"> <li>The subject lands are zoned R1V Old Village Residential by Zoning By-law 1-88, subject to site-specific Exception 9(662), which permits the existing home occupation use for an accountant's office.</li> <li>In order to implement the proposed C1 Restricted Commercial Zone and to permit only business and professional office uses on the subject lands together with the site-specific zoning exceptions identified in Table 1, amendments to Zoning By-law 1-88 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 application, the Development Planning Department has identified the following matters to be reviewed in greater detail:

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
a.	Conformity with Vaughan Official Plan 2010 (VOP 2010)	<ul style="list-style-type: none"> <li>The application will be reviewed in consideration of the applicable policies of VOP 2010.</li> </ul>
b.	Thornhill Heritage Conservation District Plan	<ul style="list-style-type: none"> <li>The subject lands are located within the Thornhill Heritage Conservation District and is identified as a contributing property. The subject property is listed in the City's Register of Property of Cultural Heritage Value as per Part IV, of the Ontario Heritage Act (OHA). The existing dwelling on the property is known as the Josiah Purkis House. A preliminary review of the Zoning By-Law Amendment application has identified that no significant alterations to the existing building and property are proposed, except the reconfiguration of the existing parking spaces, and therefore a Heritage Permit is not required.</li> </ul>
c.	Appropriateness of the Proposed Rezoning and Site-Specific Zoning Exceptions	<ul style="list-style-type: none"> <li>The appropriateness of the proposed C1 Restricted Commercial Zone, together with the site-specific zoning exceptions identified in Table 1, will be reviewed in consideration of the existing and planned surrounding land uses, with consideration given to the appropriate development standards.</li> </ul>

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d.	Off-Site Parking/ Parking Study	<ul style="list-style-type: none"> <li>▪ The Owner has advised the Development Planning Department that they have arranged to enter into a 3-year Parking Spot Rental Agreement with Holy Trinity Church, which is located at 140 Brooke Street and approximately 250 m from the subject lands, as shown on Attachment #2. The agreement would allow the Owner of the subject lands to use 2 of the parking space located on the Holy Trinity Church property.</li> <li>▪ A 3-year Parking Spot Rental Agreement does not provide certainty to ensure the required parking for the proposed uses will be maintained for the duration of the proposed use on the subject lands. Staff will review the appropriateness of a private agreement respecting off-site parking and other potential arrangements that would be registered on title (e.g. an easement) to secure the long-term provision of these spaces.</li> <li>▪ The Owner has submitted a Parking Review to support the proposed approach to providing parking for the proposal. Staff has requested that the Parking Review be updated to assess the appropriateness of the existing on-site parking, including access, aisle width and maneuverability to the satisfaction of the City. The Owner must provide the necessary site information (i.e. site plan and site statistics) regarding the Holy Trinity Church property to determine if the site will continue to comply with the minimum number of parking spaces required by Zoning By-law 1-88. Should the proposal result in a parking deficiency on the Holy Trinity Church lands, the Owner must successfully obtain approval of a Minor Variance application from the Committee of Adjustment.</li> </ul>
e.	Related Site Development File DA.17.046	<ul style="list-style-type: none"> <li>▪ The Owner has submitted related Site Development File DA.17.046 to facilitate the reconfiguration of the existing parking area to accommodate 6 parking spaces. The Site Development Application will be reviewed in consideration of, but not limited to: <ul style="list-style-type: none"> <li>-pedestrian and barrier free accessibility</li> <li>-size of the parking stalls, appropriate driveway, aisle and vehicular access</li> <li>-the provision of landscaping abutting the neighbouring residential lots</li> <li>-environmental sustainability</li> <li>-servicing and grading</li> <li>-stormwater management</li> <li>-snow storage and removal</li> <li>-the number of employees and offices</li> </ul> </li> </ul>

**CITY OF VAUGHAN**

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		<ul style="list-style-type: none"><li>▪ Any issues identified through the review of Site Development File DA.17.046 will be addressed together with the subject Application in a comprehensive technical report to a future Committee of the Whole meeting.</li><li>▪ Additional reports may be required as part of the review of the related Site Development File DA.17.046.</li></ul>
f.	Sustainable Development	<ul style="list-style-type: none"><li>▪ Opportunities for sustainable design, including CPTED (Crime Prevention Through Environmental Design), LEED (Leadership in Energy and Environmental Design), permeable pavers, bio-swales, drought tolerant landscaping, energy efficient lighting, reduction in pavement etc., will be reviewed and implemented through the related site plan approval process, if the subject application is approved.</li></ul>

**Relationship to Term of Council Service Excellence Strategy Map (2014-2018)**

The applicability of this application to the Term of Council Service Excellence Strategy Map (2014-2018) will be determined when the technical report is considered.

**Regional Implications**

The application has been circulated to the York Region Community Planning and Development Services Department 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 and Proposed Zoning

**Report prepared by:**

Margaret Holyday, Planner, ext. 8216  
Christina Napoli, Senior Planner, ext. 8483

(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.)

December 4th 2017

by hand

**Committee of the Whole,**  
City of Vaughan,  
2141 Major Mackenzie Drive West,  
City of Vaughan, Ontario,  
L6 A 1T1

**PUBLIC HEARING  
COMMUNICATION**

C3

Date: Dec 5/17 ITEM NO. 1

**Re: Zoning Bylaw Amendment File Z.17.021, Peter Edrey -39 Center Street**

Attention Members,

The undersigned are the owners of 17 Old Jane Street at the corner of Old Jane and Elizabeth streets and are approximately 100 metres from the above noted property.

We are vigorously opposed to this application as the owners thereof are already in violation of the current zoning in respect to car parking. We have repeatedly counted as many as eleven cars jammed into the small onsite parking facility plus an over flow parking problem spilling out onto Elizabeth Street and even Old Jane Street. If they will not comply with current zoning you can be assured they will not comply with any new zoning.

Many studies have been done in Vaughan (followed with strict planning guidelines) to preserve the character of the historic villages of Thornhill, Woodbridge, Concord and Maple.

Let us adhere to those well thought plans and reject this type of creeping commercialism.

Yours Truly



P. Christopher Mullin



Sandie R. Brooks



**Subject:**

File number Z.17.021, Peter Edfrey, 39Centre Street

**From:** Lindsay Belch [mailto:lindsay.belch@sympatico.ca]

**Sent:** Monday, December 04, 2017 10:04 AM

**To:** [DevelopmentPlanning@vaughan.ca](mailto:DevelopmentPlanning@vaughan.ca)

**Subject:** File number Z.17.021, Peter Edfrey, 39Centre Street

To:

Mauro Peverini, Director of Development Planning

Barbara A. McEwan, City Clerk

See attached

**PUBLIC HEARING  
COMMUNICATION**

C4

Date: Dec 5/17 ITEM NO. 1

24 Elizabeth Street  
Thornhill, Ontario  
L4J 1Y1

December 4, 2017

Committee of the Whole  
Vaughan City Hall, Council Chamber  
2141 Major Mackenzie Drive,  
Vaughan Ontario, L6A 1T1

Dear Committee Members

Re: File number Z.17.021, Peter Edfrey, 39 Centre Street

We are Lindsay and Ruth Belch and live at 24 Elizabeth Street Thornhill, across the street and two doors down from the subject heritage property at 39 Centre Street. We have lived in Thornhill since 1963 and at 24 Elizabeth Street since 1987.

We object to the Zoning By-law Amendment Application to amend the City's Zoning By-law 1-88 to rezone the subject lands from R1V Old Village to C1 Restricted Commercial zone. 39 Centre Street, situated on the corner of Centre and Elizabeth Streets may be large enough to accommodate a home and single business but not more than that and herein lies the rub.

A few years ago, the property at 39 Centre Street was subdivided leaving the current 39 Centre Street with a reduced parking area suitable only for a small business. Over the past few years, it appears that what was intended to function as a home and accounting office has changed.

Now additional places of business operate out of 39 Centre Street with more cars and overflow into the heritage protected streets., their small parking lot not containing. The increase in traffic on our narrow streets poses a risk to pedestrians, children, dog walkers, cyclists and other vehicles. Icy roads and snowfalls in winter augment the risk. We have no sidewalks. The idea of parking on a remote lot is unrealistic.

Respectfully submitted,

  
Ruth Belch

  
Lindsay Belch

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**Subject:**

FW: file z.17.021 - Peter Edrey, 39 Centre Street

**From:** Steven Klupt [<mailto:klupts@gmail.com>]**Sent:** Monday, December 04, 2017 8:05 AM**To:** [DevelopmentPlanning@vaughan.ca](mailto:DevelopmentPlanning@vaughan.ca)**Subject:** file z.17.021 - Peter Edrey, 39 Centre Street  
December 4, 2017**PUBLIC HEARING** C5  
**COMMUNICATION**

Date: Dec 5/17 ITEM NO. 1

Mauro Peverini, Director of Development Planning Barbara A. McEwan, City Clerk 2141 Major Mackenzie Drive Vaughan, ON L6A 1T1

File Number: Z.17.021, Peter Edrey - 39 Centre Street

Dear Planning Department,

In regards to 39 Centre Street, we wish to make some comments.

We are against permitting the property to be rezoned from R1V to C1 (Restricted Commercial Zone) for the following reasons:

We live at 27 Elizabeth Street, which is the property directly adjacent to 39 Centre Street. Elizabeth Street is currently congested with cars parking there all day. It is in essence being used as a parking lot. Our fear is that the situation will only get worse if rezoning is approved.

There is more than one business operating out of the site. Already parking is an issue, if the business(s) expand there would be a natural need for more parking that simply does not exist. In this area there is no ability to accommodate overflow parking like in some other neighborhoods.

While other neighborhoods experience similar parking issues, the nature of this area is unique. Elizabeth Street is narrow and there is no sidewalk. There is also the Heritage aspect of the area to consider. Allowing the street to become congested with cars seems to contradict what was likely hoped for when the area was designated a Heritage Conservation District.

Finally, the application mentions two leased spaces at 140 Brooke Street. We do not believe these spots should be taken into consideration. It is unknown whether the leases can be renewed in the future. Even if these spots are taken into consideration, we do not believe two spots are enough or that they will be used. Why would you park elsewhere when you can just park on Elizabeth Street close by the office, especially in winter?

Sincerely,

Steven Klupt and Michelle Kendall  
27 Elizabeth Street  
Thornhill, ON  
L4J 1X9

December 3rd, 2017

Att: Mauro Peverini, Director of Development Planning  
Barbara A. McEwan, City Clerk

City of Vaughan  
2141 Major Mackenzie Drive West  
Vaughan, Ontario  
L6A 1T1

**PUBLIC HEARING  
COMMUNICATION**

CL

Date: Dec 5/17 ITEM NO. 1

Dear Sir, Madam:

**Re: Zoning By-law Amendment File Z.17.021  
39 Centre Street – Peter Edrey**

We are residents of the Thornhill Heritage Conservation District and live at 25 Elizabeth Street. We would like to express our great concern with respect to the application for rezoning of 39 Centre Street from R1V to C1.

For many years we, Elizabeth Street residents, have discussed safety and parking issues on our street with the City. Numerous meetings, monitoring, studies and recommendations have been put forward with no result. Unfortunately, from year to year the situation on the street is getting worse and is primarily caused by lack of parking spaces for the neighbouring businesses.

**Parking Issue**

Many businesses have much more employees and clients without adequate parking on their sites, and in turn parking spills over onto our street. The applicant property is no exception; ten or more cars are seen on the property very often and still their employees continue to park on the street for the duration of working hours.

**Heritage / Zoning Issue**

There are many studies and documents done before this area was designated as a Heritage Conservation District. There are important reasons why R1V zoning is proposed within the district. The existing heritage house on the 39 Centre Street is a house of the significant heritage value and is located on the small, greatly reduced lot. As seen from Elizabeth Street the house is surrounded with the paved areas that have been increased over the years as there is a need for more parking spaces. In our opinion, surrounding the house with the many cars on the property, more often, double in number than proposed (available) parking spaces, defeats the purpose of the designated heritage property in the heritage district.

**Safety Issue**

Currently, cars are parked on Elizabeth Street from early morning and moved after working hours. They generally belong to the employees of the surrounding businesses. Elizabeth Street is formerly a narrow Laneway corridor, turned into a Right of Way Road. At the subject property, the width of the ROW is approximately 9.5 m, which includes 6m wide pavement and asphalt run-off collector gutters approximately 0.8m on each side. There are no sidewalks and approximately 1m wide boulevard is almost nonexistent. Furthermore, the street is restricted to

the south with retaining walls on the either side of the road before the narrow bridge in front of the intersection with Old Jane Street. With the narrow roadway, current traffic volume, parked cars, illegally parked cars on the other side of the road, and no sidewalk there is great concern for the safety for all of us walking this street, our kids and our dogs.

### **Snow Removal Issue**

With the increased paved areas on the commercial property requiring snow clearance and very little or no snow storage on the property during the winter period, all snow is pushed to the narrow corridor of Elizabeth Street where there is generally no storage available on the road. As a result snow has to be pushed by the City onto Centre Street. The 6m pavement width of the road is greatly reduced and with parked cars throughout the day this poses a dangerous and unsafe condition for all of us.

In summary, we, the residents of the District, have been working together with the City to resolve these issues for a long time and we are hopeful to get our Streets back and to preserve heritage values and attributes. We are opposing this application and we trust that predicament that we are in now will get even worse if this application is approved.

We kindly ask that our concerns be taken into consideration before the City makes recommendations on this application.

Respectfully,

Greg and Bozana Ilic  
25 Elizabeth Street  
Thornhill, Ontario,  
L4J 1X9



## Shirley Porjes & Atul Gupta

December 2, 2017

Mauro Peverini, Director of Development Planning  
Barbara A. McEwan, City Clerk

**PUBLIC HEARING  
COMMUNICATION**

C7

Date: Dec 5/17 ITEM NO. 1

Ref: Zoning By-law Amendment File Z.17.021  
39 Centre Street – Peter Edrey

Dear Sir, Madam:

We are writing to you as very concerned neighbours with respect to the application for the rezoning of 39 Centre Street from R1V to C1. My husband, children and I reside at 26 Elizabeth St which is the first residential house across from this address.

My file on application for by zoning and by law exemptions for this particular address is significant in the owner's persistent interest in changing the character of the property over time. This dates back to 1997 when my husband and I moved to the Thornhill Historic area. At that time, the OMB directed Council to support the severing of the original parcel of land and to enact a By-law with a maximum lot coverage of 23%. In 1998 the Committee of Adjustment approved the application to permit an accountant office. Since then, Mr Edrey has applied to increase the lot coverage and set backs on numerous occasions. Each time the neighbours, including my husband and myself, have expressed our concern over the changes requested. In 2005, Mr Edrey was granted a zoning by-law amendment to make what we consider significant lot coverage and set back allowances (lot coverage to 26.45% for example). These were granted as Mr Edrey was extending the size of the dwelling area of the premises as he discussed at the hearing.

Since then Mr Edrey apparently no longer uses this address as his residence. There are now multiple businesses operating from this address. As we read this application, Mr Edrey is now requesting to legitimize this use of the premises. Not only do we object to this application, but also request that the current bi-law be enforced by Vaughan.

Specific concerns:

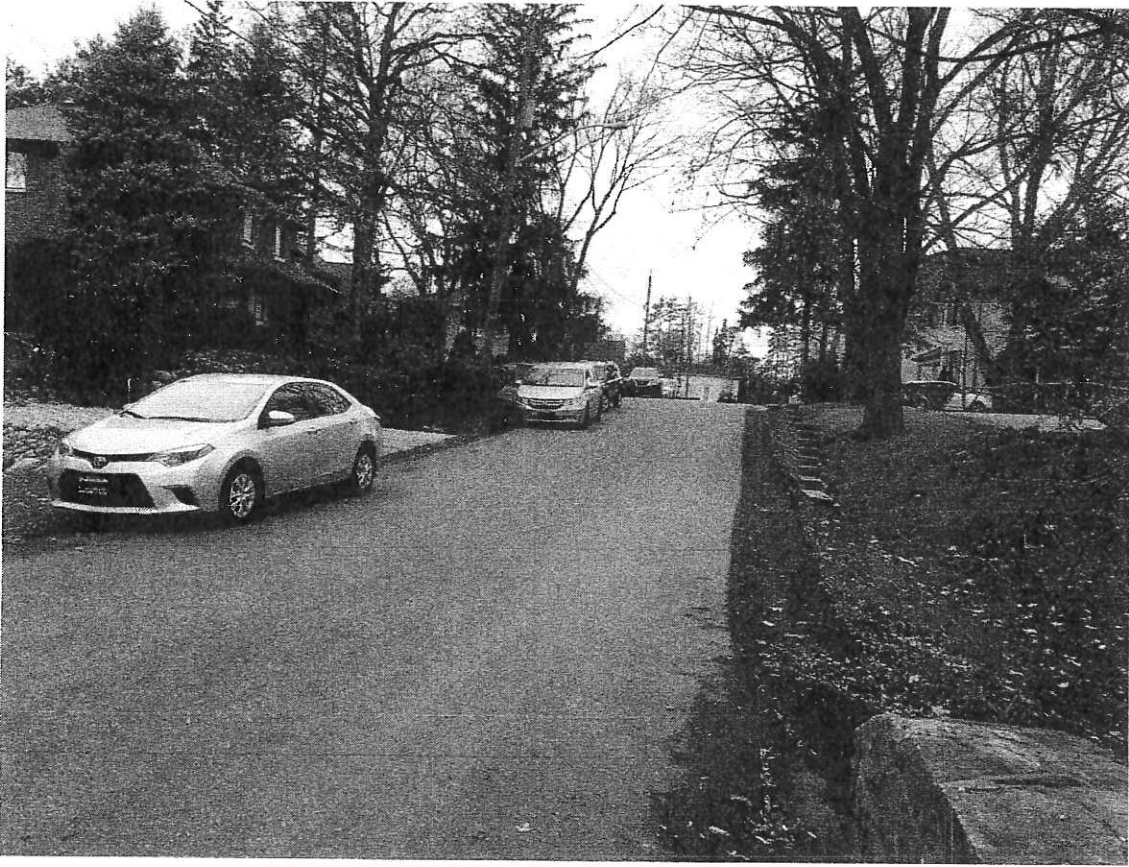
1. Changing the nature of the area: We understand that some of the buildings fronting onto Centre street are already zoned Commercial but we are opposed to any further movement in that direction on the south side of centre. The unique nature of the historical area must be preserved. This is a small oasis in the middle of the big city and we rely on Council to preserve it for not just the residents but for the community at large. There are many other choices for businesses to locate themselves if they are interested in being in a commercial area. It is not necessary to corrupt the historical village.
2. Parking: This has been an ongoing concern. The application attempts to address the parking by identifying 6 on site parking spots and 2 in a local church. The reality is that the parking today is already well beyond that. I am attaching a picture below of the lot at 39 Centre St taken this morning (Dec 1, 2017). You can see 9 cars in the lot at the house and we've seen more than that on other days:

Shirley Porjes & Atul Gupta



In addition to the parking at the house, below is a view of Elizabeth St also this morning showing the proliferation of the parking situation. I recognize that some of these cars may not belong to 39 Centre St but again, it's a typical representation of the parking on the street which demonstrates that there is clearly no room for more cars there. In fact, we personally have had to call the city several times over the past months as cars have blocked our driveway entrance. With the narrow width of the street, it very difficult to manouver with this parking and although prohibited, many cars park on the East side of the street as well which then makes it impassable.

Shirley Porjes & Atul Gupta



I also challenge the realism of any of the employees at 39 Centre choosing to park at a lot almost 3 blocks away when they could just use the streets closer to the building. I don't see this as a realistic option and believe it was added to the application to placate the community. In fact, the lease on the two spots don't even need to be renewed long term.

When considering this application, I would ask you to consider the unique character of this area and the significant issues we are already having with parking which will only be exacerbated with such a zoning change. We also ask you to enforce the existing by-law with respect to 39 Centre St.

Respectfully submitted,

Shirley Porjes & Atul Gupta  
26 Elizabeth St  
Thornhill



31 Old Jane Street  
Thornhill, ON  
L4J 1E6

December 3, 2017

Committee of the Whole  
City of Vaughan  
2141 Major Mackenzie Drive West  
Vaughan, ON  
L6A 1T1

PUBLIC HEARING  
COMMUNICATION

Date: Dec 5/17 ITEM NO. 1

**Zoning By-law Amendment File Z.17.021, Peter Edrey – 39 Centre Street**

Dear Members:

We are the owners of the property at 31 Old Jane Street. Our property is located roughly 200 metres from the subject property.

We are opposed to this application on the basis that business or professional office uses are inappropriate for the subject property. This is largely due to the fact that it abuts a residential area and provides parking that does not meet zoning by-law requirements for the proposed uses.

The subject property is on the south side of Centre Street. It can be distinguished from the properties on the north side of Centre Street that are zoned "C1". Properties on the north side of Centre Street back onto Thornhill Park and not a residential area. Properties on the south side of Centre Street abut the residential area that forms part of the Thornhill Heritage Conservation District.

The property that is located at the southwest corner of Elizabeth St. and Centre St. is zoned "C1" and also abuts the residential area. Importantly, it is much larger (roughly the same size as the subject property was before it was subdivided with the City's approval 10-15 years ago) and provides parking that appears to meet the requirements of the zoning by-law.

When a commercial use abuts a residential area it is most important that sufficient parking be provided. This application proposes six spaces. It does not meet the zoning by-law requirement of 11 parking spaces or the minimum parking space size.

The application proposes two additional spaces that would form part of a short-term agreement with Holy Trinity Anglican Church. The church is located about 250 metres from the subject property. From a practical standpoint, very few people will be willing to walk 250 metres to the subject property. Instead, they will continue to park on Elizabeth Street with overflow on Old Jane Street, as they do now.



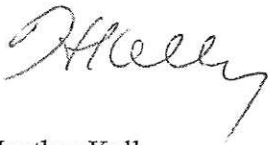
There are also significant issues as to the enforceability of a short-term agreement that forms part of a condition relating to a "permanent" zoning by-law amendment. Even with this short-term agreement, which we submit is largely impractical and unenforceable, there will be a deficiency of at least three parking spaces on the subject property.

Our observations are that there is already a significant problem with parking overflow from the subject property during normal business hours on Monday to Friday, with its current three business uses (which likely are not in compliance with the current by-law). This creates a noticeable traffic flow problem, particularly on Elizabeth Street, which is a substandard width and does not have sidewalks. In turn, this can create risks to both pedestrians and motorists and could create a very difficult challenge for emergency vehicle responses.

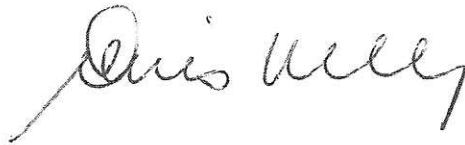
We respectfully submit that Council should either a) refuse this application or b) implement and strictly enforce parking restrictions on Elizabeth Street and Old Jane Street that would prohibit the overflow of parking from the subject property during normal business hours, Monday to Friday.

Please provide us with notice of the passing of any zoning by-law regarding the subject property.

Respectfully Submitted,



Heather Kelly



Denis Kelly

December 4, 2017

Attn: Mauro Peverni, Director of Development Planning  
Barbara A. McEwan, City Clerk  
City of Vaughan  
2141 Major MacKenzie Drive West  
Vaughan, ON  
L6A 1T1

Dear Sir, Madam:

Re: Zoning By-Law Amendment  
File Z.17.021  
39 Centre Street—Peter Edrey

We have lived at 23 Elizabeth Street, Thornhill for over 20 years. During that time the neighbours have gathered on numerous occasions to discuss and at times advocate against zoning and bylaw requests pertaining to 39 Centre Street. We have attended City of Vaughan council meetings, OMB hearings, and once we even pooled money to hire legal council for advice. Our goal is to maintain the charm and heritage nature of our neighbourhood. This is a mandate, which has been echoed to us by members of Vaughan Council and the Planning Department in the past. Despite our efforts, activity levels on our street particularly related to vehicles, clients/customers and parking have increased dramatically due to Centre Street businesses, in general, and 39 Centre Street, in particular.

A number of years ago, 39 Centre Street requested permitting for an "accountant's office and home occupation use." The community specifically expressed their concern about the potential for business related parking on Elizabeth and Old Jane Streets. The city official definitively stated that the proposed applicant would be required to have adequate parking (defined at the time as 5 parking spots) for residents/employees/clients. He indicated that the applicant would have adequate parking at their establishment and there would be no increase in street parking - period.

We believed those city assurances.

However, we have watched as the accountant's office has morphed into numerous businesses with no owner occupation as required, and parking has overflowed the designated spaces at 39 Centre Street onto Elizabeth and Old Jane Streets. We are disappointed that our city officials have not enforced the current zoning bylaws. We feel that the approval of the current application to amend the City's Zoning By-law 188, to re-zone the subject lands from R1V Old Village Residential Zone to C1 Restricted Commercial Zone, would reward the applicant for not conforming with the regulations and by-laws in place. We are concerned about the changing nature of the area related to businesses on the south side of Centre Street, which back onto a residential area with historic significance. The change to C1 would have the potential to increase the number of clients and employees at 39 Centre Street, which would further negatively impact our heritage neighbourhood.

### Parking

As indicated above, the accountant's office at 39 Centre Street was to have adequate parking spaces. In the current application they are indicating they will have six parking spots on site and two temporary parking spaces a few block away. Based on their current business, they clearly need more than eight parking spaces. On many days there are nine to ten cars parked at their office, with overflow vehicles parking on Elizabeth and Old Jane Streets. There is no guarantee that their two temporary parking spots will be available in the future and therefore these should not be considered in reviewing this application. At present the parking at 39 Centre Street is not compliant with the previous changes agreed to by the city. The currently envisioned change to C1 Restricted Commercial Zone has the potential to increase parking, further aggravating this issue.

### Safety

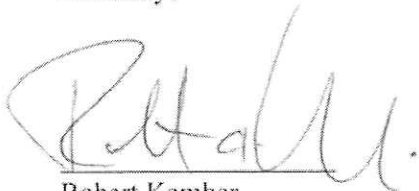
Elizabeth Street is an extremely narrow road, approximately six metres wide in places with no sidewalks. Within a few homes south of 39 Centre St, the width of Elizabeth Street is restricted by retaining walls on both sides and then a narrow bridge.

Given the heritage nature of the area, it is well used by mothers with small children and strollers, people walking their dogs and cyclists, not only from our area, but from adjoining neighbourhoods as well. With the overflow parking on Elizabeth Street a safety issue arises for all pedestrians. Add traffic to the mix and there is almost no room for pedestrians. We also worry about emergency vehicles, particularly a fire truck, being able to have adequate access given the reduced size of the road with parked cars. Winter snow plowing creates another hazard making an already narrow road smaller.

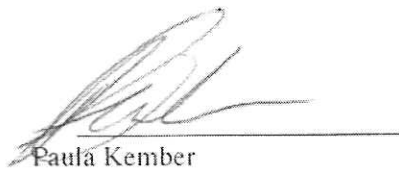
We live in a lovely area of old Thornhill, which is being negatively transformed by increased commercial activity primarily from 39 Centre Street. We object to the re-zoning of 39 Centre Street to C1 Restricted Commercial Zone. We believe such a change has the potential to result in additional employee/client parking and increased traffic.

Further we would like the city to enforce current zoning by-laws.

Sincerely,



Robert Kember



Paula Kember

23 Elizabeth Street,  
Thornhill, ON  
L4J 1X9

1.     **ZONING BY-LAW AMENDMENT FILE Z.17.021**     **P.2017.33**  
      **PETER EDREY**  
      **WARD 5 - VICINITY OF YONGE STREET AND CENTRE STREET**

**Recommendation**

The Director of Development Planning and Senior Manager of Development Planning recommend:

1.     THAT the Public Hearing report for Zoning By-law Amendment File Z.17.021 (Peter Edrey) 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 such as site and building design initiatives 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 Public Hearing was circulated: November 10, 2017.

The Notice of Public Hearing was also posted on the City's web-site at [www.vaughan.ca](http://www.vaughan.ca) and a Notice Sign was installed along the Centre Street frontage in accordance with the City's Notice Signs Procedures and Protocols.

- b)     Circulation Area: 150 m and to the Springfarm Ratepayers' Association.

- c)     Any written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication. All written comments that are received will be reviewed by the Development Planning Department as input in the application review process and will be addressed in a technical report to be considered at a future Committee of the Whole meeting.

**Purpose**

To receive comments from the public and the Committee of the Whole on the following application for the subject lands shown on Attachments #1 and #2 to permit business or professional office uses only in the existing heritage dwelling (Josiah Purkis House), as shown on Attachment #3:

1.     Zoning By-law Amendment File Z.17.021, to rezone the subject lands from R1V Old Village Residential Zone, as shown on Attachment #2, and subject to site-specific Exception 9(662) to C1 Restricted Commercial Zone in the manner shown on Attachment #3, together with the following site-specific zoning exceptions:

Table 1:

	<b>Zoning By-law 1-88 Standard</b>	<b>C1 Restricted Commercial Zone Requirements</b>	<b>Proposed Exceptions to the C1 Restricted Commercial Zone Requirements</b>
a.	Minimum Number of Required Parking Spaces	11 parking spaces	8 parking spaces comprised of:  - 6 spaces located on the subject lands as shown on Attachment #3  - 2 spaces located on the property municipally known 140 Brooke Street (Holy Trinity Church) as shown on Attachment #2
b.	Location of the Required Parking	Parking spaces and areas shall be provided and maintained on the lot on which the building is erected.	Permit 2 parking spaces to be located and maintained off-site on the property municipally known as 140 Brooke Street (Holy Trinity Church).
c.	Minimum Aisle Width	6 m	4.4 m
d.	Minimum Lot Depth	60 m	27.9 m (existing lot depth)
e.	Minimum Front Yard Setback	9 m	3.6 m (existing condition)
f.	Minimum Rear Yard Setback	15 m	8 m (existing condition)
g.	Minimum Exterior Yard Setback (Elizabeth Street)	9 m	7.4 m (existing condition)

	<b>Zoning By-law 1-88 Standard</b>	<b>C1 Restricted Commercial Zone Requirements</b>	<b>Proposed Exceptions to the C1 Restricted Commercial Zone Requirements</b>
h.	Minimum Setback from a 'R' Zone to Any Building Structure (south property line)	9 m	8.2 m (existing condition)
i.	Minimum Parking Space Size	2.7 m by 6 m	2.2 m by 5.7 m
j.	Maximum Driveway Width	7.5 m	9 m
k.	Minimum Landscape Strip Width	6 m	3.6 m (Centre Street) 0 m (Elizabeth Street)
l.	Minimum Landscape Strip where a Commercial Zone abuts a Residential Zone (Rear Lot Line)	2.4 m landscape strip within the subject lands	0 m (existing condition)

Additional zoning exceptions may be identified through the detailed review of the application and will be considered in a technical report to a future Committee of the Whole meeting.

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

Location	<ul style="list-style-type: none"> <li>The subject lands are located on the southeast corner of Centre Street and Elizabeth Street, and are municipally known as 39 Centre Street, shown as "Subject Lands" on Attachments #1 and #2.</li> </ul>
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Related Files	<ul style="list-style-type: none"> <li>▪ Zoning By-law Amendment File Z.03.034 was previously approved by Council on June 27, 2005 to permit the existing home occupation (Accountant) use on the property.</li> </ul>
Official Plan Designation	<ul style="list-style-type: none"> <li>▪ The subject lands are designated “Low-Rise Mixed-Use” by Vaughan Official Plan 2010 (VOP 2010) and are located within an Intensification Area (“Local Centres”) as identified on Schedule “1” – Urban Structure of VOP 2010, which does not prescribe a maximum building height or a density.</li> <li>▪ The subject lands are located within the Thornhill Heritage Conservation District and are subject to the policies of Section 12.2.1.1c “Heritage Conservation Districts” of VOP 2010 (Volume 2).</li> <li>▪ The “Low-Rise Mixed-Use” designation permits office uses. Policy 9.2.2.2c. of VOP 2010 states (in part) “the ground floor frontage of buildings facing arterial and collector streets shall predominantly consist of retail uses or other active uses that animate the street”. The proposed conversion of an existing home occupation to an office use conforms to VOP 2010.</li> </ul>
Zoning	<ul style="list-style-type: none"> <li>▪ The subject lands are zoned R1V Old Village Residential by Zoning By-law 1-88, subject to site-specific Exception 9(662), which permits the existing home occupation use for an accountant’s office.</li> <li>▪ In order to implement the proposed C1 Restricted Commercial Zone and to permit only business and professional office uses on the subject lands together with the site-specific zoning exceptions identified in Table 1, amendments to Zoning By-law 1-88 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 application, the Development Planning Department has identified the following matters to be reviewed in greater detail:

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
a.	Conformity with Vaughan Official Plan 2010 (VOP 2010)	<ul style="list-style-type: none"> <li>▪ The application will be reviewed in consideration of the applicable policies of VOP 2010.</li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
b.	Thornhill Heritage Conservation District Plan	<ul style="list-style-type: none"> <li>The subject lands are located within the Thornhill Heritage Conservation District and is identified as a contributing property. The subject property is listed in the City's Register of Property of Cultural Heritage Value as per Part IV, of the Ontario Heritage Act (OHA). The existing dwelling on the property is known as the Josiah Purkis House. A preliminary review of the Zoning By-Law Amendment application has identified that no significant alterations to the existing building and property are proposed, except the reconfiguration of the existing parking spaces, and therefore a Heritage Permit is not required.</li> </ul>
c.	Appropriateness of the Proposed Rezoning and Site-Specific Zoning Exceptions	<ul style="list-style-type: none"> <li>The appropriateness of the proposed C1 Restricted Commercial Zone, together with the site-specific zoning exceptions identified in Table 1, will be reviewed in consideration of the existing and planned surrounding land uses, with consideration given to the appropriate development standards.</li> </ul>
d.	Off-Site Parking/ Parking Study	<ul style="list-style-type: none"> <li>The Owner has advised the Development Planning Department that they have arranged to enter into a 3-year Parking Spot Rental Agreement with Holy Trinity Church, which is located at 140 Brooke Street and approximately 250 m from the subject lands, as shown on Attachment #2. The agreement would allow the Owner of the subject lands to use 2 of the parking space located on the Holy Trinity Church property.</li> <li>A 3-year Parking Spot Rental Agreement does not provide certainly to ensure the required parking for the proposed uses will be maintained for the duration of the proposed use on the subject lands. Staff will review the appropriateness of a private agreement respecting off-site parking and other potential arrangements that would be registered on title (e.g. an easement) to secure the long-term provision of these spaces.</li> <li>The Owner has submitted a Parking Review to support the proposed approach to providing parking for the proposal. Staff has requested that the Parking Review be updated to assess the appropriateness of the existing on-site parking, including access, aisle width and maneuverability to the satisfaction of the City. The Owner must provide the necessary site information (i.e. site plan and site statistics) regarding the Holy Trinity Church property to determine if the site will continue to comply with the minimum number of parking spaces required by Zoning By-law 1-88. Should the proposal result in a parking deficiency on the Holy</li> </ul>



	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
		Trinity Church lands, the Owner must successfully obtain approval of a Minor Variance application from the Committee of Adjustment.
e.	Related Site Development File DA.17.046	<ul style="list-style-type: none"> <li>▪ The Owner has submitted related Site Development File DA.17.046 to facilitate the reconfiguration of the existing parking area to accommodate 6 parking spaces. The Site Development Application will be reviewed in consideration of, but not limited to: <ul style="list-style-type: none"> <li>- pedestrian and barrier free accessibility</li> <li>- size of the parking stalls, appropriate driveway, aisle and vehicular access</li> <li>- the provision of landscaping abutting the neighbouring residential lots</li> <li>- environmental sustainability</li> <li>- servicing and grading</li> <li>- stormwater management</li> <li>- snow storage and removal</li> <li>- the number of employees and offices</li> </ul> </li> <li>▪ Any issues identified through the review of Site Development File DA.17.046 will be addressed together with the subject Application in a comprehensive technical report to a future Committee of the Whole meeting.</li> <li>▪ Additional reports may be required as part of the review of the related Site Development File DA.17.046.</li> </ul>
f.	Sustainable Development	<ul style="list-style-type: none"> <li>▪ Opportunities for sustainable design, including CPTED (Crime Prevention Through Environmental Design), LEED (Leadership in Energy and Environmental Design), permeable pavers, bio-swales, drought tolerant landscaping, energy efficient lighting, reduction in pavement etc., will be reviewed and implemented through the related site plan approval process, if the subject application is approved.</li> </ul>

#### **Relationship to Term of Council Service Excellence Strategy Map (2014-2018)**

The applicability of this application to the Term of Council Service Excellence Strategy Map (2014-2018) will be determined when the technical report is considered.

#### **Regional Implications**

The application has been circulated to the York Region Community Planning and Development Services Department 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 and Proposed Zoning

## **Report prepared by:**

Margaret Holyday, Planner, ext. 8216  
Christina Napoli, Senior Planner, ext. 8483

Respectfully submitted,

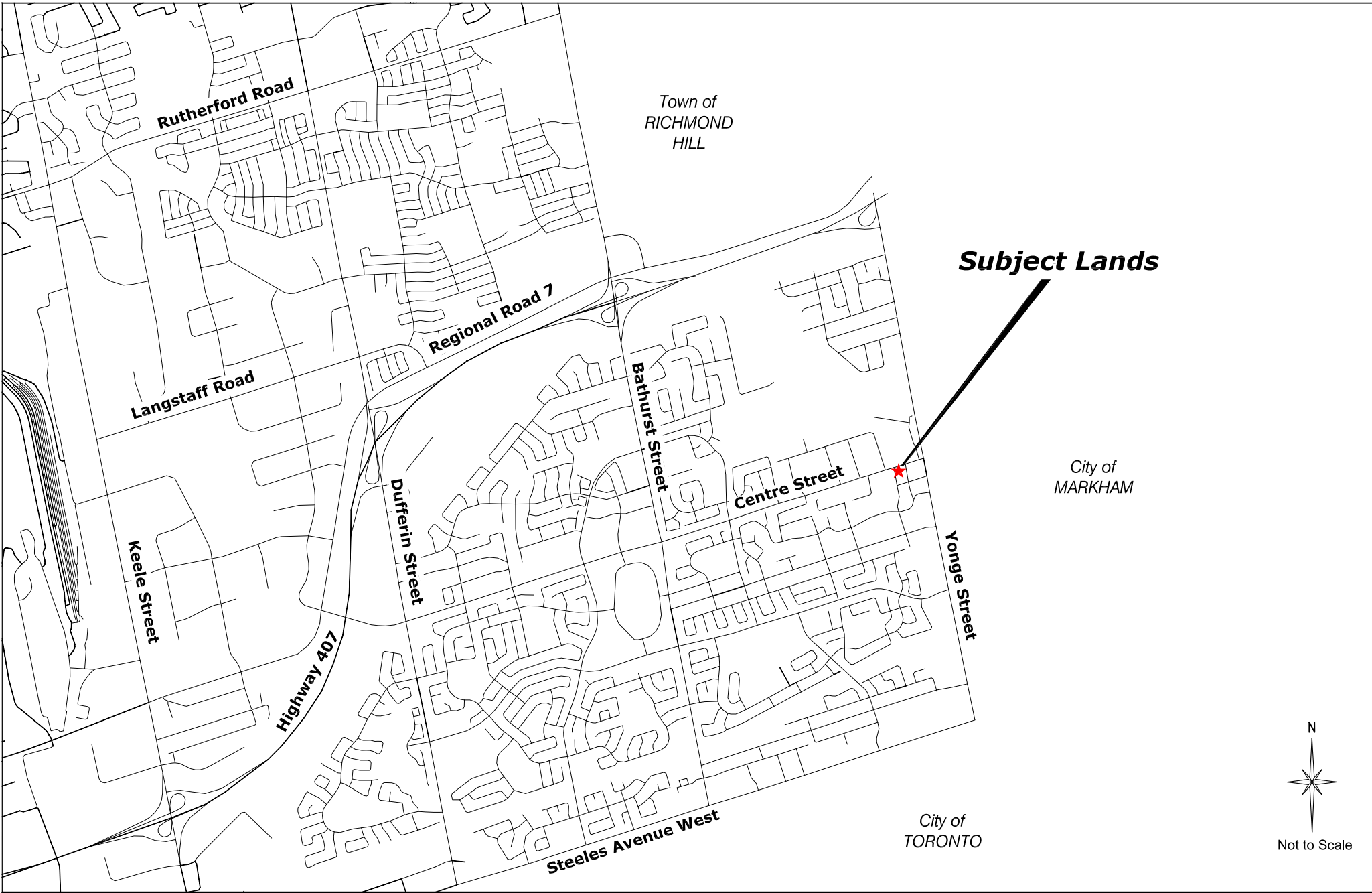
MAURO PEVERINI  
Director of Development Planning

BILL KIRU  
Senior Manager of Development Planning

Approved for Submission:

DANIEL KOSTOPOULOS  
City Manager

/CM



# Context Location Map

**LOCATION:**  
Part of Lot 30, Concession 1

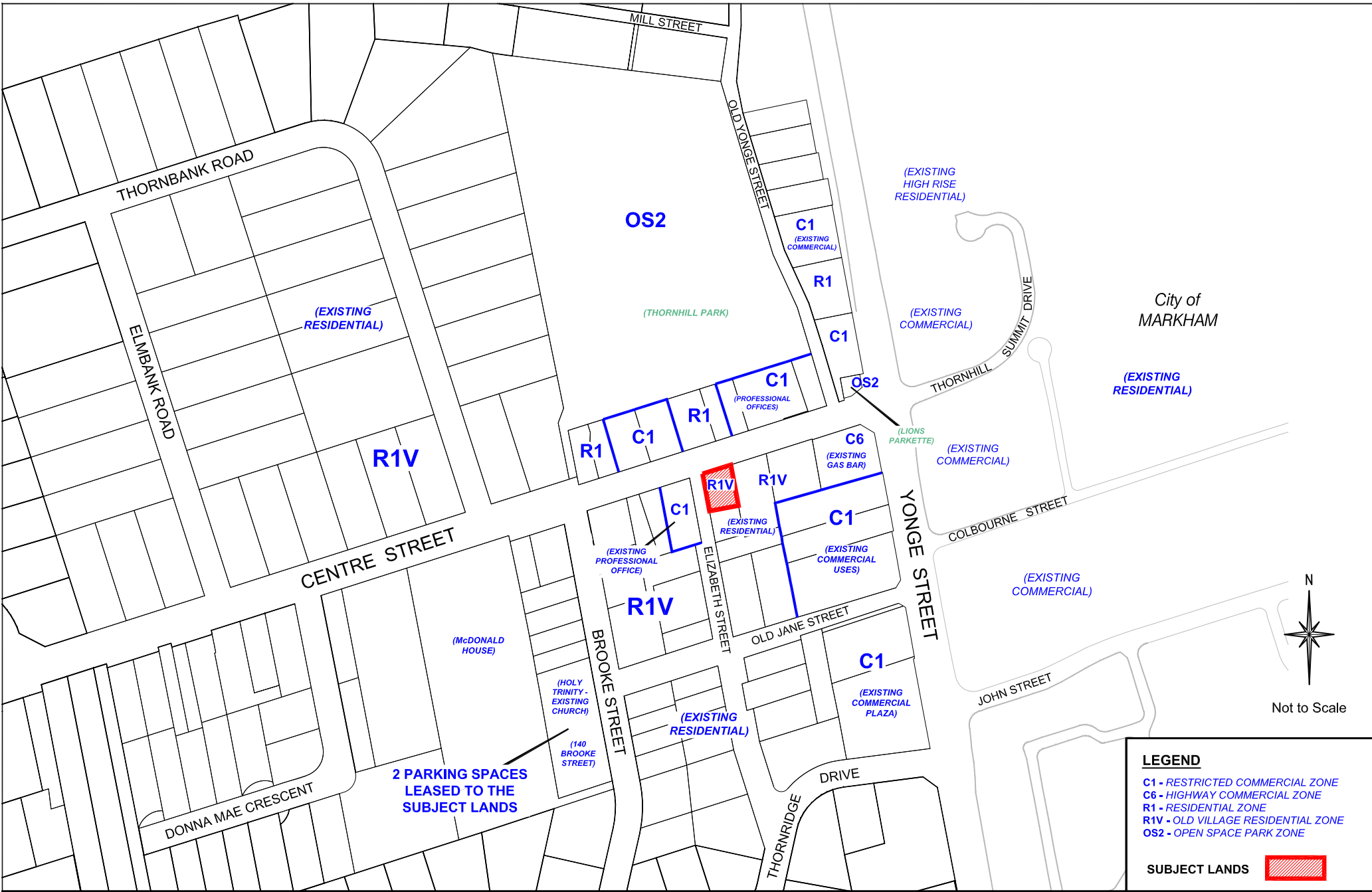
**APPLICANT:**  
Peter Edrey



Attachment  
**1**

FILE: Z.17.021  
RELATED FILE: DA.17.046

DATE:  
December 5, 2017



# Location Map

**LOCATION:**  
Part of Lot 30, Concession 1

**APPLICANT:**  
Peter Edrey

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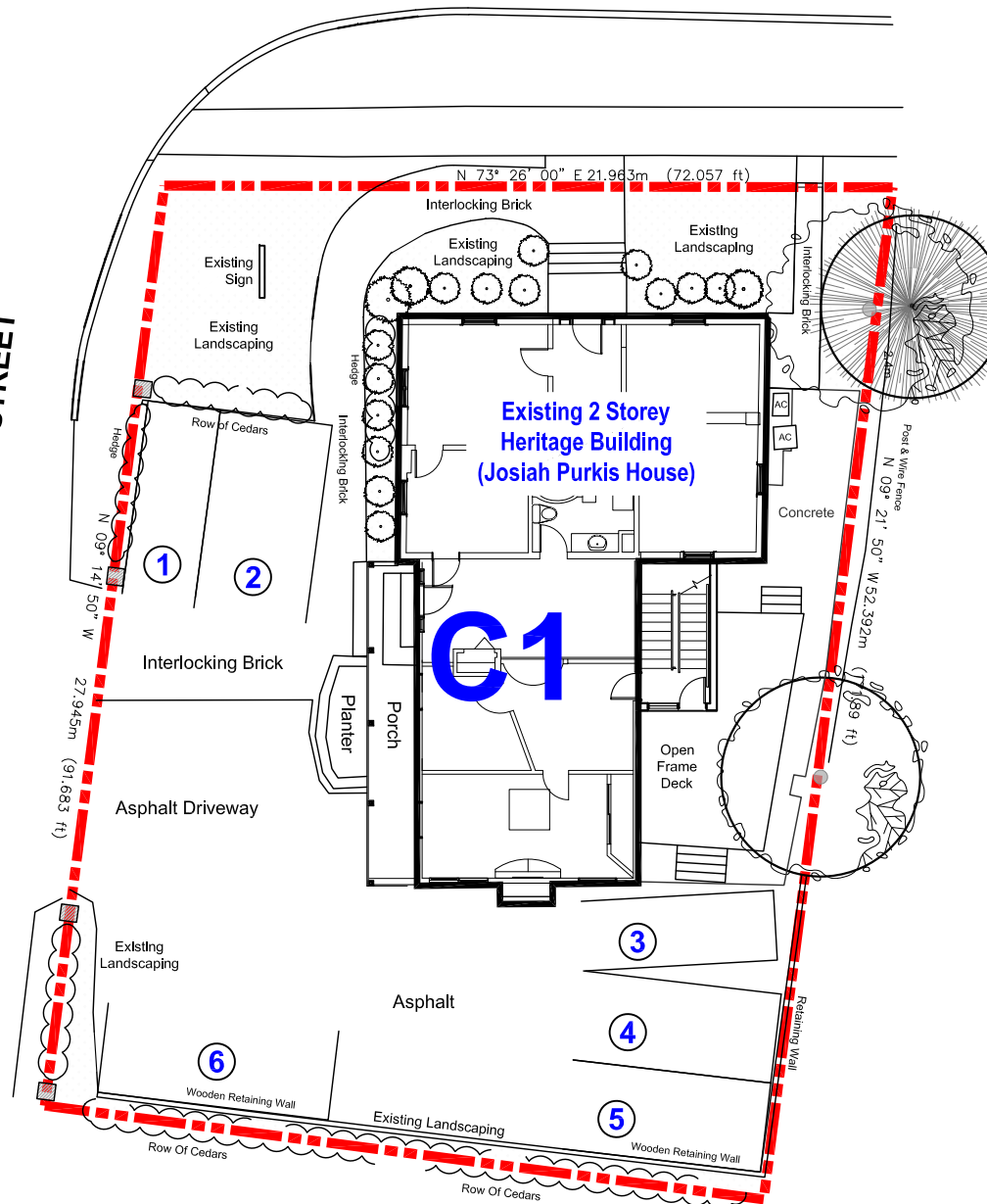
**Attachment**  
**2**

**FILE:** Z.17.021  
**RELATED FILE:** DA.17.046

**DATE:**  
December 5, 2017

ELIZABETH STREET

CENTRE STREET



**C1** RESTRICTED COMMERCIAL ZONE

--- SUBJECT LANDS

# Site Plan and Proposed Zoning

**LOCATION:**  
Part of Lot 30, Concession 1

**APPLICANT:**  
Peter Edrey

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Attachment  
**3**  
FILE: Z.17.021  
RELATED FILE: DA.17.046  
DATE:  
December 5, 2017