

CITY OF VAUGHAN COMMITTEE OF THE WHOLE (PUBLIC HEARING) AGENDA

Tuesday, May 7, 2019 7:00 p.m. Council Chamber 2nd Floor, Vaughan City Hall 2141 Major Mackenzie Drive Vaughan, Ontario

Pages

1. DISCLOSURE OF INTEREST

2. COMMUNICATIONS

3. CONSIDERATION OF PUBLIC HEARING ITEMS

- EDWARD LETICHEVER OFFICIAL PLAN AMENDMENT FILE OP.13.007 ZONING BY-LAW AMENDMENT FILE Z.13.019 VICINITY OF DUFFERIN STREET AND CENTRE STREET Information Item from the Deputy City Manager, Planning and Growth Management with respect to the above.
- DANIEL GLUZBERG ZONING BY-LAW AMENDMENT FILE Z.19.001 SITE DEVELOPMENT FILE DA.19.008 1238 CENTRE STREET VICINITY OF CENTRE STREET AND VAUGHAN BOULEVARD Information Item from the Deputy City Manager, Planning and Growth Management with respect to the above.

4. ADJOURNMENT

ALL APPENDICES ARE AVAILABLE FROM THE CITY CLERK'S OFFICE PLEASE NOTE THAT THIS MEETING WILL BE AUDIO RECORDED AND VIDEO BROADCAST

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Committee of the Whole (Public Hearing) Report

DATE: Tuesday, May 07, 2019 **WARD:** 5

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

FROM:

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To receive comments from the public and the Committee of the Whole on Official Plan and Zoning By-law Amendment Files OP.13.007 and Z.13.019 for the Subject Lands shown on Attachment 1, to permit a four-storey commercial building with a total Gross Floor Area of 1,943.07 m², as shown on Attachments 3 to 5.

Report Highlights

- To receive input from the public and Committee of the Whole regarding a four-storey commercial building with a total Gross Floor Area of 1,943.07 m².
- Amendments to the Official Plan 2010 and Zoning By-law 1-88 are required to permit the proposed development.
- A Committee of the Whole Public Hearing was held for Official Plan and Zoning By-law Amendment Files OP.13.007 and Z.13.019 on September 3, 2013. A technical report was not prepared within two years of the Public Hearing given outstanding matters being resolved by the Owner. Therefore, in accordance with Council protocol, a new Public Hearing is required.
- A technical report prepared by the Development Planning Department will be considered at a future Committee of the Whole meeting.

Recommendations

1. THAT the Public Hearing report for Official Plan and Zoning By-law Amendment 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.

Background

The subject lands ('Subject Lands') shown on Attachment 1 are located on the south side of Centre Street, east of Dufferin Street and municipally known as 1445 Centre Street. The surrounding land uses are shown on Attachment 1. The Subject Lands are currently vacant.

The proposed four-storey commercial building (the 'Development'), as shown on Attachments 3 to 5, consists of a total Gross Floor Area ('GFA') of 1,943.07 m² and a total of 69 parking spaces in two underground parking levels.

Official Plan and Zoning By-law Amendment applications have been submitted to permit the Development

The Owner has submitted the following applications ('the Applications') to permit the Development:

- 1. Official Plan Amendment File OP.13.007 to amend the in-effect OPA 210 (Thornhill Vaughan Community Plan), as amended by OPA 672 (Centre Street Corridor Plan), to redesignate the Subject Lands from "Low Density Residential" with a "Special Policy Area" overlay to "General Commercial" to permit a 4-storey commercial building; and,
- Zoning By-law Amendment File Z.13.019 to amend Zoning By-law 1-88, specifically to rezone the Subject Lands from "R1 Residential Zone" to "C1 Restricted Commercial Zone" in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 1 of this report.

Public Notice was provided in accordance with the Planning Act and Vaughan Council's Notification Protocol

a) Date the Notice of Public Hearing was circulated: April 12, 2019.

The Notice of Public Hearing was also posted on the City's web-site at <u>www.vaughan.ca</u> and a Notice Sign was installed on the property in accordance with the City's Notice Signs Procedures and Protocols.

b) Circulation Area: Circulated to all property owners within a 150 m distance from the boundary of the Subject Lands.

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 the final technical report to be considered at a future Committee of the Whole meeting.

Previous Reports/Authority

https://www.vaughan.ca/council/minutes_agendas/AgendaItems/CW(PH)0903_3.pdf

Analysis and Options

Amendments to the policies of the in-effect Thornhill Vaughan Community Plan, as amended, are required to permit the Development

The Subject Lands are designated "Low Density Residential" with a "Special Policy Area" overlay by the in-effect OPA 210 (Thornhill Vaughan Community Plan), as amended by OPA 672 (Centre Street Corridor Plan). The proposed commercial building is not permitted in the "Low Density Residential" designation, which only permits single detached dwellings, therefore, an Official Plan Amendment is required.

The 2003 Thornhill Centre Study, which resulted in OPA #672, did not provide a detailed land use analysis for the Dufferin Street and Centre Street "Western Gateway", as shown on Attachment 2. Therefore, the land use plan and polices for the "Western Gateway" have not been reviewed comprehensively and have resulted in the placement of the "Special Policy Area" overlay on the southwest and southeast quadrants of Dufferin Street and Centre Street. The southeast quadrant is primarily under the ownership of the Province of Ontario, represented by Infrastructure Ontario ('IO').

Section 2.2.6, in part, of OPA 672 does not identify permitted used 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 lands uses, noise study and a height and massing study demonstration 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."

Schedule 14-A of the Vaughan Official Plan (VOP) 2010, Volume 1, identifies the Dufferin Street and Centre Street intersection as a "Required Secondary Plan Area." In April 2013, Council directed staff to conduct the Dufferin Street and Centre Street Intersection Land Use Study (the 'Study Report'). On June 20, 2017, the Policy Planning and Environmental Sustainability staff brought forward the Study Report and

the amendment to the VOP 2010 to Committee of the Whole for consideration. On June 27, 2017, Council deferred the Study Report and amendment to VOP 2010 until the completion of the 407ETR Centre Street Interchange Feasibility Study ('Interchange Feasibility Study').

The Ministry of Transportation Ontario ('MTO') and 407ETR recently completed an assessment of the interchange options for Centre Street. The Interchange Feasibility Study was released in September 2018 and concluded that the Centre Street location be removed for consideration as a future Highway 407 Interchange.

Policy Planning and Environmental Sustainability staff will be providing an update on the Dufferin Street and Centre Street Intersection Land Use Study, including an overview of the implications of the new Provincial Plans and the policy impacts on the intersection study to a future report to Committee of the Whole.

Amendments to Zoning By-law 1-88 are required to permit the Development

The Subject Lands are zoned "R1 Residential Zone" by Zoning By-law 1-88, as shown on Attachment 1. The Development is not permitted within this zone category and therefore, an amendment to Zoning By-law 1-88 is required to rezone the property to "C1 Restricted Commercial Zone", together with the following site-specific zoning exceptions:

	Zoning By-law 1-88 Standard	C1 Restricted Commercial Zone Requirements	Proposed Exceptions to the C1 Restricted Commercial Zone
a.	Minimum Front Yard Setback (Centre Street)	9 m	2.4 m
b.	Minimum Setback to a Residential Zone (westerly side yard)	9 m	1.2 m
c.	Maximum Building Height	11 m	19 m
d.	Permitted Uses		Permit only the following uses:

<u>Table 1</u>

	Zoning By-law 1-88 Standard	C1 Restricted Commercial Zone Requirements	Proposed Exceptions to the C1 Restricted Commercial Zone
		Uses permitted in C1 Restricted Commercial Zone	 Office Building Business or Professional Office Retail Store Convenience Eating Establishment Personal Service Shop Pharmacy Photography Studio
e.	Minimum Lot Depth	60 m	50.94 (existing)
f.	Loading Spaces	1 space	0 spaces
g.	Minimum Landscape Strip Width (Centre Street)	6 m	2.4 m
h.	Minimum Landscape Strip Width abutting a Residential Zone (westerly side yard)	2.4 m	1.2 m
i.	Minimum Landscape Area	10 %	6.4 %

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

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

	MATTERS TO BE REVIEWED	COMMENTS
a.	Consistency and Conformity with Provincial Policies, York Region and City Official Plans	The Applications will be reviewed in consideration of the statutory Provincial policies including the <i>Provincial Policy Statement, 2014</i> ('PPS') and the <i>Growth Plan for the Greater</i> <i>Golden Horseshoe (2017)</i> ('Growth Plan') and the policies of the York Region Official Plan ('YROP') and VOP 2010, and OPA # 210 as amended by OPA # 672
b.	Appropriateness of the Applications and Site-Specific Zoning Exceptions	The appropriateness of the proposed amendments to the Official Plan and Zoning By- law will be reviewed in consideration of the existing and planned surrounding land uses, with consideration given to land use and built form compatibility, urban design, environmental sustainability, transition with existing and planned development, and traffic.
C.	Urban Design and Architectural Guidelines	The Development must conform to the Centre Street Urban Design Guidelines and Centre Street Streetscape Plan.
d.	Cash-in-lieu of Parkland	The Owner will be required to pay to the City of Vaughan, cash-in-lieu of the dedication of parkland, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City of Vaughan's Cash-in-Lieu of Parkland Policy, should the Applications be approved. The final value of the cash-in-lieu of parkland dedication will be determined by the Office of the City Solicitor, Real Estate Department.

	MATTERS TO BE REVIEWED	COMMENTS
e.	Studies and Reports	 The Owner has submitted the following studies and reports in support of the Applications, which must be approved to the satisfaction of the City and/or respective public approval authority: Planning Justification Report Servicing Feasibility Report Phase 1 Environmental Site Assessment Hydraulic Analysis Traffic Impact Study Public Participation Report as required by OPA #672 Tree Inventory and Assessment Report Additional reports or studies may be required as part of the review process.
f.	Site Development File DA.13.042	The Owner has submitted Site Development File DA.13.042, which will be reviewed concurrently with the Applications to ensure appropriate building and site design, signage details, parking, landscaping, stormwater management, environmental sustainability, waste management, snow storage and site servicing and grading.
g.	Toronto and Region Conservation Authority ('TRCA')	A 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 TRCA. The Owner must satisfy all requirements of the TRCA.

Financial Impact

Not Applicable.

Broader Regional Impacts/Considerations

The Applications have been circulated to the York Region Community Planning and Development Services Department for review and comment. The Owner has applied for a Regional Official Plan exemption which is currently being reviewed by the Region. Any issues will be addressed when the technical report is considered.

Conclusion

The preliminary issues 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 Vaughan 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.

For more information, please contact: Carol Birch, Planner, Development Planning Department, ext. 8485.

Attachments

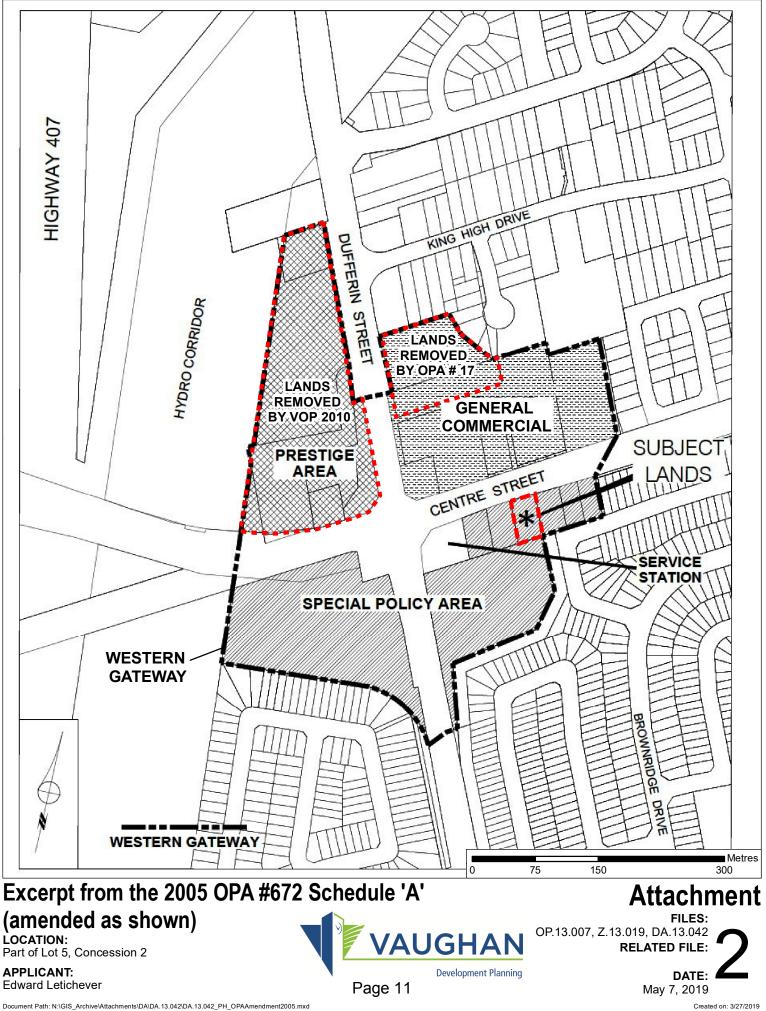
- 1. Location Map
- 2. Excerpt from the 2005 OPA #672 Schedule "A"
- 3. Conceptual Site Plan and Proposed Zoning
- 4. Landscape Plan
- 5. Building Elevations

Prepared by

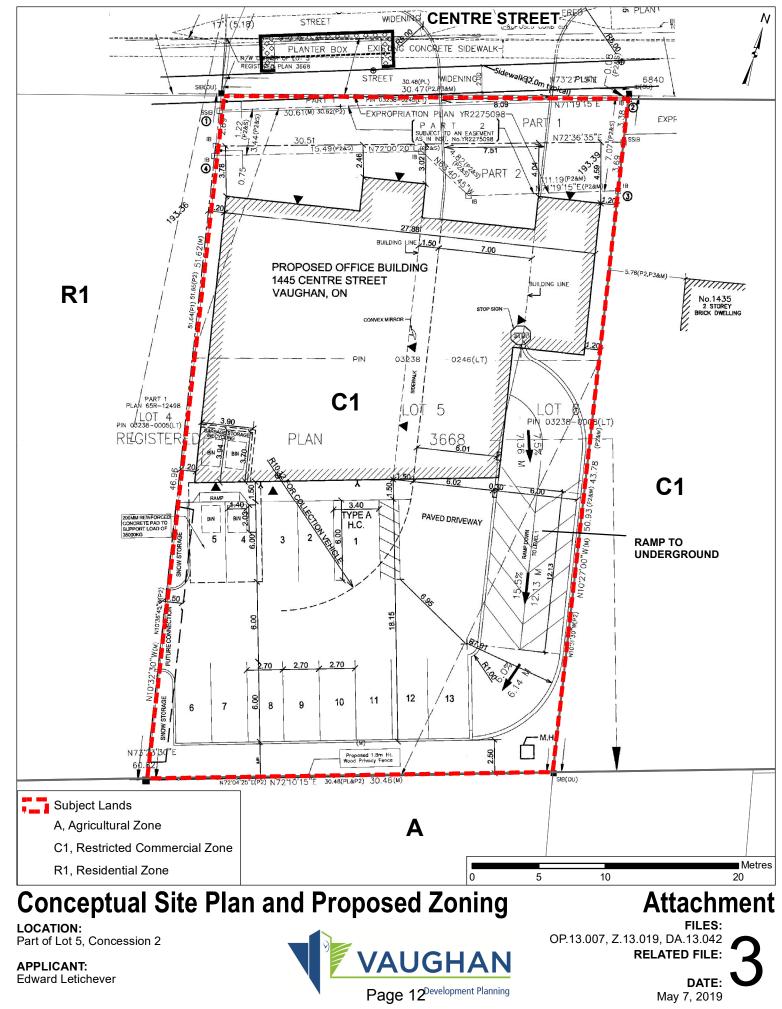
Carol Birch, Planner, ext. 8485 Stephen Lue, Senior Planner, ext. 8210 Nancy Tuckett, Senior Manager of Development Planning, ext. 8529 Mauro Peverini, Director of Development Planning, ext. 8407

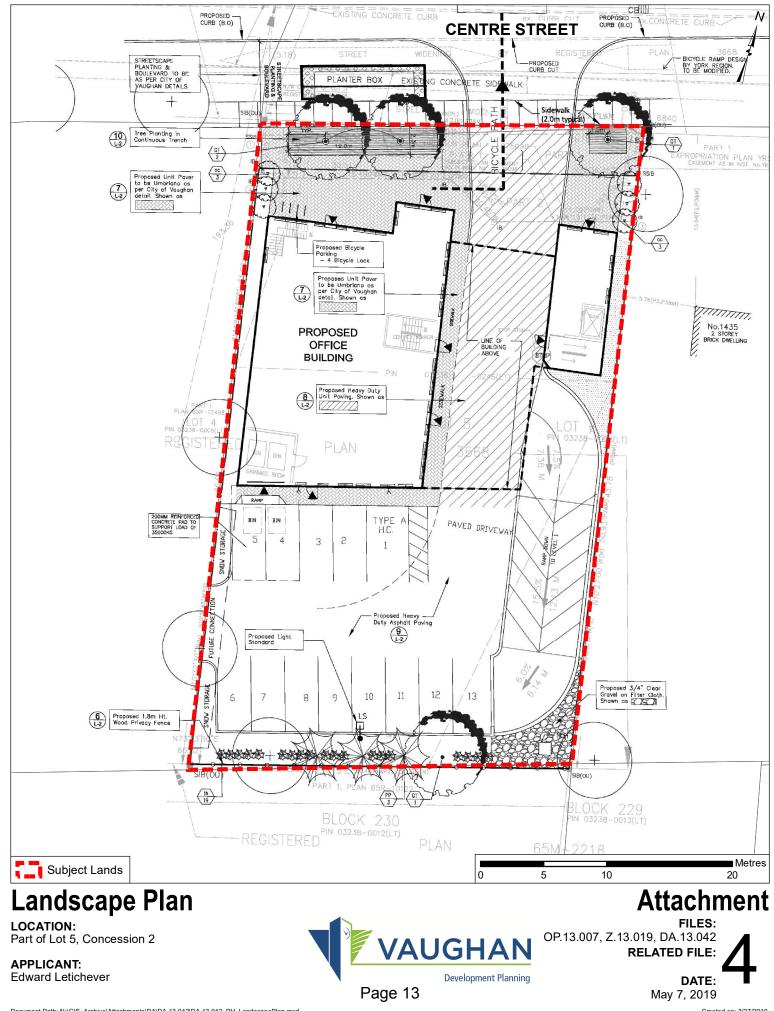
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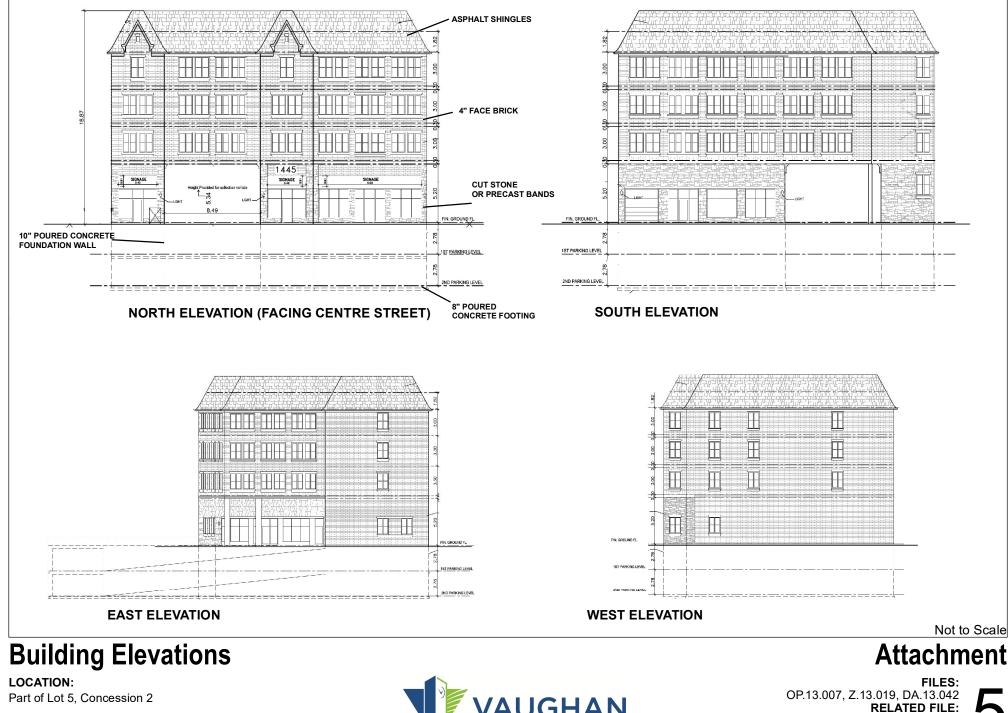
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Created on: 3/27/2019



APPLICANT: Edward Letichever



Committee of the Whole (Public Hearing) Report

DATE: Tuesday, May 07, 2019 **WARD:** 5

TITLE: DANIEL GLUZBERG ZONING BY-LAW AMENDMENT FILE Z.19.001 SITE DEVELOPMENT FILE DA.19.008 1238 CENTRE STREET VICINITY OF CENTRE STREET AND VAUGHAN BOULEVARD

FROM:

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose **Purpose**

To receive comments from the public and the Committee of the Whole on Zoning Amendment Z.19.001 for the Subject Lands shown on Attachment 1, to permit the use of the existing buildings at 1238 Centre Street for a day nursery use, as shown on Attachments 2 - 5.

Report Highlights

- To receive input from the public and the Committee of the Whole to amend Zoning By-law 1-88 to permit a day nursery use within the existing buildings.
- Amendments to Zoning By-law 1-88 are required to permit the proposed day nursery use within the existing buildings at 1238 Centre Street.
- A technical report prepared by the Development Planning Department will be considered at future Committee of the Whole meeting.

Recommendations

1. THAT the Public Hearing report for Zoning By-law Amendment File Z.19.001 (Daniel Gluzberg) BE RECEIVED; and, that any issues identified be addressed

by the Vaughan Development Planning Department in a comprehensive report to the Committee of the Whole.

Background

The Subject Lands (the 'Subject Lands') are located on the north side of Centre Street, west of Vaughan Boulevard and are municipally known as 1238 Centre Street. The Subject Lands and the surrounding lands uses are shown on Attachment 1. The Subject Lands are currently occupied with two existing vacant one-storey buildings (previously occupied by a private elementary school). The existing buildings consist of a main building (formerly a dwelling) and an accessory structure in the rear yard. The total gross floor area of these buildings is 308 m² (Buildings "A" and "B"), as shown on Attachments 2 - 5.

The Subject Lands were subject to a previous Site Development File DA.00.139 which was approved by Council on May 4, 2010 for a private elementary school use. The Committee of Adjustment approved Minor Variances to bring the Subject Lands into conformity with the Institutional Use requirements of By-law 1-88 for the private school use. Variances (for yard setbacks, landscape strip widths and parking) were approved by the Committee of Adjustment under File A062/07. A Site Plan Letter of Undertaking for the private school use was executed in March 2011 and the property was used for this purpose.

Since the execution of the Site Plan Letter of Undertaking, York Region has expropriated frontage along Centre Street for the York Region Bus Rapid Transitway. Construction for the road improvements on Centre Street is now underway. The related Site Development Application (DA.19.008) includes a driveway re-alignment, a parking area and landscaping consistent with the York Region streetscape for Centre Street.

A Zoning By-law Amendment Application has been submitted to permit the Day Nursey use

The Owner has submitted Zoning By-law Amendment File Z. 19.001 (the 'Application') for the Subject Lands shown on Attachments 1 and 2 to:

 permit a day nursery use within the existing stand-alone buildings in an "R3 Residential Zone", on the Subject Lands, together with site-specific zoning exceptions identified in Table 1 of this report.

Public Notice was provided in accordance with the Planning Act and Vaughan Council's Notice Signs Procedures and Protocol

a) Date the Notice of Public Hearing was circulated: April 12, 2019.

The Notice of Public Hearing was also posted on the City's web-site at <u>www.vaughan.ca</u> and a Notice Sign was installed on the property in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: To all property owners within 150 m of the Subject Lands and to the Brownridge Ratepayers' Association.
- c) Comments received:

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 the final technical report to be considered at a future Committee of the Whole meeting.

Previous Reports/Authority

Council Extract May 4, 2010 Item 22, Report 17 Site Development File DA.00.139 Daniel Gluzberg 1238 Centre Street

Analysis and Options

The Subject Lands are designated "Mid-Rise Mixed-Use "B" by Vaughan Official Plan ('VOP 2010') and are subject to the Chapter 12 Area Specific policies. These policies permit day cares. These policies were adopted by Council but are before the Local Planning Appeal Tribunal.

The proposed Day Nursery Use conforms to Official Plan Amendment 672

The proposed day nursery use conforms to the in-effect Official Plan Amendment 672 ('OPA 672') which designates the Subject Lands "Office Commercial" and permits a day care use. The "Office Commercial" policies limit the maximum building height within this designation to 11 m and require that any development within the "Office Commercial" designation proceed by way of a site-specific zoning by-law amendment and site development applications which have regard to parking, lighting, loading and service areas and, wherever possible, the consolidation of individual driveways.

Amendments to Zoning By-law 1-88 are required to permit the Development

The Subject Lands are zoned "R3 Residential Zone" by Zoning By-law 1-88, subject to Exception 9(776) as shown on Attachment 1. The proposed day nursery use is not permitted within this zone. The Owner previously obtained Committee of Adjustment approvals (for rear yard and interior side yard setbacks, landscape strip widths and parking) under Files A062/07 and A089/12 (for a side yard setback to steps). The Subject Lands must be zoned with the proposed site-specific exceptions identified in Table 1 to permit the day nursery use, together with the following site-specific zoning exceptions to By-law 1-88 to permit the Development and recognize Committee of Adjustment approvals.:

	Zoning By-law 1-88 Standard	R3 Residential Zone Requirements	Proposed Exceptions to the R3 Residential Zone Requirements
a.	Permitted Uses and Definition of a "Day Nursery"	Not a permitted use within the R3 Residential Zone	Permit a Day Nursery on the Subject Lands defined as follows: Day Nursery – Means a day nursery as defined in the Day Nurseries Act, R.S.O. 1980, C 111.
b.	Minimum Rear Yard Setback (to an Accessory Building – north lot line)	15 m	1.2 m (Building B to north lot line)– Approved by Committee of Adjustment File A062/07).
c.	Interior Side Yard Setback	15 m	 5.53 m (Building A - west side yard). 5.69 m (Building A - east side yard) Approved by Committee of Adjustment File A062/07.

Table 1:

	Zoning By-law 1-88 Standard	R3 Residential Zone Requirements	Proposed Exceptions to the R3 Residential Zone Requirements
			 3.45 m (Building B – west side yard to steps) (Approved by Committee of Adjustment File A062/07).
d.	Minimum Landscape Strip Width Abutting Residential Zone	2.4 m along lot line abutting a residential zone	1.0 m abutting residential zone on west property line 1.22 m abutting the northerly property line (Approved by Committee of Adjustment File A062/07.
e.	Minimum Landscape Strip Width Abutting Street Line	6.0 m along street line	2 m abutting Centre Street (Approved by Committee of Adjustment File A063/07).

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

The Owner has submitted a related Site Development Application for the Subject Lands as shown on Attachments 2 - 5. No new development is proposed on the Subject Lands. The day nursery use is proposed within the existing buildings and will use the existing classrooms, ancillary spaces, staff and administrative rooms which were previously used as a private elementary school. The play area in the rear of the property will remain.

The parking area in front of the building will be repaired and the driveway access from Centre Street will be aligned with the York Region design for Centre Street and a landscape strip adjacent to Centre Street will be provided in accordance with York Region's streetscape for Centre Street. Following a preliminary review of the Applications, the Development Planning Department has identified the following matters to be reviewed in greater detail:

	MATTERS TO BE REVIEWED	COMMENT
а.	Consistency and Conformity with Provincial Policies, Regional and City Official Plan Policies	 The Application will be reviewed for consistency with the <i>Provincial Policy</i> <i>Statement, 2014</i> (the 'PPS') and the <i>Growth</i> <i>Plan for the Greater Golden Horseshoe 2017</i> (the 'Growth Plan') and the policies of the York Region Official Plan ('YROP") and the City of Vaughan Official Plan policies of VOP 2010 Chapter 12 and the in effect Official Plan policies ('OPA 672').
b.	Appropriateness of the Proposed Zoning Amendment and Site- Specific Zoning Exceptions	 The appropriateness of the proposed zoning amendment to permit the proposed day nursery use will be reviewed in consideration of, but not limited to the following: the compatibility with the existing and planned surrounding land uses; the proposed land use; the appropriateness of the site design and existing building for the use; the appropriateness of the site-specific development standards
С.	Studies and Reports	 The Owner has submitted the following studies and reports in support of the application, which must be approved to the satisfaction of the City and/or respective public approval authority: Stormwater Management Brief Site Plan Accessibility Check List Tree Inventory and Preservation Study Additional reports or studies may be required as part of the development application review process.
d.	Site Development Application	 A Site Development Application is required for the proposed use. The Owner has submitted related Site Development File DA.19.008. Although no changes are proposed to the existing buildings on the site, the site plan will

	MATTERS TO BE REVIEWED	COMMENT
		 be reviewed in consideration of, but not limited to, appropriate site design, pedestrian connectivity, barrier free accessibility, appropriate driveway and vehicular access to Centre Street, appropriate landscaping, environmental sustainability, servicing and grading, stormwater management, appropriate provisions for waste management. A Site Development Application is being processed concurrently with the Zoning Application and will be considered together in a comprehensive technical report to a future Committee of the Whole Meeting.
e.	Sustainable Development	 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 site plan approval process, if the application is approved. The proposed use will occur within the existing buildings located on the site and no additional development is proposed as a result of these applications.

Financial Impact

Not Applicable.

Broader Regional Impacts/Considerations

The Applications have 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 Zoning By-law Amendment and Site Development Files Z.19.001 and DA.19.008 will be considered in the technical review of these Applications, together with comments from the public and Vaughan 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.

For more information, please contact: Laura Janotta, Planner, Development Planning Department, ext. 8634.

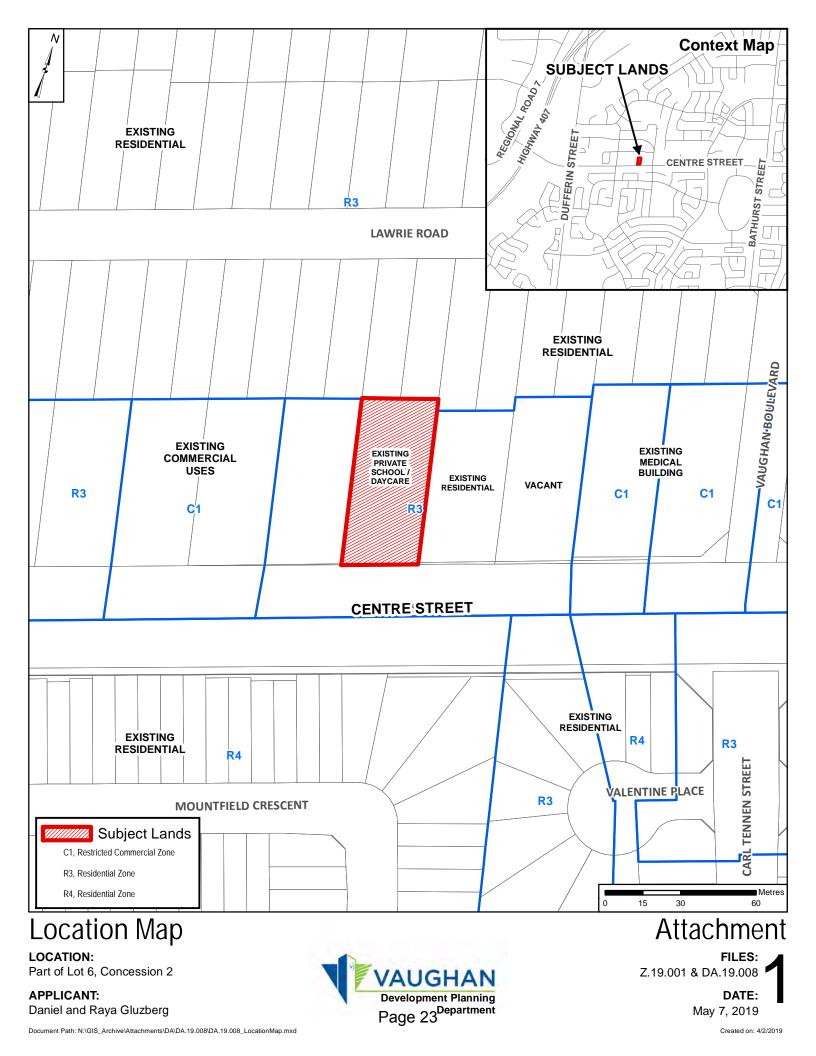
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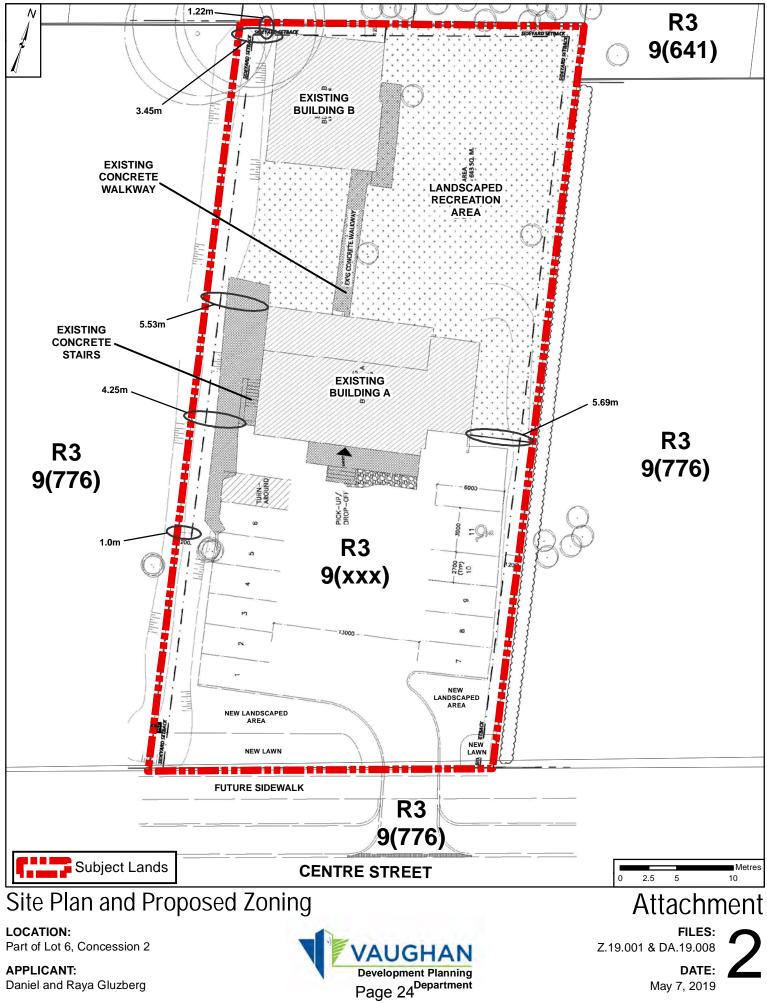
- 1. Location Map
- 2. Site Plan and Proposed Zoning
- 3. Landscape Plan
- 4. Elevations Building A (Existing)
- 5. Elevations Building B (Existing)

Prepared by

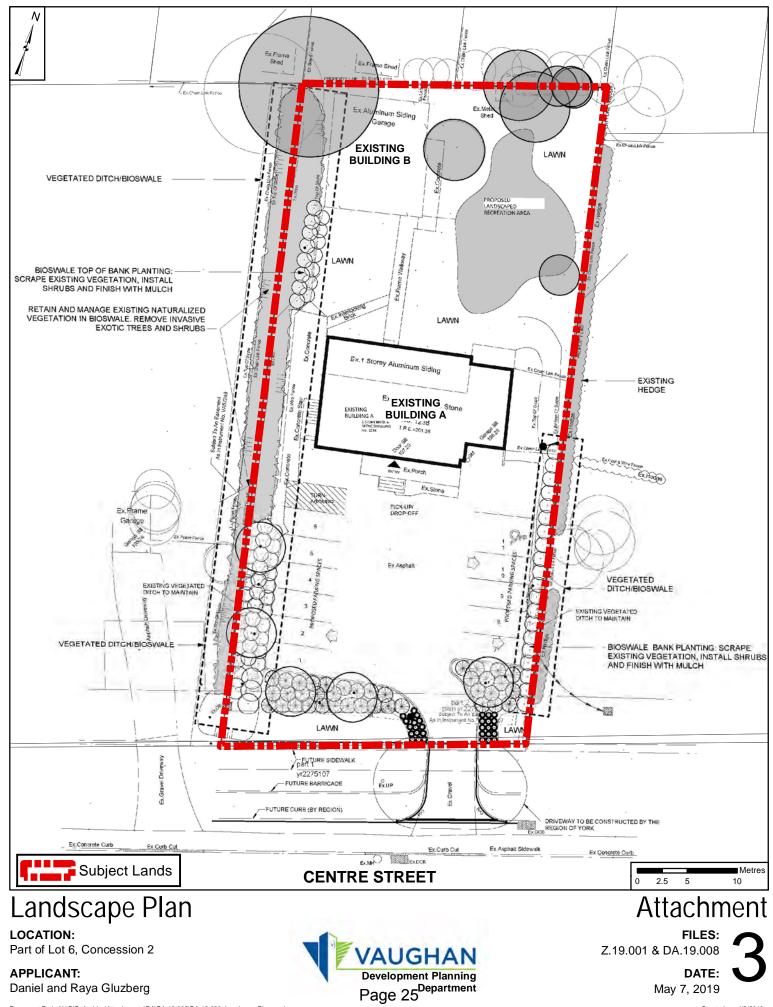
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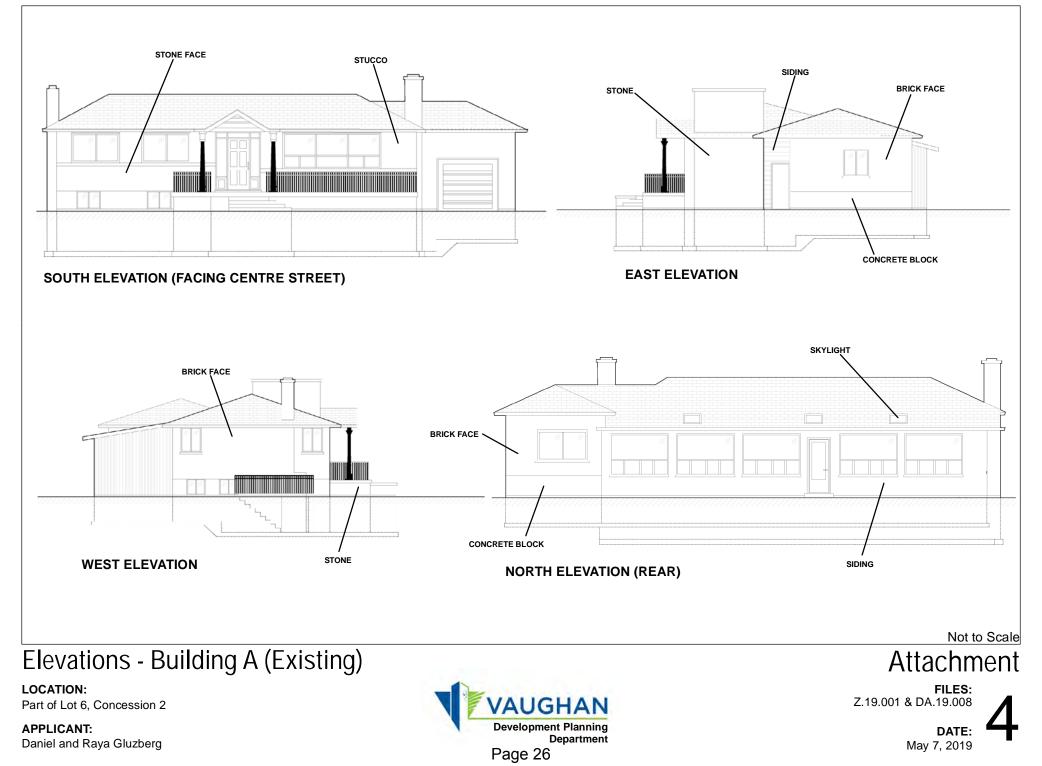


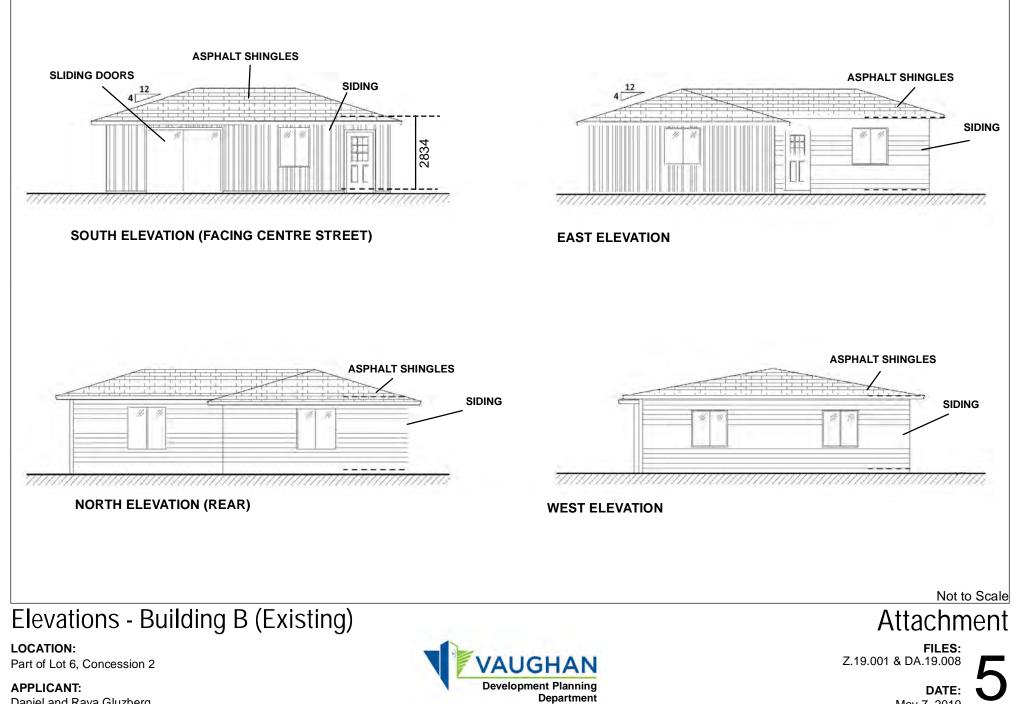


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Daniel and Raya Gluzberg

May 7, 2019