

Committee of the Whole (Public Hearing) Report

DATE: Tuesday, April 02, 2019

WARD: 5

**TITLE: ZONING BY-LAW AMENDMENT FILE Z.18.038
33 CENTRE INC.
VICINITY OF CENTRE STREET AND YONGE 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 Zoning By-law Amendment File Z.18.038 (33 Centre Inc.) specifically to rezone the Subject Lands from “R1V Old Village Residential Zone” to “C1 Restricted Commercial Zone” in the manner shown on Attachment 2. The proposed rezoning would permit a 2-storey addition to the back of the existing 2.5-storey heritage dwelling and the conversion of the dwelling to business and professional office uses.

Report Highlights

- To receive input from the public and Committee of the Whole on Zoning By-law Amendment File Z.18.038 to rezone the Subject Lands to facilitate the conversion of an existing heritage dwelling and to permit a 2-storey addition at the back of the existing building for business and professional office uses.
- Amendments to Zoning By-law 1-88 are required to permit the development.
- The development is subject to review and approval from the Heritage Vaughan Committee.
- A technical report to be 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 Zoning By-law Amendment File Z.18.038 (33 Centre Inc.) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Background

The subject lands (the 'Subject Lands') are located on the south side of Centre Street and west of Yonge Street and are municipally known as 33 Centre Street. The surrounding land uses are shown on Attachment 1.

A Zoning By-law Amendment Application has been submitted to permit the rezoning of the Subject Lands and a proposed 2-storey addition

The Owner (33 Centre Inc.) has submitted Zoning By-law Amendment File Z.18.038 (the 'Application') to rezone the Subject Lands from "R1V Old Village Residential Zone" to the "C1 Restricted Commercial Zone", together with the site-specific zoning exceptions identified in Table 1 of this report. The proposal also includes a 2-storey addition (the 'Development') to the back of the existing 2.5-storey heritage dwelling and the conversion of the building from residential to business and professional office uses. No residential uses are proposed.

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

- a) Date the Notice of Public Hearing was circulated: March 8, 2019

The Notice of Public Hearing was also posted on the City's website at www.vaughan.ca and a Notice Sign (along the Centre Street frontage) was installed on the property in accordance with the City's Notice Signs Procedures and Protocols.

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

Any 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.

Previous Reports/Authority

Not Applicable.

Analysis and Options

The proposed rezoning and Development conforms to Vaughan Official Plan (“VOP 2010”)

The Subject Lands are designated “Low-Rise Mixed-Use” with a maximum permitted building height of 3-storeys, a Floor Space Index (‘FSI’) of 0.75 times the area of the lot and is identified within the “Heritage Main Street Area” by Section 12.8 Yonge Street Corridor in Thornhill in Volume 2 of VOP 2010. The Subject Lands are also located within a “Local Centre” on Schedule 1, Urban Structure of VOP 2010.

The “Low-Rise Mixed-Use” designation encourages mixed-use retail/residential or retail/office developments within built-forms such as townhouses, stacked townhouses and low-rise buildings. The “Low-Rise Mixed-Use” designation includes a broad variety of retail and commercial activities, offices, and cultural entertainment and social facilities. The “Heritage Main Street Area” overlay limits the building typology to either low-rise buildings or public and private institutional buildings and primarily focuses on the protection and adaptive re-use of existing heritage buildings. The “Heritage Main Street Area” also limits uses to retail uses, service uses, offices, banks and financial institutions, hotels and bread and breakfast inns, institutional uses, full service uses and restaurants and residential uses on upper floors only.

The proposed rezoning of the Subject Lands from “R1V Old Village Residential Zone” and “C1 Restricted Commercial Zone” to permit the business professional office uses conforms to VOP 2010.

The Subject Lands are located within the Thornhill Heritage Conservation District (‘Thornhill HCD’)

The Subject Lands are located within the Thornhill HCD and are subject to the requirements of the Thornhill HCD Plan. The Subject Lands are designated Part V under the *Ontario Heritage Act* (‘OHA’), as the property is located in the Thornhill HCD. The property is also listed on the Register of Property of Cultural Heritage Value in accordance with the OHA. The Subject Lands contains an existing 2.5-storey dwelling constructed in 1910 in the “Edwardian Foursquare” architectural style.

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

The Subject Lands are zoned “R1V Old Village Residential Zone” by Zoning By-law 1-88. The Subject Lands are proposed to be rezoned to “C1 Restricted Commercial Zone” to permit business and professional office uses. The following site-specific exceptions to Zoning By-law 1-88, “C1 Restricted Commercial Zone”, are required to permit the Development shown on Attachments 2 to 5:

Table 1

	Zoning By-law 1-88 Standard	C1 Restricted Commercial Zone Requirements	Proposed Exceptions to the C1 Restricted Commercial Zone Requirements
a.	Permitted Uses	<p>a) Uses Permitted in all Commercial Zones:</p> <ul style="list-style-type: none">▪ Institutional and Recreational Uses <p>b) Uses Permitted in C1 Restricted Commercial Zone:</p> <ul style="list-style-type: none">▪ Automotive Retail Store▪ Banking or Financial Institution▪ Boating Showroom▪ Business or Professional Office▪ Club or Health Centre▪ Eating Establishment▪ Eating Establishment, Convenience▪ Eating Establishment,	To permit the building on the Subject Lands to be used only for a Business and Professional Office Use

	Zoning By-law 1-88 Standard	C1 Restricted Commercial Zone Requirements	Proposed Exceptions to the C1 Restricted Commercial Zone Requirements
		<ul style="list-style-type: none"> Takeout ▪ Funeral Home ▪ Hotel ▪ Laboratory ▪ Motor Vehicle Sales Establishment ▪ Office Building ▪ Personal Service Shop ▪ Pharmacy ▪ Photography Studio ▪ Place of Entertainment ▪ Radio Transmission Establishment ▪ Retail Store ▪ Service or Repair Shop ▪ Video Store 	
b.	Minimum Number of Parking Spaces	666.9 m ² @ 3.5 spaces per 100 m ² = 24 parking spaces	666.9 m ² @ 2.84 spaces per 100 m ² = 19 parking spaces
c.	Minimum Drive Aisle-Width (Centre Street Access)	6 m	3.75 m (Mutual driveway with lands to the east)
d.	Minimum Number of Loading Spaces	One (1) loading space	Not Required
e.	Minimum Front Yard Setbacks (from Centre Street)	9 m	8 m (Existing)

	Zoning By-law 1-88 Standard	C1 Restricted Commercial Zone Requirements	Proposed Exceptions to the C1 Restricted Commercial Zone Requirements
f.	Minimum Rear Yard Setback to the Covered Parking Area	15 m	12.4 m
g.	Minimum Side Yard Setback to a Residential Zone	9 m	1.22 m (West property line)
h.	Minimum Lot Depth	60 m	55.22 m (Existing)
i.	Permitted Encroachments to External Stairways	1.8 m	3.61 m (Existing porch) 0.61 m (Into landscape buffer)

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.

Through a preliminary review of the Application, the Development Planning Department has identified matters to be reviewed in detail

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Consistency and Conformity with the PPS, Growth Plan, YROP 2010, and VOP 2010	<ul style="list-style-type: none"> The Application will be reviewed for consistency with the <i>Provincial Policy Statement 2014</i> (the “PPS”), and for conformity with the <i>Growth Plan for the Greater Golden Horseshoe 2017</i> (the “Growth Plan”), the York Region Official Plan (“YROP 2010”) and VOP 2010.
b.	Appropriateness of the Proposed Rezoning and Site-	<ul style="list-style-type: none"> The appropriateness of the proposed amendments to Zoning By-law 1-88 will be reviewed in consideration of the existing and planned uses to implement the “Low-

	MATTERS TO BE REVIEWED	COMMENT(S)
	Specific Zoning Exceptions	<p>Rise Mixed-Use” and “Heritage Main Street Area” designations of VOP 2010. The appropriateness of the conversion of the existing heritage dwelling and the 2-storey building addition within the Thornhill HCD to permit business and professional office uses will be considered. The appropriateness of the business and professional office uses will also be considered.</p> <ul style="list-style-type: none"> ▪ The Owner has submitted a Planning Justification Report in support of the Application, which must be reviewed to the satisfaction of the Development Planning Department.
c.	Reports and Studies	<ul style="list-style-type: none"> ▪ The following studies and reports submitted in support of the Application must be approved to the satisfaction of the City and/or respective public approval authority: <ul style="list-style-type: none"> • Archaeological Report • Arborist Report • Heritage Impact Assessment • Heritage Conservation Plan • Functional Servicing and Stormwater Management Study • Photometric Study • Planning Justification Report • Traffic Impact Study <p>Additional studies/reports may be required as part of the development application review process.</p>
d.	Heritage Vaughan Committee	<ul style="list-style-type: none"> ▪ The Subject Lands are located within the Thornhill HCD area and the Application is subject to review and approval by the Heritage Vaughan Committee. The appropriateness of converting the existing heritage dwelling and the 2-storey building addition to accommodate the business and professional office uses will be reviewed. ▪ A Heritage Impact Assessment and Heritage Conformity Report has been submitted and will be subject to review and approval by the Urban Design and Cultural Heritage Division. A review of the proposed alterations, restoration/mitigation work proposed to the

	MATTERS TO BE REVIEWED	COMMENT(S)
		<p>heritage dwelling will also be undertaken by the Urban Design and Cultural Heritage Division.</p> <ul style="list-style-type: none"> ▪ All alteration, demolition, and new construction within a Heritage Conservation District must conform to the policies within the Thornhill HCD Plan and requires a Heritage Permit, review by the Heritage Vaughan Committee, and Vaughan Council approval.
e.	Related Site Development File DA.18.108	<ul style="list-style-type: none"> ▪ The Owner has filed Site Development File DA.18.108 with the City. The following matters, but not limited to, will be considered: <ul style="list-style-type: none"> - The relationship of the building setbacks, height and design within the Thornhill HCD and the immediate area - The appropriate site design, massing, and building materials in consideration of the architectural guidelines within the Thornhill HCD and for improved building elevations specifically for the 2-storey addition - The relationship of the massing between the existing heritage dwelling and the 2-storey addition to the back of the building and conformity with the Thornhill HCD Plan - The provision of enhanced landscaping, snow storage area(s), waste collection, stormwater management, and site servicing and grading - Pedestrian and barrier-free accessibility - Proper vehicular access and turning movements from Centre Street (a Regional Road) including service vehicles such as fire and garbage trucks - All signage details ▪ All issues identified through the review of the Site Development File DA.18.108 will be addressed together with the subject Zoning By-law Amendment application in a comprehensive technical report to a future Committee of the Whole Meeting.

	MATTERS TO BE REVIEWED	COMMENT(S)
f.	Sustainable Development	<ul style="list-style-type: none"> ▪ Opportunities for sustainable design, including CPTED (Crime Prevention Through Environmental Design), LEEDS (Leadership in Energy and Environmental Design), permeable pavers, bio-swales, drought tolerant landscaping, bicycle racks to promote alternative modes of transportation, energy efficient lighting and, reduction in pavement to address the "heat island" effect, etc., will be reviewed. ▪ The Owner has submitted a Sustainability Performance Metrics which achieves a Threshold Score of 56 points (Performance Level: Silver). The proposal includes features including, but not limited to the following: led lighting, bird-friendly window treatments, and provision of bicycle racks.
g.	Source Water Protection	<ul style="list-style-type: none"> ▪ The Subject Lands are located within the Well Head Protection Area ('WHPA-Q') Recharge Management Area, Significant Groundwater Recharge Area and Highly Vulnerable Aquifer as identified in the approved Source Protection Plan, which provides policies for protecting the drinking water sources/supply. All land development activities within the WHPA-Q area are to maintain predevelopment recharge levels to the satisfaction of the Toronto and Region Conservation Authority ("TRCA") and the City. The Owner is required to satisfy all water balance requirements of the TRCA and the City prior to Site Development approval.
h.	Parkland Dedication Requirements	<ul style="list-style-type: none"> ▪ The Owner is required to provide parkland and/or cash-in-lieu of parkland dedication to the City of Vaughan in accordance with the City's Parkland Dedication and Cash-in-lieu Policy, should the Application be approved.
i.	Mutual Driveway Access (Centre Street)	<ul style="list-style-type: none"> ▪ The Owner is proposing a mutual driveway access with the abutting lands to the east (19 Centre Street). The Owner of 19 Centre Street has submitted Zoning By-law Amendment and Site Development Files Z.16.029 and DA.16.059 that includes a full movement driveway access fully contained within their property limits and is not intended to be a shared access. Should the Owner

	MATTERS TO BE REVIEWED	COMMENT(S)
		of 19 Centre Street consent to a potential mutual driveway access, the Owners of 19 and 33 Centre Street will be required to successfully obtain approval of a Consent Application from the Vaughan Committee of Adjustment for reciprocal access easements over each property. The applications for 19 Centre Street must also be revised to reflect the proposed mutual driveway access. Otherwise, the Development must be revised to include a full driveway.
j.	Tree Preservation	<ul style="list-style-type: none"> The Owner has submitted an Arborist Report which identifies a total of 30 trees (4 city owned trees, 23 privately-owned trees and 2 located on adjacent lands) on the Subject Lands. The proposal includes injuring 11 trees and the removal of 16 trees. No city-owned trees are intended to be injured. The Owner will be required to provide compensation in accordance with the City of Vaughan Tree Protection Protocol. The protection, preservation and replacement of any trees will be reviewed in accordance with City policies.

Financial Impact

There are no financial requirements for new funding associated with this report.

Broader Regional Impacts/Considerations

The Application has been circulated to the York Region Community Planning and Development Services Department for review and comment. Any issues identified 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 this Application will be considered in the technical review of the Application. Comments from the public and Vaughan Council expressed at the Public Hearing or in writing will be addressed in a comprehensive report to a future Committee of the Whole meeting.

For more information, please contact: Natalie Wong, Senior Planner at extension 8866.

Attachments

1. Location Map
2. Proposed Zoning and Conceptual Site Plan
3. Proposed Landscape Plan
4. Elevation Plan (North and West)
5. Elevation Plan (South and East)

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