

Item: 1



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,
2. 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 www.vaughan.ca 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](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 policies 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 uses in the Special Policy Area, but rather states: *“Lands within the Special Policy Area shall be subject to further study by the applicant. Prior to the submission of any development proposal, the applicant shall provide a planning study, including a traffic report, public participation component, rationale for proposed density and land uses, noise study and a height and massing study 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:

Table 1

	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:

	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	<ul style="list-style-type: none"> • 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 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	<p>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:</p> <ul style="list-style-type: none"> • 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 <p>Additional reports or studies may be required as part of the review process.</p>
f.	Site Development File DA.13.042	<p>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.</p>
g.	Toronto and Region Conservation Authority ('TRCA')	<p>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.</p>

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

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