

COMMITTEE OF THE WHOLE (PUBLIC HEARING) JUNE 4, 2001

**1. AMENDMENT TO ZONING BY-LAW FILE Z.01.029
WOLFBREATH PROPERTIES LTD.
PRELIMINARY REPORT**

P.2001.40

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing for File Z.01.029 (Wolfbreath Properties Ltd.) BE RECEIVED; and, that any issues identified be addressed by Staff in a comprehensive report to the Committee of the Whole.

Purpose

On April 11, 2001, the Owner submitted an application to amend the Zoning By-law to permit the existing 2-storey office building to remain on Part 4 of the subject lands, whereas the by-law permits this parcel to be used for parking only.

Exceptions are also required on Part 6 of the site for a reduced interior side yard (east) for the weigh scale building and material recovery facility.

Background - Analysis and Options

Location

- Southeast of Regional Road No. 7 and Creditstone Road, on Freshway Drive
- Parts 1, 2, 4, 5 and 6 on Plan 65R-21264 (10 Freshway Drive)
- Part of Lots 4 and 5, Concession 4, City of Vaughan

Land Use Status

- Designation - "Railway Facilities" and subject to the policies of the "Employment Area General" designation in OPA #450
- Zoning - EM2 General Employment Area Zone by By-law 1-88, subject to Exception 9(1033)

Site Description

- a 2.64 ha irregular-shaped site, with access from Freshway Drive by way of an easement to the CN Rail Classification Yard
- developed with a 2-storey building (constructed without a permit) on Part 4 of the site
- Part 6 is developed with a material recovery facility, and a trailer used to weigh trucks
- the concrete batching and mixing plant is no longer operational, and is to be removed
- the surrounding land uses are:

North - Canadian National Railway Classification Yard (EM4 Employment Area Transportation Zone)

South - CN Classification Yard (EM4 Zone)

East - CN Classification Yard (EM4 Zone)

West - employment (EM2 General Employment Area Zone)

Neighbourhood Circulation

On May 11, 2001, a notice of Public Hearing was circulated to all property owners within 120 m of the subject lands. To date, no comments have been received. Any responses received will be addressed in the technical review and included in a comprehensive staff report to the Committee of the Whole.

Preliminary Review

Following a preliminary review of the proposed application, Staff have identified the following matters to be reviewed in greater detail:

- the site is designated "Railway Facilities"; the policies state that should railway and related uses cease, the adjacent designation (which is "Employment Area General") would apply; the "Employment Area General" designation permits a broad range of industrial uses with outside storage, including waste recycling;
- the site is zoned EM2 Zone, subject to Exception 9(1033), which does not permit outside storage anywhere on the lands and does not permit buildings or structures on Part 4 of the Subject Lands; Part 4 was restricted to parking use only; as the lands were developed with a 2-storey office building, a by-law amendment is required;
- the material recovery facility and related weigh scale trailer are permitted uses. The site was exempt from the development standards of By-law 1-88; with severance of the subject lands to private ownership, the site must comply with all requirements of the By-law. The reduced easterly interior side yard for the existing weigh scale building and material recovery facility will also require a by-law amendment;
- as a condition of the Ministry of the Environment (MOE) issuing a Certificate of Approval, the Owner is required to enclose the proposed outside storage area used in conjunction with the material recovery facility on Part 6 of the subject lands; the Owner has submitted a site plan application to enclose the outside storage area with a building; and
- the concrete batching and mixing plant is a "Prohibited Use" in Subsection 3.24(a) of By-law 1-88. No zoning by-law amendment or building permit application has been submitted. The Owner has acknowledged this and will remove the use from the subject lands.

Conclusion

The above issues, but not limited to, will be considered in the technical review of the application, together with comments of the public and Council expressed at the public hearing or in writing, and be addressed in a comprehensive report to a future Committee of the Whole meeting. In particular, attention will be given to the appropriateness of amending the site specific by-law to permit the existing 2-storey office building to remain on Part 4 of the subject lands, and the reduced interior side yards for the existing weigh scale building and material recovery facility.

Attachments

1. Location Map
2. Site Plan

Report prepared by:

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Grant A. Uyeyama, Senior Planner, ext. 8635

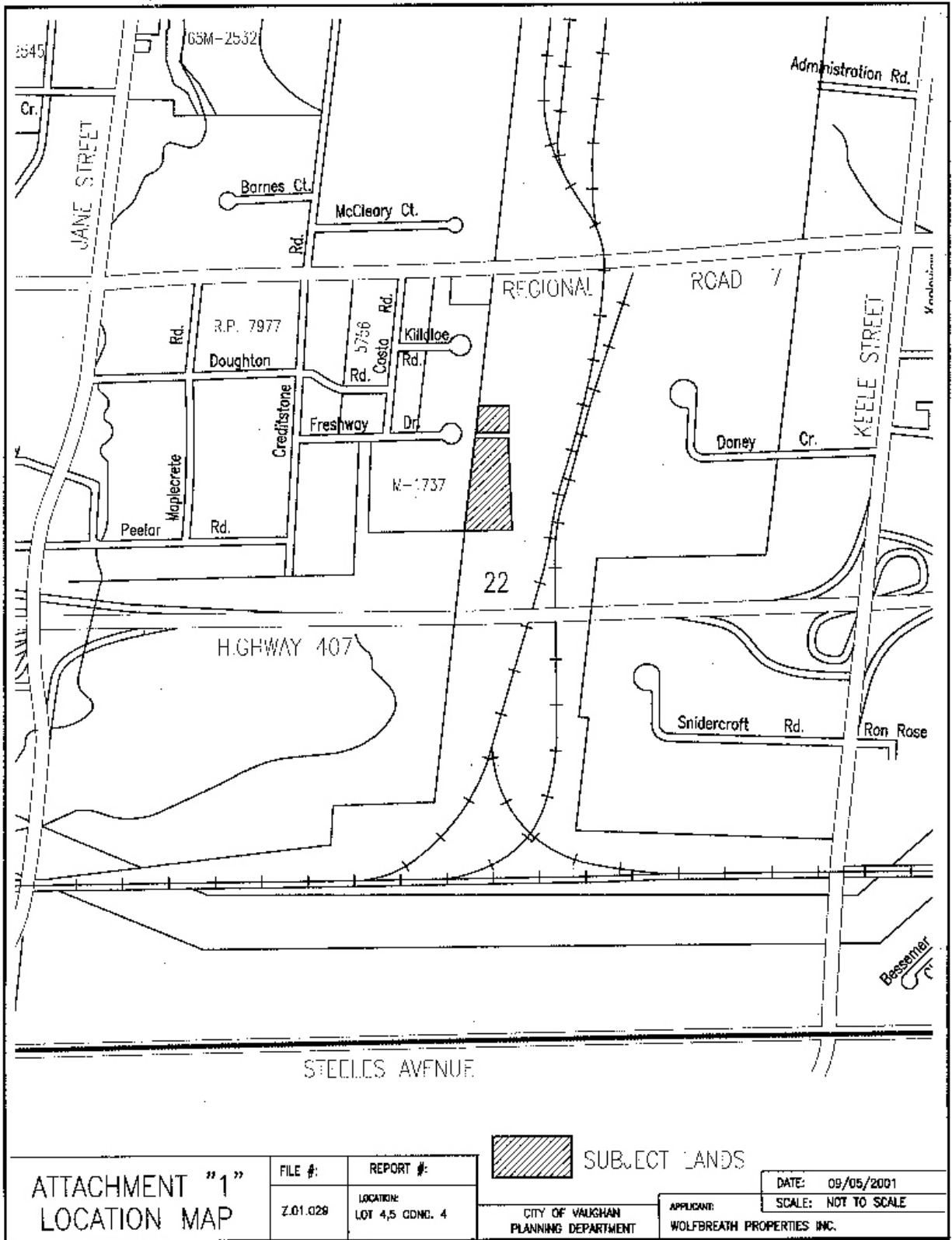
Bianca M.V. Bielski, Manager, Development Planning, ext. 8485

Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

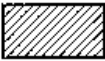
JOANNE R. ARBOUR
Director of Community Planning

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ATTACHMENT "1"
LOCATION MAP

FILE #:	REPORT #:
Z.01.029	LOCATION: LOT 4,5 CDNC. 4

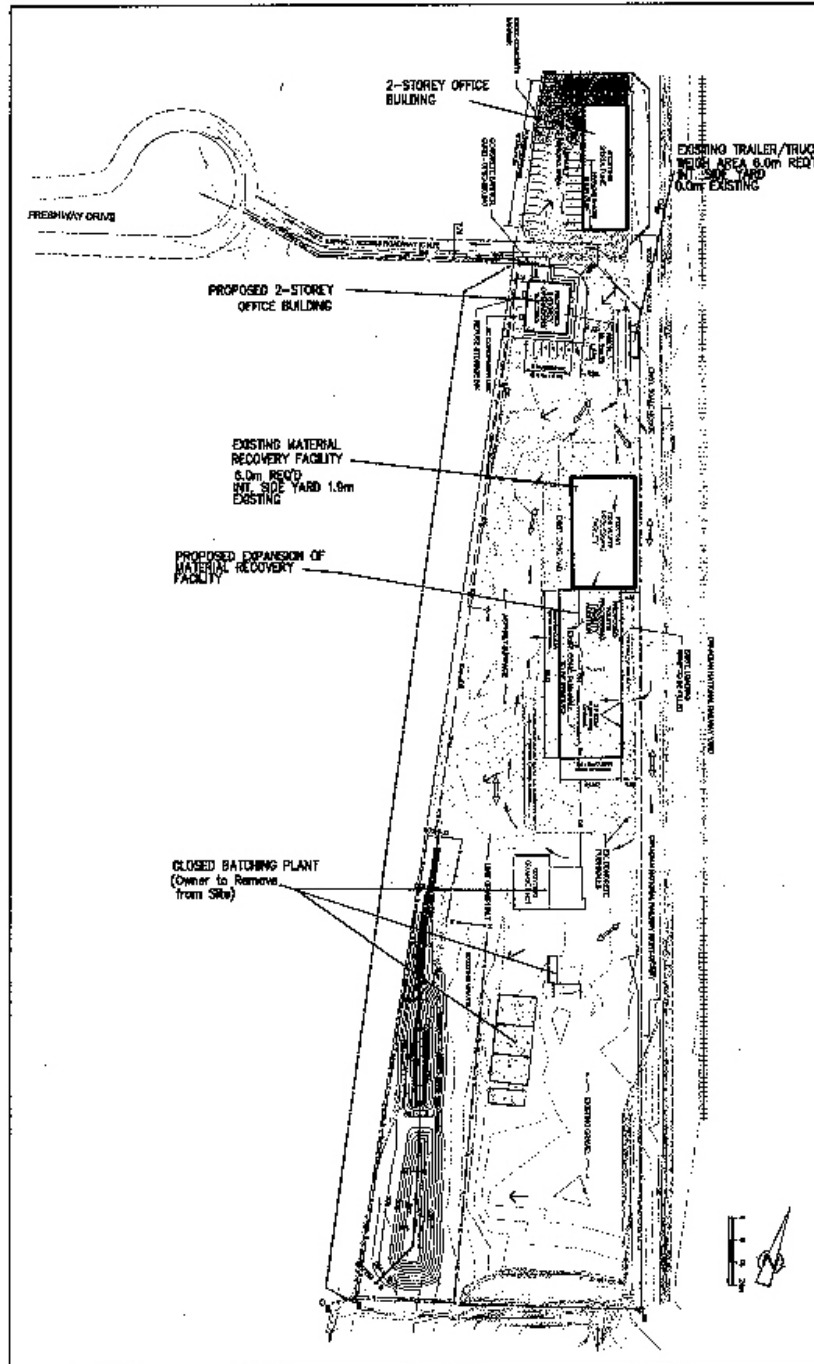


SUBJECT LANDS

CITY OF VAUGHAN
PLANNING DEPARTMENT

APPLICANT:
WOLFBREATH PROPERTIES INC.

DATE: 09/05/2001
SCALE: NOT TO SCALE



ATTACHMENT "2" SITE PLAN	FILE #:	REPORT #:	DATE: 09/05/2001
	Z.01.029	LOCATION: LOT 4,5 CONC. 4	SCALE: NOT TO SCALE
CITY OF VAUGHAN PLANNING DEPARTMENT		APPLICANT: WOLFBREATH PROPERTIES LTD.	