

COMMITTEE OF THE WHOLE APRIL 8, 2002

**OFFICIAL PLAN AMENDMENT FILE OP.02.001
ZONING BY-LAW AMENDMENT FILE Z.01.086
MACKENZIE GLEN DEVELOPMENTS LTD.
REPORT #P.2002.9**

Recommendation

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment Application OP.02.001 (Mackenzie Glen Developments Ltd.) BE APPROVED.
2. THAT Zoning Amendment Application Z.01.086 (Mackenzie Glen Developments Ltd.) BE APPROVED subject to the following conditions:
 - i) the implementing zoning by-law shall:
 - limit the size of the garden centre to 585m²;
 - identify the seasonal operating times from April 15th to August 31st of each year; and,
 - provide for a seasonal reduction of 16 on-site parking spaces;
 - ii) prior to the issuance of a building permit, a minor amendment to the existing site plan agreement for the property shall be approved.

Purpose

On December 28, 2001, the Owner submitted a zoning amendment application to permit an outdoor garden centre adjacent to the existing supermarket. The garden centre would be approximately 460m² in size and would operate from April 15th to August 31st of each year. On January 9, 2002 and January 14, 2002 respectively, the Owner submitted a corresponding site plan (minor) and Official Plan amendment applications.

Background - Analysis and Options

The 4.46 ha site is located at the northeast corner of Jane Street and Major Mackenzie Drive in Lot 21, Concession 4, City of Vaughan and is municipally known as 2810 Major Mackenzie Drive. The site is currently developed with a 10,452m² commercial plaza with a supermarket as the anchor tenant. The lands are designated "Neighbourhood Commercial" by OPA No. 501 and zoned C4 Neighbourhood Commercial Zone by By-law 391-99. This site is also subject to the Maple Streetscape and Urban Design Guidelines. The surrounding land uses are:

- North - residential (RM1 Multiple Residential Zone)
- South - storm water management ponds (OS1 Open Space Zone), gas station (C6 Highway Commercial Zone), Major Mackenzie Drive; and a commercial plaza (C4 Neighbourhood Commercial Zone)
- West - Jane Street; gas station (C6 Highway Commercial Zone) and vacant (TPC Theme Park Commercial Zone)
- East - residential (R3 Residential Zone)

The original plan submitted by the applicant proposed a garden centre located on the concrete apron in front of the supermarket. The North Maple Ratepayers Association submitted a letter advising that they opposed this location for the garden centre because it obstructed the view of motorists and pedestrians from oncoming traffic on the driveway providing access to Jane Street.

On February 11, 2002, Council adopted Committee of the Whole's recommendation to receive the Public Hearing, and requested the applicant to meet with the Ratepayers Association and Local Councillor to address outstanding issues.

The applicant has consulted with the various parties and has amended the plan to relocate the garden centre into the parking lot as shown on Attachment No. 2. A notice of this meeting was sent to the North Maple Ratepayers Association.

Official Plan

The "Neighbourhood Commercial" designation in OPA No. 350 (Maple Community Plan) does not permit outside storage; accordingly, an Official Plan Amendment is required. The Region of York has advised that the Official Plan Amendment is of local significance and that the Region has no objection to the application.

Site Plan

The revised site plan illustrates that a 583m² garden centre is proposed in the parking lot in front of the supermarket building, and will occupy 24 parking spaces. This size of the garden centre has been increased by approximately 133m² from the initial plan. The garden centre would operate from April 15th to August 31st of each year, and will be enclosed by a 2.3m (7.5 ft.) high "insta fence" which is comprised of sectional temporary wire fencing held in place by 27 kg concrete bases. A tent structure approximately 4.5m x 4.5m x 3.2m (lxwxh) is also proposed in order to provide a sheltered area for the cashier.

Proposed Garden Centre Use

The proposed garden centre use is considered outside/open storage and therefore, is not permitted by the Official Plan or zoning by-law. Staff has no objection to the garden centre, subject to the comments in this report. Accessory garden centers are common with many supermarkets and home improvement stores, and provide an additional service for customers.

Parking

As noted above, the proposed garden centre will occupy 24 parking spaces from April to August of each year. In addition, the proposed tent structure generates a requirement for two additional spaces. This site was developed with 667 parking spaces, which is 10 more than required by the zoning by-law. Accordingly, the proposed garden centre creates a net seasonal parking deficiency of 16 parking spaces.

The Transportation Division has reviewed the plan and advised as follows:

- the mid-lot parking location is a better choice for seasonal use versus the original location, which would impair sight lines on the main travel aisle;
- the parking deficiency on a seasonal basis can be handled by the balance of the parking lot; and,
- the only concern is that the concrete base fence anchors be placed within the defined garden centre area and that the full dimensional area of the surrounding parallel parking spaces not be encroached upon.

Maple Streetscape and Urban Design Guidelines

This property falls within the boundaries of the Maple Streetscape and Urban Design Guidelines (MSUDGs), which establish design guidelines for the core areas along Major Mackenzie Drive and Keele Street in Maple. The MSUDGs do not include provisions dealing with temporary fence structures, which are erected on a seasonal basis. However, the proposed garden centre is not anticipated to have a negative impact on the streetscape.

Implementing By-law

Staff recommend that should Council approve the applications, that the implementing by-law include the following:

- limiting the size of the garden centre to a maximum of 585m²;
- identifying the seasonal time of operation from April 15th to August 31st of each year; and,
- providing for the created parking deficiency.

Conclusion

The subject lands are designated and zoned "Neighbourhood Commercial" by the Official Plan and zoning by-law, which do not permit the proposed use.

Staff have reviewed the proposed plan in the context of the surrounding land uses and are satisfied that, subject to the comments in this report, the proposed garden centre can be appropriately integrated into the existing commercial site. Should Council concur, the recommendation of this report can be adopted.

Attachments

1. Location Map
2. Site Plan

Report prepared by:

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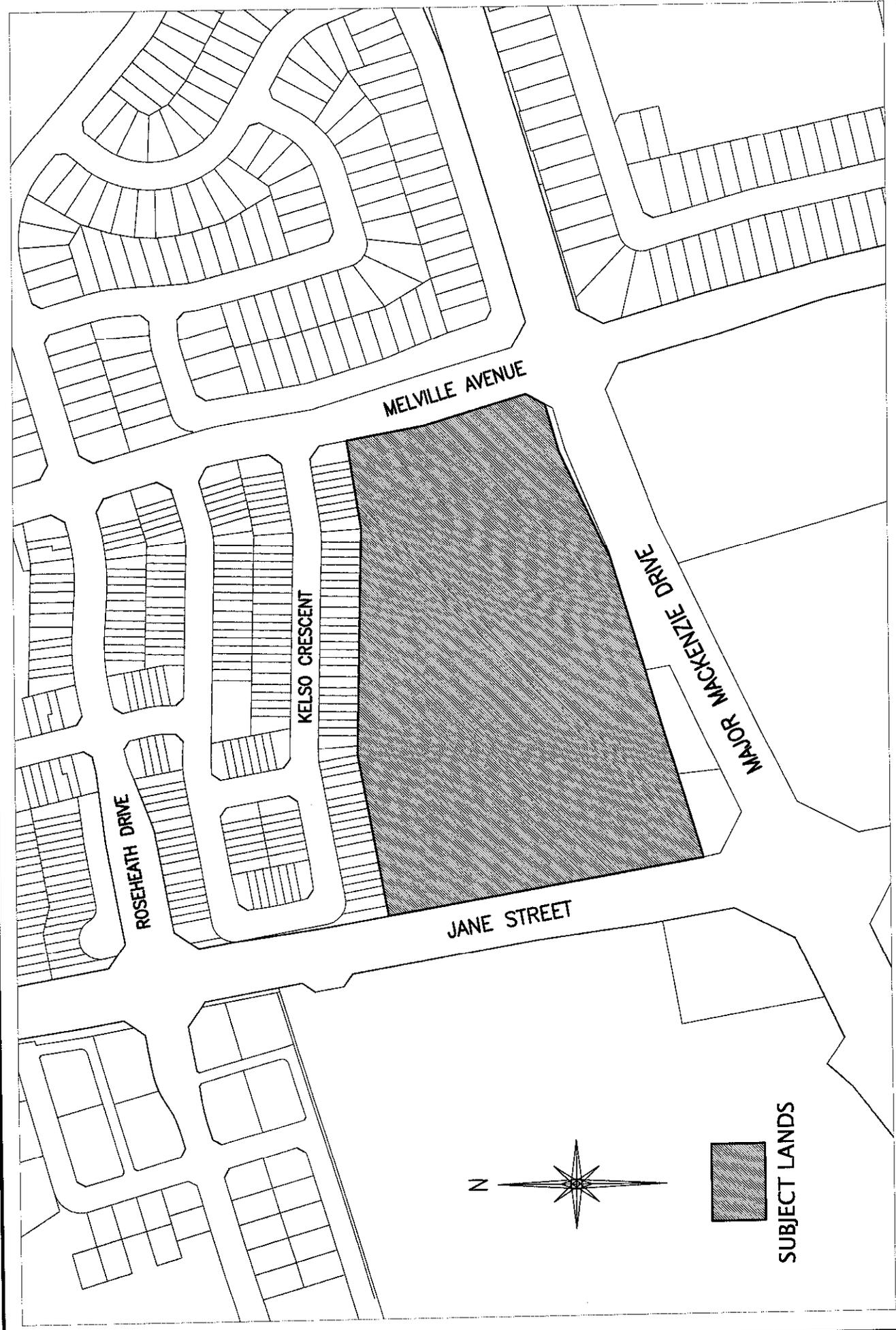
Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

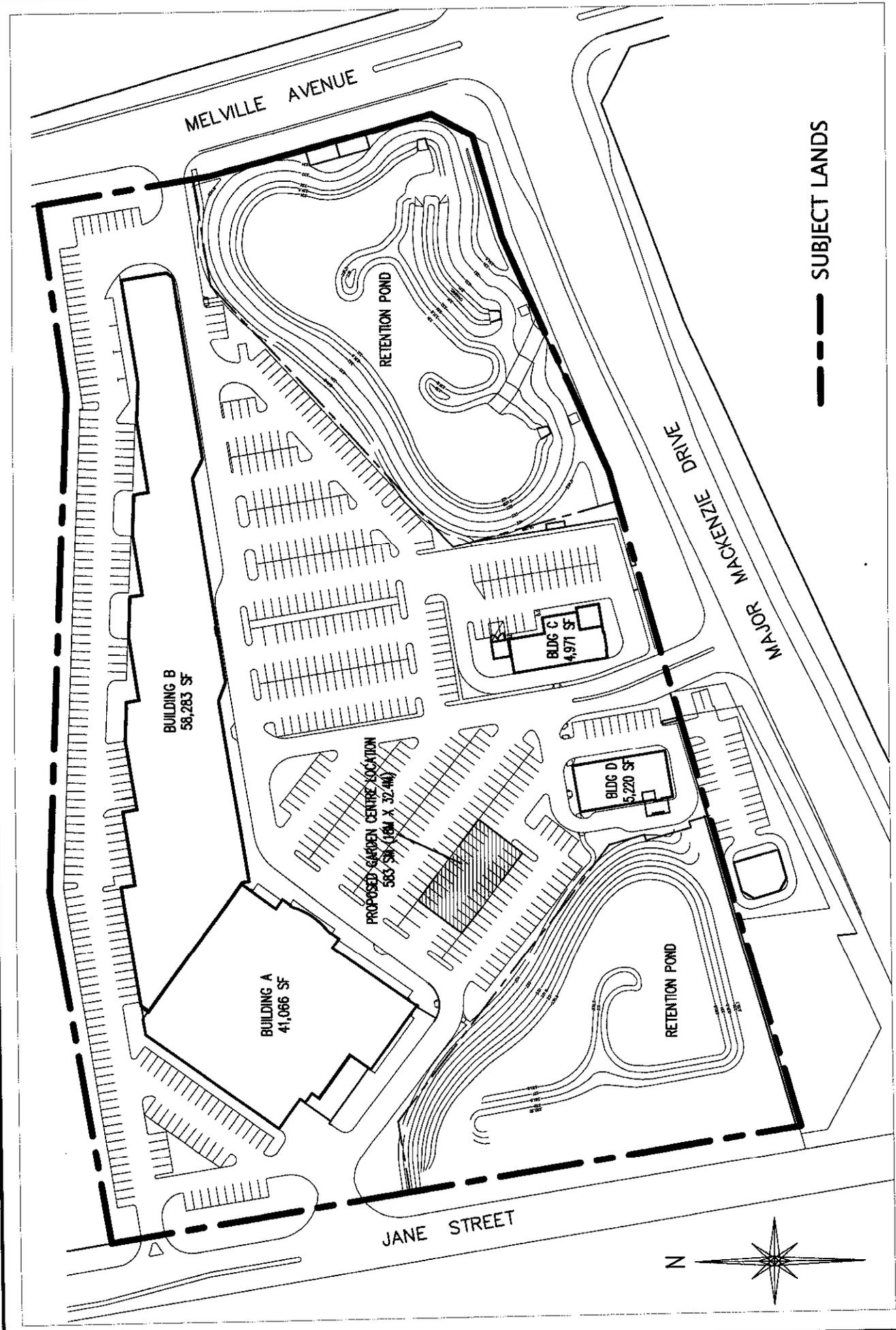
JOANNE R. ARBOUR
Director of Community Planning

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ATTACHMENT '1' LOCATION MAP		FILE #: DA.00.040 OP.02.001 Z.01.086	REPORT #: LOCATION: PART OF LOT 21, CONCESSION 4	DATE: 03/12/2002 SCALE: NOT TO SCALE
		CITY OF VAUGHAN PLANNING DEPARTMENT		APPLICANT: MACKENZIE GLEN DEVELOPMENTS LTD.



ATTACHMENT '2' SITE PLAN		FILE #:	REPORT #:	DATE:	03/12/2002
		DA.00.040 OP.02.001 Z.01.086	LOCATION: PART OF LOT 21, CONCESSION 4	SCALE:	NOT TO SCALE
		APPLICANT:		MACKENZIE GLEN DEVELOPMENTS LTD.	
		CITY OF VAUGHAN PLANNING DEPARTMENT			