

COMMITTEE OF THE WHOLE JUNE 19, 2006

**ZONING BY-LAW AMENDMENT FILE Z.05.052
CITY OF VAUGHAN (DUFFERIN STREET PROPERTIES)
REPORT #P.2006.36**

Recommendation

The Commissioner of Planning recommends:

THAT Zoning Amendment File Z.05.052 (City of Vaughan - Dufferin Street Properties) BE APPROVED, to amend Zoning By-law 1-88, specifically Exception 9(1186), to prohibit a Waste Transfer Station use on the subject lands shown on Attachment #1.

Economic Impact

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

Purpose

The City of Vaughan has initiated an amendment to Zoning By-law 1-88, specifically to Exception 9(1186) to not permit a Waste Transfer Station use on the subject lands shown on Attachment #1.

Background - Analysis and Options

The subject lands shown on Attachment #1 are bounded by Highway #407 and Dufferin Street, north of Centre Street, in Part of Lots 6, 7 and 8, Concession 3, City of Vaughan. The irregular-shaped site is developed with a Public Works Yard owned by the City; transformer station owned by PowerStream Inc.; and three private properties along Dufferin Street.

The subject lands are designated "Prestige Area" by OPA #450 (Employment Area Plan), which was further amended by site-specific OPA #555, and zoned EM1 (H) Prestige Employment Area Zone with an "H" Holding Symbol by By-Law 1-88, and further subject to Exception 9(1186), which was enacted on March 8, 2004 as By-law 75-2004. The surrounding land uses are as follows:

- North - Highway 407 (PB1S Parkway Belt Linear Facilities Zone)
- South - Hydro Corridor (PB1S Parkway Belt Linear Facilities Zone)
- East - Hydro Corridor (PB1S Parkway Belt Linear Facilities Zone); Dufferin Street; employment/commercial area (C1 Restricted Commercial Zone)
- West - Highway 407 (PB1S Parkway Belt Linear Facilities Zone)

The subject lands had been identified as a potential site for the Region of York's Community Environmental Centre (Waste Transfer Station to facilitate household hazardous wastes). However, the Region of York has since been exploring alternative sites for its Community Environmental Centre. On March 20, 2006, Council directed the Development Planning Department to initiate an amendment to Zoning By-law 1-88, specifically Exception 9(1186) and to proceed to a Public Hearing to consider prohibiting a Waste Transfer Station use on the subject lands shown on Attachment #1.

Public Hearing

On April 21, 2006, a Notice of Public Hearing was circulated to all property owners beyond the required 120m of the subject lands as shown on Attachment #1, and to the following Ratepayers' Associations: Beverley Glen, Brownridge, Concord West, and Glen Shields. To date, several comments have been received by area residents, all in support of Council's initiative to prohibit a waste transfer station use on the City owned lands. The recommendation of the Committee of the Whole on May 15, 2006, to receive the Public Hearing report and to forward a technical report to a future Committee of the Whole meeting, was ratified by Council on May 23, 2006.

Official Plan

The subject lands are designated "Prestige Area" by OPA #450 (Employment Area Plan), as amended by site-specific OPA #555, which permits the priority uses of an office, hotel with related hospitality and conference facilities, major corporate complexes, and other prestige employment uses, as well as, civic uses on the City and PowerStream Inc. owned lands.

Zoning

The subject lands are zoned EM1(H) Prestige Employment Area Zone with an "H" Holding Symbol by By-law 1-88, subject to Exception 9(1186), which permits only the following uses of a business and professional office, convention centre, hotel, office building, lawfully existing uses on the date of the passing of By-law 75-2004 on March 8, 2004, and "Public Uses" (including open/outside storage) permitted under Section 3.10 of By-law 1-88, on the subject lands. Section 3.10 allows the use of any land or the erection or use of any building for the purposes of the public service by the City, Region, Conservation Authority, Government of Ontario or Canada, Hydro or Local Board. Given that "Public Uses" are permitted under Section 3.10, the City is exempt from use restrictions, however, to specifically prohibit a waste transfer station use on City owned lands, a Zoning By-Law Amendment is required.

Public Works Department

The Public Works Department currently operates a winter salt camp at 8000 Dufferin Street, within the subject amendment area. In addition to the salt dome operations, the City has authorized the Region of York to operate a transfer site for Asian Long Horn Beetle infected yard waste materials. The processing of these materials at this location has been approved by the Ministry of Environment under Certificate of Approval No., 4159-6DEJTX. This certificate of approval will be renewed until the processing and transferring of these materials is no longer necessary. The implementing by-law will consider the approvals granted and allow for the continued operations of the facility at this location, as it is a permitted use, under Section 3.10 and lawfully existing prior to this City initiated zoning by-law amendment.

Planning Considerations

The Development Planning Department has reviewed the proposed zoning amendment and can support the amendment to site-specific zoning Exception 9(1186) to By-law 1-88, to prohibit a Waste Transfer Station use on the lands bounded by Highway 407 and Dufferin Street, north of the Hydro Corridor, as shown on Attachment #1.

As noted in the comments of the Public Works Department, the Region's transfer station that is currently operating on the subject lands for Asian Long Horn Beetle infected yard waste materials will continue to be permitted at this location until it is no longer required, and will be reflected in the implementing by-law.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'A-5', "Plan and Manage Growth".

Conclusion

The Development Planning Department has reviewed the proposed Zoning By-Law Amendment application to prohibit a "Waste Transfer Station" use on the lands bounded by Highway 407 and Dufferin Street, north of the Hydro Corridor, in accordance with the policies of OPA #450 and OPA #555 and the requirements of By-law 1-88, and the area context. The Development Planning Department is satisfied that the amendment to the zoning by-law is appropriate and consistent with the comments received by area residents and the Public Works Department. On this basis, the Development Planning Department can support the approval of the Zoning By-law Amendment Application.

Attachments

1. Location Map

Report prepared by:

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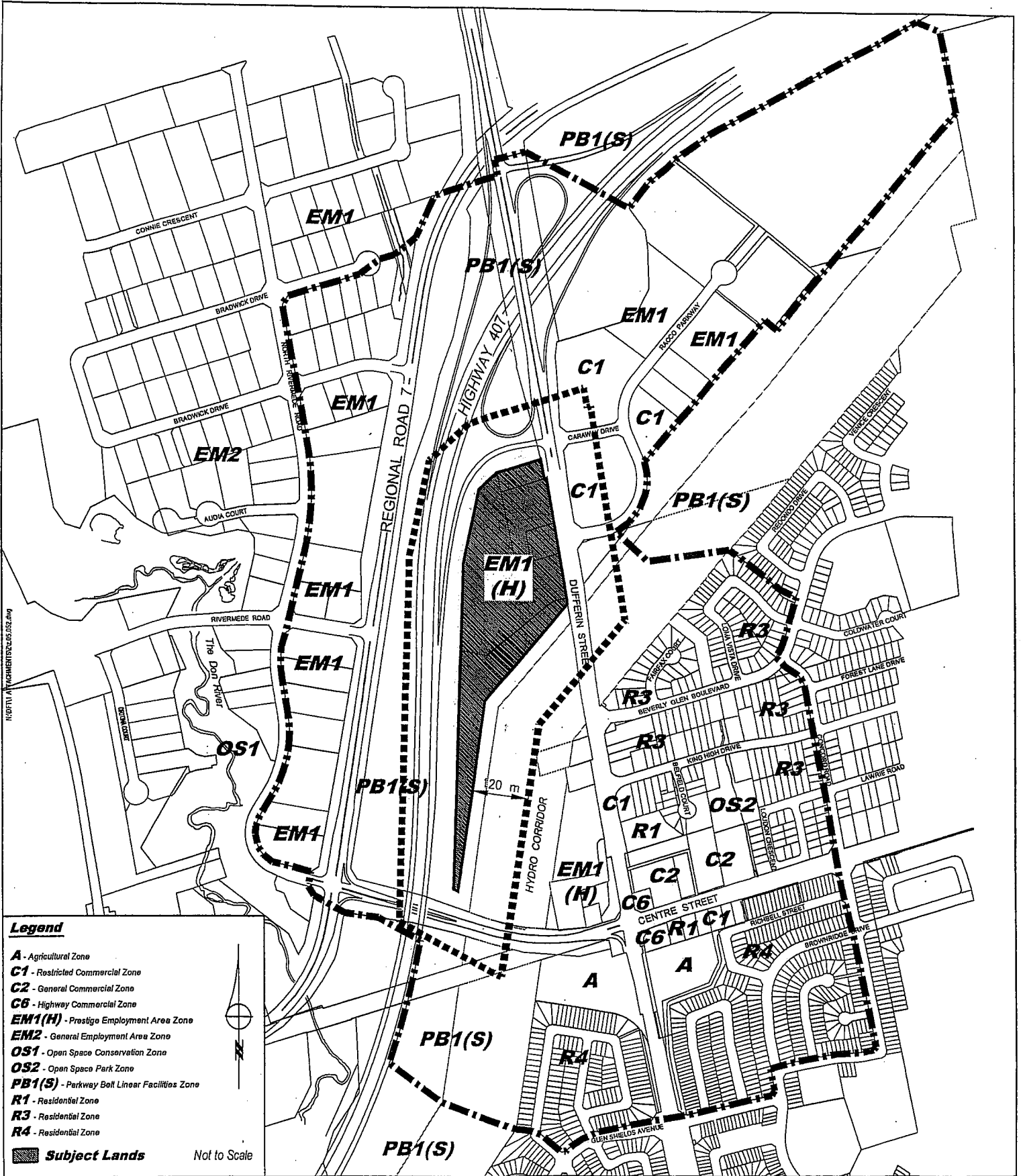
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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

/CM



- Legend**
- A - Agricultural Zone
 - C1 - Restricted Commercial Zone
 - C2 - General Commercial Zone
 - C6 - Highway Commercial Zone
 - EM1(H) - Prestige Employment Area Zone
 - EM2 - General Employment Area Zone
 - OS1 - Open Space Conservation Zone
 - OS2 - Open Space Park Zone
 - PB1(S) - Parkway Belt Linear Facilities Zone
 - R1 - Residential Zone
 - R3 - Residential Zone
 - R4 - Residential Zone
- Subject Lands**
- Not to Scale

Location Map

Applicant: City of VAUGHAN
(Dufferin Street Properties)

Part Lots: 6, 7, 8
Concession 3

- Legend**
- 120 m Polling Area
 - Expanded Polling Area



Attachment 1

File No: Z.05.052
Date: April 20, 2006