

COMMITTEE OF THE WHOLE JULY 6, 2010

**ZONING BY-LAW AMENDMENT FILE Z.09.041
1191621 ONTARIO INC.
WARD 4**

Recommendation

The Commissioner of Planning recommends:

1. THAT the Zoning By-law Amendment File Z.09.041 (1191621 Ontario Inc.) BE APPROVED, to permit the open storage of pallets, racking and other similar materials, in two recessed locations of the existing industrial building (total area of approximately 1,035m²) on the subject lands in the manner shown on Attachment #3, with the following exceptions:
 - i) to permit open storage areas that are not enclosed by a stone or masonry wall or a chain link fence with an appropriate landscape screen of not less than two (2) metres in height, whereas the By-law requires open storage areas to be enclosed; and,
 - ii) include the following site-specific definition for "open storage" in the implementing zoning by-law:

"OPEN STORAGE shall mean the leaving or placing of goods, materials, machinery, and equipment including pallets and racking on a lot and not covered by a structure, and shall not include the storage of vehicles."
2. THAT prior to the enactment of the implementing Zoning By-law, the Owner shall satisfy all requirements of the Vaughan Engineering Department, with respect to storm water management.

Contribution to Sustainability

There are no contributions to sustainability being considered through this application.

Economic Impact

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

Communications Plan

On January 29, 2010, a Notice of Public Hearing was circulated to all property owners within 150m of the subject lands. Through the notice circulation, no written comments were received by the Vaughan Development Planning Department. The recommendation of the Committee of the Whole to receive the Public Hearing report of February 23, 2010, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council on March 9, 2010.

Purpose

The Owner has submitted an application to amend the City's Zoning By-law 1-88, specifically the PBM1 Parkway Belt Restricted Industrial Zone, to permit the open storage of pallets, racking and other similar materials, in two recessed locations (total area of approximately 1,035m²) of the existing industrial building (Rollstamp Manufacturing) on the subject lands as shown on Attachment #3. The site is developed with a 2-storey industrial building.

Background - Analysis and Options

Location

The subject lands shown on Attachments #1 and #2 are located at 90 Snidercroft Road, being southwest of Keele Street and Highway 407, in Part of Lot 3, Concession 4, City of Vaughan. The surrounding land uses are shown on Attachment #2.

Official Plan

The subject lands are designated "Prestige Area" along Highway #407 and the balance of the lands are designated "Employment Area General" by OPA #450 (Employment Area Growth and Management Plan) as shown on Attachment #4. The "Prestige Area" designation encourages locational opportunities for uses that require high visual exposure, good accessibility and an attractive working environment, and does not permit the outside storage of materials, goods or equipment. The applicant is not proposing open storage on any portion of the property designated "Prestige Area".

The "Employment Area General" designation accommodates uses that do not require high visual exposure, provides locational opportunities for industrial developments which may require open storage or be undertaken outdoors, and facilitates a broad range of lot sizes and a diversity of building forms in order to meet the needs of any business or industry. Permitted uses include a full range of processing, warehousing and open storage and transportation and distribution facilities.

The two proposed open storage areas within the recessed areas of the existing industrial building on the subject lands (Attachment #3) are located within the "Employment Area General" designation, which permits open storage, therefore the proposal conforms to the Official Plan.

Zoning

The subject lands are zoned PBM1 Parkway Belt Restricted Industrial Zone by By-law 1-88. Open Storage is not permitted in the PBM1 Zone as all permitted uses must be within a wholly enclosed building. Where Open Storage uses are permitted within Industrial Zones, they are subject to the following provisions;

- i) The storage of goods and materials shall be accessory to the permitted use, and the area so used shall not exceed ten (10%) of the lot area;
- ii) There shall be no open storage on any lot unless there is an existing building with a gross floor area of at least 550 square metres;
- iii) No storage shall be located in any front yard and shall be no closer than twenty (20) metres to any street line;
- iv) The storage area shall be completely enclosed by a stone or masonry wall or chain link fence with appropriate landscaping screen and no such enclosure shall be less than two (2) metres in height;
- v) If a lot has a frontage of less than 45.5 metres, no part of any open storage shall be in the side yard;
- vi) No open storage shall be permitted on any corner lot;
- vii) If a lot upon which open storage is permitted abuts the boundary of a Residential or Open Space Zone, screening shall be provided along such boundary within

the Industrial Zone. Screening shall consist of a solid fence of minimum two (2) metres in height;

- viii) No open storage other than machinery and equipment shall exceed three (3) metres in height.
- ix) The open storage of any goods or materials which are obnoxious, visually or otherwise, including derelict or scrap motor vehicles or machinery and worn-out appliances or equipment shall not be permitted.

Furthermore, Section 2.0 "Definitions" in By-law 1-88 defines Open Storage as follows:

"Means the leaving, placing or parking of goods, materials, machinery, equipment or vehicles on a lot and not covered by a structure for a period of more than 72 hours."

The proposed open storage of pallets, racking and other similar materials is not permitted in a PBM1 Zone, nor does the proposed storage comply with the provisions for open storage in By-law 1-88, and therefore an amendment to the Zoning By-law is required.

Planning Considerations

The Owner requires areas for the storage of metal racking and pallets on the site, whereas Zoning By-law 1-88 currently does not permit open storage on the property. Through the submission of this application, open storage would be permitted on the property, but would be limited to the areas shown on Attachment #3, in two recessed locations of the industrial building. This will improve the overall existing site condition by reducing the visibility of the open storage from Snidercroft Road and Highway #407.

The site is currently developed with a 10,413.92m² industrial building which was built in phases between the 1960's and 1985 and is currently being used for manufacturing purposes. The proposed open storage areas shown on Attachment #3 are situated in former parking areas, and parking has been relocated to the edge of the site along the property line as shown on the attached Site Plan (Attachment #3). The site requires 160 parking spaces, whereas 163 spaces have been provided. There are no changes to the existing building, setbacks or landscape strips proposed as part of this application.

The open storage areas proposed and shown on Attachment #3 are recessed within the east and west elevations of the existing building. The Owner has requested that the storage areas not be fenced, enclosed by a stone or a masonry wall and or a landscape screen, as required by By-law 1-88 as noted above. This is to allow for easy access and manoeuvring of trucks and forklifts. The proposed open storage complies with all other standard provisions for open storage previously identified in this report, and therefore an exception to the By-law is only required to permit storage with no masonry wall or landscape screening.

The Development Planning Department has no objection to the proposed amendment to eliminate the required fence and or enclosure, as the storage area will be screened on 3 sides by the existing building and the remaining open side is situated far enough away from the adjacent neighbours so that there should be minimal impact. Additionally, the proposed open storage locations are adjacent to areas on the neighbouring industrial building that are also utilized for loading, further reducing the overall impact of the proposed storage.

As the owner is requesting the location of open storage in specific locations on the property and for specific materials and equipment, the existing definition for Open Storage in By-law 1-88 is not suitable. Zoning By-law 1-88 currently defines Open Storage as follows:

"Means the leaving, placing or parking of goods, materials, machinery, equipment or vehicles on a lot and not covered by a structure for a period of more than 72 hours."

The owner is requesting permanent locations for open storage on the property and only for specific items utilized in the operation of the existing business, including pallets, metal racking and other similar materials. The existing definition permits the parking of vehicles, which has not been requested by the owner and is not directly associated with the storage requirements demonstrated by the existing business (i.e. pallets and metal racking). On this basis, the Development Planning Department recommends that the definition be amended to accurately reflect the existing business needs and requests from the owner by removing the minimum 72 hour requirement and not permitting the storage of vehicles in the following manner:

"OPEN STORAGE shall mean the leaving or placing of goods, materials, machinery, and equipment including pallets and racking on a lot and not covered by a structure, and shall not include the storage of vehicles."

On this basis, the Development Planning Department has no objection to the proposal to permit open storage on the property without a screen wall, while using the recommended site-specific definition for "open storage" as noted above.

Vaughan Engineering

The Owner is continuing to work with the Vaughan Engineering Department to ensure that the location of the open storage areas will not impact the storm water management for the property. A catch basin is located within the main storage area proposed on the west side of the building. The Owner is working with the Engineering Department to reduce the impact of the storage areas on the stormwater runoff in this location. The Engineering Department has advised the Development Planning Department that they have no objections to the application proceeding forward to the Committee of the Whole, but require final approval of the revised Storm Water Management Plans and Site Servicing and Grading Plans which must be approved by the Vaughan Engineering Department prior to the enactment of the implementing Zoning By-law. A condition to this effect has been included in the recommendation of this report.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Vitality".

Regional Implications

The property is located on Snidercroft Road, a City road, and does not affect lands owned by the Region of York.

Conclusion

The Zoning By-law Amendment Application has been reviewed in accordance with the policies of OPA #450, the requirements of By-law 1-88, the comments received from City Departments and external public agencies, and the surrounding area context. The Vaughan Development Planning Department is satisfied that the proposal to permit the open storage of pallets, racking and other similar materials, in two recessed locations of the existing industrial building (total area of approximately 1,035m²) on the subject lands and in the manner shown on Attachment #3, is appropriate and will maintain the integrity of the site and surrounding employment area, and conforms to the Official Plan. On this basis, the Development Planning Department can support

the approval of the Zoning By-law Amendment Application, subject to the recommendations in this report.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Land Use Schedule 2C – OPA #450 (Employment Area Plan)

Report prepared by:

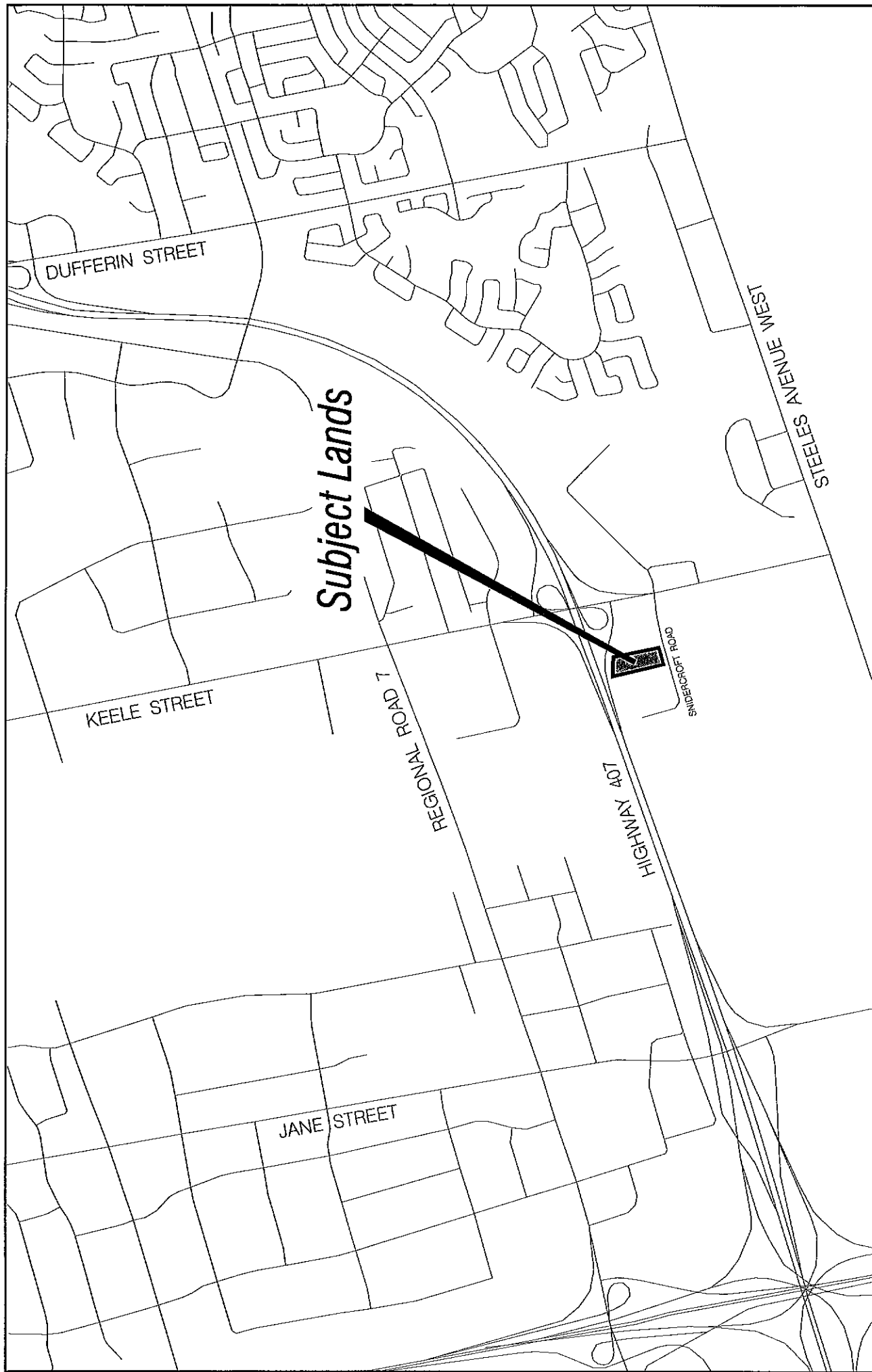
Ryan Mino, Planner, ext. 8213
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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

GRANT UYHEYAMA
Director of Development Planning

/CM



Subject Lands

Context Location Map

LOCATION:
Part of Lot 3, Concession 4

APPLICANT:
1191621 Ontario Inc.

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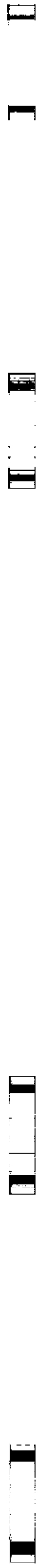
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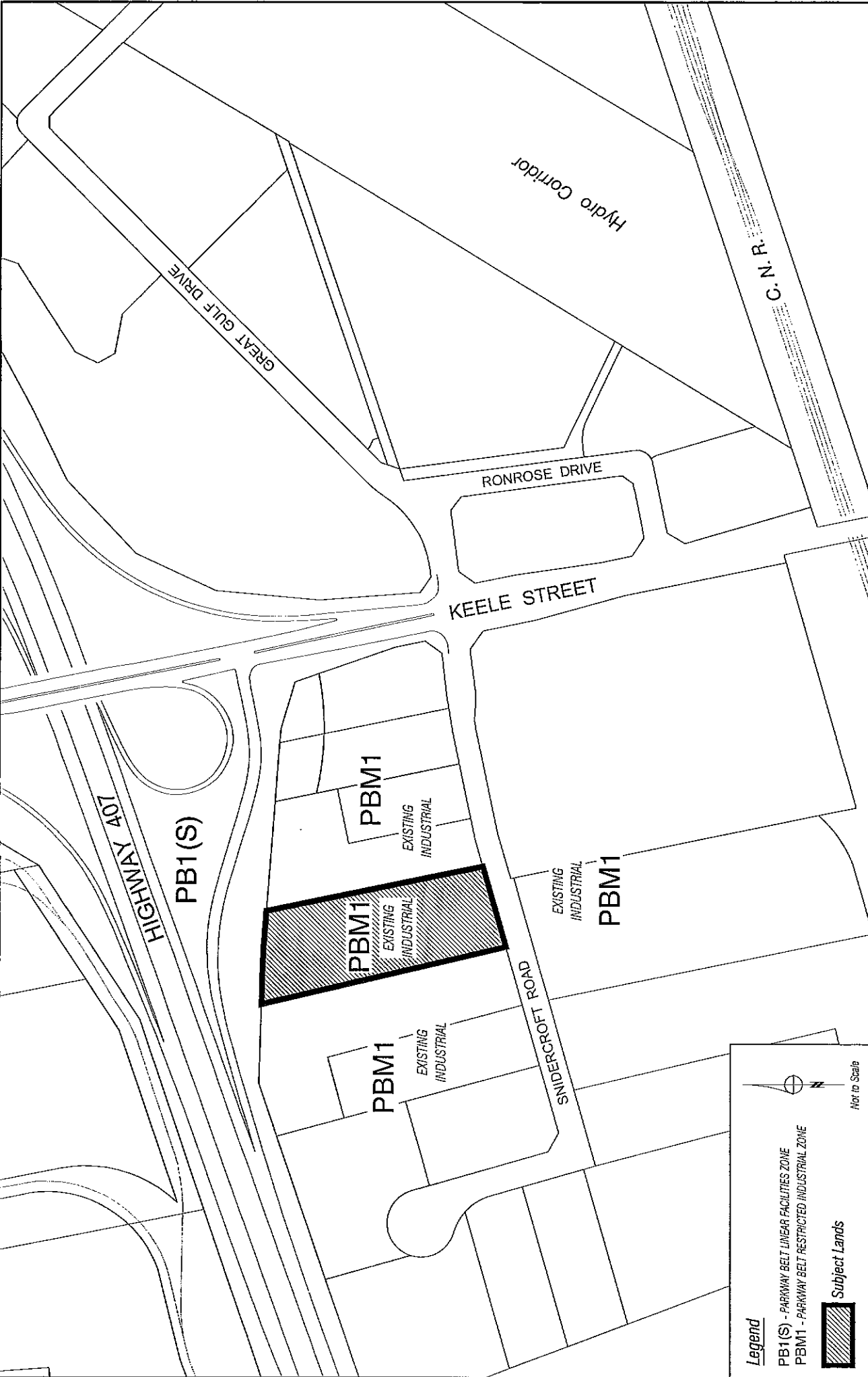
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Attachment


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Z.09.041

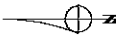
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Legend

- PB1(S) - PARKWAY BELT LINEAR FACILITIES ZONE
- PBM1 - PARKWAY BELT RESTRICTED INDUSTRIAL ZONE
-  Subject Lands

 Not to Scale

Location Map

LOCATION:
Part of Lot 3, Concession 4

APPLICANT:
1191621 Ontario Inc.

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Development Planning Department

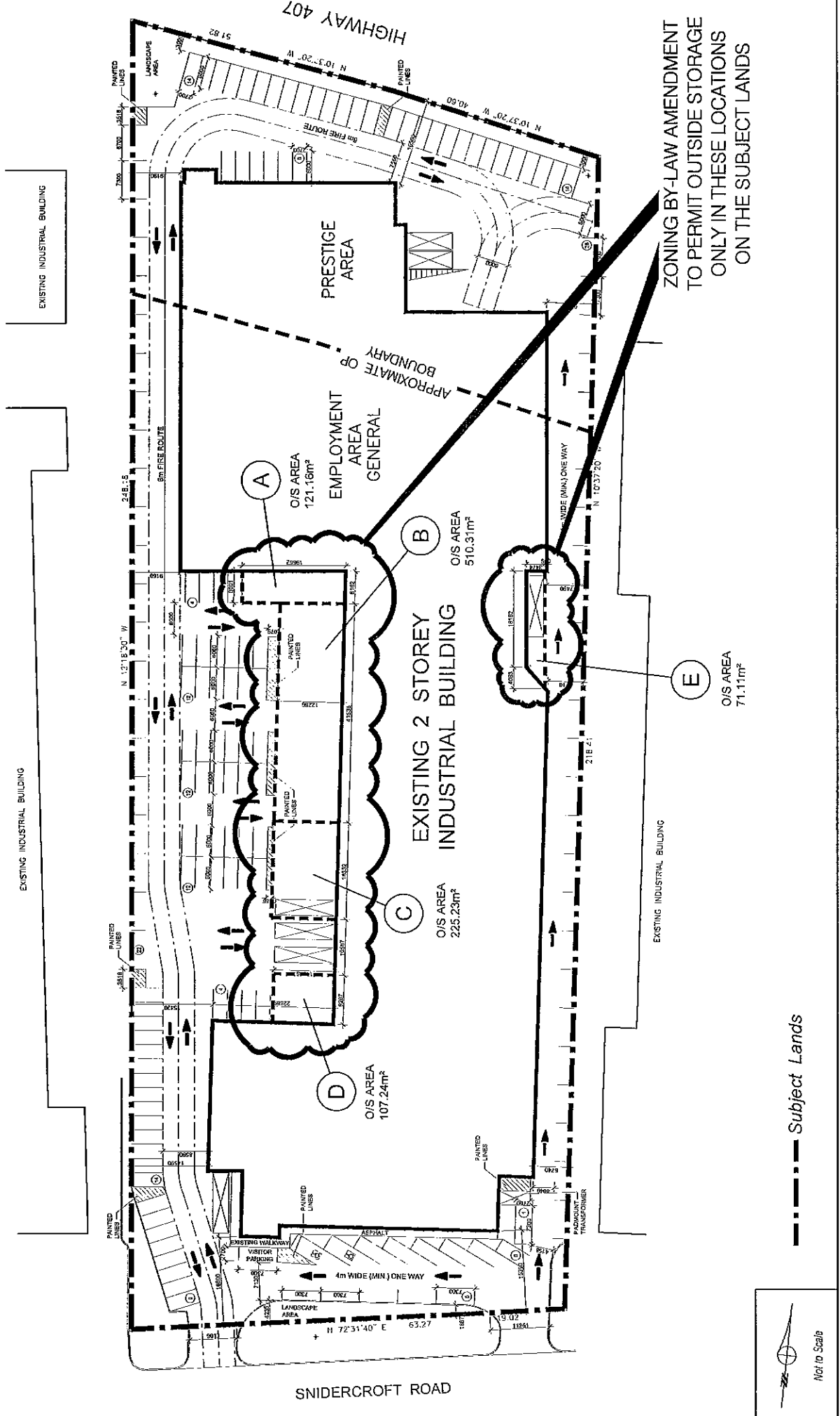
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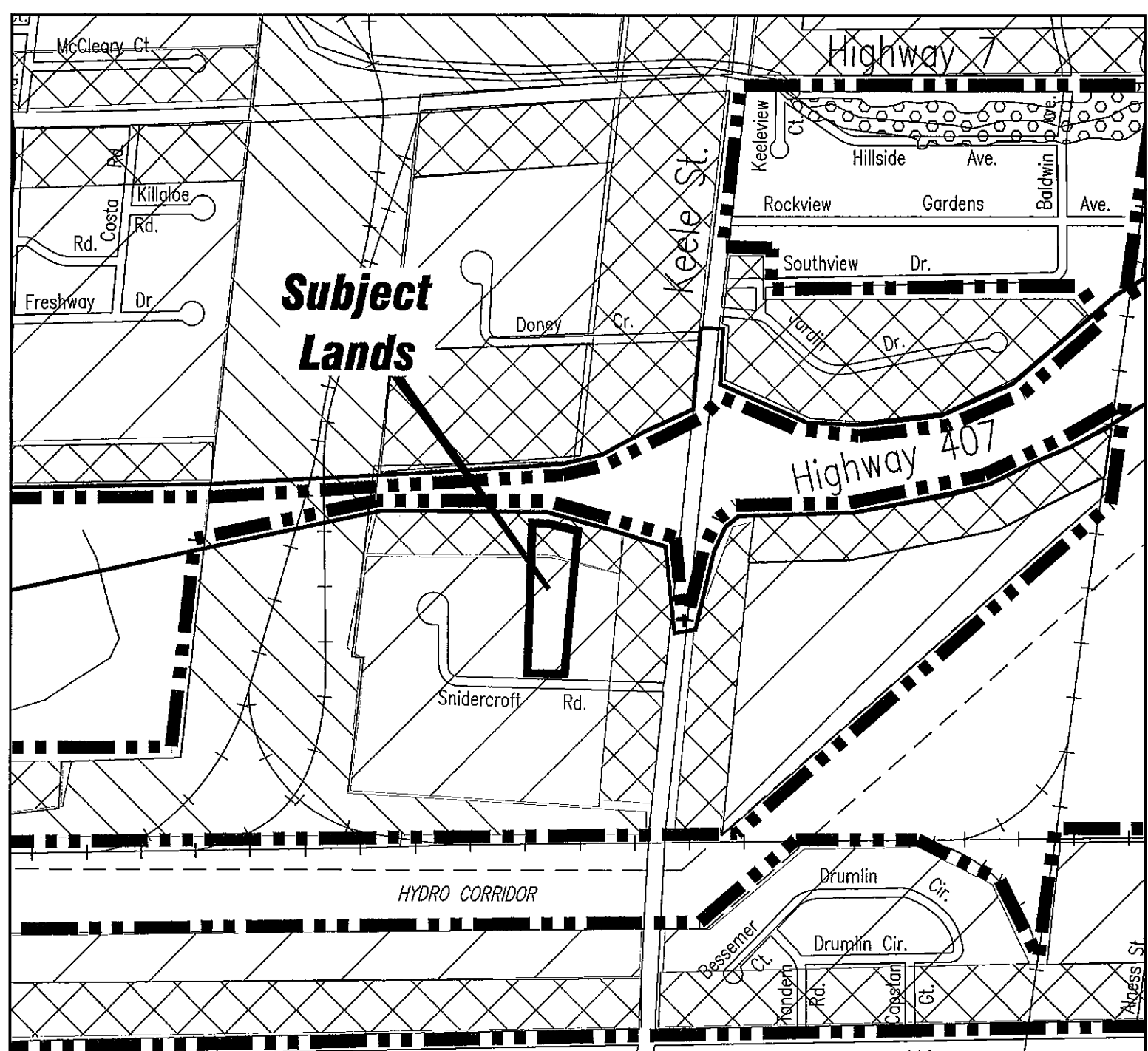
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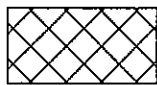
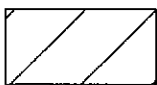

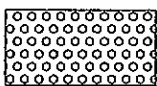


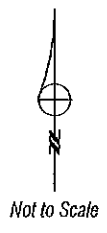


ZONING BY-LAW AMENDMENT
TO PERMIT OUTSIDE STORAGE
ONLY IN THESE LOCATIONS
ON THE SUBJECT LANDS



LEGEND

-  Amendment Area
-  Prestige Area
-  Employment Area General
-  Rail Facilities
-  Valley Lands (Valley Corridors)



**Land Use Schedule 2C - OPA 450
(Employment Area Plan)**



Development Planning Department

Attachment

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July 06, 2010

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APPLICANT: 1191621 Ontario Inc.
LOCATION: Part Lot 3, Concession 4

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