

**COMMITTEE OF THE WHOLE - NOVEMBER 18, 2002**

**ZONING BY-LAW AMENDMENT FILE Z.02.012  
COLAVECCHIA GARDEN LTD  
REPORT #P.2002.27**

Council adopted the following resolution at the Council meeting of November 11, 2002, with respect to Item 20, Report No. 76, of the Committee of the Whole meeting of November 4, 2002:

**“That this matter be referred to the Committee of the Whole meeting of November 18, 2002; and**

**That the memorandum from the Commissioner of Planning, dated November 8, 2002, be received.”**

Recommendation of Committee of the Whole November 4, 2002:

The Committee of the Whole recommends:

- 1) That this matter be referred to the Council meeting of November 11, 2002, and that staff address outstanding issues pertaining to noise, dust, and seeding; and
- 2) That the following deputations be received:
  - a) Mr. Mario Panza, 91 Cabinet Crescent, Woodbridge, L4L 6H7; and
  - b) Ms. Jackie Wedley, 99 Cabinet Crescent, Woodbridge, L4L 6H7.

**Recommendation**

The Commissioner of Planning recommends:

THAT Zoning By-law Amendment Application Z.02.012 (Colavecchia Garden Ltd.) BE APPROVED, subject to the following:

1. That the implementing by-law provide for the following:
  - a) permit the existing public garage as a temporary (maximum three years) use in the A Agricultural Zone;
  - b) limit the amount of parking for customer drop-off/pick-up to a maximum of five (5) spaces or vehicles; and,
  - c) prohibit outside storage.
2. That prior to the enactment of the implementing by-law:
  - a) the Owner shall remove all outside storage of construction vehicles and equipment/materials; and,
  - b) the location of the access on Langstaff Road shall be to the satisfaction of the Region of York Transportation and Works Department.

## **Purpose**

On February 5, 2002, the Owner submitted an application to amend the Zoning By-law to permit a public garage with outside vehicle parking as a temporary (maximum three years) use in the A Agricultural Zone.

## **Background - Analysis and Options**

On June 17, 2002, the Committee of the Whole considered a technical report for this application (Attachment #1) and recommended that it be deferred to a future Committee of the Whole meeting for a staff report addressing the residents concerns, which was ratified by Council on June 24, 2002. Specifically, it needs to be determined whether appropriate services are in place or available to provide potable water and to manage sanitary sewage needed to be determined.

The Owner retained an engineering consultant to review the existing water and sanitary services. In a letter submitted by EMC Group Limited, dated October 8, 2002, the consultant advised the following (in part):

The subject lands contain a public garage comprised of a relatively small one-storey building with one overhead door. Plumbing fixtures are limited to one sink and one toilet for employee use only. Business operations are limited to the repair of automobiles by two employees. There is no vehicle washing or fuel sales on the property. Potable water is delivered to the site and stored in a tank located within the building. The septic system includes a 4500 L (1000 gal.) septic tank and an inground tile field. Based on the above, the site is adequately serviced with potable water and a private sanitary sewage system to support the existing public garage on a temporary basis.

This information was reviewed by the Engineering Department, and was found to be satisfactory.

## **Conclusion**

The Owner has demonstrated that the site is adequately serviced with potable water and a private sanitary sewage system. Therefore, Condition 2(b) in the technical staff report dated June 17, 2002, requiring that this matter be satisfied prior to enacting the implementing by-law, is no longer required.

Should the Committee concur, the revised recommendation in this report can be adopted.

## **Attachments**

1. Staff Report (June 17, 2002)

## **Report prepared by:**

Duncan MacAskill, Planner, ext. 8017  
Grant A. Uyeyama, Senior Planner, ext. 8635  
Marco Ramunno, Manager, Development Planning, ext. 8485

/CM

## **ATTACHMENT NO.1**

### **COMMITTEE OF THE WHOLE JUNE 17, 2002**

**ZONING BY-LAW AMENDMENT FILE Z.02.012  
COLAVECCHIA GARDEN LTD.  
REPORT #P.2002.27**

#### **Recommendation**

The Commissioner of Planning recommends:

THAT Zoning By-law Amendment Application Z.02.012 (Colavecchia Garden Ltd.) BE APPROVED, subject to the following:

1. That the implementing by-law provide for the following:
  - a) permit the existing public garage as a temporary (maximum three years) use in the A Agricultural Zone;
  - b) limit the amount of parking for customer drop-off/pick-up to a maximum of five (5) spaces or vehicles; and
  - c) prohibit outside storage.
2. That prior to the enactment of the implementing by-law:
  - a) the Owner shall remove all outside storage of construction vehicles and equipment/materials;
  - b) the Engineering Department shall be satisfied that appropriate services are in place or available to provide potable water and to manage sanitary sewage; and
  - c) the location of the access on Langstaff Road shall be to the satisfaction of the Region of York Transportation and Works Department.

#### **Purpose**

On February 5, 2002, the Owner submitted an application to amend the Zoning By-law to permit a public garage with outside vehicle parking as a temporary (maximum three years) use in the A Agricultural Zone.

#### **Background - Analysis and Options**

The subject lands are located on the southwest corner of Regional Road #27 and Langstaff Road (6101 Langstaff Road), in Lot 10, Concession 9, City of Vaughan. The 4.0 ha site has 110m frontage on Regional Road #27 and 356m flankage on Langstaff Road, and is developed with one building (public garage) with access on Langstaff Road. There is outside storage of construction equipment/materials and dump trucks located between the building and Regional Road #27. The surrounding land uses are:

North - Langstaff Road; vacant/agricultural (A Agricultural Zone)  
South - banquet hall (C6 Highway Commercial Zone)  
West - hydro facility; vacant/agricultural (A Agricultural Zone)  
East - Regional Road #27; residential (R4 Residential Zone)

On March 15, 2002, a notice of public hearing was circulated to all property owners within 120m of the subject lands, the West Woodbridge Homeowners Association and the Woodbridge Meadows Ratepayers Association. Two responses have been received; one from a resident on Cabinet Crescent (east of Regional Road #27), expressing concerns respecting health/environment issues and property maintenance; and the other, from the Owner of the banquet hall and conference facility to the immediate south, requesting that the applicant install landscaping or fencing along the perimeter of the property to screen the outside storage from the view of their patrons.

The recommendation of the Committee of the Whole on May 6, 2002 to receive the Public Hearing and forward a technical report to a future Committee meeting as soon as possible was ratified by Council on May 13, 2002.

#### Official Plan

The northerly half of the subject lands is designated "Prestige Area" and the southerly half is "Employment Area General" by OPA #450. The Official Plan sets out criteria to evaluate if a use is appropriate for the Employment Area, with respect to:

- a) functional and physical compatibility with uses in the area;
- b) appropriateness to the employment area setting; and,
- c) nuisance or adverse effect on neighbouring uses through the emission of noise, dust, odour or other contaminants.

The public garage use is contained within a relatively small building with one overhead door, and is located next to the hydro facility on Langstaff Road, approximately 90m west of Regional Road #27. A wide range of industrial, office business and civic uses are permitted in the "Prestige Area" designation. The public garage within the building is considered to conform to the Official Plan, and would be an appropriate use on a temporary basis (maximum three years), pending redevelopment for more intensive uses contemplated by the Official Plan.

Upon a site inspection conducted by Planning Staff on March 20, 2002, it was found that the easterly portion of the property, between the public garage and Regional Road #27, was used for outside storage of construction equipment/materials and dump trucks that appeared unrelated to the public garage use. The unpaved and unscreened storage area is relatively large and highly visible from Langstaff Road, Regional Road #27, the residential area to the east, and from the banquet hall and conference facility to the south. Outside storage of goods or materials is not permitted in the "Prestige Area" designation of the Official Plan.

Staff cannot support the outside storage use, given that it is not permitted by the Official Plan and its high visibility and incompatibility with the adjacent land uses. Since the Public Hearing, the Owner has agreed to remove the outside storage aspect of the application. Without outside storage, the proposal is considered to conform to the Official Plan.

#### Block Plan

On December 9, 1996, Council approved a Block Plan for the Vaughan West Corporate Business Park (VWCBP). The Block Plan establishes the location of a range of industrial and commercial uses, open space blocks, landfill areas and stormwater management facilities, together with a road pattern. The Block Plan designated the site for "Office Commercial" uses (C8 Office Commercial Zone). Maintaining the existing public garage use on a temporary basis will not jeopardize the Block Plan. The lands may be developed in accordance with the Official Plan in the future.

#### Highway #427 Extension

The City of Vaughan, City of Brampton, Region of Peel and Region of York jointly submitted a report entitled "Highway 427 Northerly Extension, Corridor Area Limits Review from Highway 7 to Langstaff Road, Position Paper" to the Ministry of Transportation Ontario (MTO) in December, 2000 for their review and approval. The study identifies the western and eastern most alignments of the Highway #427 extension, and identifies adjacent lands that can be released, or conditionally released, for development.

The most easterly alignment option involves an interchange with Langstaff Road, and as a result, approximately two-thirds of the subject lands is shown as being potentially affected by Highway #427 on Attachment No. 3. At this time, no new development is being proposed on the affected portion of the subject lands, and maintaining the public garage on a temporary basis will not prejudice the future Highway #427 extension.

#### Zoning

The subject lands are zoned A Agricultural Zone by By-law 1-88, which does not permit the proposed public garage use or open storage.

Given the nature of a public garage use, it is anticipated that customer vehicles will be parked outside of the building, waiting for service or customer pick-up. The existing building has a floor area of 84 sq.m. Based on the minimum parking requirement for a public garage of 4.5 spaces per 100 sq.m, a minimum of 4 parking spaces must be provided on the site.

Staff recommends that the implementing by-law provide for a maximum of 5 parking spaces for customers of the public garage only, and that no outside storage is permitted. The driveway and parking area has a graveled surface, and as such, parking spaces cannot be easily identified on the site. Therefore, the implementing by-law may need to indicate "vehicles" rather than "parking spaces" when referring to parking requirements. An exception will also be required to allow an unpaved surface for the driveway and parking area.

As a condition of approval, the Owner will be required to remove the outside storage of construction vehicles and equipment/materials, prior to the enactment of the implementing by-law.

#### Servicing/Access

The Engineering Department has advised that it is unclear if the existing use requires site servicing, or if it is serviced via a private well (potable water) and septic system. There are no municipal services available adjacent to this site that could provide service connections to the subject lands.

Prior to the enactment of the implementing by-law, the Owner shall ensure that appropriate services are in place or available to provide potable water and to manage sanitary sewage to the satisfaction of the Engineering Department.

There is an existing access to the site on Langstaff Road. Prior to the implementing by-law being enacted, the access location shall be to the satisfaction of the Region of York Transportation and Works Department.

#### Conclusion

The site contains a relatively large and highly visible area of outside storage of construction vehicles and equipment/materials, which is not permitted by the Official Plan and is not compatible with the surrounding area. Staff can support the proposed public garage use on a

temporary basis (maximum three years), but not the outside storage of construction vehicles and equipment/materials from the site. The Engineering Department must be satisfied that appropriate services are in place or available to provide potable water and to manage sanitary sewage. Also, the Region of York must be satisfied with the location of the access on Langstaff Road. The implementing by-law should not be enacted until these conditions have been met.

Should the Committee concur, the recommendation in this report can be adopted.

**Attachments**

1. Location Map
2. Site Plan
3. Contextual Plan

**Report prepared by:**

Duncan MacAskill, Planner, ext. 8017 *DM*  
Grant A. Uyeyama, Senior Planner, ext. 8635  
Marco Ramunno, Manager, Development Planning, ext. 8485

Respectfully submitted,



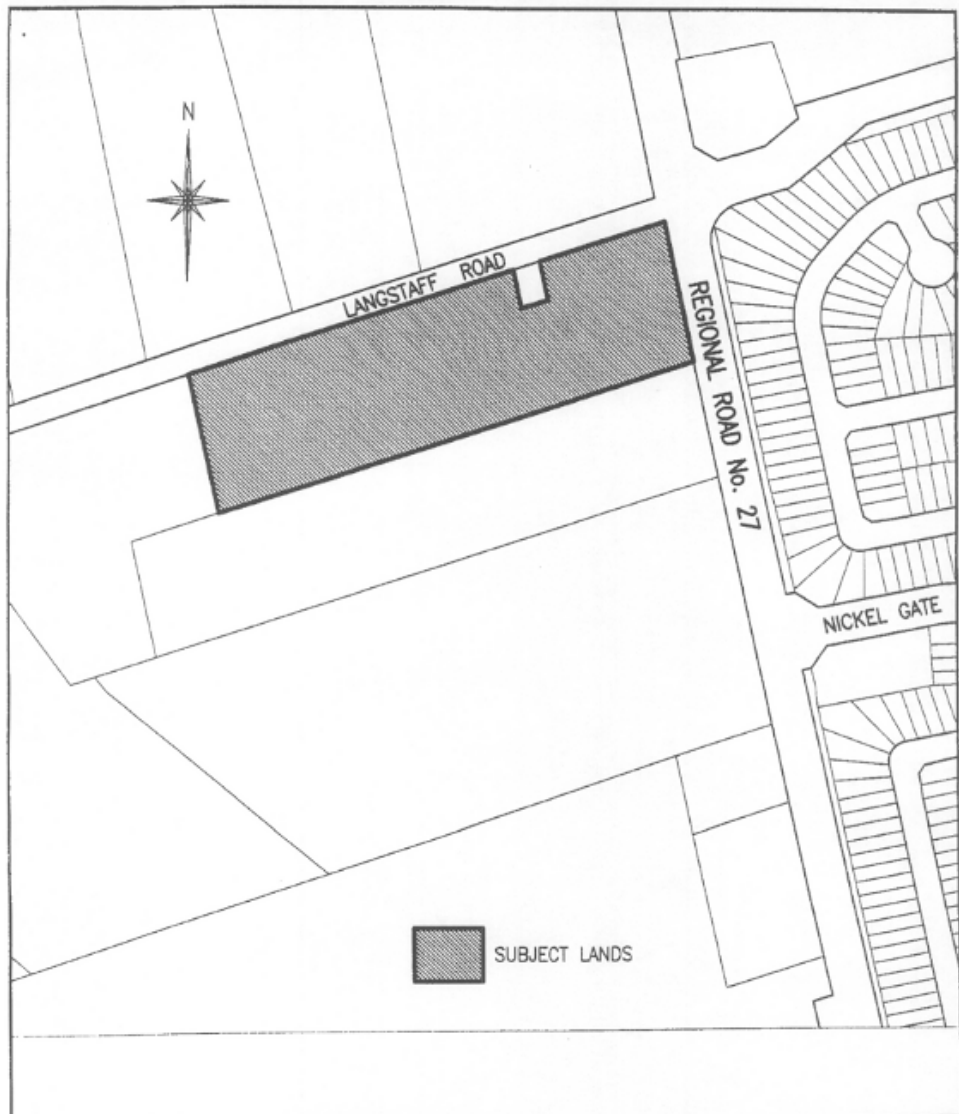
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Commissioner of Planning



JOANNE R. ARBOUR  
Director of Community Planning

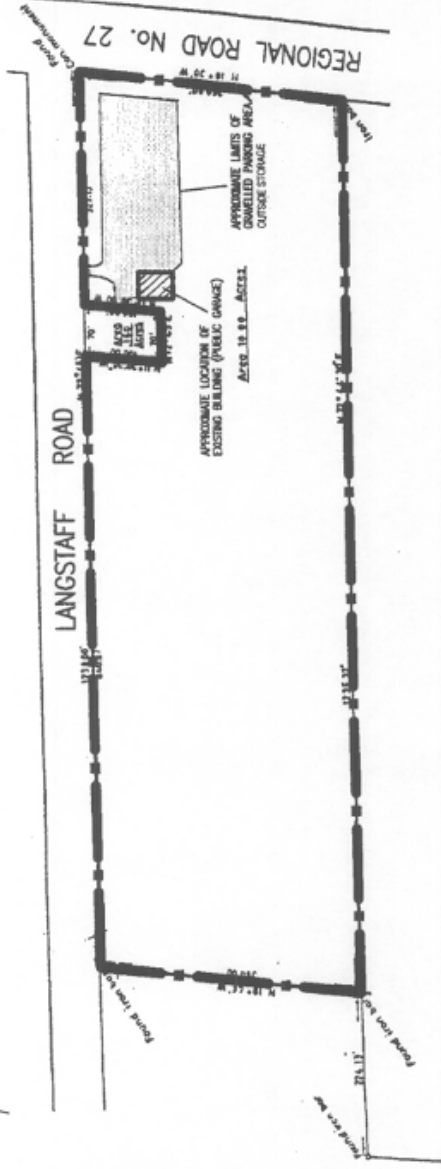
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ATTACHMENT '1'  
LOCATION MAP

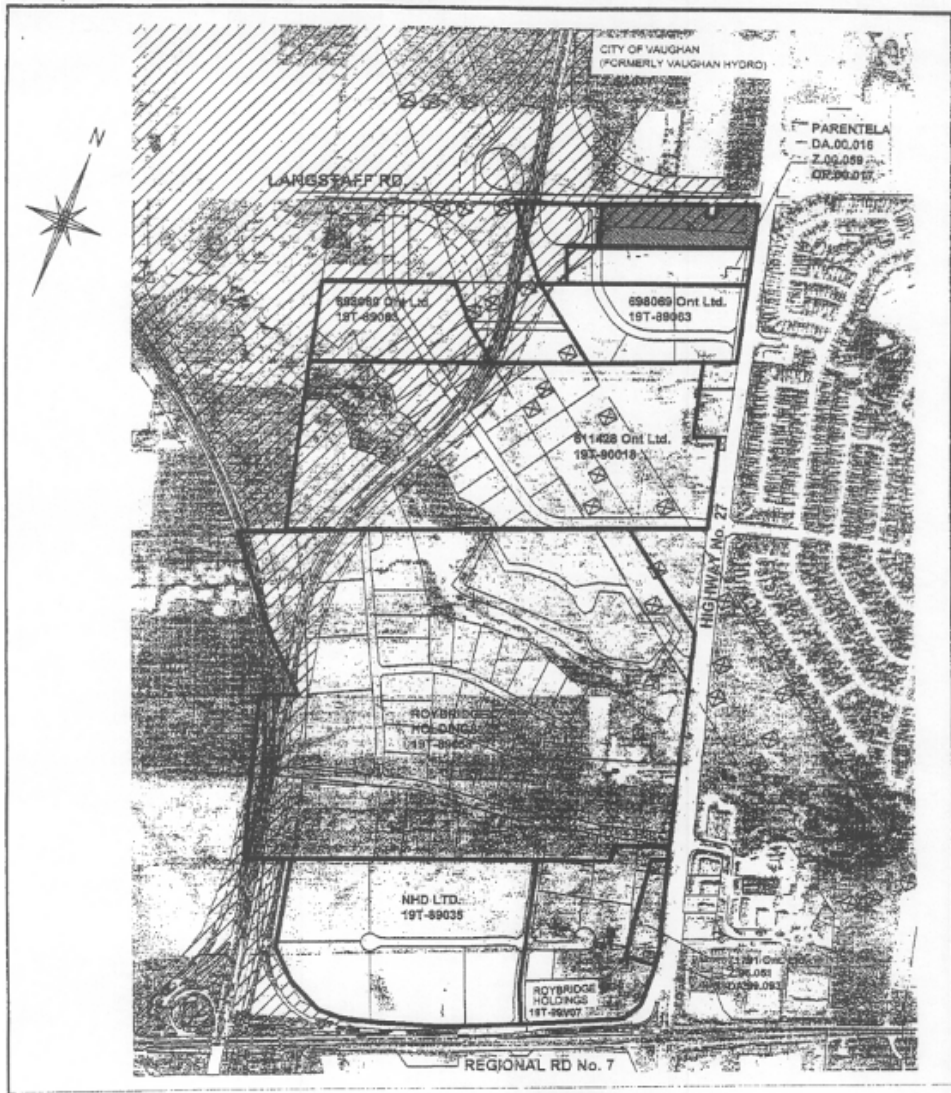
FILE #:	REPORT #:		DATE: 02/25/2002
2.02.012	LOCATION: PART OF LOT 10, CON. 9	CITY OF VAUGHAN PLANNING DEPARTMENT	APPLICANT: SCALE: NOT TO SCALE COLAVECCHIA GARDEN LTD.




SUBJECT LANDS

ATTACHMENT '2' SITE PLAN		FILE #: Z.02.012	REPORT #: LOCATION: PART OF LOT 10, CONCESSION 9	DATE: 02/25/2002 SCALE: NOT TO SCALE	APPLICANT: CITY OF VAUGHAN PLANNING DEPARTMENT	APPLICANT: COLAVECCHIA GARDEN LTD.
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 SUBJECT LANDS

ATTACHMENT '3' CONTEXTUAL PLAN	FILE #:	REPORT #:	CITY OF VAUGHAN PLANNING DEPARTMENT	DATE:	02/25/2002
	Z.02.012	LOCATION: PART OF LOT 10, CON. 9		APPLICANT:	SCALE:
				COLAVECCHIA GARDEN LTD.	