

COMMITTEE OF THE WHOLE MAY 5, 2003

**OFFICIAL PLAN AMENDMENT FILE OP.02.025
ZONING BY-LAW AMENDMENT FILE Z.02.089
YORK MAJOR HOLDINGS INC.
REPORT #P.2003.9**

Recommendation

The Commissioner of Planning recommends:

1. THAT Official Plan and Zoning Amendment Files OP.02.025 and Z.02.089 (York Major Holdings Inc.) BE APPROVED, subject to the following conditions;
 - a) the Official Plan Amendment shall permit limited outdoor storage, with the applicable development standards to be set out in the implementing zoning by-law;
 - b) the implementing zoning by-law shall:
 - i) permit limited open storage accessory only to an "industrial use" as defined in Section 2.0 of By-law 1-88;
 - ii) permit open storage to a maximum 10% of the total lot area; and
 - iii) include the zoning standards outlined in this report.

Purpose

On December 20, 2002, the Owner submitted applications to amend the Official Plan and Zoning By-law to permit limited open storage accessory to the permitted industrial uses on the site.

Background - Analysis and Options

The site is located on the northeast corner of Keele Street and Teston Road, in Lots 26 and 27, Concession 3, City of Vaughan.

The lands are designated "Prestige Industrial" by OPA #332, as amended by OPA #535, and are zoned M1 Restricted Industrial Zone by By-law 1-88. The surrounding land uses are:

- North - vacant (M1 Restricted Industrial Zone)
- South - Teston Road; industrial park (M2 General Industrial Zone)
- East - Keele Street; railway line (A Agricultural Zone)
- West - Avondale Composting Facility, former landfill site (OS1 Open Space Conservation Zone)

On January 24, 2003, a notice of Public Hearing was circulated to all property owners within 120m of the subject land. Letters have been received from the owners of Bican Properties (2101 Teston Road), World Waste Systems Inc. (61 Malmo Court), and Connolly Marble & Granite Ltd. (2101 Teston Road, Unit 101) advising that they have no objection to the proposed application.

Land Use Context

The land use context and general topography and features of the subject and surrounding lands is an important consideration with respect to assessing the request for open storage. The subject property is located at the northeast corner of Keele Street and Teston Road, and is undeveloped. The property represents the only land designated for industrial uses north of Teston Road, on the

east side of Keele Street. An existing industrial park is located south of the subject property, which is primarily zoned M1 Restricted Industrial Zone along Keele Street and M2 General Industrial Zone to the rear.

The Avondale Composting facility is located east of the subject property and is planned to be a future park under OPA #332, and is at a higher-grade elevation than the subject property. Lands on the west side of Keele Street, north of Teston Road, are predominantly vacant and designated for Agricultural purposes. The CN rail line creates a “wedge” of land on the west side of Keele Street, which is designated as a “Special Policy Area” in the Official Plan, requiring studies to determine the appropriate land uses. The lands to the north are developed with a dwelling and are otherwise predominately vacant, and designated “North Maple Residential Area” by OPA #332. A CN Railway line diagonally traverses the southerly frontage of the property and continues under Keele Street, which is elevated in front of the subject property. The lands to the southwest are vacant and designated for neighbourhood commercial and medium density residential uses.

Permitted Uses

The subject property is zoned M1 Prestige Industrial Zone by By-law 1-88, which permits a range of industrial uses, including public garages, service and repair shops, pits and quarries. Open storage accessory to “industrial uses” only, as defined by By-law 1-88, would be considered appropriate. Open storage for uses such as public garages and service or repair shops has a significant potential to become unsightly, and therefore is considered to be inappropriate for this location.

The applicant has requested that open storage be permitted to a maximum of 30% of the lot area. By-law 1-88 permits 30% open storage in EM2 General Employment Area Zones, which are located to the interior of industrial areas. The industrial area south of the subject property is zoned M1 Restricted Industrial and M2 General Industrial Zones. By-law 1-88 permits open storage to a maximum of 10% of the lot area in an M2 Zone.

Given the location of the site on two arterial roads, near an existing industrial area where open storage permissions have been established, and abutting a future park and lands designated residential, and the elevated views from Keele Street into the site, permitting open storage at the proposed 30% rate, equivalent to an interior industrial lot, is considered inappropriate. The arterial road location of the subject property and its visibility demands that higher development standards apply to the site. Furthermore, if 30% outside storage were permitted, it may set a precedent for increased open storage permissions in the neighbouring industrial area, and other arterial road employment lands throughout the City. As such, the 10%, as permitted in the industrial area to the south, would appear to be appropriate for these lands.

Corner Lot

By-law 1-88 does not permit outside storage on a corner lot. The applicant has submitted a conceptual site plan (Attachment No. 2) showing an “L-shaped” building on the corner lot at Teston Road and Keele Street, which would screen an open storage area. However, a site plan has not been approved for this site and there is no guarantee that a future building would be designed in this manner. The existing zoning allows a building to be constructed in a manner whereby an open storage area could be in clear view from Keele Street or Teston Road. Accordingly, it is recommended that the implementing zoning by-law include a clause prohibiting open storage on the corner lot unless it is completely screened by a building along both the Keele Street and Teston Road frontages.

Easement

The Owner of the subject property previously applied to the Committee of Adjustment (File B12/03) for the purposes of creating an environmental easement along the eastern boundary of the property. This easement, which is 5m wide and extends along the full length of the eastern limits of the property, is required for the installation of a passive gas-venting barrier to prevent lateral gas migration from the closed landfill to the east. The barrier will facilitate the safe development of the subject lands. No open storage will be permitted on this easement.

Zoning Controls

Staff recommends that the following requirements be placed in the implementing zoning by-law in order to adequately screen, and control open storage on the subject lands;

- open storage shall only be permitted accessory to an industrial use as defined in By-law 1-88, as amended and shall not exceed 10% of the lot area;
- open storage shall not be permitted: in any side or front yard; on any area located between a building and a street; and, within 5m of the easterly property line;
- open storage shall not be permitted on any lot, unless there is an existing building with a minimum gross floor area of 550m²;
- the open storage area shall be completely enclosed by a stone or masonry fence, solid fence or chain link fence with appropriate landscaping, and such enclosure shall not be less than 2.0m in height;
- no open storage other than machinery and equipment shall exceed three (3)m in height; permanent cranes, towers or other similar structures shall not be permitted;
- the open storage of any goods or materials which are obnoxious, visually or otherwise, including derelict or scrap motor vehicles, motor vehicle parts, machinery, machinery parts, and worn out appliances or equipment, shall not be permitted; and,
- 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 a minimum of two (2)m in height with appropriate landscaping;
- open storage may only be permitted on a corner lot provided:
 - the open storage area complies with the requirements identified above;
 - the open storage area is located completely between a building and the north and east property line; and,
 - no part of the open storage area, including the enclosure/screening, shall be visible from the Keele Street or Teston Road frontage.

Landscape Plan

The City has approved a Master Landscape Plan for the Keele Street frontage, which the Owner will be required to implement. The plan consists of plantings on a 9m wide landscaped berm which runs the full length of the property.

The subject property abuts a future park in the northeast corner of the property. The park land is at a higher elevation and therefore, at-grade screening of the proposed open storage area would be ineffective. Accordingly, a more effective approach would be a landscaping program, for the portion of the lands abutting the future park, to be implemented on the park land to the satisfaction of the City's Urban Design Department. The details of the landscape plan will be negotiated through the site plan process for the first building on the lands.

Conclusion

The application proposes open storage up to 30% of the lot area be permitted on the site. Given the location of the site on two arterial roads, abutting lands designated for residential and parkland purposes, the limited open storage standards in the adjacent industrial area, and the elevated views into the site, open storage to a maximum 10% of the area could be appropriately accommodated. A number of zoning controls, consistent with provisions already in place respecting open storage in By-law 1-88, are recommended. To screen the site from the adjacent park, a landscape screening plan on the future park site should be prepared and implemented through the site plan application for the first building on the property.

Subject to the conditions set out in the Recommendation of this report, Staff can recommend approval of this application. Should the Committee concur, the recommendation in this report should be adopted.

Attachments

1. Location Map
2. Site Plan

Report prepared by:

Mauro Peverini, Planner, ext. 8407
Arto Tikiryan, Senior Planner, ext. 8212
Marco Ramunno, Manager of Development Planning, ext. 8485

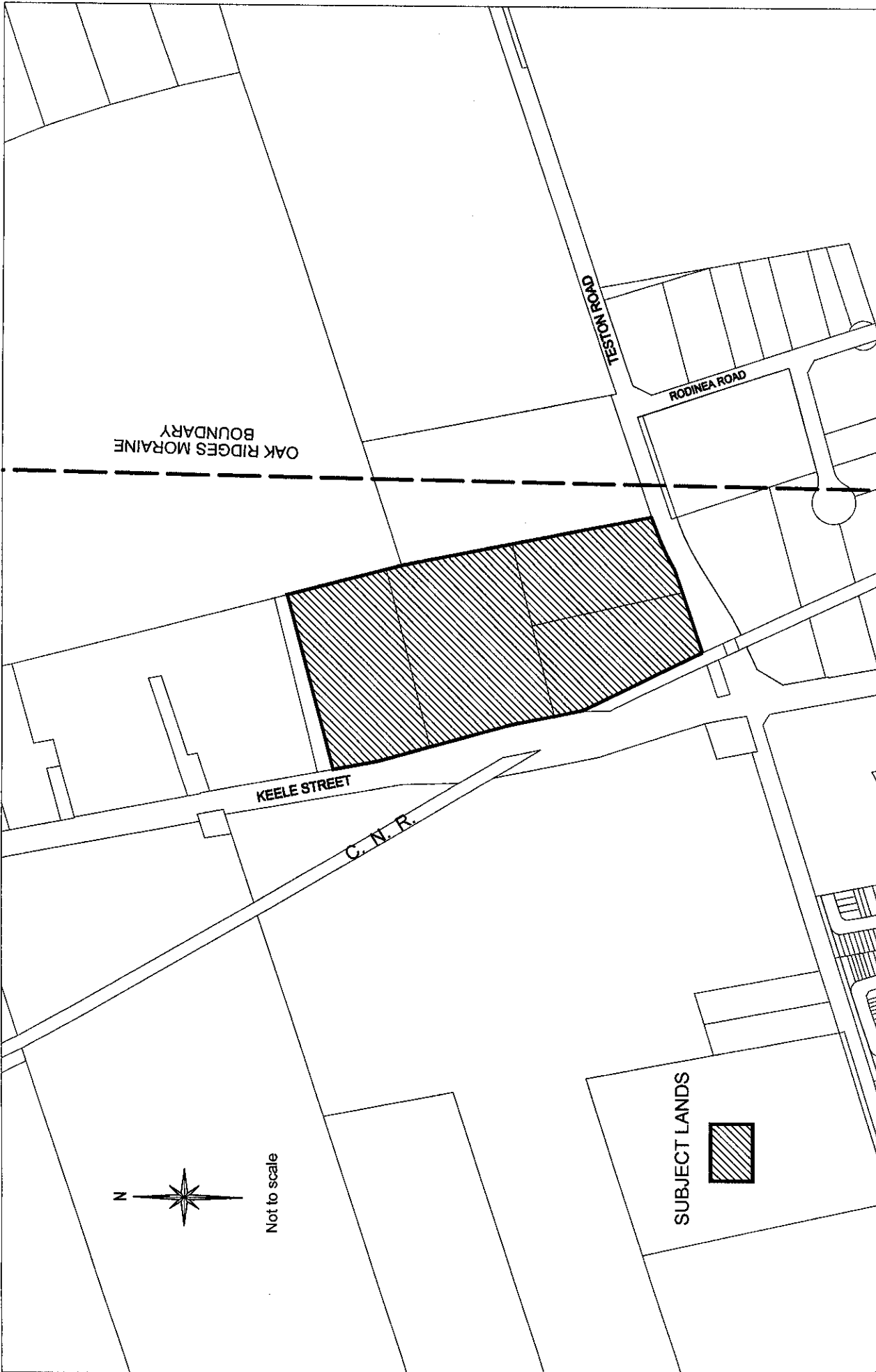
Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

JOANNE R. ARBOUR
Director of Community Planning

/LG

R:\WORKING\PEVERIN\MYORK-MAJOR.CW



Location Map

Lots 26 & 27,
Concession 3

APPLICANT:
YORK MAJOR HOLDINGS INC.



Community Planning Department

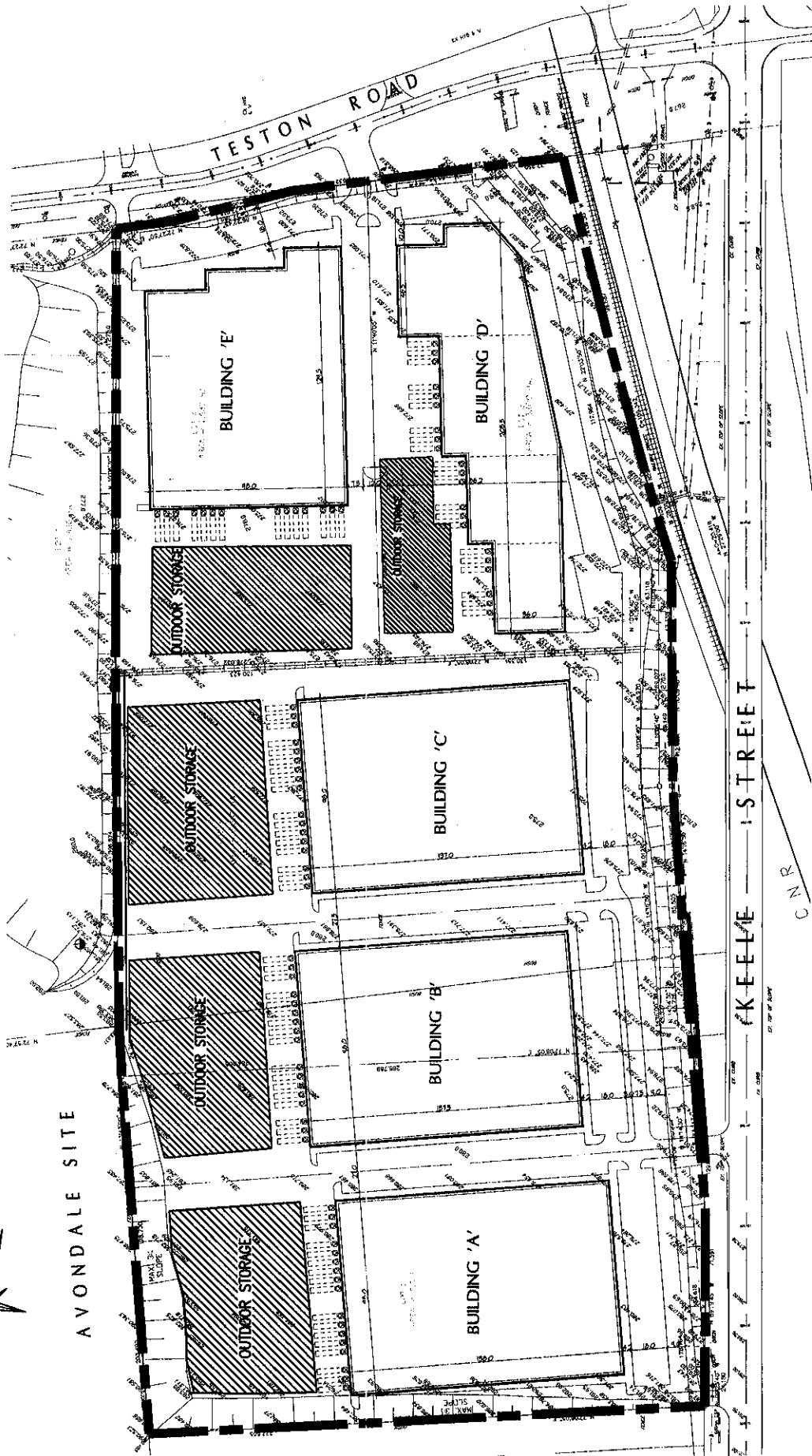
Attachment

1

FILE No.:
OP.02.025
RELATED FILE No.:
Z.02.089
April 9, 2003



AVONDALE SITE



SUBJECT LANDS

APPROXIMATE LOCATION & SIZE OF OUTDOOR STORAGE AREAS

Not to scale

Site Plan

Lots 26 & 27,
Concession 3

APPLICANT:
YORK MAJOR HOLDINGS INC.



Community Planning Department

Attachment

2

FILE No.:
OP.02.025
RELATED FILE No.:
Z.02.089
April 9, 2003