

COMMITTEE OF THE WHOLE JUNE 16, 2003

**ZONING BY-LAW AMENDMENT FILE Z.03.025
SITE DEVELOPMENT APPLICATION DA.03.026
434738 ONTARIO LIMITED
REPORT #P.2003.36**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment Application Z.03.025 (434738 Ontario Limited) BE APPROVED, subject to the following:
 - i) That an exception to the A Agricultural Zone be provided to permit the driving range and accessory uses on a 3-year temporary basis; and,
 - ii) That the by-law includes the necessary zoning exceptions to implement the approved site plan.

2. THAT Site Development Application DA.03.026 (434738 Ontario Limited) BE APPROVED, subject to the following:
 - i) the site plan and elevations shall be to the satisfaction of the Commissioner of Planning;
 - ii) the site grading plan and parking study shall be to the satisfaction of the Engineering Department;
 - iii) the landscaping plan shall be to the satisfaction of the Urban Design Department; and
 - iv) access to Major Mackenzie Drive and encroachment of the parking area into the road allowance shall be approved by the Region of York.

Purpose

On April 15, 2003, the Owner submitted a zoning by-law amendment application and site development application to permit the development of a golf driving range in the A Agricultural Zone, as a 3-year temporary use. The development will include a pro-shop and practice green.

Background - Analysis and Options

The lands are located on the north side of Major Mackenzie Drive, west of Weston Road (4020 Major Mackenzie Drive), in Part of Lot 21, Concession 6, City of Vaughan. The lands are currently vacant, with a gravel parking lot. The surrounding land uses are:

- North - farmland (A Agricultural Zone)
- South - Major Mackenzie Drive, farmland (A Agricultural Zone)
- East - non-farm residential, farmland (A Agricultural Zone)
- West - commercial, residential (A Agricultural Zone)

The lands are designated "Low Density Residential", "Medium Density Residential/Commercial", and "District Park" by OPA #600, and zoned A Agricultural Zone by By-law 1-88. The lands are within the Vellore Urban Village 1.

In 1989, the owner submitted a zoning amendment application (File Z.132.89) to rezone the lands from A Agricultural Zone to OS2 Open Space Park Zone to permit a golf driving range, miniature golf facility, snack bar and games room. On August 1, 1990, a public hearing was held, at which time Council refused the application on the basis that it was inconsistent with the future planning for the area.

On February 8, 1999, Council approved Zoning Amendment Application Z.98.042 (434738 Ontario Ltd.) to permit a golf driving range as a 3-year temporary use on the subject lands. A condition of approval was that the related site plan application (DA.99.004) be approved by Council, which was granted on May 10, 1999. The applicant was unable to complete the site plan process at that time, and subsequently both applications were closed.

On April 28, 2003, a notice of public hearing was circulated to all property owners within 120m of the subject lands, and to the Millwood Woodend Ratepayers' Association. No response has been received regarding the residential portion of the application. The recommendation of the Committee of the Whole to receive the public hearing of May 20, 2003, and forward a comprehensive report to a future Committee meeting, was ratified by Council on May 26, 2003. In addition, Council directed that the applicant hold a meeting with the Local Councillor and ratepayers, which occurred on June 10, 2003.

Official Plan

The lands are designated "Low Density Residential", "Medium Density Residential/Commercial", and "District Park" by OPA #600. OPA #600 provides policies for temporary uses within the new community areas. Temporary uses are subject to a zoning by-law amendment application and must be in conformity with a number of policies. These policies include:

- The proposed use is substantially less intensive than the planned use
- The proposed use entails limited capital investment
- The proposed use does not require municipal water or sanitary services
- Proposed buildings are of a temporary nature
- The proposed use is not automotive or industrial in nature
- The proposed use does not require outside storage
- The proposed use is preferably not located within the City's existing residential and employment areas
- The temporary use does not conflict with
 - The planned development pattern
 - The planned road pattern
 - The parks, schools, valley corridors, woodlots and stormwater management system

The proposed driving range is less intensive than any residential/commercial development, and no more intensive than a future park. The capital investment is limited to grading work, erection of protective barriers and the temporary pro shop. Municipal services are not required for the operation of the proposed use. The use is not automotive or industrial in nature and does not require outside storage. The proposed use is not within an existing residential/employment area and will not impact on the future park planned for the new Community.

In view of the above, the proposed temporary use is in conformity with the policies of the Official Plan.

Zoning

The lands are currently zoned A Agricultural Zone by By-law 1-88. The Agricultural Zone does not permit recreational commercial uses. The application proposes the driving range use on the

basis of a 3-year temporary use. Should the application be approved, the driving range will be a permitted use for 3 years from the date of enactment of the zoning by-law. At the end of the 3 years, a new application would be required to continue the driving range use.

Site Plan

The site plan identifies a parking area along Major Mackenzie Drive, the tees, practice greens, storage area and pro shop/office. The parking is at the southeast corner of the site, with the pro-shop and storage area located immediately north of it. The practice greens are at the southwest corner of the site, while the tees run east/west to drive to the north.

Protective netting has been provided along both sides of the driving range to protect the abutting properties from errant golf balls.

The storage area will include space for garbage and recycling areas to ensure that they are properly screened.

Access and Parking

The application is showing a single access to Major Mackenzie Drive. The Region of York must approve the access prior to the registration of the site plan agreement. A total of 35 parking spaces are provided. The applicant expects a maximum of 30 patrons with 4 employees, at any point in time.

The parking area has been identified as having a gravel surface. By-law 1-88 requires that all parking areas be either asphalt or concrete. Given the temporary nature of the use, Staff have no objection to an exception to the zoning requirements to permit a gravel parking area being included in the by-law.

The parking area encroaches into the road allowance for Major Mackenzie Drive. The applicant has had discussions with the Region of York, and the Region has indicated a general willingness to permit the encroachment on a temporary basis. The conditions of this permission must be finalized by the Region prior to the registration of the site plan agreement.

Elevations

The only significant structure on the property will be the pro-shop/office, which is to be a trailer-type of building and approximately 7.3m x 3.6m in size. The applicant has not been able to provide elevations to date. The elevations for the pro-shop/office must be approved by the Commissioner of Planning prior to registration of the site plan agreement.

Conclusion

Planning Staff consider the driving range to be a suitable 3-year temporary use for the lands. This use is less intensive than the future proposed lands uses and is considered to be a suitable interim use. The proposed zoning by-law amendment and site plan are consistent with the policies of the Official Plan. Should Committee concur, the "Recommendation" 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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FILE No.:
Z.03.025

April 23, 2003



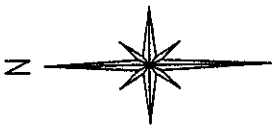
Community Planning Department

Location Map

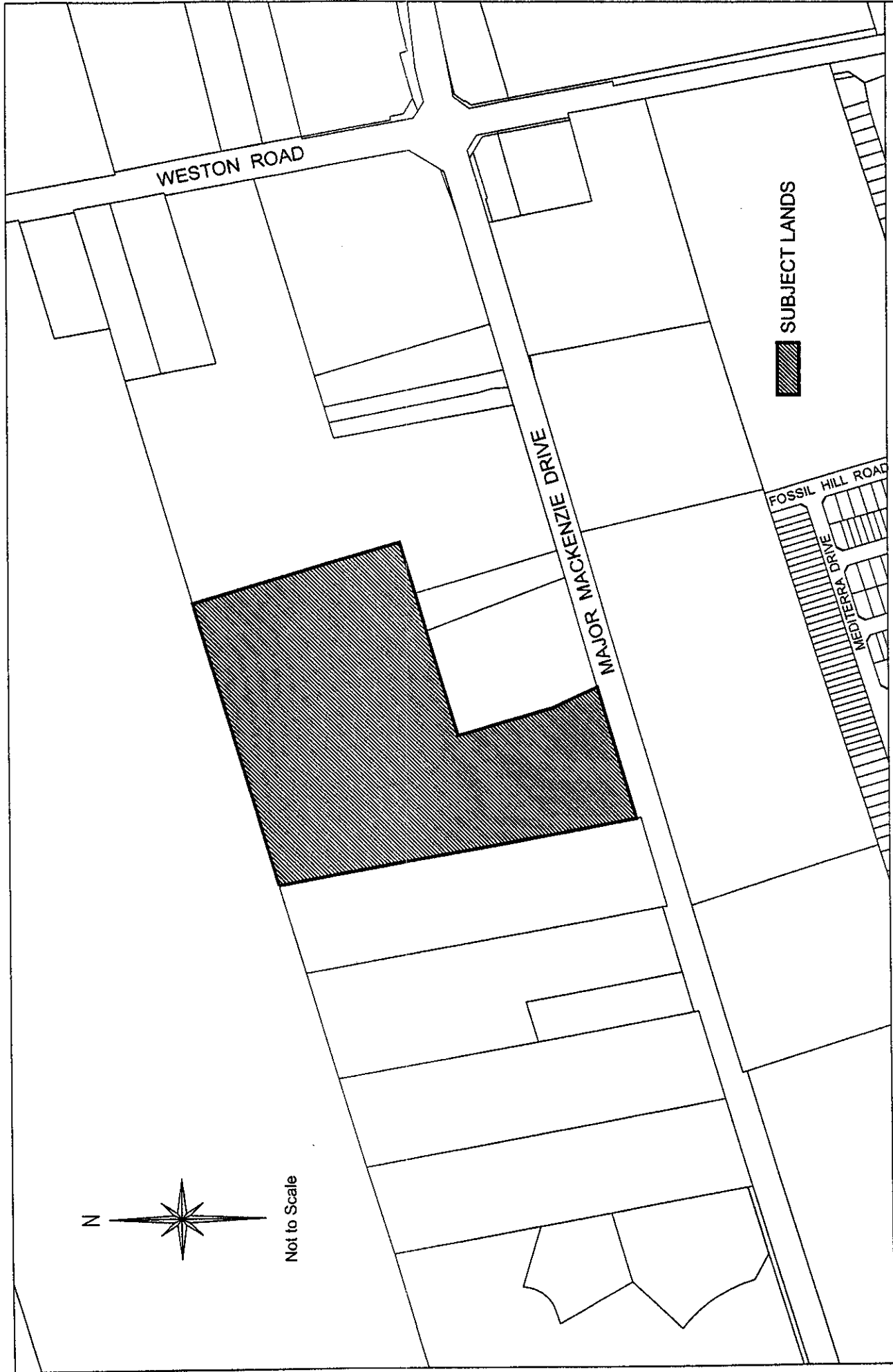
Location: Part Lot 21,
Concession 6

APPLICANT:
434738 ONTARIO LIMITED

MAP/DT/1 ATTACHMENTS/VZ.03.025

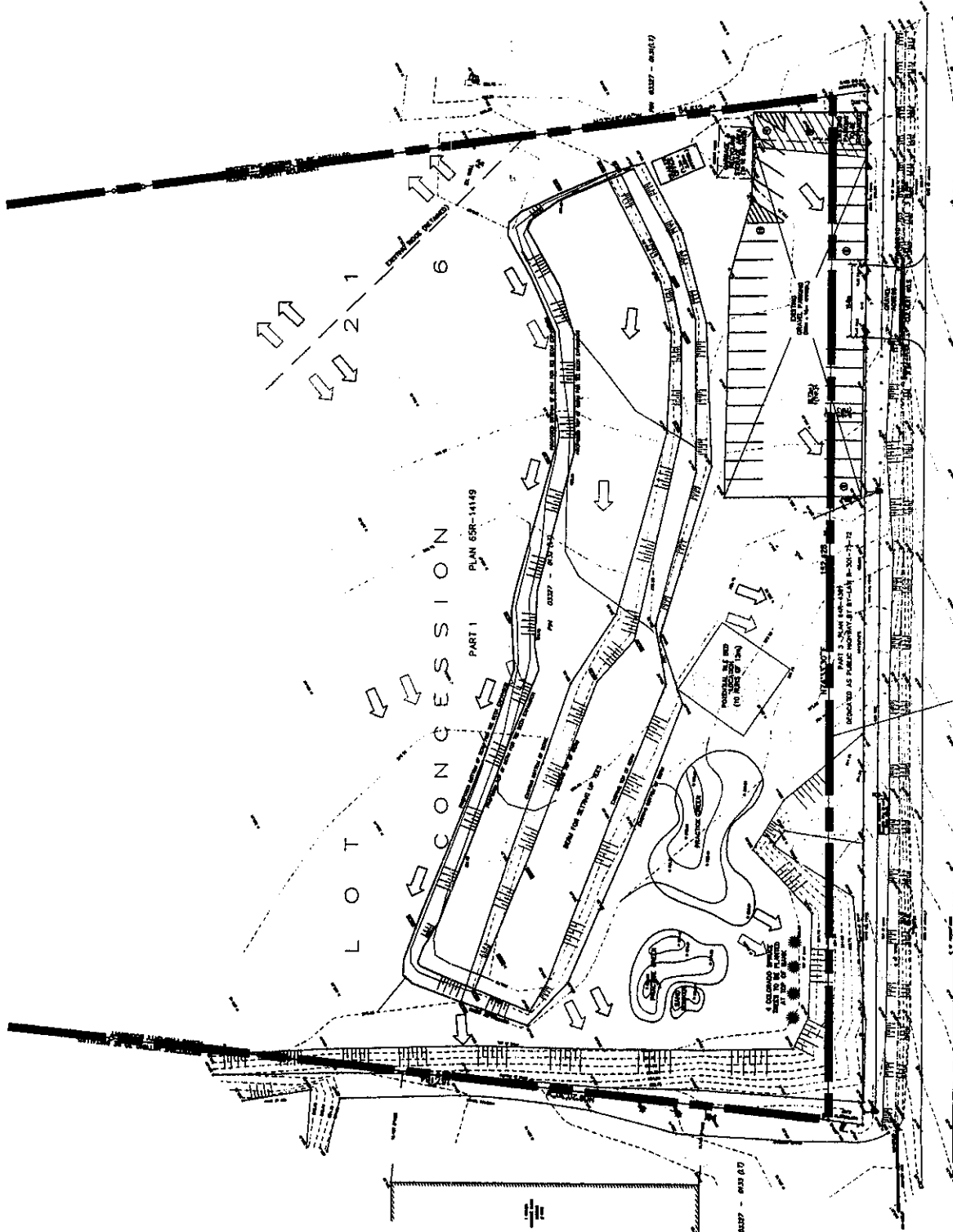


Not to Scale





Not to Scale



Site Plan

Location: Part Lot 21,
Concession 6

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Community Planning Department

Attachment 2

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