

COMMITTEE OF THE WHOLE SEPTEMBER 15, 2003

**OFFICIAL PLAN AMENDMENT FILE OP.03.018
ZONING BY-LAW AMENDMENT FILE Z.03.044
BULK TRANSFER SYSTEMS
REPORT #P.2003.51**

Recommendation

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment Application OP.03.018 and Zoning By-law Amendment Application Z.03.044 (Bulk Transfer Systems) BE APPROVED, subject to the following:
 - a) That the Official Plan Amendment and Zoning By-law permit a motor vehicle sales establishment.
 - b) That prior to the enactment of the implementing Zoning By-law a site plan be approved by Council, or the annexation be finalized by Council, whichever comes first.

Purpose

On June 19, 2003, the Owner submitted applications to amend the Official Plan and Zoning By-law to permit a motor vehicle sales establishment in the C6 Highway Commercial Zone, in addition to the uses permitted for the subject lands.

Background - Analysis and Options

The lands are located at the northeast corner of Highway #50 and Albion-Vaughan Road, being Parts 3, 4, and 5 on Plan 65R-18771, in Lots 29 and 30, Concession 11, City of Vaughan. The lands are currently vacant. The surrounding land uses are:

- North - residential (Town of Caledon)
- South - Albion-Vaughan Road; truck centre (EM2 Employment Area General Zone)
- East - Albion-Vaughan Road; truck centre (EM2 Employment Area General Zone)
- West - Highway #50 (Town of Caledon)

The lands are designated "Rural Use Area" by OPA #600, subject to site specific OPA #477. The zoning is C6 Highway Commercial Zone by By-law 1-88, subject to Exception 9(803).

On February 5, 1998, the Ontario Municipal Board approved Official Plan Amendment #477 and a zoning by-law. The by-law was enacted on February 23, 1998 as By-law 53-98.

The subject lands are part of a proposed annexation by the Town of Caledon. In the mid-1990's, Albion-Vaughan Road was realigned to its current location. An agreement between Vaughan, Caledon and the owner of the subject lands recognized that once construction was completed, Caledon would proceed to annex the subject lands and the closed section of the Albion-Vaughan Road. On June 9, 2003, Council adopted the following recommendation, in part:

"That the City of Vaughan support the Town of Caledon in respect of the annexation and cooperate in respect of their preparation of the restructuring proposal and report."

On July 25, 2003, a notice of public hearing was circulated to all property owners within 120m of the subject lands, and to the Kleinburg and Area Ratepayers Association. No comments were received. The recommendation of the Committee of the Whole at the Public Hearing on August

18, 2003, to receive the public hearing and forward a comprehensive report to the September 15, 2003 Committee meeting, was ratified by Council on August 25, 2003.

Official Plan

The subject lands are designated "Rural Use Area" by OPA #600, subject to site specific OPA #477. OPA #477 permits the following uses: automobile service station, car wash, car rental agency accessory to a main use, restaurant, hotel, motel, tourist information centre accessory to a main use and limited retail uses accessory to a main use. A motor vehicle sales establishment is not permitted by OPA #477, therefore, an official plan amendment is required.

A motor vehicle sales establishment is a type of retail operation that involves the outside storage and servicing of vehicles. Given that there is an existing motor vehicles sales establishment to the south of the subject lands, and given the range of uses permitted on-site, the proposed motor vehicle sales establishment is compatible with adjacent uses. The location on Regional Road #50 provides excellent access for the site. The location of the site between 2 roads (Regional Road #50 and Albion-Vaughan Road), isolates the use from nearby residential properties, and minimizes impacts such as noise, lighting and traffic.

The proposed motor vehicle sales establishment is considered to be appropriate for the development of the site.

Zoning

The subject lands are zoned C6 Highway Commercial Zone by By-law 1-88, subject to Exception 9(803). The uses permitted for this site are:

- automobile gas bar
- automobile service station
- car wash (only on municipal water and sanitary sewer services)
- car rental agency accessory to a main permitted use
- eating establishment (only on municipal water and sanitary sewer services)
- eating establishment, convenience (only on municipal water and sanitary sewer services)
- eating establishment, take-out (only on municipal water and sanitary sewer services)
- hotel (only on municipal water and sanitary sewer services)
- motel (only on municipal water and sanitary sewer services)
- tourist information centre accessory to a main permitted use
- retail accessory to a main permitted use up to a maximum of 458 square metres

By-law 1-88 defines Motor Vehicle Sales Establishment as "a building or part of a building used for the sale and display of motor vehicles, including the sale of automotive parts, mechanical repairs and auto body repairs." This use, with some site plan design considerations, is compatible with the other permitted uses on the site.

The proposed motor vehicle sales establishment is considered appropriate for the development of the site.

Region of York

The Region of York has advised that the proposed Official Plan Amendment is not exempt from Regional approval. The proposal fails to meet their exemption criteria, specifically, that the application is for non-farm development in the agricultural area and has cross boundary impacts. The Region of York will need to approve the amendment before it comes into effect.

Region of Peel

The Region of Peel has advised that they have no objections to the proposed motor vehicle sales establishment use. Any of their interests with respect to development, including property requirements, intersection improvements and access, will be reviewed through the site plan process.

Town of Caledon

The Town of Caledon has advise that they have no objection to the proposed motor vehicle sales establishment use. They have indicated that they want to ensure that the site develops in a manner consistent with Caledon's commercial policies and development standards as a 'gateway' function. These issues will be addressed through the site plan process.

Site Plan

The conceptual site plan shows the motor vehicle sales establishment at the corner of Regional Road #50 and Albion-Vaughan Road, on lands in the process of being annexed by the Town of Caledon. A site plan application will be required prior to any development. Should annexation of the property occur prior to a site plan submission to the City of Vaughan, the Town of Caledon will be responsible to site plan approvals.

Urban Design

The Urban Design Department has commented that, given the site's prominence on Regional Road 50, and its potential importance as a gateway site for both Vaughan and the Town of Caledon, the site should be reorganized in a number ways, including the following:

- building frontages that address the corner, feature both streets and define the street right-of-way with uses that enliven the 'public room' of the street
- parking areas located at the rear or in between buildings in order that parking does not dominate the streetscape or separate the buildings from the street they front on
- high quality architecture throughout the site and particularly at the corner
- a coordinated 'low key' approach to signage which avoids pylon signs
- an internal road system that facilitates development intensification over time
- loading and service areas not visible from public roads

These comments will be addressed through the site plan process.

Conclusion

Staff have reviewed the applications to amend the Official Plan and Zoning By-law and consider the proposed motor vehicle sales establishment to be complimentary to the permitted uses and the surrounding area. The Official Plan Amendment will require approval from the Region of York. Should the annexation occur prior to the approval of a site plan, the zoning by-law will be enacted so that there are no outstanding zoning issues once the municipal restructuring takes place. Site plan approval would then be the responsibility of the Town of Caledon.

Staff have no objection to the approval of these applications. Should Committee concur, the Recommendation can be adopted.

Attachments

1. Location Map
2. Site Plan

Report prepared by:

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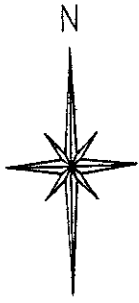
Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

JOANNE R. ARBOUR
Director of Community Planning

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Not to Scale

KIRBY ROAD

COLD CREEK ROAD

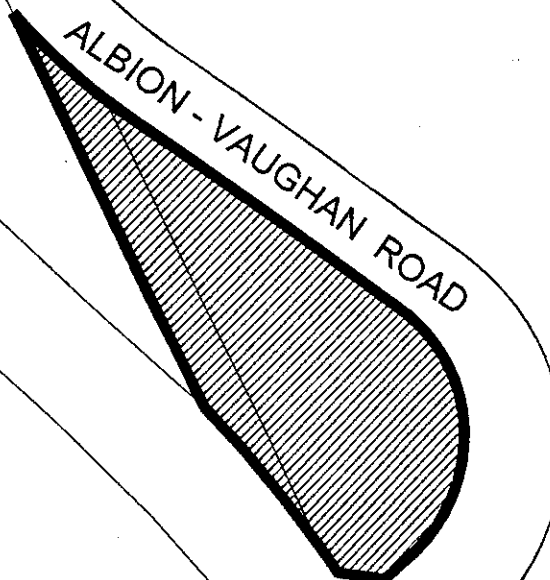
REGIONAL ROAD 50

ALBION - VAUGHAN ROAD

MAYFIELD ROAD



SUBJECT LANDS



Location Map

Part Lots 29, 30
Concession 11

APPLICANT:
BULK TRANSFER SYSTEMS



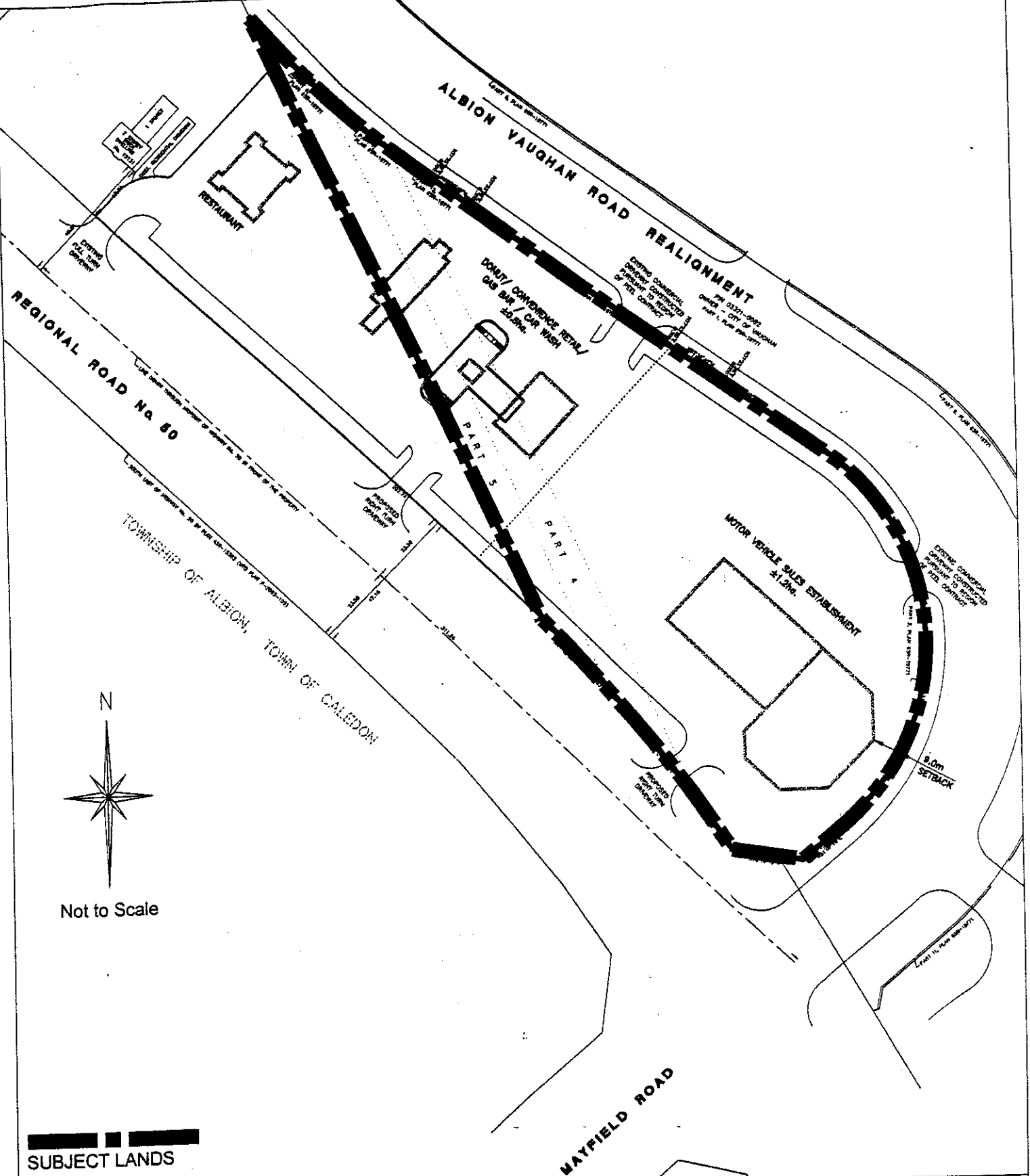
Community Planning Department

Attachment

FILE No.:
OP.03.018, Z.03.044

July 2, 2003

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Site Plan

Part Lots 29, 30
Concession 11

APPLICANT:
BULK TRANSFER SYSTEMS



Community Planning Department

Attachment

FILE No.:
OP.03.018, Z.03.044

July 2, 2003

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