

COMMITTEE OF THE WHOLE – FEBRUARY 17, 2003

ZONING BY-LAW AMENDMENT FILE z.02.012
COLAVECCHIA GARDEN LTD.
REPORT #P.2002.27
REMOVAL OF OUTSIDE STORAGE
(CONSTRUCTION VEHICLES AND EQUIPMENT/MATERIALS)

Recommendation

Councillor Linda D. Jackson recommends:

THAT item 17, Report No. 80, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on November 25, 2002, be amended as follows:

By replacing “April 30, 2003” contained in the amendment of Clause ii) with “February 28, 2003, and that all snow removal equipment be removed by April 30, 2003”.

Purpose

To honour the original agreement between Colavecchia Garden Ltd. representatives, the local Councillor, City of Vaughan staff and area residents as understood by all parties.

Background - Analysis and Options

As recently confirmed by Mr. Joe Colavecchia, co-owner of Colavecchia Garden Ltd., and Mr. Mario Panza, resident: the original intent of the amendment adopted by Council on November 25, 2002 was to have all construction vehicles/equipment/materials removed by the end of February 2003, with the exception of snow removal equipment, which must be removed no later than April 30, 2003.

Item i) which states “That activity not be permitted on the site prior to 7 a.m.” is contravened on a regular basis.

Attachments

1. Council Extract

Report prepared by:

Mirella Compagno, Council Administrative Assistant

Respectfully submitted,

Linda D. Jackson
Councillor, Ward 2

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF NOVEMBER 25, 2002

Item 17, Report No. 80, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on November 25, 2002, as follows:

By replacing "February 2003" contained in Clause ii) of the Committee of the Whole recommendation with "April 30, 2003"; and

By approving the following:

- a) ***That the applicant deal with the "dust issue" should it not be resolved once the outside storage is removed; and***
- b) ***That the implementing by-law not be enacted until all outside storage is removed.***

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

(Referred from the Council Meeting of November 11, 2002)

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated November 18, 2002, subject to the following:

- i) **That activity not be permitted on the site prior to 7 a.m.; and**
- ii) **That the outside storage of construction vehicles and equipment/materials be removed by February 2003.**

Recommendation

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:

Item 17, CW Report No. 80 – Page 2

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.

Item 17, CW Report No. 80 – Page 3

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

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)