

COMMITTEE OF THE WHOLE JUNE 7, 2004

**OFFICIAL PLAN AMENDMENT FILE OP.04.002
ZONING BY-LAW AMENDMENT FILE Z.03.098
RICETON HOLDINGS LIMITED AND DUFFERIN INVESTMENTS LIMITED
REPORT #P.2004.58**

Recommendation

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment File OP.04.002 (Riceton Holdings Limited and Dufferin Investments Limited) BE APPROVED, to permit the outside display and storage of new and used vehicles.
2. THAT Zoning By-law Amendment File Z.03.098 (Riceton Holdings Limited and Dufferin Investments Limited) BE APPROVED, and that the implementing by-law:
 - a) permit within the C1 Zone, a motor vehicle sales establishment use, and the open storage and display of new and used vehicles, including the maximum display of 2 vehicles within the landscape strip at the corner of Dufferin Street and Viceroy Road;
 - b) provide the following exceptions to the C1 Zone standards:
 - i) a 3m - 5m wide landscape strip adjacent to Dufferin Street; and
 - ii) a maximum building height of 12m.

Purpose

On February 2, 2004, the Owner submitted applications to:

- amend the Official Plan to permit the outside display and storage of new and used vehicles in the "General Commercial" designation; and,
- amend By-law 1-88 to add motor vehicle sales establishment as a permitted use in the C1 Restricted Commercial Zone, and to permit the related open storage and display of new and used vehicles, together with any required exceptions to the C1 Zone standards.

A related Site Plan Application (DA.04.004) has been submitted to permit the development of a 2-storey, 3,967m² motor vehicle sales establishment (Toyota Dealership) on the 2.3 ha property.

Background - Analysis and Options

The subject lands are located on the northwest corner of Dufferin Street and Viceroy Road, being Block 3 on Plan 65M-2085, in Part of Lot 1, Concession 3, City of Vaughan.

The subject lands are designated "General Commercial" by OPA 450 (Employment Area Plan), as amended by OPA 585. The lands are zoned C1 Restricted Commercial Zone by By-law 1-88, subject to Exception 9(1158). The surrounding land uses are:

North - CN Rail line; open space (OS1 Zone); residential (RM1 and R4 Zones)
South - Viceroy Road; commercial (C1 Zone)
East - Dufferin Street; vacant (Agricultural Zone)
West - employment (EM2 Zone)

On March 26, 2004, a notice of public hearing was circulated to all property owners within 120m of the subject lands, and to the Glen Shields Ratepayers Association. To date, one response has been received from the condominium developer (The Alterra Group) on the east side of Dufferin Street, who support the proposal in principle, provided the following matters are addressed through the review of the site plan:

- all lighting and illuminated signage should be directed internally to the auto dealership so that it does not become intrusive and impact negatively on the future condominium residents (response: this is a City standard);
- showroom lights and outside lighting should be turned off at a reasonable hour (eg. 10:00pm), so as not to be intrusive (response: the applicant has agreed to this request);
- service bays should be located so that they are not visible from Dufferin Street to enhance the aesthetic appeal of the development, and the view of the future residents (response: there are no service bays on the east side of the building); and
- Alterra would like to have their transportation consultant review the traffic impact study for the proposed development (response: the Region of York has requested a traffic study for their review and approval as they have jurisdiction over Dufferin Street).

The recommendation of the Committee of the Whole on April 19, 2004, to receive the public hearing and to forward a technical report to a future Committee of the Whole meeting, was ratified by Council on April 26, 2004.

Official Plan

The subject lands are designated "General Commercial" by OPA 450 (Employment Area Plan), as amended by OPA 585. The "General Commercial" designation permits retail stores for the buying, leasing and exchanging of goods and services, which would permit the proposed motor vehicle sales establishment use. An Official Plan Amendment is required to permit the outside display and storage of new and used vehicles.

The related site plan (Attachment '2') submitted in support of the subject applications shows a street-related building located at the corner of Dufferin Street and Viceroy Road, with the majority of the parking area being located behind the building (west) and adjacent to the CN Rail line (north).

In addition, the site plan shows a 6m wide landscape strip along Viceroy Road, which will be heavily planted to ensure a proper street edge is provided. A 12m wide landscape strip will be provided along Dufferin Street (3m on the subject lands + 9m in the Region's right-of-way, which they have agreed to) between the CN Rail line and the right-in/right-out access, and be planted to provide a proper landscape buffer. Additional planting areas will be provided within the parking lot and within the landscape strips along the west and north lot lines.

Moreover, the existing Official Plan policies state that loading areas are not permitted in any yard facing a street; surface parking and service areas must be appropriately screened; and, the outdoor storage of garbage is not permitted. These policies will be implemented through the related site plan.

Given the above, and the positive building elevations that are proposed for the automotive dealership, Staff can support an amendment to the Official Plan to permit the outside display and storage of new and used vehicles.

Zoning

The subject lands are zoned C1 Restricted Commercial Zone by By-law 1-88, subject to Exception 9(1158), which permits a wide range of commercial, office, and retail uses. The proposed amendment to the Zoning By-law is to add a motor vehicle sales establishment use, and to permit the open storage of new and used vehicles, including the display of a maximum of 2 vehicles within the landscape strip at the corner of Dufferin Street and Viceroy Road. In addition, the following exceptions to the C1 Zone standards have been identified to facilitate site development:

- a landscape strip ranging between 3m and 5m in width along Dufferin Street, whereas 6m is required; and
- a maximum building height of 12m, whereas 11m is permitted.

Staff is satisfied with the proposed exceptions to the by-law which are considered to be appropriate for the site.

Vehicle Access

Full vehicle access is proposed from Viceroy Road, with a right-in/right-out access proposed for Dufferin Street.

The Engineering Department and the Region of York Transportation and Works Department have indicated no objection to the proposal, provided that the access from Dufferin Street is restricted to right-in/right-out only.

The Region of York Transportation and Works Department has requested a traffic impact study in support of the site plan application.

Parking

The required parking for the proposed development is 120 spaces (3.0 spaces/100m² of G.F.A.). The proposed site plan has been red-lined to delete one parking space located adjacent to the right-in/right-out access on Dufferin Street, thereby increasing the landscape strip width from 3m to 5m. As a result, 461 parking spaces have been provided, a surplus of 341 spaces.

Land Use Compatibility

Staff is supportive of the proposed open storage use and suggest that the following policies be added to the existing policies pertaining to the subject lands, and included in the implementing Official Plan Amendment:

- exterior lighting, including building, signage, and parking lot lighting, shall be designed to promote a secure site, while ensuring light reflection does not adversely impact the adjacent existing and future residential communities, and
- landscape treatment on the subject lands shall be of high standard, specifically with respect to the density and size of plantings to be used.

Relationship to Vaughan Vision 2007

This staff report is consistent with Vaughan Vision 2007, which encourages managed growth through the implementation of the Official Plan.

Conclusion

Staff has reviewed the proposed applications to amend the Official Plan and Zoning By-law, in light of the Official Plan policies and Zoning By-law requirements, the area context in terms of existing and proposed land uses, and comments from public agencies. Staff is of the opinion that the amendment to the Official Plan to permit the outside display and storage of new and used vehicles; and, the amendment to By-law 1-88 to add a motor vehicle sales establishment use and related open storage and display of new and used vehicles on the C1 Zone lands, is appropriate and supportable in the context of the surrounding development.

The details of the site layout and elevations will be determined through the review of the site plan application, together with the specific design criteria identified in this report, which is to be included in the Official Plan Amendment.

For these reasons, Staff can recommend approval of the Official Plan and Zoning By-law Amendment applications. Should the Committee concur, the recommendation in this report can be adopted.

Attachments

1. Location Map
2. Proposed Site Plan

Report prepared by:

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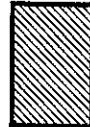
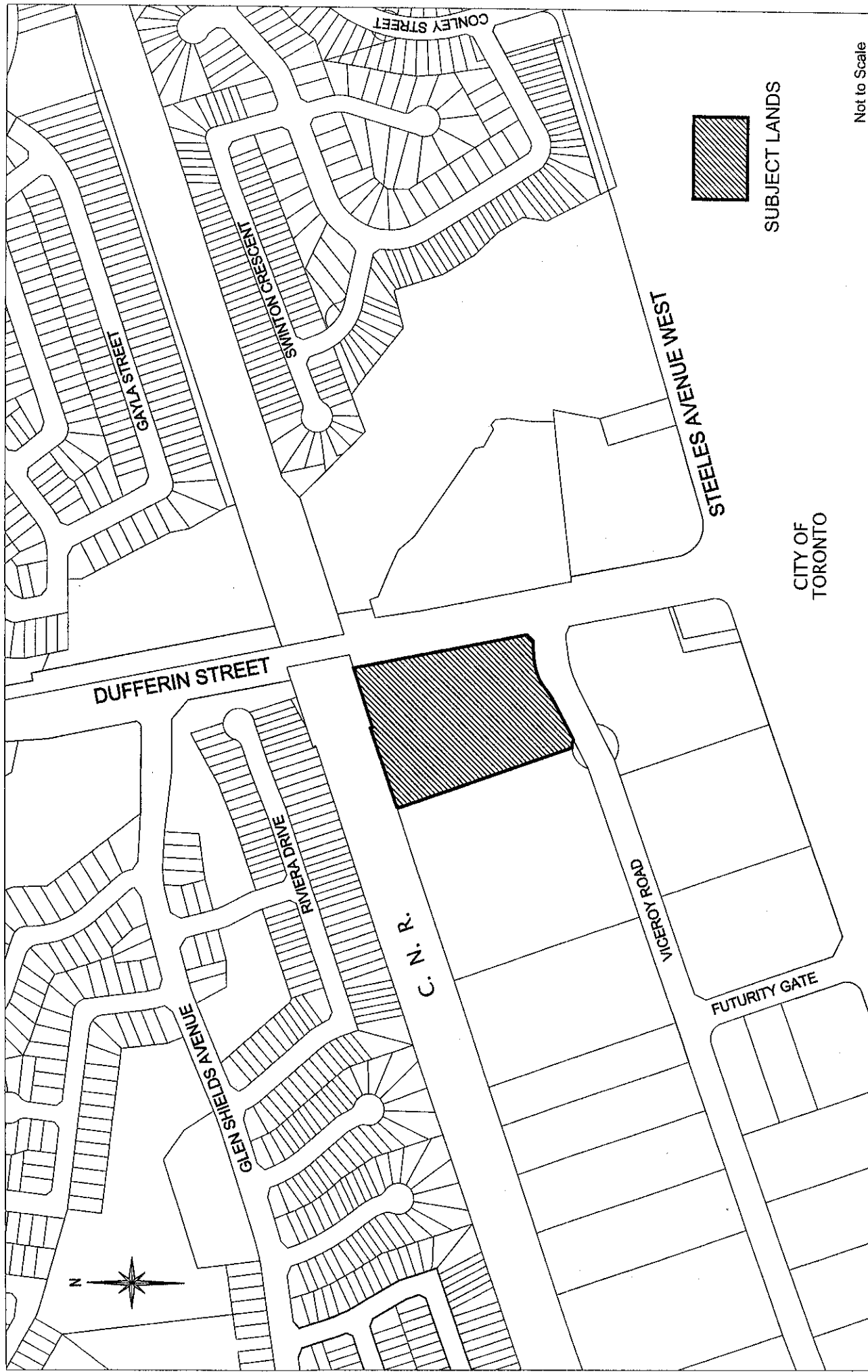
Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Manager of Development Planning

/LG

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SUBJECT LANDS

CITY OF
TORONTO

Not to Scale

Location Map

Part of Lot 1,
Concession 3
APPLICANT:
RICETON HOLDINGS LTD. &
DUFFERIN INVESTMENTS LTD.

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CITY of Vaughan

Community Planning Department

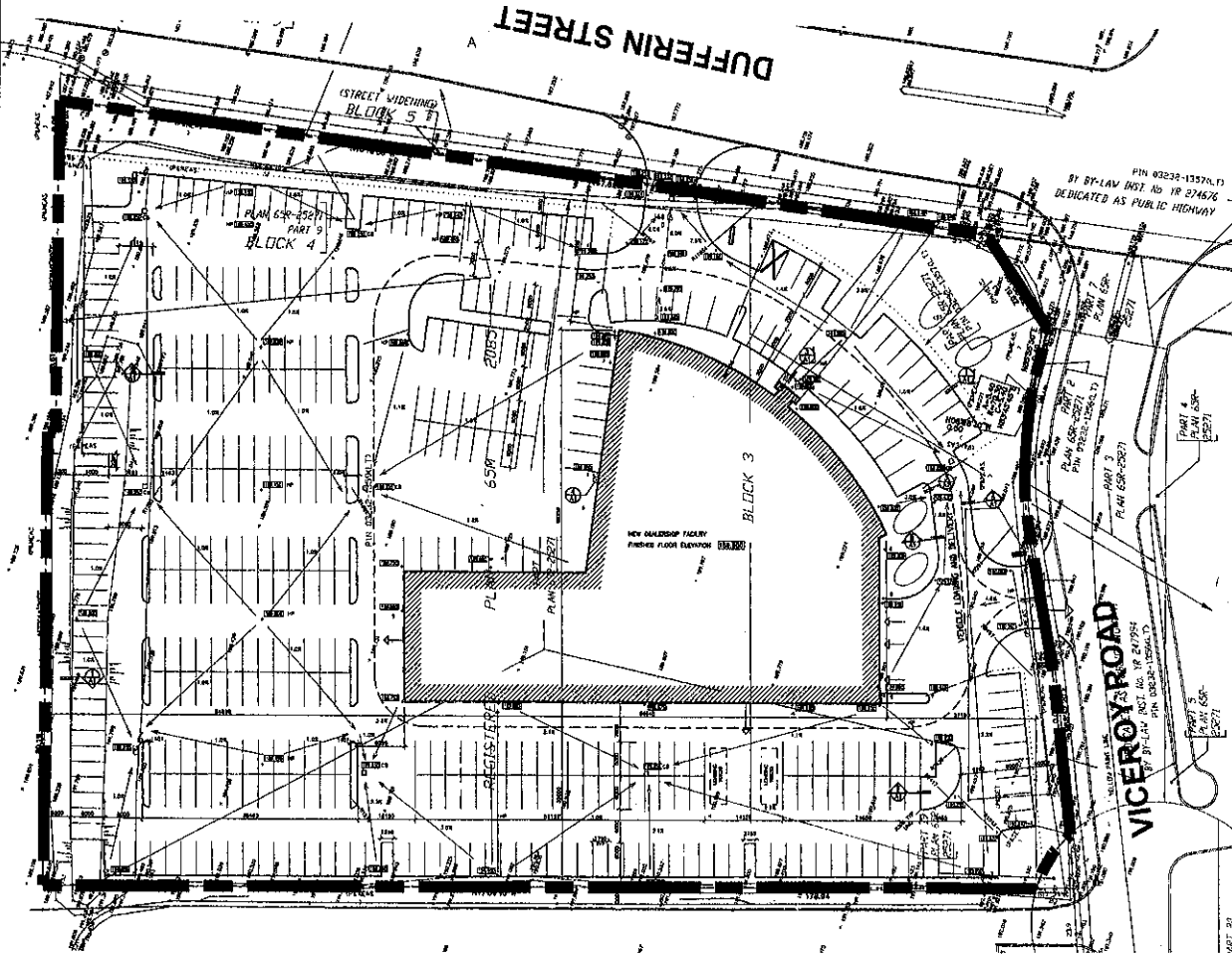
Attachment

1

FILE No.:
Z.03.098 & OP.04.002
RELATED FILE:
DA.04.004
May 19, 2004



Not to Scale



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SUBJECT LANDS

Proposed Site Plan

Part of Lot 1,
Concession 3

APPLICANT:
RICETON HOLDINGS LTD. &
DUFFERIN INVESTMENTS LTD.

City of Vaughan

Community Planning Department

Attachment

2

FILE No.:
Z.03.098 & OP.04.002
RELATED FILE:
DA.04.004

May 19, 2004