

COMMITTEE OF THE WHOLE SEPTEMBER 20, 2004

**ZONING BY-LAW AMENDMENT FILE Z.03.032
TRIPLE CROWN AUTO COLLISION LTD.
REPORT # P.2003.44**

Recommendation

The Commissioner of Planning recommends:

THAT Zoning By-law Amendment File Z.03.032 (Triple Crown Auto Collision) BE APPROVED, to permit an autobody repair shop use, with no outside storage in the EM1 Prestige Employment Area Zone, with the following exceptions:

- a minimum Lot Frontage of 31.09m, whereas 36 m is required;
- a minimum Lot Area of 2,091.2m², whereas 3000 m² is required;
- a minimum Rear Yard of 9.9m, whereas 12m is required;
- a minimum southerly Interior Side Yard of 1.5m, whereas 6 m is required;
- a total of 27 parking spaces calculated at 4.0 spaces /100m² GFA, whereas the by-law requires 31 parking spaces calculated at 4.5 spaces /100m² GFA, for an autobody repair shop use.

Purpose

On April 30, 2003, the Owner submitted an application to amend the Zoning By-law to permit an autobody repair shop use in the EM1 Prestige Employment Area Zone.

Background - Analysis and Options

The site is located south of Regional Road 7, east of Jane Street, on the west side of Maplecrete Road (170 Maplecrete Road), in Part of Lot 5, Concession 4, City of Vaughan. The rectangular-shaped 0.2 ha parcel has 31.1m frontage on Maplecrete Road, with a depth of 67.88m, and is developed with a 673.8m² single-use building.

The subject lands are designated "Corporate Centre Node" by OPA #500 (Corporate Centre Plan) and zoned EM1 Prestige Employment Area Zone by By-law 1-88. The surrounding land uses are:

- North - employment (EM1 Prestige Employment Area Zone)
- South - employment (EM1 Prestige Employment Area Zone)
- West - employment (EM1 Prestige Employment Area Zone)
- East - Maplecrete Road; employment (EM2 General Employment Area Zone)

On May 9, 2003, a public hearing notice was circulated to all property owners within 120m of the subject lands. One letter was received from an Owner, St.Mary's Cement/CBM, located at the southeast corner of Regional Road 7 and Maplecrete Road (2871 Highway No.7). They advised that the day-to-day operation of the existing concrete batching plant may not be conducive to certain aspects of the proposed auto body repair use, including the generation of dust. This letter was forwarded to the Owner, and a written response indicated that they were not concerned as all body work and painting was to be performed internal to the building, under a controlled environment. Accordingly, there would be no future complaints from Triple Crown Auto Collision in this regard.

Official Plan

The "Corporate Centre Node" designation provides opportunities for single use and mixed use development characterized by high design standards, with no outside storage. The visual attractiveness and image of the area is of prime importance. The proposed use does not conform to the specific uses permitted under this designation. However, Section 6.2 "Status of Uses Permitted Under Previous Amendments to the Official Plan" would be applicable.

Existing land uses throughout the Corporate Centre Secondary Plan Area are expected to continue to exist in the short to mid-term, and in some cases, in the long term. Therefore, uses permitted under previously approved amendments shall be deemed to conform. The autobody repair shop use has been located on the subject lands for many years, and would conform to the designation on the lands prior to the adoption of the Official Plan for the Vaughan Corporate Centre.

The designation on the subject lands prior to OPA #500 was "Employment Area General" under OPA #450 (Employment Area Plan), which permits a wide range of industrial, office, business and civic uses. This designation provides opportunities for industrial uses that do not require high profile locations. The proposed autobody repair shop would conform to OPA #450, and meet the following compatibility criteria contained in OPA #500 to facilitate existing interim uses in the Corporate Centre:

- a) That the proposal shall not unduly aggravate the situation created by the existence of the use, especially in regard to the requirements of the zoning bylaw:

Exceptions to the Zoning By-law will be required to recognize the existing site conditions with respect to lot frontage, lot area, rear yard and southerly interior side yard, and for reduced parking as discussed later in this report; and to facilitate an autobody repair shop use (since 1980 under a previous owner and 1997 for the present owner) that has operated for many years within the existing building, but without proper zoning nor a building permit. The nature and intensity of the use operating on the subject lands does not change.

- b) That the characteristics of the existing use be examined with regard to noise, vibration, fumes, smoke, dust, odour, lighting, parking and traffic generation:

Surrounding the site are a mix of employment uses, including warehouse, industrial and manufacturing, which can be categorized as being "Employment Area General". In regards to dust, odour, etc., all vehicles that are worked on will be stored internal to the building. The proposed use would not generate traffic, and there is sufficient parking available on the site, as discussed later in this report.

- c) That the neighbouring uses will be protected where necessary by the provision of landscaping, buffering or screening:

The site has a mix of mature coniferous and deciduous trees on the site and within the City boulevard, which is to be maintained. The Owner will also be reorganizing the parking area at the front of the site to provide for the required 3.0m landscaped buffer along Maplecrete Road, which currently does not exist, and will accentuate the streetscape.

- d) That where an existing use seriously affects the amenity of the surrounding area, consideration shall be given to the possibility of ameliorating such conditions:

The amenity of the area will not be affected, as the site conditions are existing and all vehicles will be worked and stored internal to the building. The provision of a new 3m wide landscape strip along Maplecrete Road will also enhance the site and area.

The site is developed with a one-storey, 673.88m² building, currently operating with the proposed autobody repair shop use. Should Council support the proposed zoning amendment, the Owner will be required to submit a Simple Site Plan application to the Building Standards Department to obtain a building permit that will ensure the implementation of the above use and site works.

Zoning

The EM1 Prestige Employment Area Zone does not permit an autobody repair shop, and would require an exception to facilitate the proposed use. In addition, the following exceptions to the EM1 Zone would be required:

- a minimum Lot Frontage of 31.09m, whereas 36m is required;
- a minimum Lot Area of 2,091.2m², whereas 3000m² is required;
- a minimum Rear Yard of 9.9m, whereas 12m is required;
- a minimum southerly Interior Side Yard of 1.5m, whereas 6m is required;
- a total of 27 parking spaces calculated at 4.0 spaces /100m² GFA, whereas the by-law requires 31 parking spaces calculated at 4.5 spaces /100m² GFA, for an autobody repair shop use.

The exceptions for lot frontage, lot area, rear yard and southerly interior side yard recognize the existing site conditions, and can therefore be supported. The exception for reduced parking can also be supported as discussed below.

Parking

The parking calculation for the site would be as follows:

Autobody Repair Shop (673.88m ² at 4.5 spaces/100m ²)	31 spaces
plus one space for each motor vehicle kept for sale	<u>0 spaces</u>

Parking Required:	31 spaces
Parking Provided:	24 spaces

Based on the above, the site would be deficient by 7 parking spaces (22.5 % of the total required parking). Triple Crown Auto Collision indicated that in peak periods there are a maximum of 12 employees. The only additional demand for parking is for customers who either pick up or drop off their vehicle, which does not typically exceed three to four customers. Accordingly, it is not anticipated that the demand for parking of approximately 16 spaces will exceed the proposed supply of 24 spaces. The City's Transportation Analyst has reviewed this information and found it be acceptable. Therefore, Staff is satisfied that the deficiency will have minimal impact on the overall parking for the site, and can support an exception to permit a minimum of 24 parking spaces on the subject lands.

Relationship to Vaughan Vision 2007

This staff report is consistent with Vaughan Vision 2007, which encourages managed growth through the implementation of OPA # 500.

Conclusion

The proposed zoning by-law amendment conforms to Official Plan Amendment #500. The Secondary Plan permits lands designated "Corporate Centre Node" to evolve as the market forces dictate over a long period of time, including the provision for interim development that is not prejudicial to the long term goals and built form objectives intended by the Plan.

The current autobody repair shop has been existing for 7 years and was permitted under the "Employment Area General" provisions under the previous Official Plan Amendment #450, however, without proper zoning nor a building permit. The proposed use is compatible with other uses in the area, and all activities will be undertaken indoors, with no outside storage of vehicles. Therefore, only a Zoning By-law Amendment is required to permit an autobody repair shop use in the EM1 Zone, with exceptions to recognize the existing site conditions with respect to lot frontage, lot area, rear yard and southerly interior yard, and for reduced parking.

In light of the above, Staff can support the proposal and recommends approval of the zoning amendment application. Should the Committee concur, the Staff recommendation can be adopted.

Attachments

1. Location Map
2. Site Plan
3. Floor Plan

Report prepared by:

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Respectfully submitted,

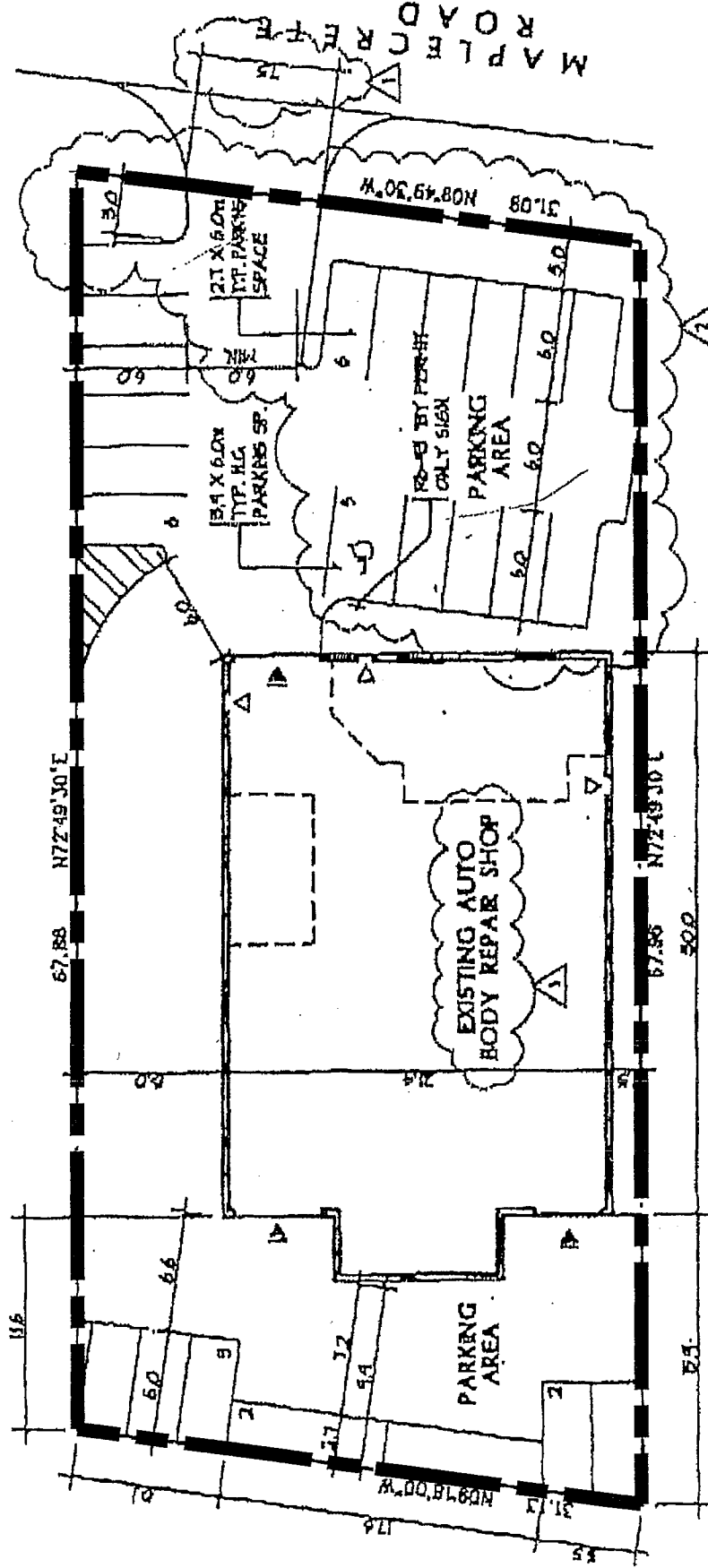
JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

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SITE STATISTICS

SITE AREA:	2,091.2 m ² or 0.52 acres
BUILDING AREA:	873.88 m ² or 7,254 sf
SITE COVERAGE:	32.2 %
PARKING:	24
PROVIDED	31
REQUIRED (4.5/100 \$/m)	2
LANDSCAPED AREA:	185.79 m ² or 8.9 %
PAVED AREA:	1,231.53 m ² or 58.9 %



Not to Scale

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SUBJECT LANDS

Attachment 2

FILE No.:
Z.03.032

August 03, 2004



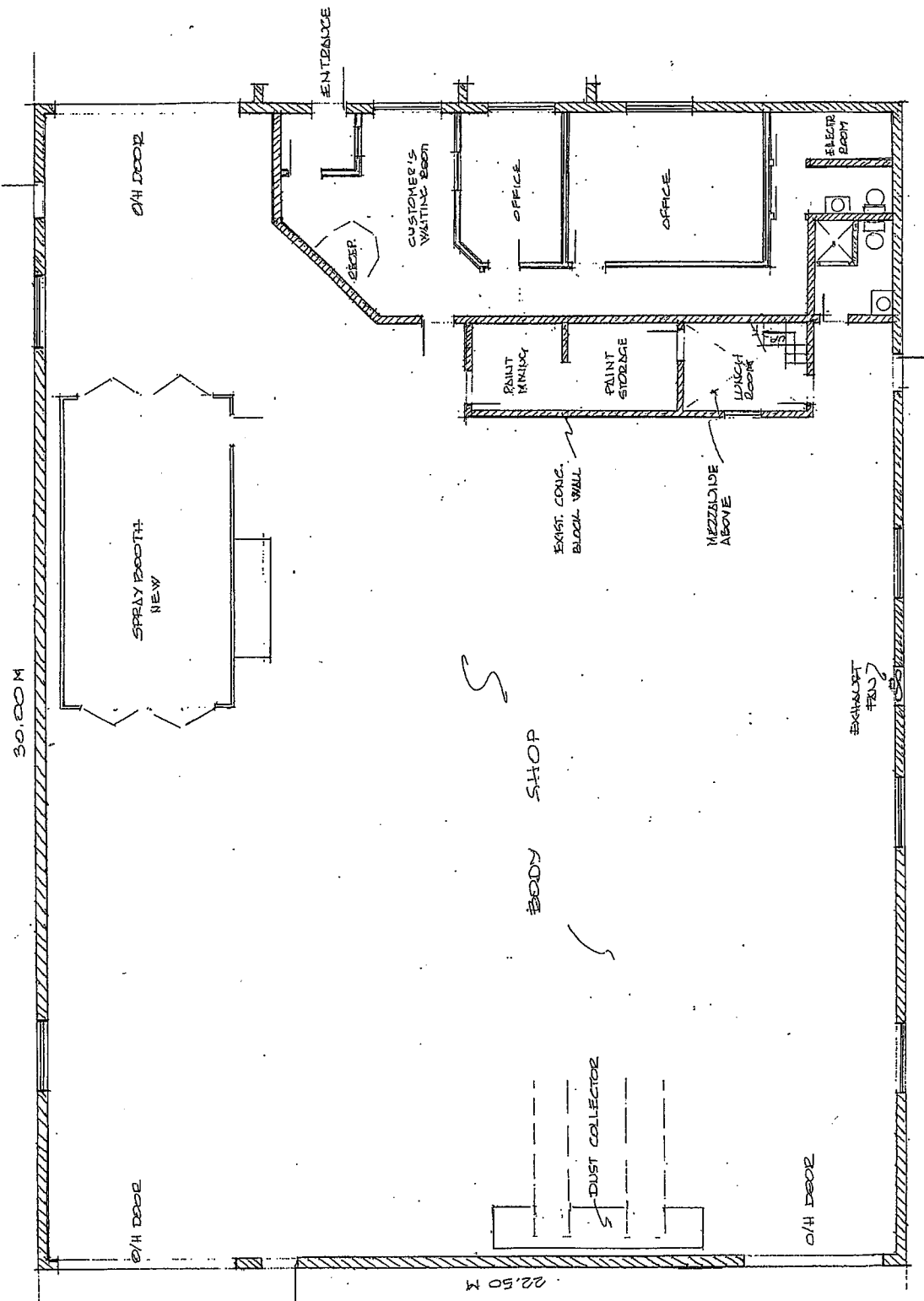
Community Planning Department

Site Plan

Part of Lot 5,
Concession 4

APPLICANT:
TRIPLE CROWN AUTO COLLISION LTD.

MAP/TA1 ATTACHMENTS/VZ.03.032



GROUND FL. PLAN

Not to Scale