

COMMITTEE OF THE WHOLE (PUBLIC HEARING) JANUARY 17, 2005

**4. ZONING BY-LAW AMENDMENT FILE Z.04.067
ALDO DE BELLIS AND TINO DE BELLIS
PRELIMINARY REPORT**

P.2005.4

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for File Z.04.067 (Aldo De Bellis and Tino De Bellis) BE RECEIVED; and, that any issues identified be addressed by Staff in a comprehensive report to a future Committee of the Whole.

Purpose

The Owner has submitted an application to amend the Zoning By-Law on the subject lands shown on Attachments #1 and #2, to permit a landscaper's contractor's yard in the EM1 Prestige Employment Area Zone. The zoning amendment would facilitate the over-night parking of vehicles associated with a landscape contractor's business.

Background - Analysis and Options

The subject lands (Attachment #1) are located southwest of Rutherford Road and Keele Street, (9066 Keele Street) in Part of Lot 14, Concession 4, City of Vaughan.

The 0.49 ha internal lot has no frontage onto a public road, but has access on the south side of the lot to and from Keele Street, by means of an easement over an existing private driveway. The site is developed with an existing one and half storey dwelling that will be retained and used as an office for a landscape contractor's business (Forecast Landscaping Ltd.). An existing garage and shed located on the southeast corner of the property will be removed and replaced with a new storage and office structure. The existing northeastern frame shed will also be removed and replaced with a structure for the storage of landscaping materials. Most of the northerly half of the property will be surfaced with gravel and used for the over-night parking of vehicles related to the operation of the landscape contractor's yard (see Attachment 2). There will be no long-term (ie. Greater than 72 hours as per By-law 1-88 standards) or permanent outside storage of vehicles of landscaping materials associated with the subject business.

The subject lands are designated "Prestige Area" by OPA #450, which permits a wide range of industrial, office, business and civic uses, with no outside storage. The proposal would conform to the Official Plan. The site is zoned EM1 Prestige Employment Area Zone by By-Law 1-88, which does not permit the proposed Contractor's Yard use. The surrounding land uses are:

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

On December 23, 2004, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands. To date, no comments have been received. Any responses received will be addressed in the technical review and included in a comprehensive report to a future Committee of the Whole meeting.

Preliminary Review

Following a preliminary review of the application, Staff has identified the following matters to be reviewed in greater detail:

- the EM1 Prestige Employment Area Zone does not permit a Contractor's Yard; an amendment to the zoning by-law is required to permit the proposed use to facilitate the over-night parking of vehicles associated with a landscape contractor's business, and any necessary zoning exceptions to facilitate the proposed site development;
- the subject lands are considered to be an internal lot, and the proposed site development would be processed through the Building Standards Department-Simple Site Plan process, should Council approve the proposed Contractor's Yard;
- there are no municipal services fronting the property; the Owner is to submit a Functional Servicing Plan indicating how the subject lands will be serviced, to the satisfaction of the Engineering Department; and
- the appropriateness, intensity and compatibility of the proposed Contractor's Yard use with the existing uses in the surrounding area will be reviewed.

Relationship to Vaughan Vision 2007

The applicability of this application to the Vaughan Vision will be determined when the technical report is completed.

Conclusion

The above issues, but not limited to, will be considered in the technical review of the application together with comments from the public and Council expressed at the Public Hearing or in writing, and be addressed in a comprehensive report to a future Committee of the Whole meeting. In particular, the appropriateness of adding the proposed Contractor's Yard use to facilitate the over-night parking of vehicles associated with a landscaped business in the EM1 Prestige Employment Area Zone, will be reviewed.

Attachments

1. Location Map
2. Concept Site Plan

Report prepared by:

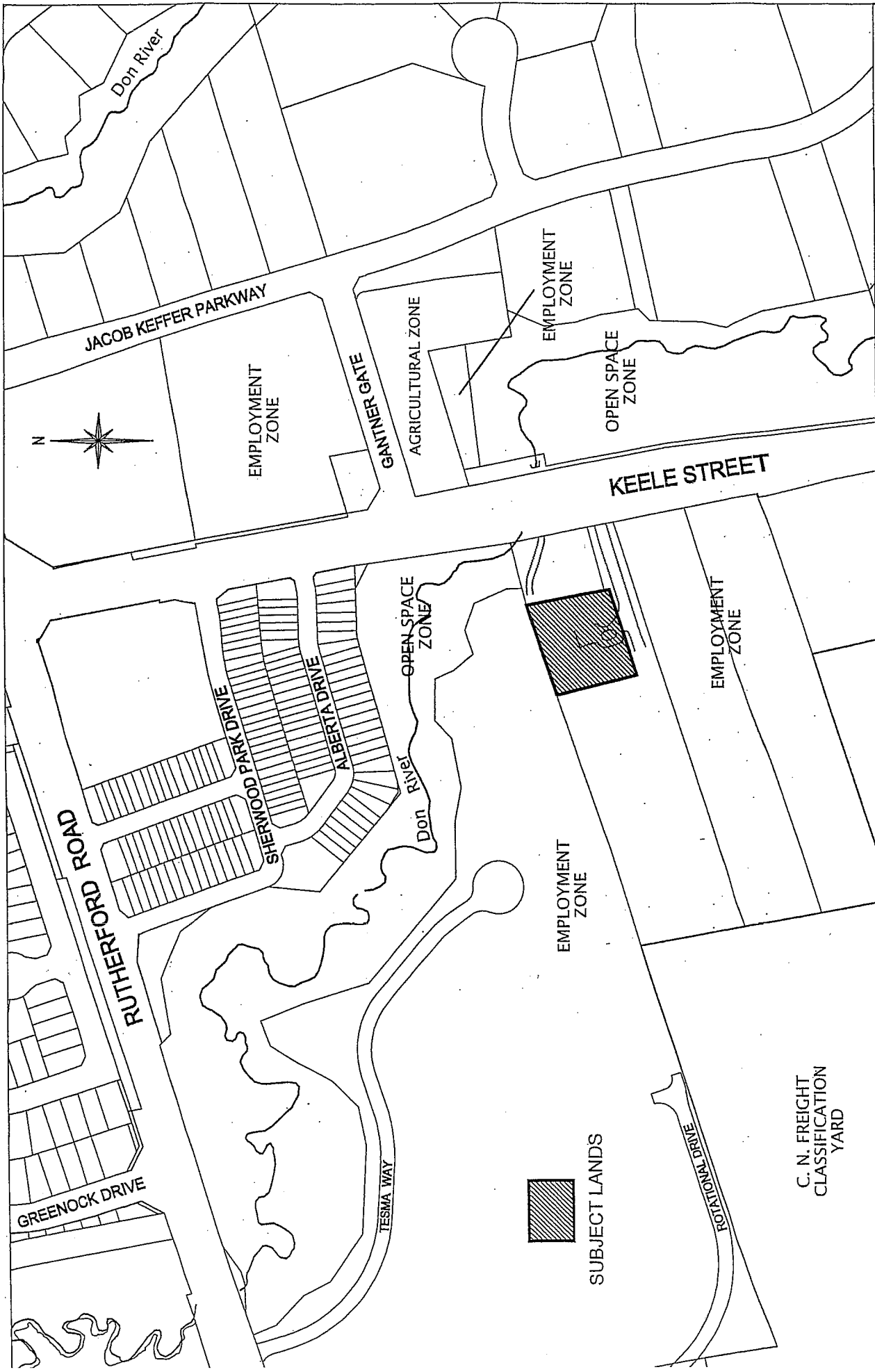
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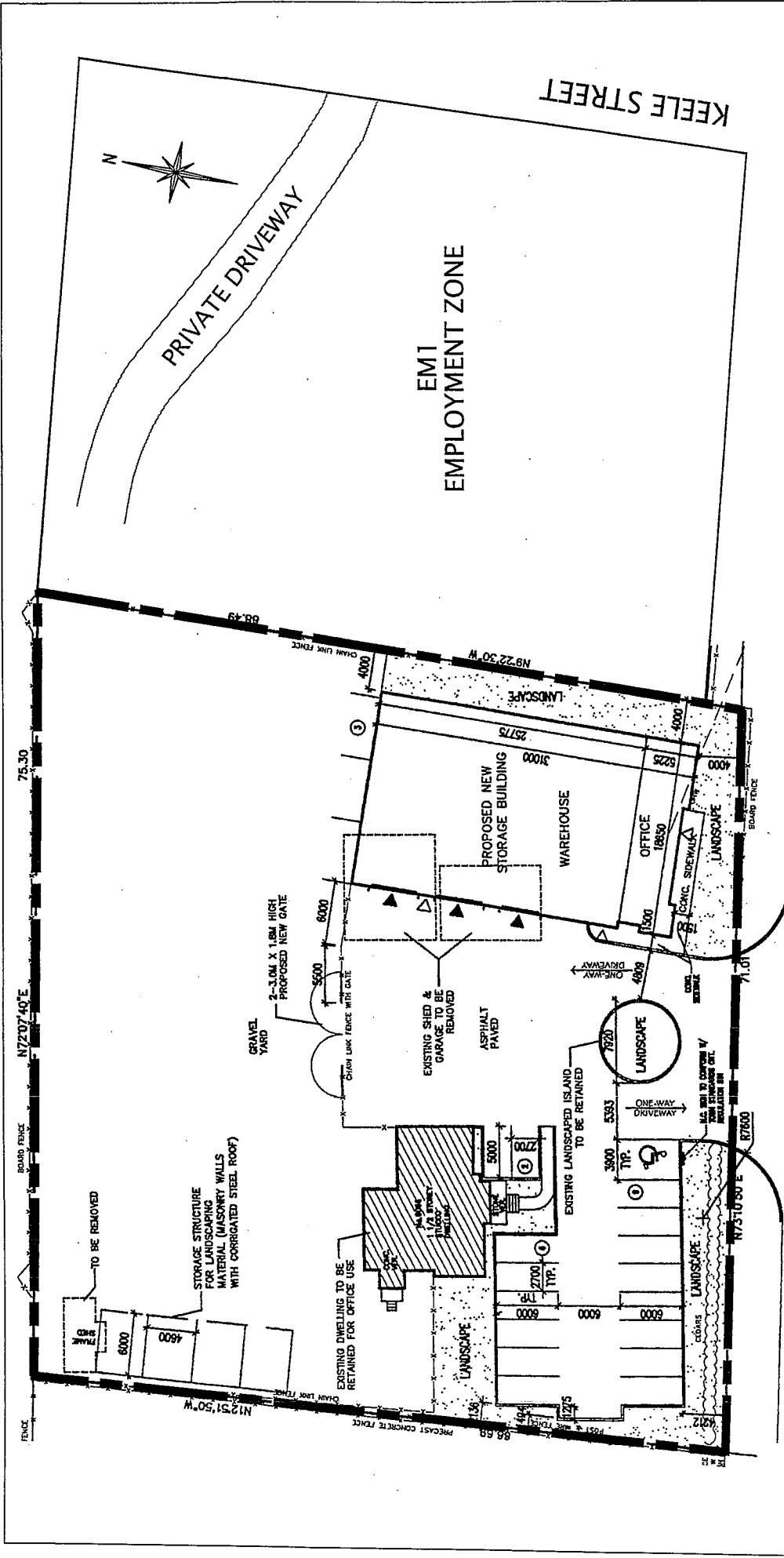
Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

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PRIVATE DRIVEWAY

EXISTING STRUCTURES TO BE REMOVED EXISTING RETAINED STRUCTURE NEW STRUCTURES

SUBJECT LANDS



Concept Site Plan

Part of Lot 14,
Concession 4
APPLICANT:
ALDO & TINO DEBELLIS

N:\P1V1 ATTACHMENTS\Z\04.067



Development Planning Department

Attachment 2

FILE No.:
Z.04.067
Not to Scale
December 6, 2004