

**4. ZONING BY-LAW AMENDMENT FILE Z.06.047
VALLEY MILL DEVELOPMENTS LTD.**

P.2006.57

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for File Z.06.047 (Valley Mill Developments Ltd) BE RECEIVED; and that in the absence of an Official Plan Amendment Application this application be held in abeyance.

Economic Impact

This will be addressed when the technical report is completed.

Purpose

The Owner has submitted an application to amend the Zoning By-law to permit the temporary recycling and outside storage of discarded metal for sorting and separation for further transfer to recycling facilities, within the A Agricultural Zone. A temporary use by-law is requested, which may be permitted to be in effect for a maximum period of three years under the Planning Act.

The outside storage is currently occurring on the property.

Background - Analysis and Options

The subject lands are located east of Weston Road, and south of Rutherford Road, currently within Part of Block 9 Approved on Draft Plan of Subdivision 19T-87014(R), in Part of Lot 15, Concession 5, City of Vaughan, as shown on Attachments #1 and #2.

The subject lands are designated "Prestige Area" by OPA #450 (Employment Area Plan), which permits a wide range of industrial, office, business and civic uses, but does not permit recycling or outside storage. OPA #450 defines a "waste recycling establishment" as an operation that may collect and store and/or process recyclable materials for the purposes of creating new products or raw materials, and includes a waste transfer station and a material recovery facility but does not include a concrete or asphalt recycling facility or a composting facility". The proposed uses would be permitted in the "Employment Area General" designation in OPA #450 and corresponding EM2 General Employment Area Zone in By-law 1-88. Therefore, the proposed uses do not conform to the Official Plan, and an Official Plan Amendment Application is required to be submitted for consideration.

The subject lands are currently zoned A Agricultural Zone by By-law 1-88. The implementing zoning is EM1 Prestige Employment Area Zone, which was approved by Vaughan Council through Zoning By-law Amendment Application Z.65.86 on October 31, 1998, however, the implementing zoning for approved Plan Subdivision 19T-87014(R) as shown on Attachment #2 has not yet been enacted. The draft plan of subdivision was approved by Vaughan Council on October 31, 1998. The surrounding land uses are:

- North - agricultural (A Agricultural Zone), residential (RR Rural Residential Zone)
- South - agricultural (A Agricultural Zone)
- East - agricultural (A Agricultural Zone)
- West - commercial (C4 Neighbourhood Commercial Zone), vacant agricultural and existing garden centre (A Agricultural Zone)

On August 11, 2006, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to those owners north to Rutherford Road and west to Weston Road, and to the Vellore Woods Ratepayers Association. To date, no comments have been received. Any responses received will be addressed in the technical report to a future Committee of the Whole meeting

Preliminary Review

Following a preliminary review of the proposed application, the Development Planning Department has identified the following matters to be reviewed in greater detail:

- i) review will be given to the appropriateness of amending the Official Plan when this application is submitted, and to the Zoning By-law, to permit recycling and outside storage uses on a temporary basis, in light of the existing agricultural uses and planned employment uses in the surrounding area;
- ii) open storage yards for house or automobile wrecking, used lumber or scrap iron or other materials, a junk yard, are "Prohibited Uses" under Section 3.24 of By-law 1-88; further clarification from the applicant will be required to determine if the proposed use is a "prohibited use" as defined;
- iii) the storage area is proposed to be asphalt surfaced and surrounded by a 2.5m high wood screen fence; the compatibility of the proposed uses with the existing and future uses in the area will be considered in light of the proposal screen these uses on a temporary basis; and
- iv) the proposed location of the recycling/outside storage materials will be reviewed to determine the impact on the planned layout of the industrial lots and local roads within the approved plan of subdivision.

Relationship to Vaughan Vision 2007

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

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 proposal for recycling and outside storage uses in the "Prestige Area" designation on a temporary basis will also require an Official Plan Amendment application to be submitted, which will need to be processed together with the subject Zoning By-law Amendment application. Accordingly, the appropriateness of amending the Official Plan and Zoning By-law, in light of the existing agricultural uses and planned employment uses in the surrounding area, will be reviewed.

Attachments

1. Location Map
2. Subject Lands in Relation to Approved Draft Plan of Subdivision 19T-87014(R), Showing Implementing Zoning

Report prepared by:

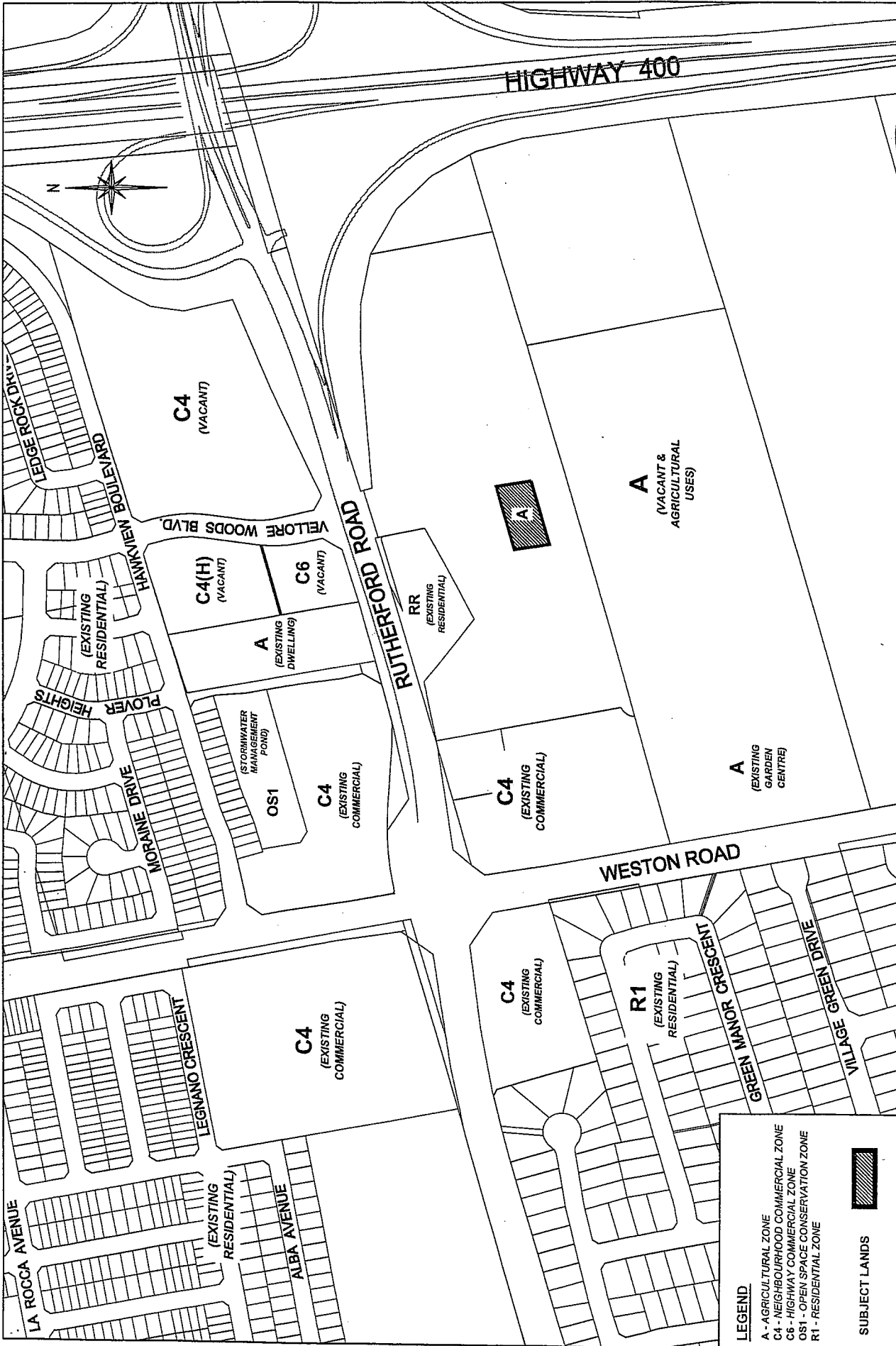
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Arto Tikiryan, Senior Planner, ext. 8212
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Respectfully submitted,


JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

/LG



- LEGEND**
- A - AGRICULTURAL ZONE
 - C4 - NEIGHBOURHOOD COMMERCIAL ZONE
 - C6 - HIGHWAY COMMERCIAL ZONE
 - OS1 - OPEN SPACE CONSERVATION ZONE
 - R1 - RESIDENTIAL ZONE

SUBJECT LANDS 

Location Map

Part of Lot 15,
Concession 5

APPLICANT:
VALLEY MILL DEVELOPMENTS LTD.

IN:0FT\1 - ATTACHMENTS\VA-06.047

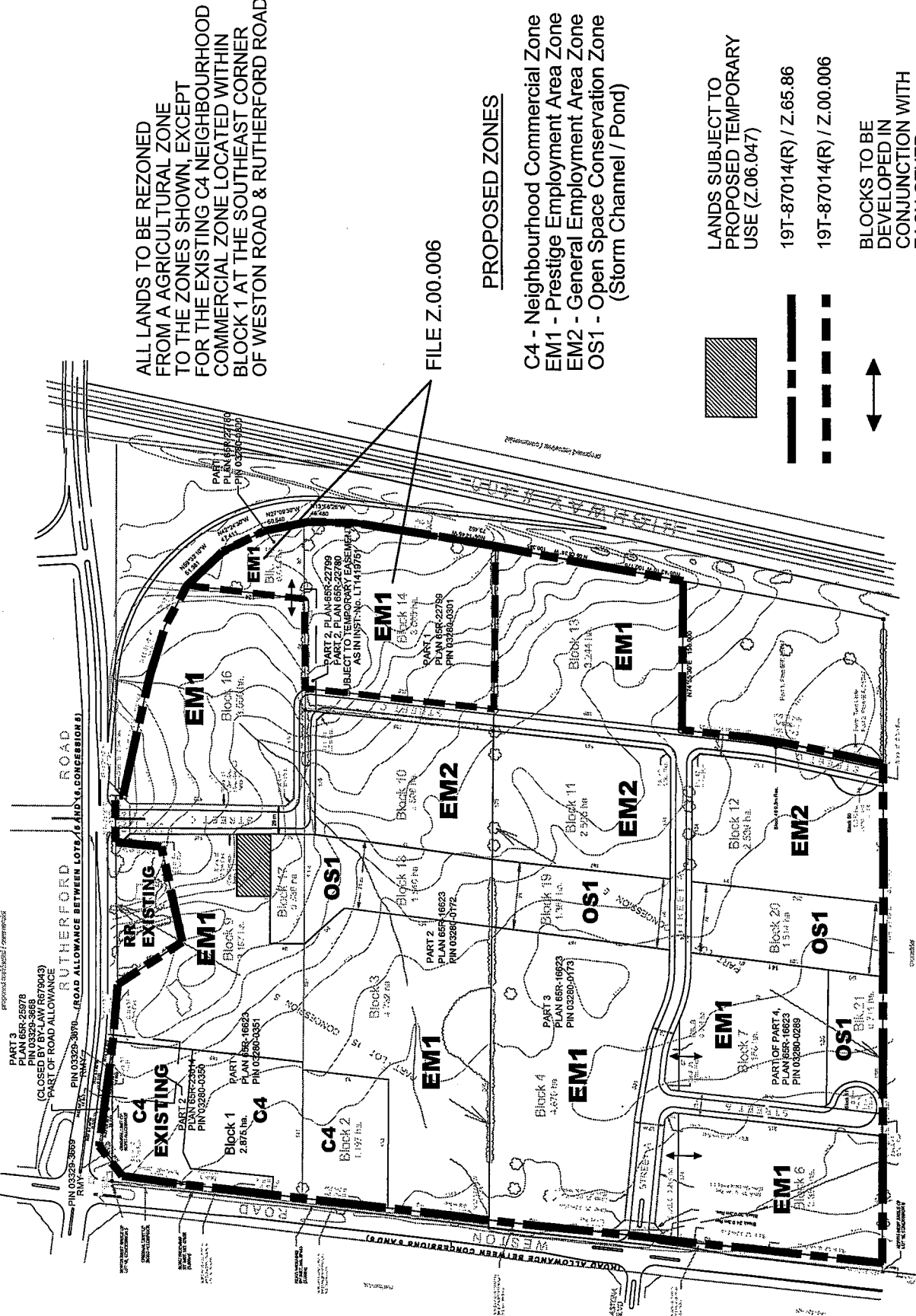
City of Vaughan

Development Planning Department

Attachment 1

FILE No.:
Z.06.047

Not to Scale
June 26, 2006



ALL LANDS TO BE ZONED FROM AN AGRICULTURAL ZONE TO THE ZONES SHOWN, EXCEPT FOR THE EXISTING C4 NEIGHBOURHOOD COMMERCIAL ZONE LOCATED WITHIN BLOCK 1 AT THE SOUTHEAST CORNER OF WESTON ROAD & RUTHERFORD ROAD

FILE Z.00.006

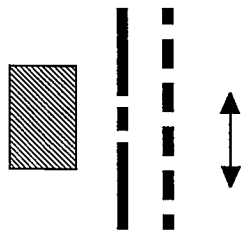
PROPOSED ZONES

- C4 - Neighbourhood Commercial Zone
- EM1 - Prestige Employment Area Zone
- EM2 - General Employment Area Zone
- OS1 - Open Space Conservation Zone (Storm Channel / Pond)

LANDS SUBJECT TO PROPOSED TEMPORARY USE (Z.06.047)

- 19T-87014(R) / Z.65.86
- 19T-87014(R) / Z.00.006

BLOCKS TO BE DEVELOPED IN CONJUNCTION WITH EACH OTHER



Subject Lands In Relation To Draft Approved Subdivision 19T-87014(R), Showing Implementing Zoning



Development Planning Department

Attachment 2

FILE No: Z.06.047

Not to Scale

August 24, 2006

Part of Lot 15, Concession 5

APPLICANT: VALLEY MILL DEVELOPMENTS LTD.