

5. **OFFICIAL PLAN AMENDMENT FILE OP.06.021
ZONING BY-LAW AMENDMENT FILE Z.06.054
DRAFT PLAN OF SUBDIVISION FILE 19T-06V09
INVAR (FRESHWAY) LIMITED**

P.2006.72

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for Files OP.06.021, Z.06.054 and 19T-06V09 [Invar (Freshway) Limited] BE RECEIVED; and that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Economic Impact

This will be addressed when the technical report is completed.

Purpose

The Owner has submitted the following applications on the subject lands shown on Attachment #1:

1. An Official Plan Amendment Application to redesignate the area shown as Area "B" on Attachment #1, from "General Complementary Use Area" under the Province's Parkway Belt West Plan (PWBWP) to "Employment Area General" under the City's OPA #450 (Employment Area Plan). Area "A" (Future Transitway) will remain in the Parkway Belt West Plan.

2. A Draft Plan of Subdivision (Attachment #2), as follows:

16 Employment Blocks (EM2)	7.15 ha
1 Easement Block (EM2)	0.03 ha
2 Open Space Blocks (OS1) – Buffer	0.62 ha
1 Stormwater Management Block (OS1)	0.65 ha
1 Private Road Block	0.93 ha
1 Future Transitway Block (PB1(S))	<u>0.73 ha</u>
	10.11 ha

3. A Zoning By-law Amendment Application to rezone the portion of the subject lands shown as "Area B" on Attachment #1 from PB2 Parkway Belt Complementary Use Zone to EM2 General Employment Area Zone (employment blocks) and OS1 Open Space Conservation Zone (storm pond and buffer blocks) in the manner shown on Attachment #2, and to provide the following zoning exceptions to facilitate the proposed subdivision, specifically for outside storage uses:

"Areas A and B" as shown on Attachment #1

- There shall be no maximum coverage for outside storage, whereas the By-law states it shall not exceed 30% of the lot area.
- No enclosure or screening is required around the outside storage, whereas the By-law requires that the outside storage area shall be completely enclosed by a stone or masonry wall or chain link fence with appropriate landscaping screen and no such enclosure shall be less than 2m in height.

- No outside storage other than the storage of machinery and equipment shall exceed 7m in height, whereas the By-law requires that no outside storage other than the storage of machinery and equipment shall exceed 3m in height.

“Area B” as shown on Attachment #1

- Minimum lot frontage shall be 31m, whereas the By-law requires 34m.
- No minimum GFA requirement if a building is constructed, whereas the By-law requires a minimum 550m² building to be constructed.
- Outside storage shall be permitted within 1m to any lot line, whereas the By-law states that no outside storage shall be located in any front yard, exterior side yard or between any main building and a street line, and further shall be no closer than 20m from any street line.
- Outside storage shall be permitted on any lot with or without a building, whereas the By-law states that outside storage is not permitted on any lot unless there is an existing building with a gross floor area of at least 550m².

“Area A” as shown on Attachment #1 – Maintain existing PB1(S) Parkway Belt Linear Facilities Zone to accommodate the future MTO Transitway right-of-way.

- The subject lands may be used for outside storage until such time as the Province expropriates the land for the transitway expansion.
- No buildings or structures shall be permitted.

Background - Analysis and Options

The subject lands are vacant and located east of Jane Street, on the south side of Highway #407, and west of the CN Rail lands, in Part of Lots 2 and 3, Concession 4, City of Vaughan.

The lands are designated “General Complementary Use Area” under the Province’s Parkway Belt West Plan, and zoned PB1(S) Parkway Belt Linear Facilities Zone and PB2 Parkway Belt Complementary Use Zone by By-law 1-88, subject to Exception 9(553), as shown on Attachment #1. The surrounding land uses are:

- North - Highway #407 (PB1(S) Parkway Belt Linear Facilities Zone)
- South - industrial (PBM7 Parkway Belt Industrial Zone)
- East - industrial, existing asphalt plant (EM2(H) General Employment Area Zone with Holding Symbol)
- West - Parkway Belt, Beechwood Cemetery (PB2 Parkway Belt Complementary Use Zone)

On November 17, 2006, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands and extending north to Regional Road #7, and to the Concord West Ratepayers Association, and to individuals requesting notification through the Clerks Department. As of November 30, 2006, 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 applications, the Development Planning Department has identified the following matters to be reviewed in greater detail:

- i) the Owner has submitted a related Parkway Belt Amendment Application to the Ministry of Municipal Affairs and Housing (File 19-PBA-028-185) to permit the interim use of outside storage on the lands shown as Area “A” on Attachment #1, and to delete the remainder of the lands shown as Area “B” from the Parkway Belt West Plan; the subject development applications will be considered in light of the Ministry’s decision on the Parkway Belt Amendment Application;

- ii) the applications will be reviewed in the context of the Provincial Policy Statement, the Regional and City Official Plan policies, and the City's Zoning By-law 1-88, to ensure an appropriate level of development;
- iii) the applications will be reviewed in the context of the approved and existing land uses in the surrounding area, with particular consideration given to the appropriateness and compatibility of the outside storage and proposed exceptions to the zoning by-law;
- iv) review will be given to the access to the site; the property has no frontage on a public road and must be accessed by an easement over lands to the east and north and connecting to Freshway Drive, as shown on Attachment #1; the applicant has submitted a Traffic Justification report that is currently under review by the Region of York and the City's Engineering Department;
- v) review will be given to the following additional documents that have been submitted by the applicant for approval by the City and applicable external public agencies: Planning Basis Report, Environmental Noise Feasibility Study, and Site Servicing Feasibility Report;
- vi) the Ministry of Municipal Affairs and Housing (MMAH) has confirmed the presence of approximately 15 butternut trees, which are considered to be an endangered species, scattered throughout the woodlot as shown on Attachment #2; they advise that Policy 2.1.3(a) of the Provincial Policy Statement 2005 provides that development and site alteration shall not be permitted in significant habitats of endangered species and threatened species and that should the MMAH delete the lands from the Parkway Belt West Plan, they are requesting that the woodlot area be appropriately protected. The appropriateness of the subject applications and the design of the subdivision will be reviewed in consideration of the Ministry's decision on the Parkway Belt Amendment Application.

Relationship to Vaughan Vision 2007

The applicability of these applications 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 applications, 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, consideration will be given to the appropriateness of introducing Employment uses to the subject lands, and in particular full outside storage within the Employment Area; land use compatibility and impact on the surrounding uses; impact on traffic and access issues; the protection of endangered tree species within the woodlot; and, the Ministry of Municipal Affairs and Housing's decision on the related Parkway Belt Amendment Application. Careful consideration will also be given to the proposed exceptions to the Zoning By-law.

Attachments

1. Location Map
2. Proposed Subdivision and Zoning

Report prepared by:

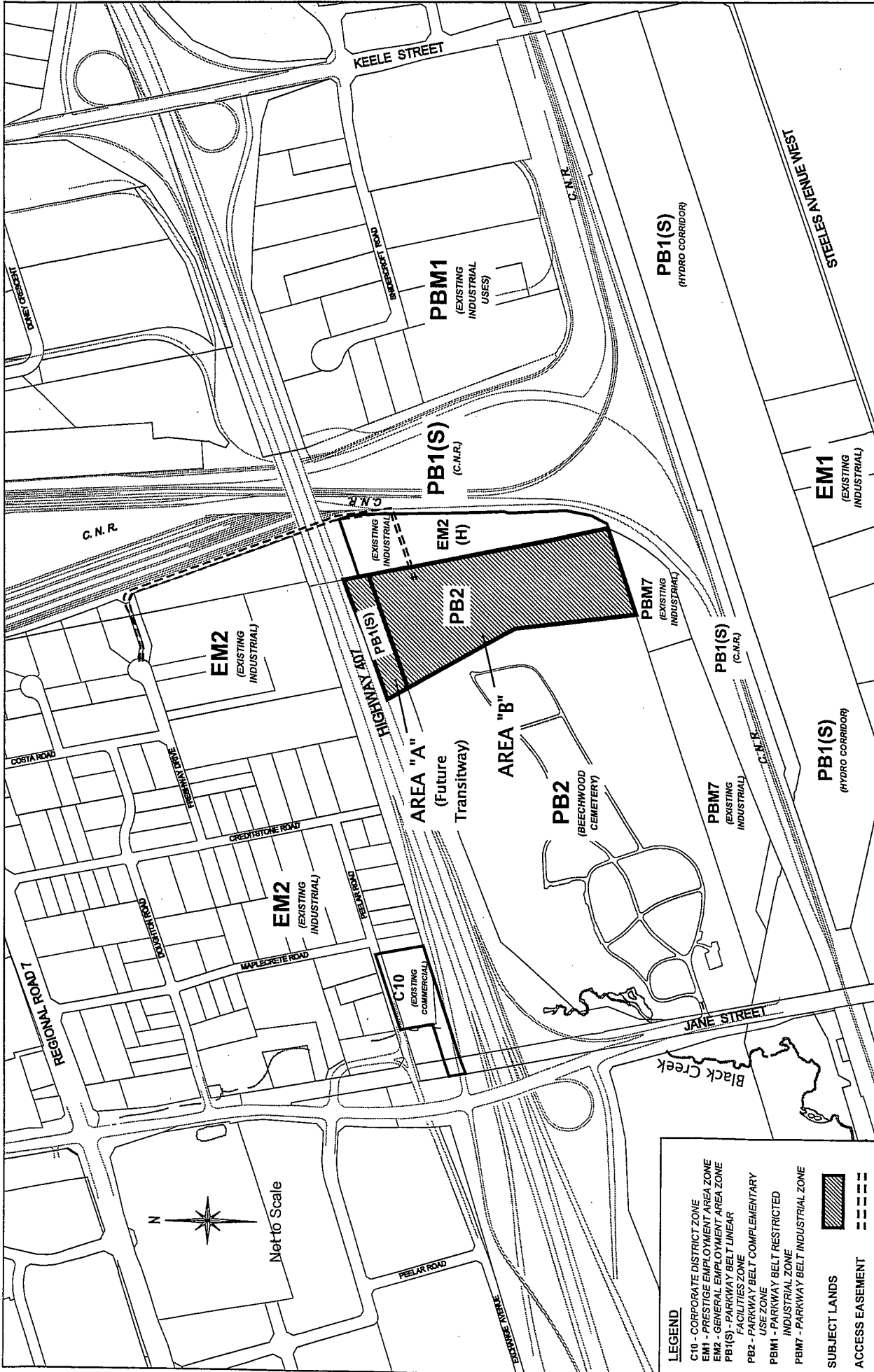
Andrea Seca, Planner, ext. 8215
Arto Tikiryan, Senior Planner, ext. 8212
Grant Uyeyama, Manager of Development Planning, ext. 8635

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

/CM



Location Map

Part of Lots 2 & 3,
Concession 4

APPLICANT:
INVAR (FRESHWAY) LIMITED

IN:\PARTY\ATTACHMENTS\191181-06-09op.06.024e.06.054

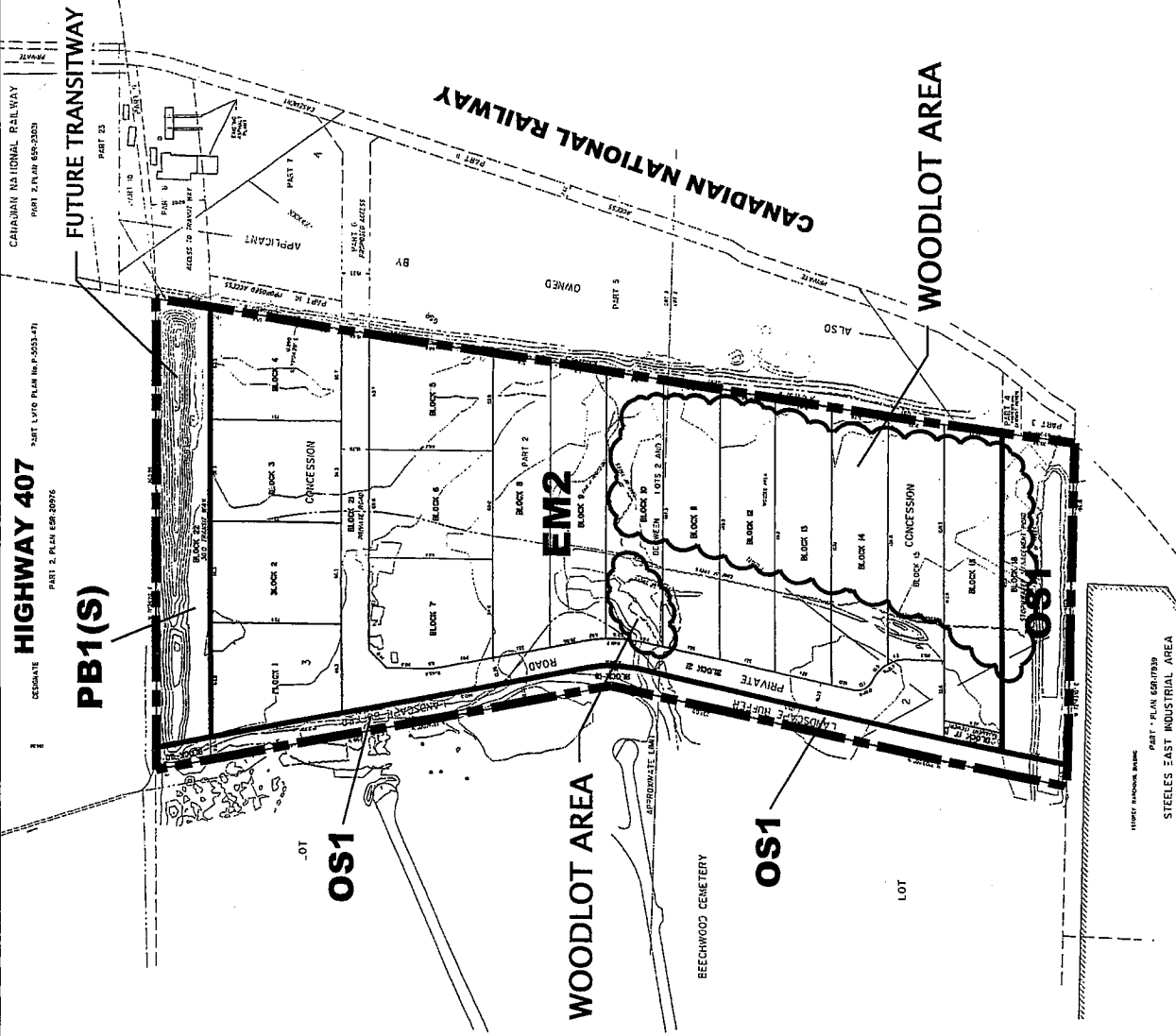


Development Planning Department

Attachment 1

FILE No.:
19T-06V09,
Z.06.054 & OP.06.024

November 17, 2006



Not to Scale

SUBJECT LANDS

Attachment 2
 FILE No.:
 19T-06V09,
 Z.06.054 & OP.06.024
 November 17, 2006

City of **Vaughan**
 Development Planning Department

Proposed Subdivision & Zoning
 APPLICANT:
 INVAR (FRESHWAY) LIMITED
 Part of Lots 2 & 3,
 Concession 4
 H:\DPT\1 ATTACHMENTS\19\19T-06V09\op.06.024z.06.054