

COMMITTEE OF THE WHOLE SEPTEMBER 5, 2006

**ZONING BY-LAW AMENDMENT FILE Z.05.006
LAMBERTON MEADOWS ESTATES CORP.
REPORT #P.2005.20**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.05.006 (Lamberton Meadows Estates Corp.) BE APPROVED, to permit a public garage use for the care and repair of motor vehicles with no outside storage and the following exceptions to the EM1 Prestige Employment Area Zone, to facilitate the development of the proposed site plan shown on Attachment #2:
 - a) permit a minimum lot area of 1,722.25m², whereas 3000m² is required;
 - b) permit a minimum lot frontage of 8m, whereas 36m is required;
 - c) permit a minimum rear yard setback of 3m, whereas the 12m is required;
 - d) permit a minimum interior side yard setback from the south property line of 5.1m, whereas 6m is required;
 - e) permit a minimum 6.9m setback from an OS1 Open Space Conservation Zone (north property line), whereas 10m is required; and,
 - f) permit a minimum 0.35m wide landscape strip abutting the OS1 Open Space Conservation Zone, whereas 7.5m is required.
2. THAT prior to the enactment of the implementing zoning by-law:
 - a) all requirements of the Vaughan Engineering Department shall be satisfied; and,
 - b) all requirements of the Toronto and Region Conservation Authority shall be satisfied.

Economic Impact

There are no requirements for new funding associated with this report.

Purpose

The Owner has submitted an application to amend the Zoning By-law, specifically By-law 1-88, to permit a public garage use for the care and repair of motor vehicles with no outside storage on the subject lands shown on Attachment #1, along with the necessary zoning exceptions to the EM1 Prestige Employment Area Zone to facilitate the development of the site as shown on Attachment #2.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located south of Rutherford Road, on the west side of Creditstone Road (1600 Creditstone Road), in Part of Lot 15, Concession 4, City of Vaughan. The vacant triangular-shaped, 0.17ha lot has 8m frontage on Creditstone Road. The subject lands are designated "Employment Area General" by OPA #450 (Employment Area Plan)

and zoned EM1 Prestige Employment Area Zone by By-law 1-88. The surrounding land uses are:

- North - open space valley (OS1 Open Space Conservation Zone)
- South - employment area (EM2 General Employment Area Zone)
- East - Creditstone Road; valley, storm pond (OS1 Open Space Conservation Zone)
- West - employment area (EM2 General Employment Area Zone)

On March 24, 2005, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands. To date, no comments have been received. The recommendation of the Committee of the Whole on April 18, 2005, to receive the Public Hearing report and to forward a technical report to a future Committee of the Whole meeting was ratified by Council on April 25, 2006.

Official Plan

The subject lands are designated "Employment Area General" by OPA #450 (Employment Area Plan), which permits employment uses that do not require high profile locations and/or require outside storage or which would be undertaken outdoors, including processing, warehousing and storage operations. The proposal to amend the Zoning By-law to permit a public garage use on the subject lands, along with the necessary exceptions to facilitate the development conforms to the Official Plan.

Zoning

The site is zoned EM1 Prestige Employment Area Zone by By-law 1-88. The EM1 Zone does not permit a Public Garage use, therefore a zoning by-law amendment is required. The proposal does not include outside storage, which is not permitted in the EM1 Zone. The proposed site plan was reviewed in accordance with By-law 1-88 and EM1 Zone standards, and the following exceptions were identified as necessary to implement the site plan shown on Attachment #1:

	<u>Required</u>	<u>Provided</u>
Minimum Lot Area	3000m ²	1,722.25m ²
Minimum Lot Frontage	36m	8m
Minimum Rear Yard Setback	12m	3m
Minimum Interior Yard Setback	6m	5.10m
Minimum setback from an OS1 Open Space Conservation Zone (north property line)	10m	6.9m
Minimum landscape strip abutting the OS1 Open Space Conservation Zone	7.5m	0.35m

The minimum lot area, lot frontage, and both rear and interior side yard setbacks are satisfactory given the lot size and configuration. The Toronto and Region Conservation Authority had no objection to the minimum setback to the OS1 Zone or the minimum landscape strip abutting the OS1 Zone. The proposed lot area, frontage, setback and landscape strip deficiencies are considered to be appropriate, given the location of the property within the interior of an employment area and buffered by valleyland, storm water management ponds, and EM2 Zone lands that facilitate outside storage, and will be included as exceptions in the implementing Zoning By-law.

Site Development

The proposed site plan (Attachment #2) shows a 269.67m² two-storey building, with four drive-in doors and the main entry on the east elevation. A landscaped area surrounds the remainder of

the building and continues along the north property line. A retaining wall is shown adjacent to the northerly property line. The site plan proposes thirteen parking spaces, including one space for disabled persons.

The building will be constructed to a height of 8.6m and consist of brick and glass (Attachment #3). The primary façade is located on the east elevation facing Creditstone Road and is designed with a double glass door entry with a sign box above and four glass motorized overhead doors.

In accordance with the current Site Plan Control By-law (228-2005), the subject lands are considered to be an internal lot, and the proposed site development is to be processed by the Building Standards Department through their Building Permit review, should Council approve the proposed zoning amendment application to permit a public garage use in the EM1 Zone. This process will include approval of the site plan, landscape plan, engineering plans, and building elevations.

Toronto and Region Conservation Authority (TRCA)

The site is located adjacent to a tributary of the Don River, below the estimated Regional Storm Flood Plain elevation. The encroachment of the building into the flood plain is minor and the TRCA has no objections to the proposed development, subject to the following conditions: that the Owner shall register a indemnification clause on title; no outside storage be permitted; and, that the Owner obtain a permit from the TRCA prior to commencing any work on the subject lands. The requirement for no outside storage will be included in the implementing zoning by-law, which will be enacted once the applicant has satisfied all requirements of the Toronto and Region Conservation Authority.

Servicing

The proposed development will be serviced on full municipal water, and sanitary and storm sewers. The final site servicing and grading plan and storm water management report shall be approved by the Vaughan Engineering Department.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'A-5', "Plan and Manage Growth".

Conclusion

The Development Planning Department has reviewed the proposed Zoning By-law Amendment application to permit a public garage use for the care and repair of motor vehicles with no outside storage on the subject lands along with the necessary zoning exceptions to the EM1 Prestige Employment Area Zone to facilitate the proposed site development, in accordance with the policies of OPA #450, the requirements of By-law 1-88, and the employment area context. The Development Planning Department is satisfied that the proposed public garage use is appropriate and compatible with the existing and permitted uses in the surrounding area, particularly as the site is buffered by valleyland, storm water management ponds, and EM2 Zone lands that facilitate outside storage. On this basis, the Development Planning Department can support the approval of the Zoning By-law Amendment application, subject to the conditions contained in this report and the required exceptions to the Zoning By-law that are necessary to implement the site development proposal, which will be processed and approved through the Building Standards Department's building permit process, in accordance with the City's Site Plan Control By-law.

Attachments

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

Report prepared by:

Christina Napoli, Planner, ext. 8483
Arto Tikiryan, Senior Planner, ext. 8212
Grant Uyeyama, Manager of Development Planning, ext. 8635

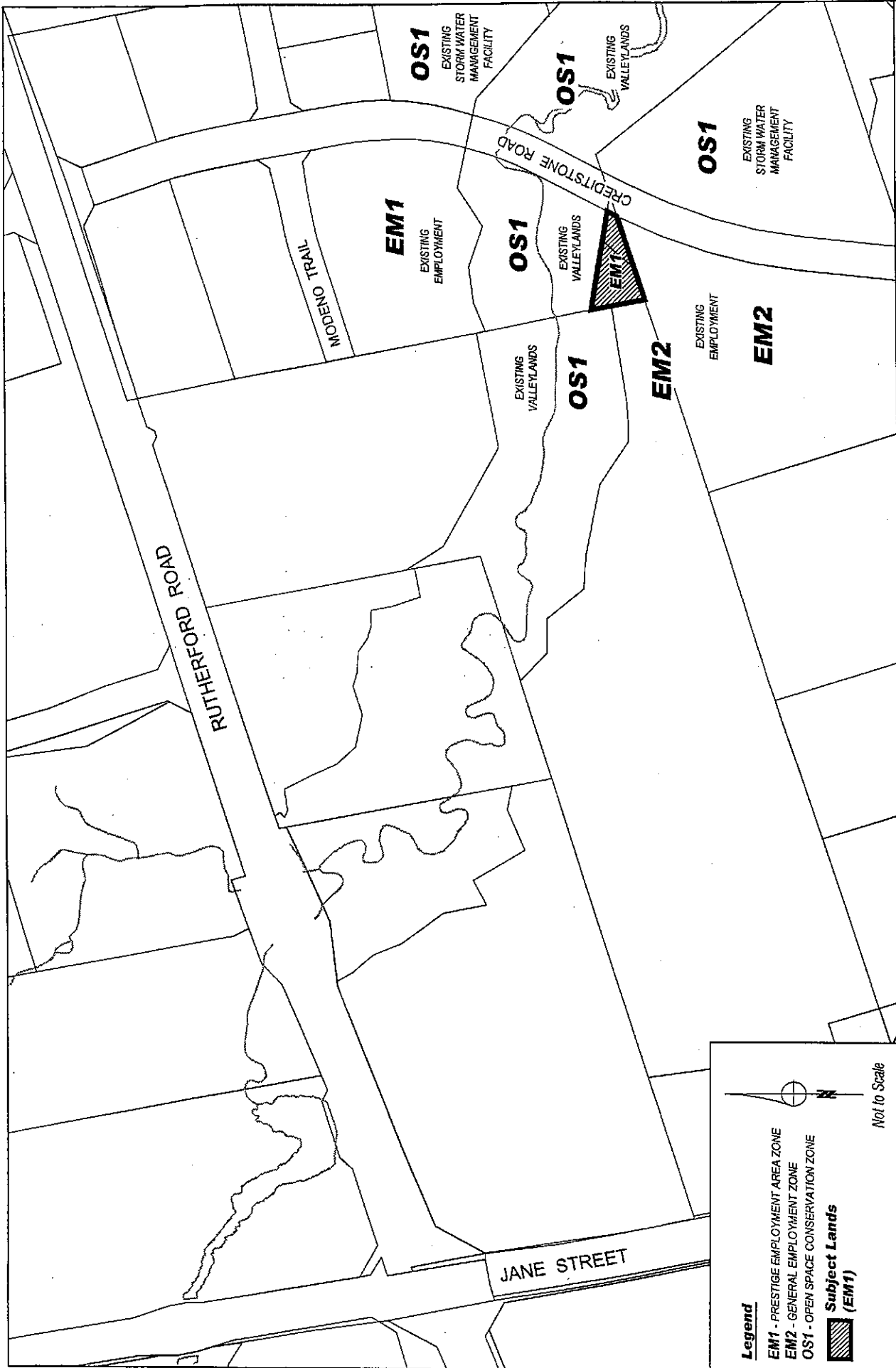
Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning


MARCO RAMUNNO
Director of Development Planning


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Legend

- EM1 - PRESTIGE EMPLOYMENT AREA ZONE
- EM2 - GENERAL EMPLOYMENT ZONE
- OS1 - OPEN SPACE CONSERVATION ZONE
-  **Subject Lands (EM1)**

 Not to Scale

Location Map

Part of Lots 15,
Concession 4
 APPLICANT:
 LAMBERTON MEADOWS ESTATES CORP.
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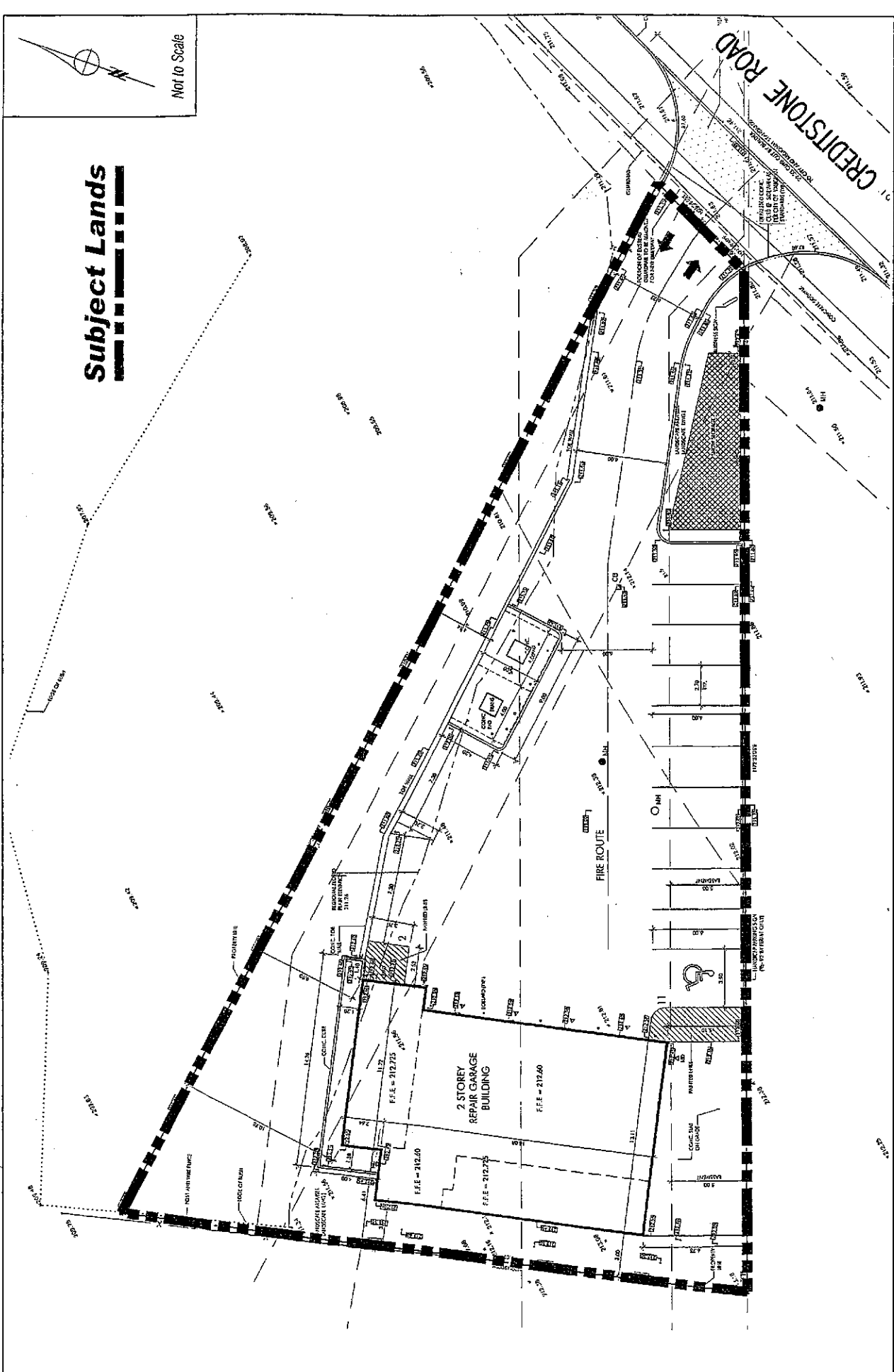
Development Planning Department

Attachment 1

FILE No.:
Z.05.006
 August 11, 2006

Subject Lands

Not to Scale



Site Plan

Part of Lots 15,
Concession 4
APPLICANT:
LAMBERTON MEADOWS ESTATES CORP.



Development Planning Department

Attachment

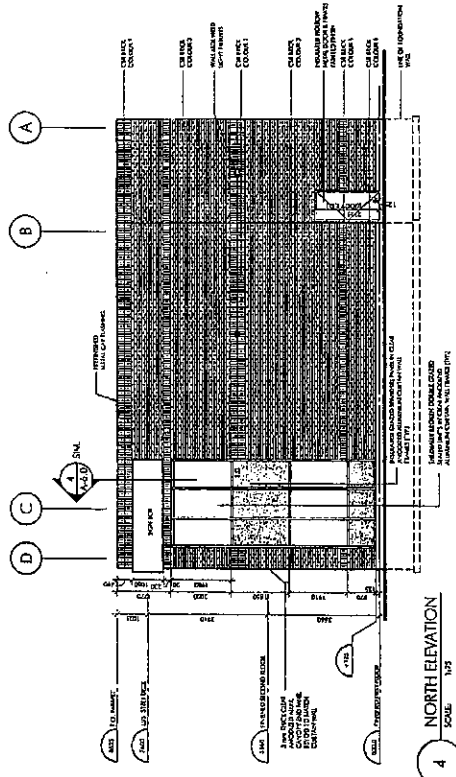
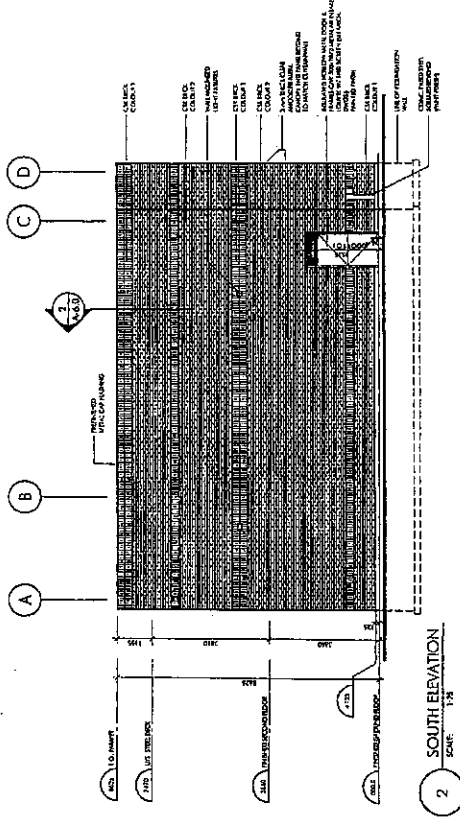
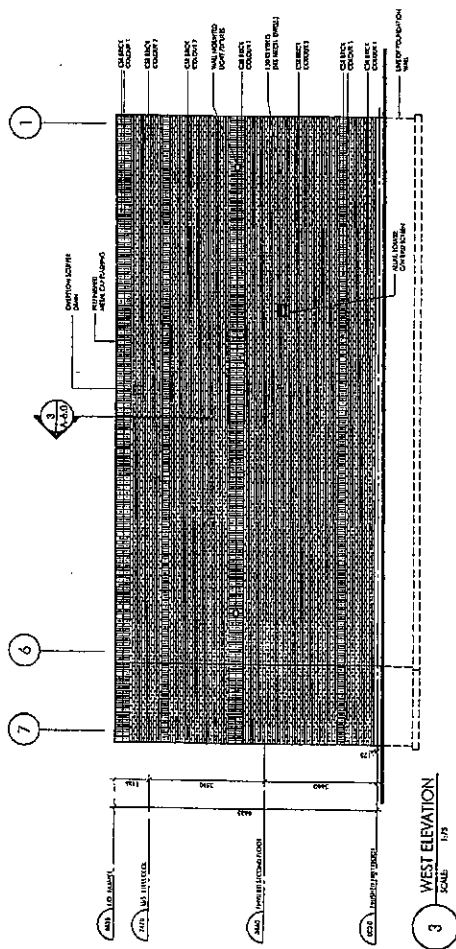
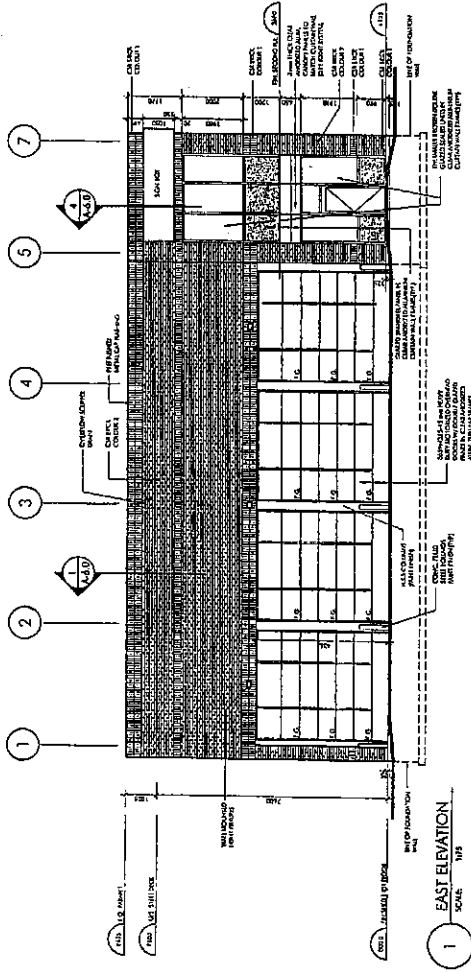
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FILE No.:
Z.05.006

August 11, 2006

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Not to Scale



Elevations

Part of Lots 15,
Concession 4

APPLICANT:
LAMBERTON MEADOWS ESTATES CORP.



Development Planning Department

Attachment 3

FILE No.:
Z.05.006

August 11, 2006