

COMMITTEE OF THE WHOLE MARCH 26, 2007

**OFFICIAL PLAN AMENDMENT FILE OP.05.022
ZONING BY-LAW AMENDMENT FILE Z.05.045
SITE DEVELOPMENT FILE DA.05.052
1411069 ONTARIO INC. c/o TOWNWOOD HOMES INC.
REPORT #P.2005.60**

Recommendation

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment File OP.05.022 (1411069 Ontario Inc.) BE APPROVED, to permit a golf driving range including a pro shop as a temporary use within the "Agriculture Area" designation (southerly portion abutting Kirby Road), on the subject lands shown on Attachment #1.
2. THAT Zoning By-law Amendment File Z.05.045 (1411069 Ontario Inc.) BE APPROVED, subject to the following:
 - a) That the implementing zoning by-law:
 - i) permit a golf driving range and accessory uses (ie. pro shop) in the A Agricultural Zone for a temporary period of 3 years from the enactment of the implementing zoning by-law;
 - ii) rezone the portion of the subject lands within the Greenbelt Area from A Agricultural Zone to OS1 Open Space Conservation Zone to ensure its protection; and,
 - iii) include the necessary exceptions to the zoning by-law to implement the approved site plan.
3. THAT Site Development File DA.05.052 (1411069 Ontario Inc.) BE APPROVED, subject to the following:
 - a) That prior to the registration of the site plan agreement:
 - i) the site plan, elevation plan, and landscape plan shall be approved to the satisfaction of the Development Planning Department;
 - ii) the site servicing and grading plan shall be approved by the Engineering Department;
 - iii) the Owner shall convey sufficient property to provide 17.5m from the centreline of the Kirby Road municipal road allowance to the City of Vaughan at no cost and free of charge and encumbrance to the satisfaction of the Engineering Department;
 - iv) the portion of the existing tee decks within the Greenbelt shall be removed and restored to pre-development grades to the satisfaction of the Development Planning Department and the Toronto and Region Conservation Authority; and

- v) the Owner shall provide a form of mitigation to prevent errant golf balls from landing in the rail right-of way, along the GO/CNR rail corridor property line, to the satisfaction of GO Transit.

Economic Impact

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

Communication Plan

N/A

Purpose

The Owner has submitted the following:

1. An Official Plan Amendment Application (File OP.05.022) to amend the "Agriculture Area" designation of OPA #600 to permit a "golf driving range" including a pro shop, as a temporary use on the subject lands shown on Attachment #1.
2. A Zoning By-law Amendment Application (File Z.05.045) to permit a "golf driving range" and an accessory pro shop use as additional uses in the "A" Agricultural Zone for a temporary period of 3 years from the date of enactment of the implementing zoning by-law on the subject lands shown on Attachment #1.
3. A Site Development Application (File DA.05.052) to facilitate the development of the subject lands for a "golf driving range" in order to coordinate the siting of the raised tee area, putting greens, parking area, and a proposed 71.1m² pro shop on the subject lands shown on Attachment #2.

Background - Analysis and Options

The 24.85 ha subject lands shown on Attachment #1 are located on the north side of Kirby Road, west of Keele Street, in Part of Lot 31, Concession 4, City of Vaughan. The surrounding land uses are:

- North - existing agricultural use (A Agricultural Zone)
- South - Kirby Road, existing agricultural use (A Agricultural Zone)
- East - existing agricultural use (A Agricultural Zone) and existing CN Rail/Go Transit line (M3 – Transportation Industrial Zone)
- West - existing agricultural use (A – Agricultural Zone)

Official Plan

The subject lands are designated "Agriculture Area" and "Valley and Stream Corridor" by OPA #600, as shown on Attachment #4.

The Owner has submitted an application to amend the Official Plan to permit a golf driving range including a pro shop as temporary uses on the southerly portion of the subject lands, which are not permitted under the "Agriculture Area" policies of OPA #600. The "Agriculture Area" designation, permits farming and accessory uses as primary uses with provisions for farm-related uses directly related to agriculture. However, temporary uses are permitted in OPA #600, which will be discussed in detail later in the report.

The proposal does not include development of the northerly portion of the property designated "Agriculture Area", nor the central portion designated "Valley and Stream Corridor", which will remain in a natural state.

Greenbelt Plan

The subject lands are identified partly within the "Natural Heritage System" within the "Protected Countryside" designation of the Greenbelt Plan, as shown on Attachment #4.

The Owner has already graded a portion of the subject lands in the preparation to construct the tee deck. Through the review of the plans and a site walk on March 14, 2006 with the Toronto and Region Conservation Authority, the Development Planning Department has determined that a portion of the graded area for the tee deck is located within the Greenbelt Area. To ensure conformity with the Greenbelt Plan, the graded portions for the tee deck now located within the limits of the Greenbelt Area must be removed and the lands restored to pre-development grades, as illustrated on Attachment #2, to the satisfaction of the Development Planning Department and the Toronto and Region Conservation Authority. The Owner has agreed to relocate the tee deck entirely within the "Agriculture Area" designation and to ensure that the tee deck is located a minimum distance of 2 metres away from the Greenbelt Area.

Zoning

The subject lands are zoned A Agricultural Zone by By-law 1-88, which does not permit the proposed golf driving range and accessory uses.

Two exceptions to the Zoning By-law are required to implement the proposed plan. The proposed parking area and aisles will have a gravel surface, rather than asphalt as required by By-law 1-88. The golf driving range use is not permitted in the A Agricultural Zone, although other recreational uses, such as Bowling Greens, Curling and Skating Rinks, Tennis Courts, and Private and Municipal Swimming or Wading Pools are permitted. A portion of the subject lands that are located within the Greenbelt Area will be rezoned from A Agricultural Zone to OS1 Open Space Conservation Zone, in the manner shown on Attachment #5, to ensure its protection.

The proposed gravel surface for the parking lot and the golf driving range use are considered appropriate given the temporary nature of the use as discussed below, which will be permitted on a temporary 3 year basis. The proposed uses would also be comparable to some of the recreational uses permitted as of a right in the Agricultural Zone, as noted above. In addition, a portion of the subject lands will be rezoned from A Agricultural to OS1 Open Space Conservation Zone for the protection of the Greenbelt Area as shown on Attachment #5.

Temporary Uses

OPA #600 permits temporary uses in the new community areas, subject to a zoning by-law amendment and the proposal being in conformity with a number of policies, including that the proposed use:

- i) is substantially less intensive than the planned use;
- ii) entails limited capital investment;
- iii) does not require municipal water or sanitary services;
- iv) requires buildings of a temporary nature only;
- v) is not automotive or industrial in nature;
- vi) does not require outside storage;
- vii) is preferably not located within the City's existing residential or employment areas; and
- viii) does not conflict with the planned development pattern, including roads, parks, schools, and valley areas.

The subject lands are not located within a new community area, however the criteria can be used to assess the appropriateness of the temporary nature of the proposed golf driving range.

The proposed golf driving range is less intensive than some of the permitted uses in the "Agriculture" designation including market gardening, horticulture, plant nurseries, greenhouse production. The proposal includes sodded and graveled areas and a 71.1m² pro shop involves limited capital investment. A private sewage disposal system and individual well will be provided on-site and the proposed pro-shop is temporary in nature. The golf driving range is not automotive or industrial in nature and does not require any outside storage. The site is not within an existing residential or industrial employment area. The location of the golf driving range does not conflict with the future development of the area. The proposed development conforms to the policies of OPA #600 with respect to temporary uses.

The temporary nature of the golf driving range use will cease once the 3 year temporary use zoning by-law ceases. Under the Planning Act, a temporary use by-law can be reviewed by Council for subsequent 3 year periods by way of by-law amendment, which will be scrutinized through the same public process.

Site Plan

The overall site is 24.85 ha, as shown on Attachment #2, however, only the southerly portion of the property adjacent to Kirby Road is proposed to be developed for the golf driving range. The subject southerly parcel consists of an existing one and 1- ½ storey brick farmhouse and a concrete block building where the Owner/Operator will continue to reside, and a proposed parking area, pro shop and tee decks for the golf driving range. Approximately 3.6 ha are dedicated to the range and tee deck and approximately 0.6 ha is dedicated to the areas for parking area and the Pro Shop. The remaining 20.6 ha will remain untouched or within the Greenbelt Area.

The proposed tee deck is approximately 6,250m² with dimensions of 125 metres by 50 metres. Its location will allow for a driving range oriented in an east/west orientation, with the golf balls to be hit towards the east. The tee deck will be located a minimum distance of 2.0 metres from the Greenbelt limit.

A small area is dedicated to a putting green. The gravel parking area is located off the existing entrance to the property, of which the driveway proposes to extend along the Greenbelt limits. The proposed parking area will be setback a minimum 10m from the Greenbelt limits. The parking area will end in a turning bulb to facilitate the fire route. A total of 98 parking spaces, including 1 handicap space, will be provided on site.

The pro shop, with a floor area of 71.1m², is located on the west side of the proposed tee deck. The driving range faces east and averages a length of approximately 275m. The Development Planning Department has recommended that a 4.5m high protective mesh fencing be provided along Kirby Road to prevent errant balls from landing onto the right-of-way. Go Transit has also requested the placement of netting adjacent the CN Rail/Go Transit line, as discussed later in this report. The final site plan must be approved to the satisfaction of the Development Planning Department.

Elevations

The building elevations of the pro shop, as shown on Attachment #3, consist of pre-finished beveled aluminum siding in an off-white colour with beige trim, with a slightly pitched roof. The simple building elevations are reminiscent of a Mark III school portable with painted plywood skirting. There are four windows on the east elevation. The final elevation plans must be approved to the satisfaction of the Development Planning Department.

Access

Access to the site is from the existing single entrance on Kirby Road, as shown on Attachment #2 serving 2480 Kirby Road (Owner/operator's residence) and the proposed golf driving range. As Kirby Road is a local road, final approval must be to the satisfaction of the City Engineering Department.

Engineering Department

i) Environmental Site Assessment (ESA)

A Phase 1 Environmental Site Assessment (ESA) Report has been approved to the satisfaction of the City Engineering Department. The Record of Site Condition has been filed with the Ontario Ministry of the Environment.

Cultural Services

The existing 1.5-storey brick farmhouse at 2480 Kirby Road, as shown on Attachment #2, is included in the Listing of Significant Heritage Structures in the City of Vaughan's Register of Property of Cultural Heritage Value as per Part IV, Subsection 27, of the Ontario Heritage Act (Approved by Council on June 27, 2005). Any future proposed changes to the exterior elevations of the existing farmhouse are to be reviewed by Cultural Services in order to preserve the property's heritage integrity.

Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority has reviewed the applications and has no objections to the proposed golf driving range provided that the graded portions for the tee deck now located within the limits of the Greenbelt Area are removed and restored to pre-development grades, to the satisfaction of the Toronto and Region Conservation Authority.

GO Transit

GO Transit has reviewed the application and requires a form of mitigation to be provided along the GO/CNR rail corridor property line. The Owner is required to provide netting raised to an appropriate height to prevent errant balls from landing in the right-of-way, to the satisfaction of GO Transit and the Development Planning 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".

Regional Implications

N/A

Conclusion

The Development Planning Department has reviewed an application to amend the Official Plan (File OP.05.022) to permit a "golf driving range" and accessory pro shop use in the "Agriculture Area" designation of OPA #600; an application to amend the Zoning By-law (File Z.05.045) to permit a "golf driving range" as an additional use in the Agriculture Zone for a temporary period of 3 years from enactment of the by-law; and a Site Development Application (File DA.05.052) to

facilitate the development of the subject lands for a golf driving range in order to coordinate the siting of the raised tee area, putting greens, parking area, and the proposed pro shop on the subject lands.

The proposed golf driving range complies with the temporary use policies of the Official Plan and with the Greenbelt Plan. The temporary use by-law will ensure that the driving range operates for a maximum of 3 years, at which time the Owner may reapply for the use, and that the application will be subject to the same public process. The Development Planning Department considers the proposed driving range to be a suitable use for the subject property due to the temporary nature of the use, the similar nature of the use relative to other permitted uses (i.e. skating rink, bowling area) in the A Agricultural Zone and protection of the Greenbelt lands. For these reasons, the Development Planning Department recommends approval of the Official Plan Amendment, Zoning By-law Amendment, and Site Development applications, subject to the recommendations contained in this report.

ATTACHMENTS

1. Location Map
2. Site Plan
3. Elevation Plan
4. Existing Official Plan/greenbelt Designation
5. Proposed Zoning

Report prepared by:

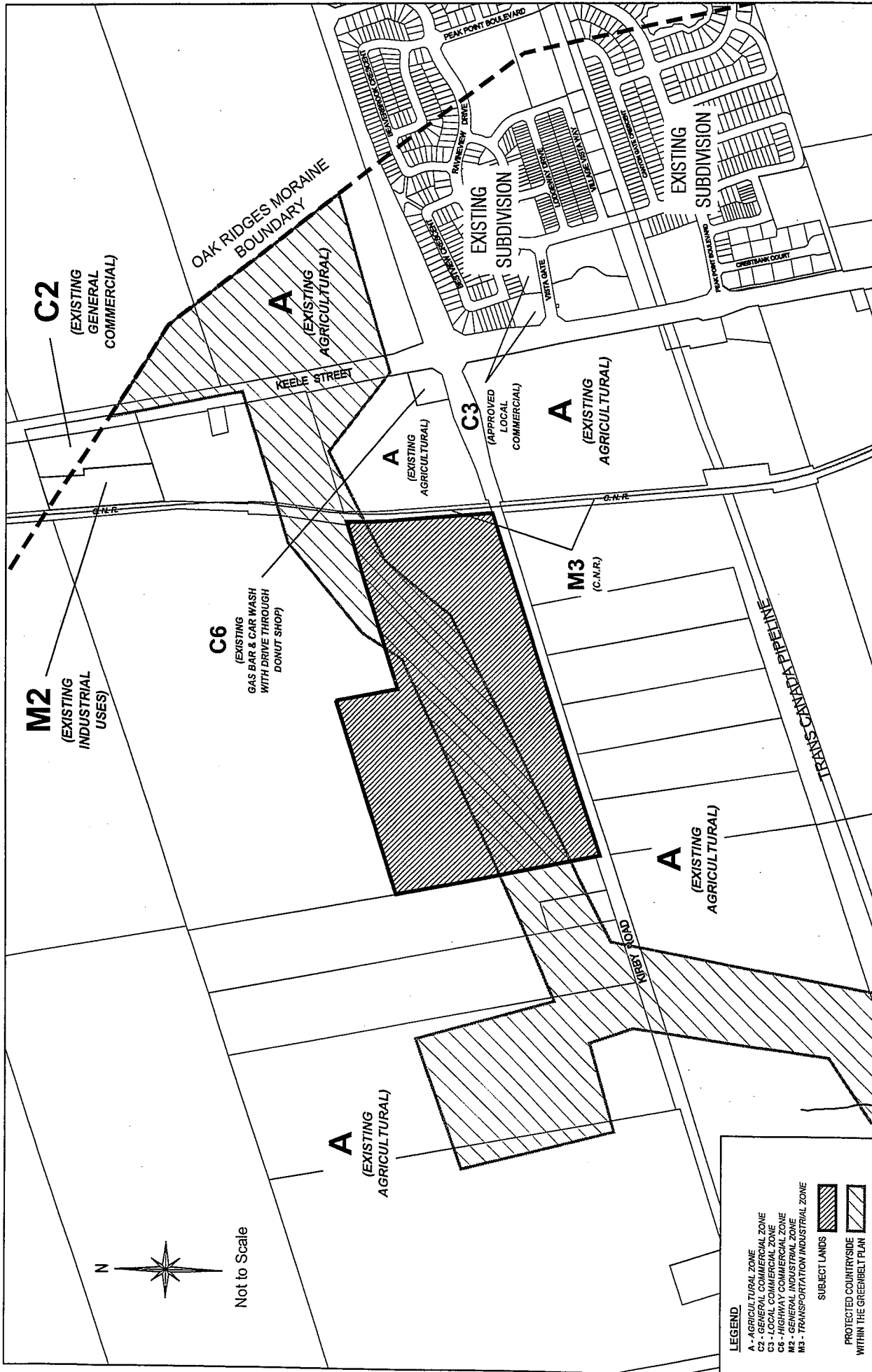
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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

/LG



Location Map

Part of Lot 31,
Concession 4
APPLICANT: 1411069 ONTARIO INC. C/O
TOWNWOOD HOMES INC.

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The City Above Toronto

Development Planning Department

Attachment 1

FILE No's.:
OP.05.022, Z.05.045
& DA.05.052

March 8, 2007

LEGEND:

- EXISTING DITCH
- SWALE DRAINAGE
- PROPOSED GRADE
- EXISTING GRADE
- EXISTING CONTOURS
- TRCA FILL EXTENSION LINE
- REGULATORY FLOOD LINE
- GREENBELT LIMIT
- STORM DRAIN BOUNDARY
- SLOPE

- SUBJECT LANDS
- GREENBELT LIMIT
- LANDS SUBJECT TO OFFICIAL PLAN & ZONING BY-LAW AMENDMENT AND SITE PLAN



Not to Scale

LANDS TO REMAIN
IN A NATURAL STATE

CONCESSION 4
VALLEYLANDS
(GREENBELT)

VALLEYLANDS
(GREENBELT)

RE-GRADE EXISTING SLOPE
TO CONTOURS AS SHOWN
(ORIGINAL GROUND)

EDGE OF TEE BLOCK TO BE
MOVED 2m FROM GREENBELT
LIMIT AND GRADING RESTORED

PROPOSED PRO SHOP
(71' x 10')

PROPOSED TEE DECK
(125m x 50m)

EXISTING 1.5 STOREY
BRICK FARMHOUSE
WHERE OWNER/OPERATOR
TO RESIDE (2480 KIRBY ROAD)

PROPOSED
GREEN

KIRBY ROAD

EXISTING ENTRANCE

10' FORD ALLOWANCE BETWEEN LOTS 30 & 31 CONCESSION 4

CANADIAN NATIONAL RAILWAYS

Site Plan

Part of Lot 31,
Concession 4
APPLICANT: 1411069 ONTARIO INC. C/O
TOWNWOOD HOMES INC.



Development Planning Department

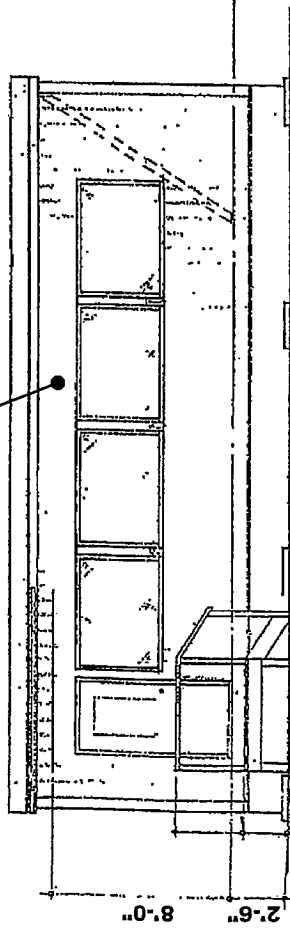
Attachment

2

FILE No's.:
OP.05.022, Z.05.045
& DA.05.052

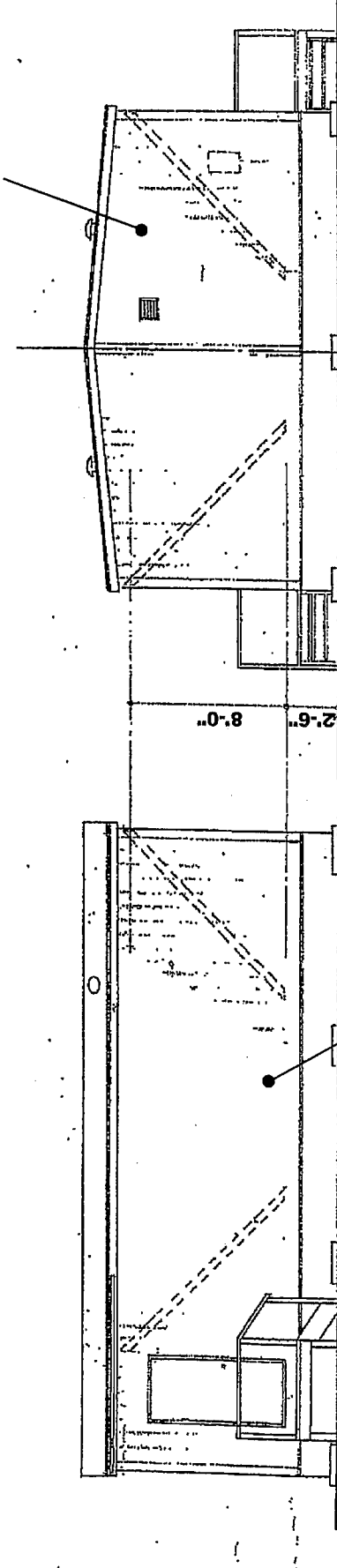
March 8, 2007

PREFINISHED BEVELLED 6" ALUMINUM
SIDING IN OFF-WHITE WITH BEIGE TRIM



ELEVATION 'B'

PREFINISHED BEVELLED 6" ALUMINUM
SIDING IN OFF-WHITE WITH BEIGE TRIM



ELEVATION 'D'

PREFINISHED BEVELLED 6" ALUMINUM
SIDING IN OFF-WHITE WITH BEIGE TRIM

ELEVATION 'A' & 'C'

Not to Scale

Elevation Plan - Pro Shop

Part of Lot 31,
Concession 4

APPLICANT: 1411069 ONTARIO INC. C/O
TOWNWOOD HOMES INC.

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The City Above Toronto

Development Planning Department

Attachment

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FILE No's.:
OP.05.022, Z.05.045
& DA.05.052

March 8, 2007

SUBJECT LANDS



DESIGNATED AGRICULTURAL
AREA BY OPA #600
(TO REMAIN IN NATURAL STATE)

31

CONCESSION

4

DESIGNATED VALLEY AND STREAM CORRIDOR
BY OPA #600; DESIGNATED NATURAL HERITAGE
SYSTEM / PROTECTED COUNTRYSIDE BY
GREENBELT PLAN (TO REMAIN IN NATURAL STATE)

DESIGNATED AGRICULTURAL
AREA BY OPA #600

OFFICIAL PLAN AMENDMENT
APPLICATION TO PERMIT A
GOLF DRIVING RANGE IN THE
AGRICULTURAL AREA

KIRBY ROAD

Not to Scale

Existing Official Plan / Greenbelt Designation

APPLICANT: 1411069 ONTARIO INC.
C/O TOWNWOOD HOMES INC.

Part of Lot 31,
Concession 4

ATTACHMENTS\OP\Op.05.022\05.045



Development Planning Department

Attachment
FILE No's.:
OP.05.022, Z.05.045
& DA.05.052
4

March 8, 2007

Proposed Zoning

Part of Lot 31,
Concession 4
APPLICANT: 1411069 ONTARIO INC. C/O
TOWNWOOD HOMES INC.

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The City Above Toronto

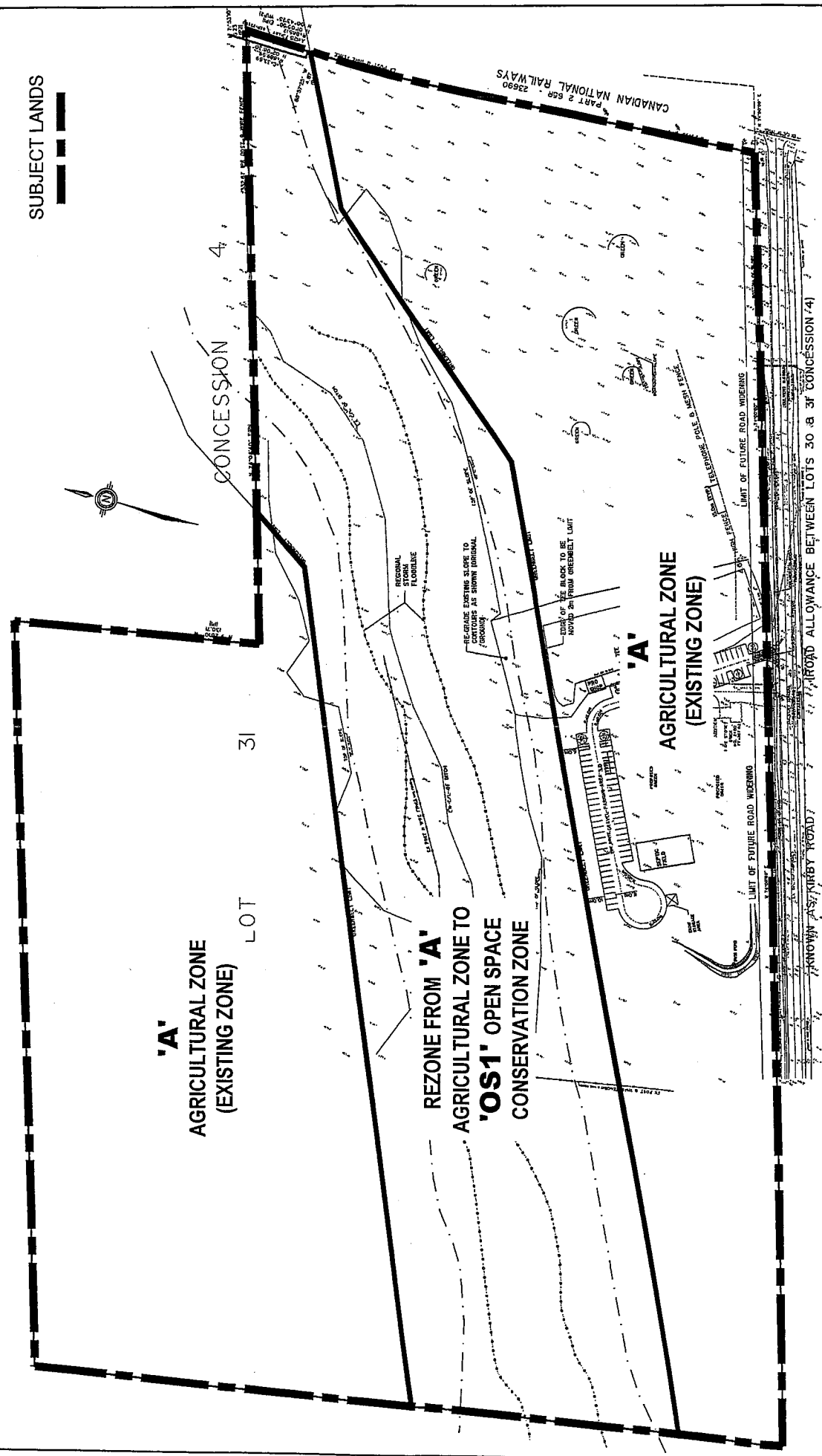
Development Planning Department

Attachment 5

FILE No's:
OP.05.022, Z.05.045
& DA.05.052

March 8, 2007

Not to Scale



SUBJECT LANDS