

COMMITTEE OF THE WHOLE JUNE 23, 2009

**ZONING BY-LAW AMENDMENT FILE Z.08.038
HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO
C/O ONTARIO REALTY CORPORATION
WARD 2**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.08.038 (Her Majesty the Queen in Right of Ontario c/o Ontario Realty Corporation) BE APPROVED, to amend By-law 1-88, specifically to permit a vehicle parking area associated with an existing auto repair shop located at 106 Regina Road, and to permit a contractor's yard for the outside storage of landscaping material and equipment associated with an existing landscaping company located at 111 Regina Road, both within the hydro corridor on lands zoned PB2 Parkway Belt Complementary Use Zone, as shown on Attachment #3.
2. THAT the parking area to be located within the hydro corridor and associated with the existing auto repair shop at 106 Regina Road, shall permit parking for operational vehicles and overflow parking, but shall not include the parking of wrecked vehicles and trailers, and shall not comprise a tow compound for vehicles.
3. THAT the implementing zoning by-law shall be enacted upon:
 - a) the final servicing requirements approved to the satisfaction of the Vaughan Engineering and Public Works Departments;
 - b) the final landscape plan and cost estimate being approved to the satisfaction of the Vaughan Development Planning Department; and,
 - c) the Owner submitting a Letter of Credit and inspection fee for the proposed landscape works, to the satisfaction of the Vaughan Development Planning Department.

Contribution to Sustainability

The proposed zoning amendment will allow two adjacent businesses to make use of a vacant hydro corridor that is currently underutilized. The development of the subject lands for future employment uses will also encourage a more sustainable approach to development by intensifying the land to make better use of municipal and regional services such as roads, water and sewage.

Economic Impact

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

Communications Plan

On September 12, 2008, a Notice of Public Meeting was circulated to all property owners within 120m of the subject lands, and to the West Woodbridge Homeowner's Association. To date, no comments have been received. The recommendation of the Committee of the Whole at the Public Hearing on October 6, 2008, to receive the Public Hearing report and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Council on October 27, 2008.

Purpose

The Owner has submitted an application to amend the Zoning By-law, specifically By-law 1-88, on the subject lands shown on Attachments #1 and #2, to permit a vehicle parking area associated with an existing auto repair shop located at 106 Regina Road, and to permit a contractor's yard for the outside storage of landscaping material and equipment associated with an existing landscaping company located at 111 Regina Road, within the hydro corridor on lands zoned PB2 Parkway Belt Complementary Use Zone, as shown on Attachment #3.

Background - Analysis and Options

Location

The subject lands shown on Attachments #1 and #2 are located south of Regional Road #7, and west of Martin Grove Road, more specifically on the east and west sides of Regina Road, being Parts 1 and 3 on Reference Plan 65R-12145, in Part of Lot 4, Concession 8, City of Vaughan. The surrounding land uses are shown on Attachment #2.

Official Plan

The subject lands are designated "Employment Area General" by OPA #450 (Employment Area Plan), which permits a wide range of employment uses. The lands were removed from the Parkway Belt West Plan in 1985 by PBWP Amendment #9. The proposed Zoning By-law Amendment conforms to the policies of the Official Plan.

Zoning

The subject lands are zoned PB2 Parkway Belt Complementary Use Zone by By-law 1-88. The proposal to permit a vehicle parking area and a contractor's yard for the outside storage of landscaping material and equipment (to serve the needs of adjacent employment uses) are not permitted in the PB2 Zone, and therefore, an amendment to By-law 1-88 is required.

Planning Considerations

The proposal to rezone the subject lands would allow two existing businesses in two multi-unit condominium buildings on both the west and east sides of Regina Road, north of the subject properties to utilize lands that are currently used by Hydro One as a hydro corridor. The lands are under the ownership of the Ministry of Public Infrastructure and Renewal (PIR) and coordinated through the Ontario Realty Corporation (ORC). ORC has granted a 5 year license to both business owners to utilize the subject lands for their current operations. ORC has no objection to the proposed development as the proposal to use the lands for vehicle parking and storage of landscaping materials will not interfere with the principle use of the land as a hydro transmission corridor.

The proposal to utilize the subject lands for a parking area and a contractors yard (storage of landscaping materials) is compatible with the surrounding employment uses adjacent to the site. Furthermore, the proposed development is consistent with the policies within the *Provincial Policy Statement (2005)* and the Places to Grow Plan, which encourages an appropriate mix of employment uses to serve the needs of existing and future businesses. Both yards will be enclosed with a 1.8 m high chain link fence with gate openings onto Regina Road. Both enclosures will be surfaced with gravel and include perimeter landscaping to screen the respective yards from the view of the adjacent road and employment uses.

In order to ensure that the parking area to be located within hydro corridor and associated with the existing auto repair shop at 106 Regina Road is not used to store wrecked vehicles, the implementing zoning will include provisions that will only permit parking for operational vehicles and overflow parking, but shall not include the parking of wrecked vehicles and trailers, and shall not comprise a tow compound for vehicles.

There are no proposed structures as a result of the proposed development, and therefore the proposed uses are not subject to a Site Development Application. As such, the Development Planning Department has requested the submission of a landscape plan, a landscape cost estimate and inspection fee, to ensure that the outside storage areas are appropriately screened

from adjacent uses and the public road. The final details must be approved to the satisfaction of the Development Planning Department, prior to the implementing zoning by-law being enacted.

Furthermore, the development proposes sewer connections within the site to provide adequate drainage of the lands into the existing municipal sewers on Regina Road. The Ontario Realty Corporation did not support the request from the Vaughan Engineering Department to require a Servicing Agreement registered on title for the proposed servicing connections. As an alternative, the Owner will be required to obtain a permit from the Vaughan Public Works Department for the required servicing connections to the existing municipal sewers and road works, prior to the implementing zoning by-law being enacted.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Vitality".

Regional Implications

There are no Regional issues associated with this application.

Conclusion

The proposed Zoning By-law Amendment application has been reviewed in accordance with the policies of OPA #450 (Employment Area Growth and Management Plan), the *Provincial Policy Statement (2005)*, the Places to Grow Plan, the requirements of By-law 1-88, the comments received from City Departments and external public agencies, and the surrounding area context. The Development Planning Department is satisfied that the proposal to permit a vehicle parking area associated with an existing auto repair shop located at 106 Regina Road, and to permit a contractor's yard for the outside storage of landscaping material and equipment associated with an existing landscaping company located at 111 Regina Road, both within the hydro corridor on lands zoned PB2 Parkway Belt Complementary Use Zone, as shown on Attachment #3, is appropriate and compatible with the existing and permitted uses in the surrounding area, subject to the recommendations in this report. On this basis, the Development Planning Department can support the approval of the Zoning By-law Amendment application.

Attachments

1. Context Map
2. Location Map
3. Development Concept

Report prepared by:

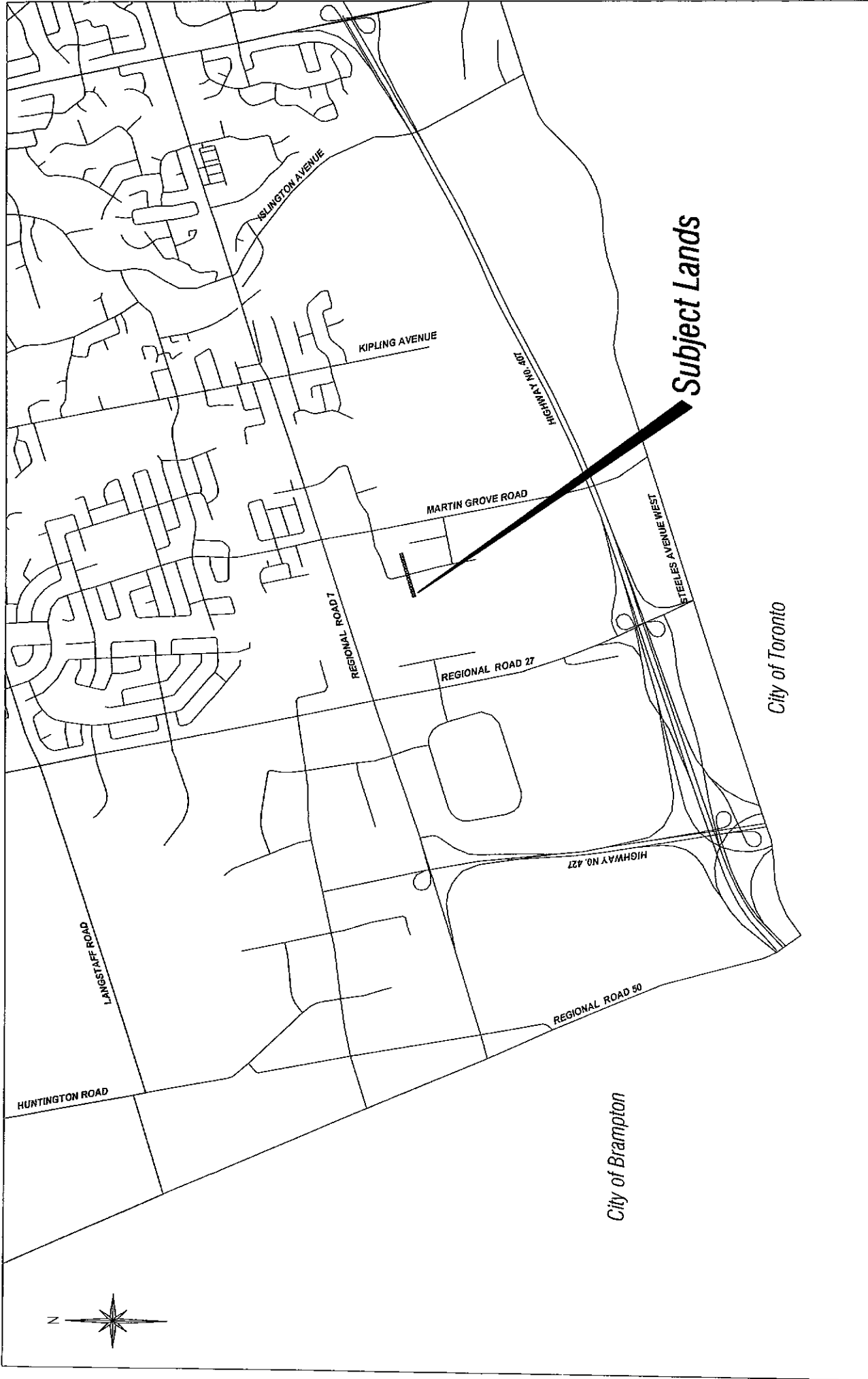
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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

GRANT UYEYAMA
Director of Development Planning

/LG



Context Location Map

Location:
Part of Lot 4, Concession 8

APPLICANT: HER MAJESTY THE QUEEN IN RIGHT
OF ONTARIO C/O ONTARIO REALTY CORPORATION

N:\DPT\1 ATTACHMENTS\2-08-038



The City Above Toronto

Development Planning Department

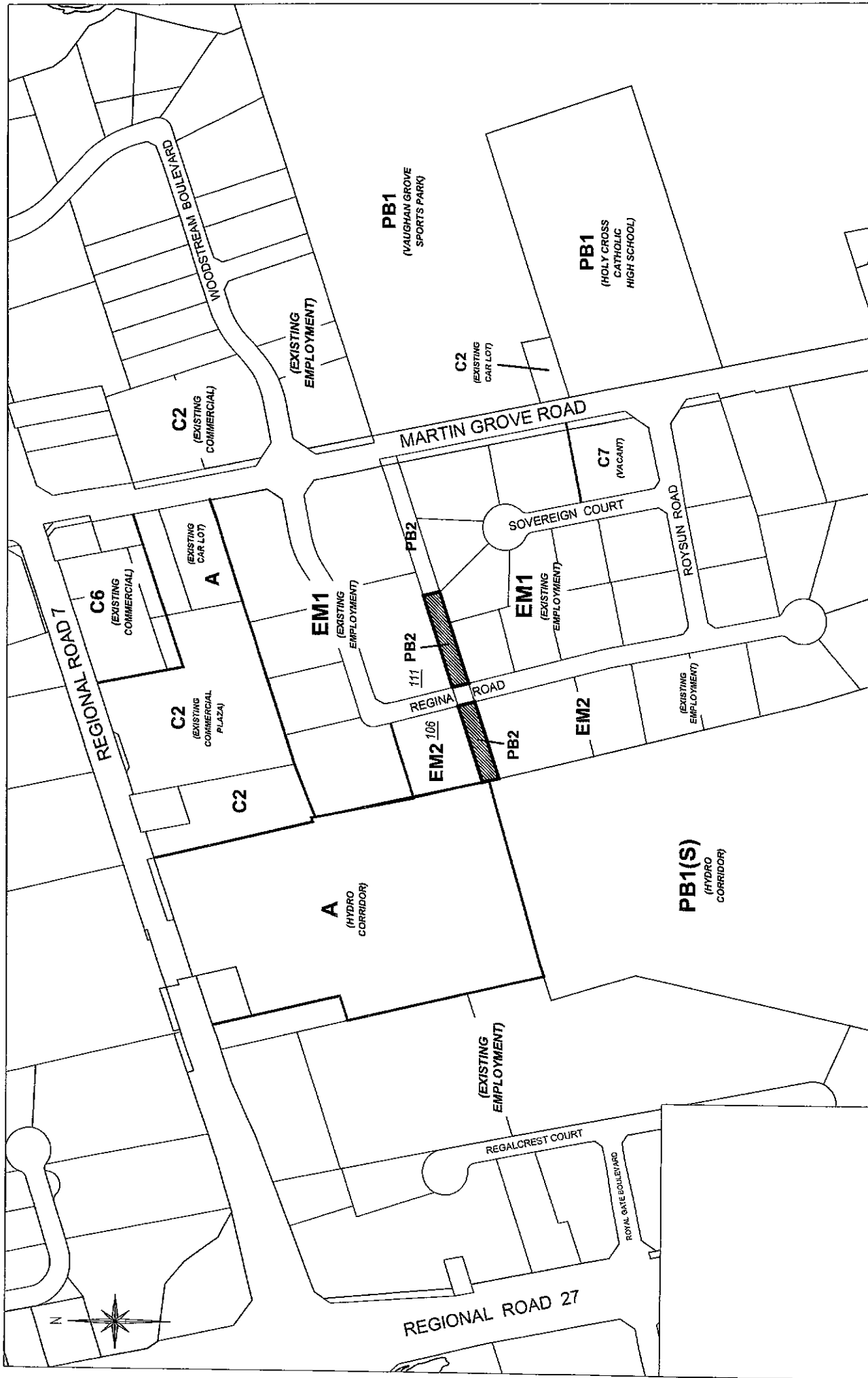
Attachment

1

FILE:
2.08.038

Not to Scale

Date:
June 18, 2009



FILE: Z.08.038
 Not to Scale
 Date: June 18, 2009



Development Planning Department

Location Map

Location: Part of Lot 4, Concession 8
 APPLICANT: HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO C/O ONTARIO REALTY CORPORATION
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