

**4. OFFICIAL PLAN AMENDMENT FILE OP.02.010
ZONING BY-LAW AMENDMENT FILE Z.02.038
FRANK MAMMONE
PRELIMINARY REPORT**

P.2002.40

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing for Files OP.02.010 and Z.02.038 (Frank Mammone) BE RECEIVED, and that any issues identified be addressed by Staff in a comprehensive report to the Committee of the Whole.

Purpose

On April 26, 2002, the Owner submitted an application to amend the Official Plan and Zoning By-law to permit a commercial use (sales establishment for used automobiles, including outside display of vehicles and a sales trailer), in the "EM1(H) Prestige Employment Area" designation and EM2 General Employment Area Zone. The application proposes the use on a temporary basis, for a maximum of three years, to be located on the front 0.6 ha portion of the 4.0 ha property.

Background - Analysis and Options

The subject lands are located on the west side of Jane Street, south of Rutherford Road (8940 Jane Street), in Lot 14, Concession 5, City of Vaughan. The 4.0 ha site has 98 m frontage and one access on Jane Street. There is a waste recycling use, including a building and outside container storage, on the rear (west) portion of the property, and a garage/maintenance building, greenhouse and residential dwelling on the front portion of site.

The surrounding land uses are:

- North - proposed shopping centre (C1-H Restricted Commercial Zone)
- South - proposed industrial/commercial (C7-H Service Commercial Zone and EM1-H Prestige Employment Area Zone)
- East - Jane Street; industrial (EM1 Prestige Employment Area Zone)
- West - proposed shopping centre (C1-H Restricted Commercial Zone)

The subject lands are designated "General Commercial" by OPA #512, which has been incorporated into OPA #600, and identified as part of the Vaughan Centre Secondary Plan Area. The lands are zoned EM1(H) Prestige Employment Area and EM2 General Employment Area Zones by By-law 1-88, subject to Exception Paragraph 9(881).

On May 10, 2002, a notice of public hearing was circulated to all property owners within 120m of the subject lands. To date, no responses have been received. Any comments received will be addressed in the technical report to the Committee of the Whole.

Preliminary Review

Following a preliminary review of the proposed applications, Staff have identified the following matters to be reviewed in greater detail:

- OPA #512 contains a number of provisions related to developing the subject lands in conjunction with the adjacent lands (proposed Vaughan Mills Mall), including a new east-west collector road that will traverse the subject lands opposite Locke Street; the temporary use is proposed pending development of the mall (currently scheduled to open in 2004);
- notwithstanding the provisions contained in the Official Plan relating to the proposed Vaughan Mills development, a motor vehicle sales establishment with outdoor storage and display of vehicles is a permitted use; however, as outdoor storage and display is not permitted within 150 m of Jane Street, an amendment to the Official Plan is required;
- in accordance with the Official Plan policies, any outdoor display shall not detract from the general character of the area and shall be properly landscaped;
- the EM1 and EM2 Zones allow a car brokerage use with no outside storage/display; the future C1 zoning of the property, which is subject to the issuance of an Ontario Municipal Board Order pending certain requirements being met, would allow a motor vehicle sales establishment use;
- the proposed use would abut the north edge of the future east-west road, which has not yet been conveyed/dedicated to the City as required under OPA #512;
- a site plan will be required to determine the nature and scale of the sales structure, the access and the landscaping proposed.

Conclusion

The above issues, but not limited to, will be considered in the technical review of the application, together with comments of the public and Council expressed at the public hearing or in writing, and be addressed in a comprehensive planning report to a future Committee of the Whole meeting.

A motor vehicle sales establishment is a permitted use, however, the outdoor storage/display of vehicles is not permitted within 150 m of Jane Street. A site plan to determine the nature and scale of the temporary structure, as well as to address access and landscaping, will be required prior to proceeding to the Committee of the Whole.

Attachments

1. Location Map
2. Site Plan

Report prepared by:

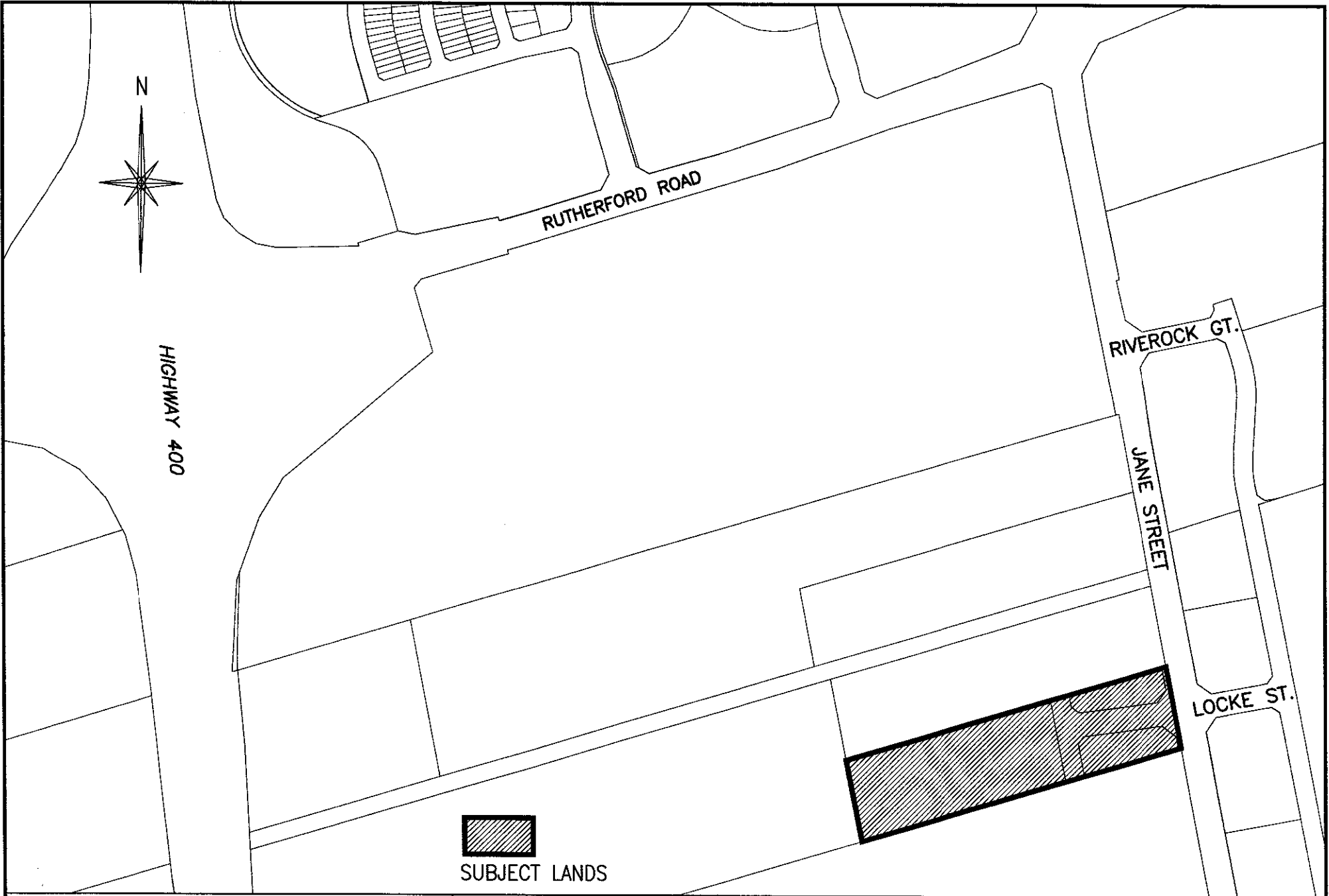
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Respectfully submitted,

MICHAEL DeANGELIS
 Commissioner of Planning

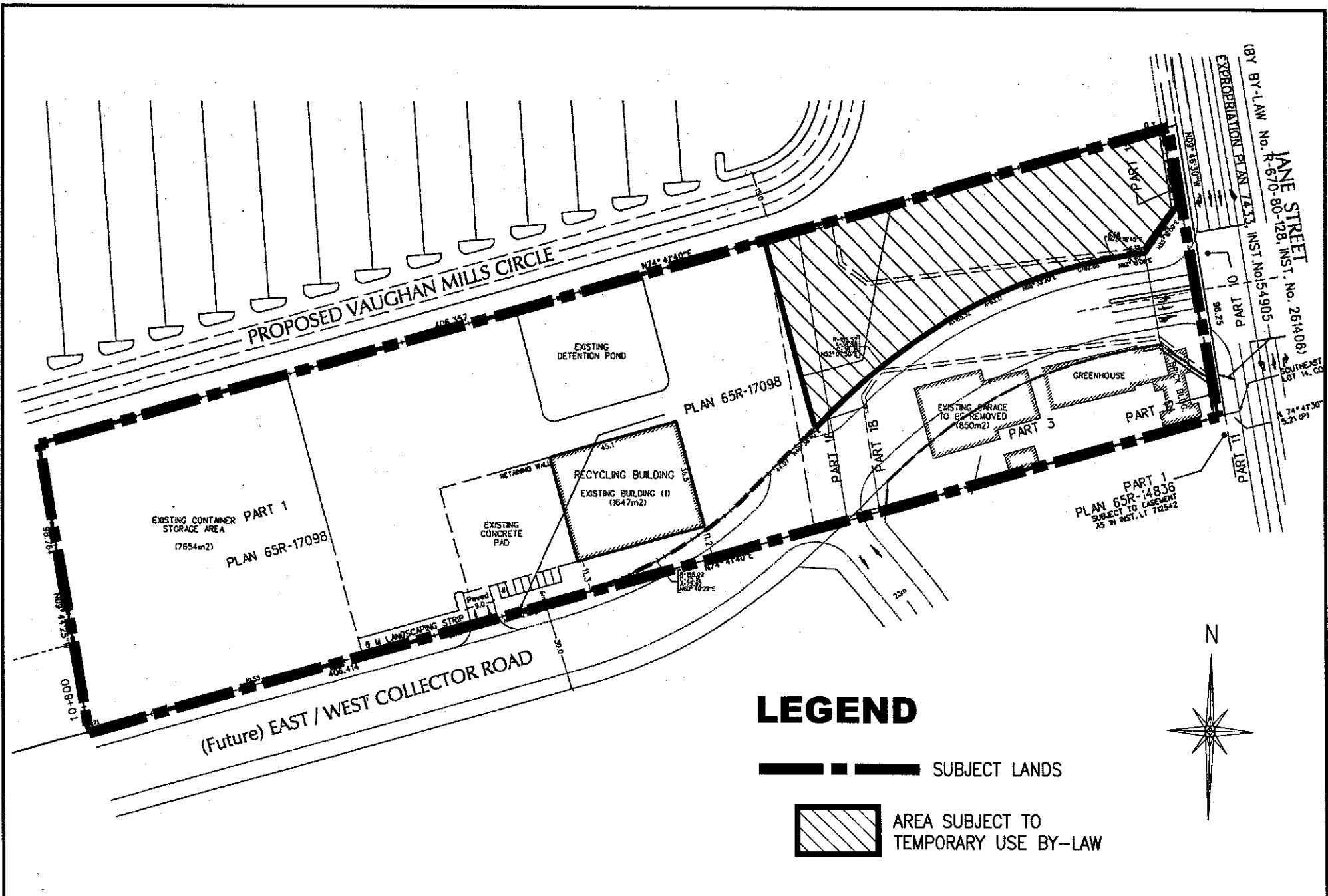
JOANNE R. ARBOUR
 Director of Community Planning

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ATTACHMENT '1'
LOCATION MAP

FILE #:	REPORT #:		DATE:	05/08/2002
OP.02.010 Z.02.038	LOCATION: PART OF LOT 14, CONCESSION 5	CITY OF VAUGHAN PLANNING DEPARTMENT	APPLICANT:	SCALE: NOT TO SCALE
			FRANK MAMMONE	



ATTACHMENT '2'
SITE PLAN

FILE #:	REPORT #:		DATE:	05/08/2002
OP.02.010 Z.02.038	LOCATION: PART OF LOT 14, CONCESSION 5	CITY OF VAUGHAN PLANNING DEPARTMENT	APPLICANT:	SCALE: NOT TO SCALE
			FRANK MAMMONE	