

**2.    ZONING BY-LAW AMENDMENT FILE Z.06.021  
HILTON STEIN (1487224 ONTARIO INC.)**

**P.2006.33**

**Recommendation**

The Commissioner of Planning recommends:

THAT the Public Hearing report for File Z.06.021 (Hilton Stein 1487224 Ontario Inc.) 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 an application to amend the Zoning By-law on the subject lands shown on Attachment #1, to permit the continued operation of a Public Garage use for the repair and servicing of automobiles in the EM1 Prestige Employment Area Zone, on a permanent basis, within Units #1 and #2 of a multi-unit industrial condominium building as shown on Attachment #2. The 3 year temporary use by-law lapsed on December 4, 2005.

**Background - Analysis and Options**

The subject lands shown on Attachment #1 are located on the west side of Dufferin Street, through to Fernstaff Court and north of Langstaff Road, described as Units 1 and 2 of York Region Condominium Corporation No. 547, (91 Fernstaff Court), City of Vaughan. The rectangular-shaped 1.53ha through lot has 106.8m frontage on both Dufferin Street and Fernstaff Court, and a depth of 144.1m. The site is developed with two, 12 unit, single storey industrial buildings.

The subject lands are designated "Prestige Area" by OPA #450 (Employment Area Plan) and zoned EM1 Prestige Employment Area Zone by By-law 1-88, subject to Exception 9(1157). The surrounding land uses are as follows:

- North - employment area (EM1 Prestige Employment Area Zone)
- South - vacant/employment Area (EM1 Prestige Employment Area Zone)
- East - Dufferin Street; woodlot (OS4 Open Space Woodlot Zone)
- West - Fernstaff Court; employment area (EM2 General Employment Area Zone)

**History**

On April 15, 2002, Council refused the Development Planning Department's recommendation to approve Zoning By-law Amendment File Z.01.061 (Hilton Stein 1487224 Ontario Inc.) to permit a Public Garage use with no outdoor storage of vehicles in the EM1 Prestige Employment Area Zone for Units 1 and 2 of York Region Condominium Corporation No. 547.

On May 29, 2002, the applicant appealed Council's decision to the Ontario Municipal Board (OMB) and a hearing was conducted on September 16, 2002. On December 4, 2002, the OMB issued a Decision and Order (No. 1653) to approve (OMB File Z020060) a three-year temporary by-law (By-law 16-2003) to permit a Public Garage use on the subject lands with no outdoor storage of vehicles.

The "Prestige Area" designation permits a wide range of industrial, office, business and civic uses, with no outside storage. The proposed public garage use conforms to the Official Plan. The EM1 Zone permits a public garage use for the care, repair or equipping of motor vehicles, excluding antibody repair shop, provided it was legally existing as of the date of the enactment of By-law 80-95; the existing public garage was not in existence prior to April 10, 1995. However, site-specific By-law 16-2003, which was approved by the OMB as a three year temporary by-law, lapsed December 4, 2005, and therefore requires an amendment to the Zoning By-law to permit the use on the property, however, on a permanent basis.

On April 7, 2006, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to the Concord West Ratepayers' Association. To date, no comments have been received. Any responses received will be addressed in the technical review and included in a comprehensive report to a future Committee of the Whole meeting.

### **Preliminary Review**

Following a preliminary review of the proposed application, the Development Planning Department has identified the following matters to be reviewed in greater detail:

- i) review will be given to the appropriateness of the proposed continued operation of the public garage (does not include outdoor storage of vehicles) as a permanent use, and compatibility of the proposal with the other permitted uses on the property and in the surrounding area; and,
- ii) review will be given to the history of the use over the last 3 years to verify if any complaints have been received by the By-law Enforcement Department, and with respect to compliance with all by-law requirements.

### **Relationship to Vaughan Vision 2007**

The applicability of the application 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 application, 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, the appropriateness of the continued operation of the public garage use on a permanent basis within Units #1 and #2, in the EM1 Prestige Employment Area Zone, will be reviewed.

### **Attachments**

1. Location Map
2. Existing Site Plan Context

**Report prepared by:**

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Arto Tikiryan, Senior Planner, ext. 8212

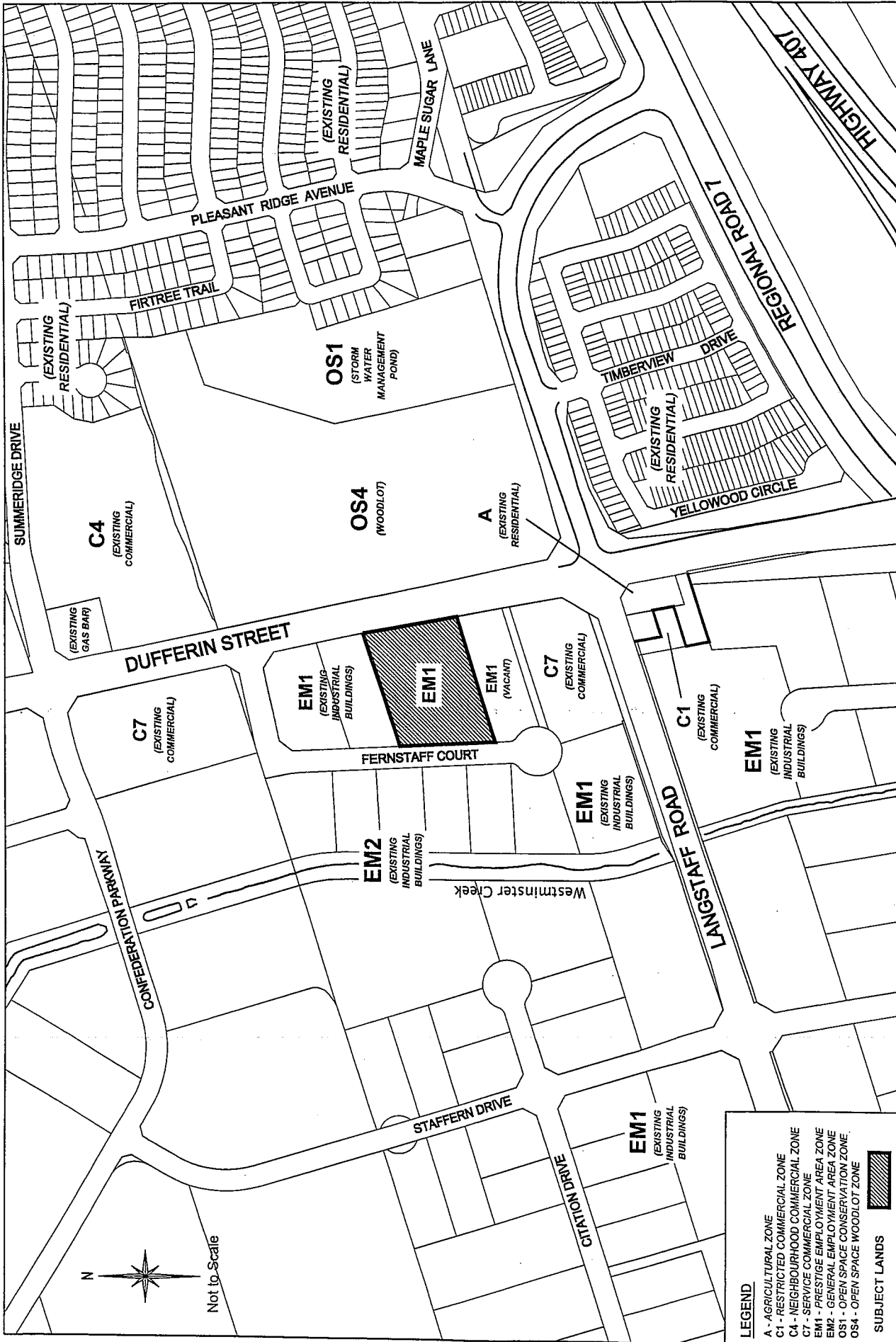
Grant Uyeyama, Manager of Development Planning, ext. 8635

Respectfully submitted,

JOHN ZIPAY  
Commissioner of Planning

MARCO RAMUNNO  
Director of Development Planning

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**LEGEND**

- A - AGRICULTURAL ZONE
- C1 - RESTRICTED COMMERCIAL ZONE
- C4 - NEIGHBOURHOOD COMMERCIAL ZONE
- C7 - SERVICE COMMERCIAL ZONE
- EM1 - PRESTIGE EMPLOYMENT AREA ZONE
- EM2 - GENERAL EMPLOYMENT AREA ZONE
- OS1 - OPEN SPACE CONSERVATION ZONE
- OS4 - OPEN SPACE WOODLOT ZONE

**SUBJECT LANDS**

EM1 (EXISTING INDUSTRIAL BUILDINGS)

# Location Map

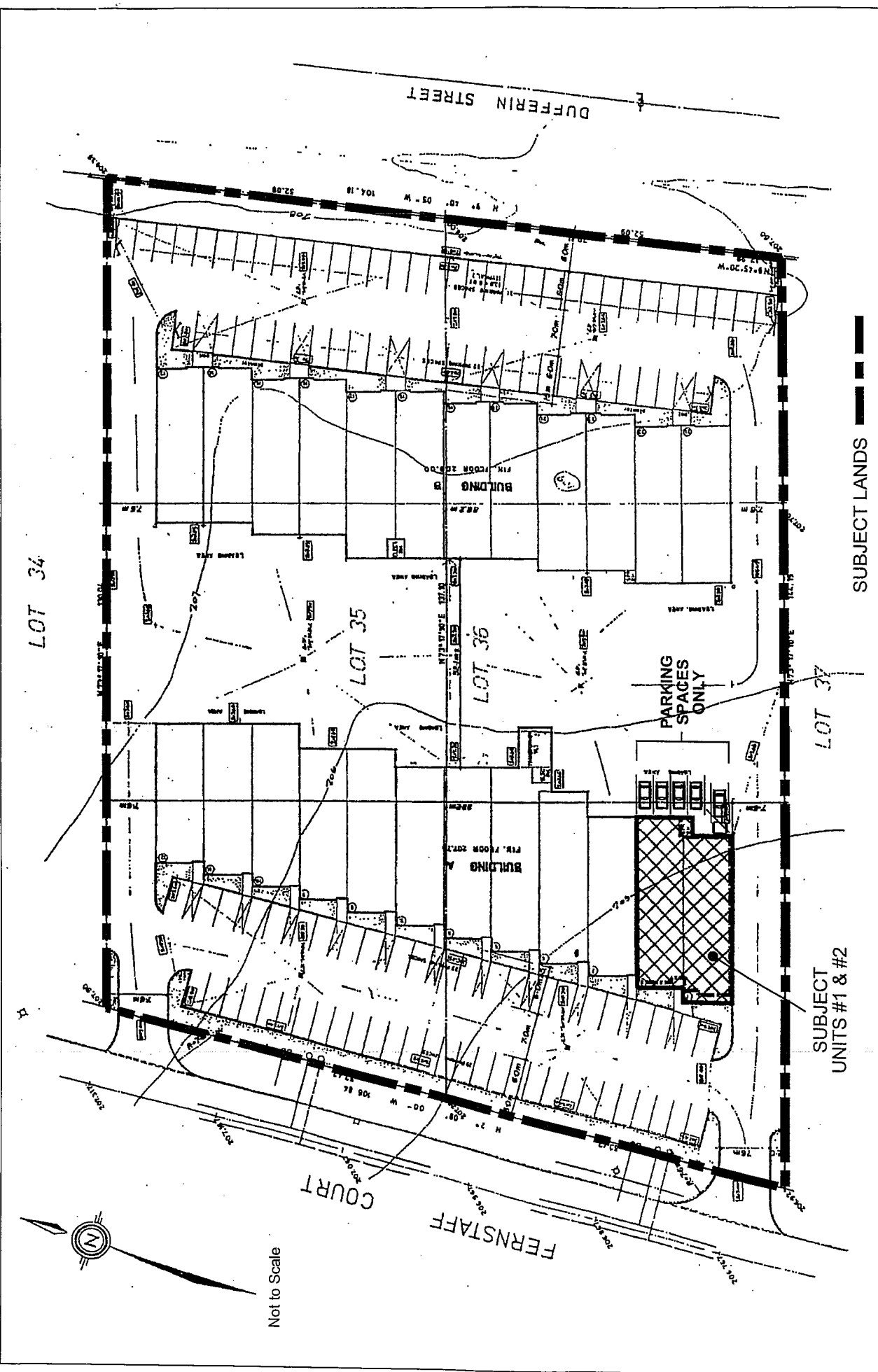
Lot 11,  
Concession 3  
APPLICANT:  
HILTON STEIN (1487224 ONTARIO INC.)  
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Development Planning Department

# Attachment 1

FILE No.:  
Z.06.021  
RELATED FILE:  
Z.01.061  
April 20, 2006



**Attachment 2**  
 FILE No.: Z.06.021  
 RELATED FILE: Z.01.061  
 April 20, 2006

City of **Vaughan**

Development Planning Department

**Existing Site Plan Context**

Lot 11,  
 Concession 3  
 APPLICANT:  
 HILTON STEIN (1487224 ONTARIO INC.)  
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SUBJECT UNITS #1 & #2

SUBJECT LANDS