

COMMITTEE OF THE WHOLE FEBRUARY 23, 2010

**ZONING BY-LAW AMENDMENT FILE Z.09.033
1806878 ONTARIO INC.
WARD 4**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.09.033 (1806878 Ontario Inc.) BE APPROVED, specifically to amend By-law 1-88 for the subject lands shown on Attachments #1 and #2, to permit a public garage (specifically for the installation of boom lifts on trucks) as an additional use in the EM1 Prestige Employment Area Zone within the existing employment building (with no outside storage) as shown on Attachment #3.

Contribution to Sustainability

The applicant is proposing to permit an additional use in an existing building. No changes are being proposed to the site or building.

Economic Impact

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

Communications Plan

On November 6, 2009, a Notice of Public Hearing was circulated to all property owners within 150m of the subject lands and to the Concord West Ratepayers Association. To date, no written comments have been received by the Development Planning Department.

At the Public Hearing on December 1, 2009, a concern was raised from the neighbour to the north with respect to the outside storage of a derelict vehicle being parked/stored outside. The applicant advised the neighbour that there would be no outside storage required for the proposed use.

The recommendation of the Committee of the Whole to receive the Public Hearing report of December 1, 2009, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Council on December 14, 2009.

Purpose

To amend the City's Zoning By-law 1-88, specifically the EM1 Prestige Employment Area Zone, to permit the additional use of a public garage (installation of boom lifts on trucks), wholly enclosed within the existing employment building and with no outside storage, as shown on Attachment #3.

Background - Analysis and Options

Location

The subject lands shown on Attachments #1 and #2 are located at 266 North Rivermede Road, south of Langstaff Road and west of Dufferin Street, being Lot 8 on Plan 65M-2223, in Part of Lot 8, Concession 3, 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 Growth and Management Plan), which accommodates uses that do not require high visual exposure, provides locational opportunities for industrial developments which may require outside storage or be undertaken outdoors, and that facilitates a broad range of lot sizes and a diversity of building forms in order to meet the needs of any business or industry. Permitted uses include a full range of processing, warehousing and outside storage and transportation and distribution facilities. The proposed public garage will not require any outside storage, which is not being proposed, and conforms to the policies of the Official Plan.

Zoning

The subject lands are zoned EM1 Prestige Employment Area Zone by Zoning By-law 1-88. The proposed public garage use is not permitted in an EM1 Prestige Employment Area Zone, and therefore, an amendment to the Zoning By-law is required. The EM1 Zone does not permit outside storage, which is not required nor proposed by the applicant. Generally, the implementing zone category for lands designated "Employment Area General" by the Official Plan and located internal to an employment area is the EM2 General Employment Area Zone, which would permit the proposed public garage use as-of-right.

Planning Considerations

The proposed application to permit an exception to the EM1 Prestige Employment Area Zone of By-law 1-88, on the subject lands, to facilitate a public garage use (installation of boom lifts on trucks) conforms with the Official Plan, and the proposed use would be consistent and compatible with the existing prestige employment land uses and zoning for the abutting properties. Although the "Employment Area General" designation in OPA #450 would permit outside storage on the subject lands, the applicant has indicated that all of the operations will be conducted completely within a wholly enclosed building. The continued restriction of outside storage on the property will maintain the "Prestige Area" appearance of this portion of the employment area and will address the concern raised by an adjacent neighbour with respect to the storing of goods outside of the building, which will not be permitted.

The building is currently outfitted with the necessary equipment (e.g. lifts, hoists, etc.) for the proposed public garage as a result of the previous operations in the building. The proposed Zoning By-law Amendment Application, if approved, will allow the applicant to utilize the existing building for the proposed operations. There are no other changes proposed to the existing building or on-site configuration.

For these reasons, the Development Planning Department has no objections to the approval of the Zoning By-law Amendment Application to permit a public garage (specifically for the installation of boom lifts on trucks) as an additional permitted use in the EM1 Prestige Employment Area Zone within an existing employment building and with no outside storage.

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

The property is located internal to an employment area subdivision, and does not affect lands owned by the Region of York.

Conclusion

The Zoning By-law Amendment Application has been reviewed in accordance with the policies of OPA #450 (Employment Area Growth and Management 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 public garage (specifically for the installation of boom lifts on trucks) within the existing building, and with no outside storage on the subject lands, is appropriate and compatible with the surrounding employment uses. On this basis, the Development Planning Department can support the approval of the Zoning By-law Amendment Application, subject to the recommendation of this report.

Attachments

1. Context Location Map
2. Location Map
3. Survey Plan

Report prepared by:

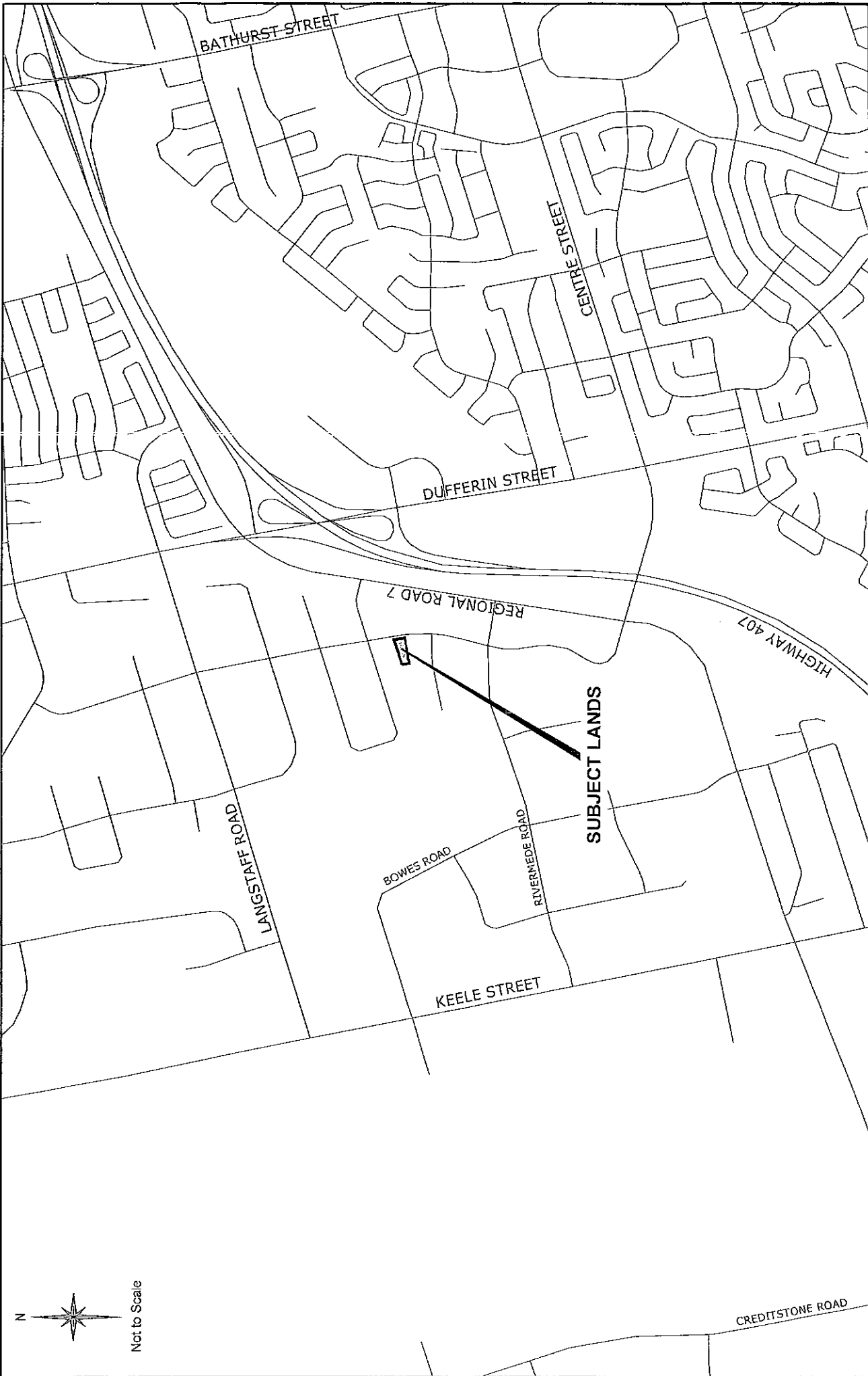
Ryan Mino, Planner, ext. 8213
Carmela Marrelli, Senior Planner, ext. 8791
Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

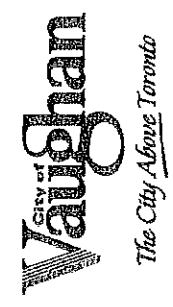
JOHN ZIPAY
Commissioner of Planning

GRANT UYEYAMA
Director of Development Planning

/CM



Attachment



Development Planning Department

File: Z.09.033
Date: January 28, 2010

Context Location Map

Location: Part of Lot 8,
Concession 3

Applicant:
1806878 Ontario Inc.

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- Legend**
- EM1 - PRESTIGE EMPLOYMENT AREA ZONE
 - EM2 - GENERAL EMPLOYMENT AREA ZONE
 - PB1(S) - PARKWAY BELT LINEAR FACILITIES ZONE
 - OS1 - OPEN SPACE CONSERVATION ZONE
 - SUBJECT LANDS

Location Map

Location: Part of Lot 8,
Concession 3

Applicant:
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The City Above Toronto
Development Planning Department

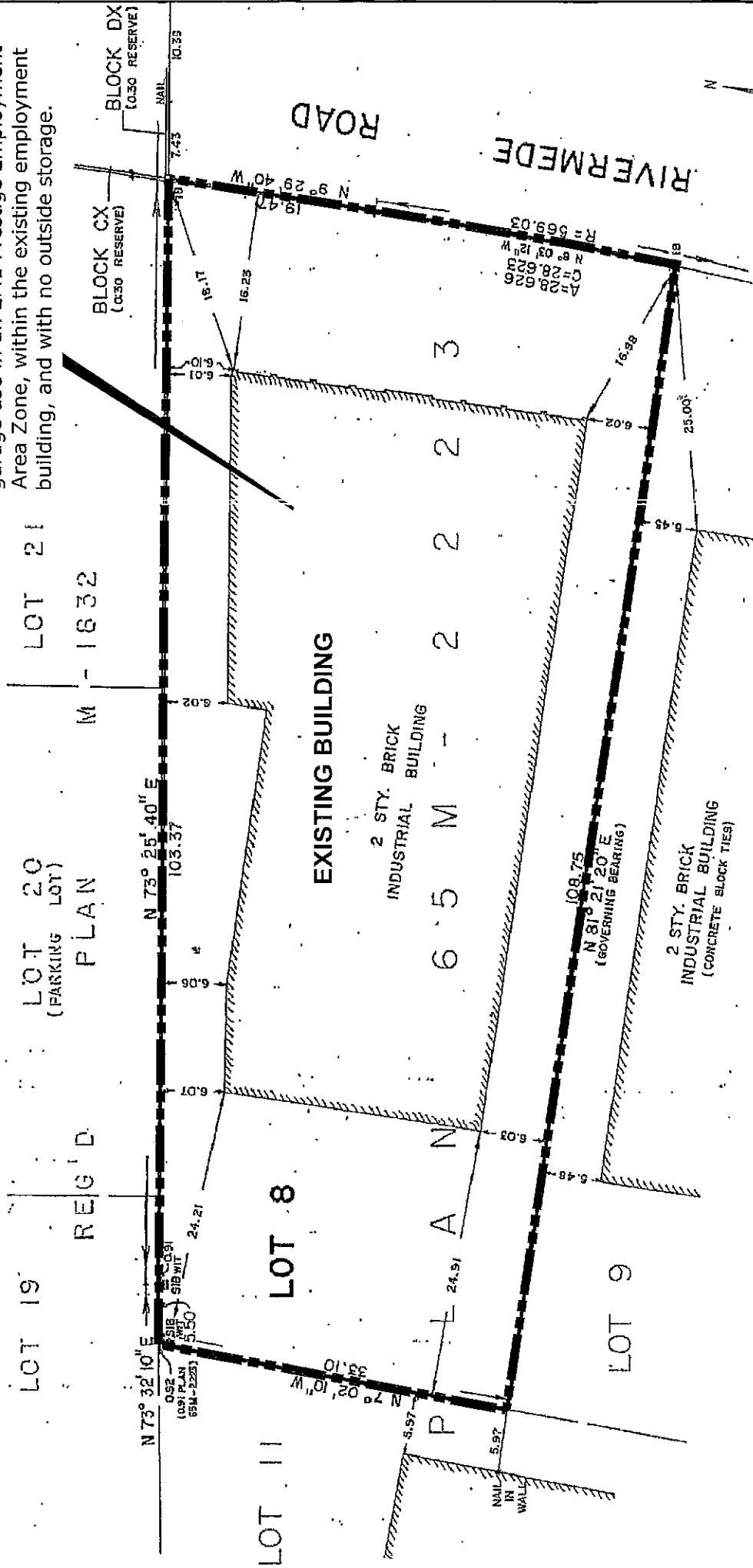
Attachment

File: Z.09.033
Date: January 28, 2010

2

ZONING AMENDMENT

Amend By-Law 1-88 to permit a public garage use in an EM1 Prestige Employment Area Zone, within the existing employment building, and with no outside storage.



SUBJECT LANDS

Survey Plan

Location: Part of Lot 8,
Concession 3

Applicant:
1806878 Ontario Inc.



The City Above Toronto

Development Planning Department

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January 28, 2010