

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 28, 2014

By approving the following as set out in Communication C3 from the Commissioner of Planning, dated January 23, 2014:

That this Communication, be received, as information.

**4 ZONING BY-LAW AMENDMENT FILE Z.11.030
 SITE DEVELOPMENT FILE DA.12.106
HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO, C/O INFRASTRUCTURE ONTARIO
WARD 4 - VICINITY OF JANE STREET AND HIGHWAY #407**

- 1) That the recommendation contained in the following report of the Commissioner of Planning and the Director of Development Planning, dated January 14, 2014, be approved; and
- 2) That staff be requested to provide a report to the Council meeting of January 28, 2014, on the applicable zoning and on any implications that the additional off-site parking may have on any future development applications for the applicant's site and Infrastructure Ontario lands.

The Commissioner of Planning and the Director of Development Planning recommend:

1. THAT Zoning By-law Amendment File Z.11.030 (Her Majesty the Queen in Right of Ontario, c/o Infrastructure Ontario) BE APPROVED, to amend Zoning By-law 1-88, specifically to permit an interim private parking lot with a total of 126 spaces in the PB2 Parkway Belt Complementary Use Zone, for use by an adjacent employment building (7171 Jane Street) as shown on Attachments #3 and #4, subject to the implementing zoning by-law including the following provisions:
 - a) the private parking lot with a total of 126 spaces shall be permitted to exist until such time as the subject lands are required by Infrastructure Ontario for the purposes of the utility corridor and/or other related future public uses, as permitted by the Parkway Belt West Plan; and,
 - b) the exceptions to Zoning By-law 1-88 identified in Table 1 of this report.
2. THAT Site Development File DA.12.106 (Her Majesty the Queen in Right of Ontario, c/o Infrastructure Ontario) BE APPROVED, to permit the development of a parking lot to serve the adjacent employment property to the north (7171 Jane Street), as shown on Attachments #3 and #4, subject to the following conditions:
 - a) that prior to the execution of the Site Plan Letter of Undertaking:
 - i) the Owner shall satisfy all requirements of the Region of York Transportation and Community Planning Department.

The application implements the following Goal and Objective of Green Directions Vaughan:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 28, 2014

Item 4, CW Report No. 1 – Page 2

Goal 4: To create a vibrant community where citizens, businesses and visitors thrive.

- Objective 4.2: Ensure that the City of Vaughan attracts businesses and investment that will result in well-paying jobs for Vaughan citizens, a sustainable tax base and continuing prosperity into the 21st century.

Economic Impact

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

Communications Plan

On October 21, 2011, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands. No comments were received by the Development Planning Department through the notice circulation. The recommendation of the Committee of the Whole to receive the Public Hearing report of November 15, 2011, was ratified by Council on November 29, 2011.

Purpose

The Applicant (Stellarbridge Management Inc.) has submitted the following applications for the subject lands shown on Attachments #1 and #2:

1. Zoning By-law Amendment File Z.11.030, specifically to amend Zoning By-law 1-88:
 - i) to permit an interim private parking lot with a total of 126 spaces as a permitted use in the PB2 Parkway Belt Complementary Use Zone, as shown on Attachments #3 and #4; and,
 - ii) to permit the following site-specific exceptions to the PB2 Parkway Belt Complementary Zone standards:

Table 1:

	By-law Standard	By-law 1-88, PB2 Parkway Belt Complementary Use Zone	Proposed Exceptions to the PB2 Parkway Belt Complementary Use Zone
a.	Minimum Number of Handicapped Parking Spaces	2 spaces	0 spaces
b.	Location of Parking	All parking is to be provided and maintained on the lot for which a building is erected	Parking shall be permitted to serve the adjacent building located on the adjacent property to the north (7171 Jane Street)

2. Site Development File DA.12.106 to facilitate the development of an interim private parking lot with a total of 126 spaces to serve the adjacent property to the north (7171 Jane Street).

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 28, 2014

Item 4, CW Report No. 1 – Page 3

Background - Analysis and Options

Location

The subject lands shown on Attachments #1 and #2 are located east of Jane Street, and south of Highway #407, in the City of Vaughan. The surrounding land uses are shown on Attachment #2.

Official Plan

a) In-effect City Official Plan/Parkway Belt West Plan

The subject lands are designated “Electric Power Facility” within the “Public Use Area” by the Provincial Parkway Belt West Plan (PBWP), which the City of Vaughan has adopted as its Official Plan (in-effect), for this area. Section 5.4 of the PBWP permits inter-regional linear facilities, open space uses and interim uses. The “Electric Power Facility” within the “Public Use Area” designation does not permit private uses such as the proposed private parking lot.

The Owner submitted an application to the Ministry of Municipal Affairs and Housing (Ministry File No. 19-DP-1500-11014) to amend the PBWP in order to permit the proposed private parking lot within the “Public Use Area” designation. On October 21, 2013, the subject lands were approved by the Ministry of Municipal Affairs and Housing (Amendment No. 209) to permit the use of an interim private surface parking lot, until such time as the subject lands are required for the purposes of the utility corridor and/or other related future public uses, as permitted by the PBWP.

b) New City of Vaughan Official Plan

The subject lands are designated “Parkway Belt West Lands” by the new City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified September 27, 2011, March 20, 2012, and April 17, 2012), and further modified and endorsed by Region of York Council on June 28, 2012, and approved, in part, by the Ontario Municipal Board on July 23, 2013. Land use designations and policies are deferred to the PBWP.

c) Adjacent Property at 7171 Jane Street

The adjacent employment lands at 7171 Jane Street (owned by Stellarbridge Management Inc.) are designated “Prestige Area” by in-effect OPA #450 (Employment Area Plan) and “Prestige Employment” by the new City of Vaughan Official Plan 2010. These lands were removed from the PBWP as per Amendment No. 106, which was approved by the Minister of Municipal Affairs and Housing on November 28, 1996. The subject lands located within the Parking Belt are proposed to be rezoned to facilitate an interim parking lot with 126 spaces to serve as additional parking for the existing employment use at 7171 Jane Street.

d) Earlier Official Plan Amendment Application OP.11.006

The Applicant originally submitted the proposal with the intent to remove the lands from the PBWP in order to permit the proposed private parking lot. As a result, the Applicant was required to submit an Official Plan Amendment Application (File OP.11.006) to remove the subject lands from the Parkway Belt and redesignate the lands from “Public Use Area - Electric Power Facility” under the PBWP to “Prestige Area” under the City’s Employment Area Plan (OPA #450).

Through the City’s circulation process, Enbridge Gas Distribution (Enbridge) objected to the proposed removal of the lands from the PBWP, as Enbridge currently uses the lands for a 36” gas main, and may require the lands in the future as additional natural gas supplies increase through urban growth in the Greater Toronto Area. Removing the lands from the Parkway Belt West Plan may restrict the ability for Enbridge to install the necessary gas infrastructure to supply

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 28, 2014

Item 4, CW Report No. 1 – Page 4

future growth. Enbridge indicated that it has no objections to the proposed private parking lot, provided that the subject lands remain designated “Public Use Area – Electric Power Facility” under the PBWP, and that the proposed parking lot does not restrict the use of the subject lands for possible future gas main installation.

Accordingly, the Applicant amended their proposal to maintain the “Public Use Area – Electric Power Facility” designation under the PBWP for the subject lands, and has agreed to permit the proposed private parking lot on an interim basis, until such time as the subject lands are required for the purposes of the utility corridor and/or other related future public uses. Since the lands will be maintained under the PBWP, an application to amend the Official Plan is not required, as the lands will continue to be recognized as part of the “Parkway Belt West Plan”.

Zoning

The subject lands are zoned PB2 Parkway Belt Complementary Use Zone by Zoning By-law 1-88. The PB2 Zone permits public uses only, including a public park, community park, playground, road allowance or memorial site by the City, Region of York or other Government Authority. The use of a parking lot is not a permitted use in the PB2 Parkway Belt Complementary Use Zone. The Owner has submitted Zoning By-law Amendment File Z.11.030 to amend Zoning By-law 1-88, specifically to permit a private parking lot on the subject lands together with the necessary zoning exceptions identified in Table 1.

Pursuant to the approved PBWP Amendment No. 209, the implementing Zoning By-law will permit the use of a private parking lot, until such time as the subject lands are required for the purposes of the utility corridor and/or other related future public uses, as permitted by the Parkway Belt West Plan.

The proposed parking lot is intended to serve the adjacent employment property to the north of the subject lands known as 7171 Jane Street, as shown on Attachment #2. The requested exception to permit zero (0) handicapped parking spaces is appropriate given that the proposal is to facilitate a surplus parking area to supplement the existing parking supply located at 7171 Jane Street, which already facilitates the required handicapped spaces in the vicinity of the main entrance to the building. In addition, the proposed off-site parking is located approximately 35 m away from the main entrance of the existing industrial building, whereas the location of handicapped parking spaces must be located on the shortest possible accessible route to the main building entrance. Accordingly, the Development Planning Department has no objections to this zoning exception.

Section 3.8 of Zoning By-law 1-88 stipulates that all parking is to be provided and maintained on the lot for which a building is erected. The Owner submitted an Application for Minor Variance (File A234/13) for 7171 Jane Street to permit off-site parking, which the Development Planning Department supported. On November 7, 2013, Minor Variance Application A234/13 was approved by the Vaughan Committee of Adjustment. A similar exception to permit off-site parking on the subject lands will be included in the implementing Zoning By-law.

Canadian National Railway

The subject lands abut the Canadian National Railway to the south. The Owner is proposing a 1.2 m high chain link fence along the entire length of the mutual property line between the subject lands and the CN Rail lands, and further extending the fence 25 m along the west property line, as shown on Attachment #3. CN Rail has reviewed the proposal and has no objections or concerns.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 28, 2014

Item 4, CW Report No. 1 – Page 5

Enbridge Gas Distribution

Enbridge Gas Distribution has reviewed the proposal and has no comments or concerns with respect to the applications.

Hydro One

Hydro One has reviewed the proposal and has no comments or concerns with respect to the applications.

Vaughan Development/Transportation Engineering Department

The Vaughan Development/Transportation Engineering Department has reviewed the subject Zoning By-law Amendment and Site Development applications and has no objection to its approval.

Site Plan Review

The proposed private parking lot contains a total of 126 parking spaces to serve the existing industrial building located on the adjacent property to the north (Noble Trade Offices & Distribution Centre), as shown on Attachment #3. The proposed parking area will be served by two (2) access points from an existing driveway aisle located at 7171 Jane Street. A pedestrian connection linking the parking lot to the existing building is proposed on the east side of the subject lands. The landscape plan consists of a mix of coniferous and deciduous trees and ground plantings, as shown on Attachment #4. The Development Planning Department has reviewed the proposed site plan and landscape plan, and has no objections to the proposal.

The Owner has indicated that additional parking and landscaping is proposed in the future for the adjacent property to the north (7171 Jane Street), in the area shown on Attachment #3. The Owner will be required to submit a future Site Development Application for 7171 Jane Street to permit the proposed parking and landscaping, as shown on Attachment #3.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the following initiatives set forth in the Vaughan Vision 2020/Strategic Plan:

i) Manage Growth and Economic Well-being

The proposed development implements the City's current Official Plan and the Growth Management Strategy as set in Vaughan Official Plan 2010.

Regional Implications

The Region of York Transportation and Community Planning Department has reviewed the proposal and has no objections to the proposed development, subject to the Owner obtaining a Road Occupancy Permit to facilitate the construction of the parking lot, prior to commencing any work that may affect the Regional right-of-way (Jane Street). The Region requests that prior to final site plan approval by the City of Vaughan that the City be in receipt of a signed approval letter from the Region.

A condition of approval is included in the recommendation requiring the Owner to satisfy all requirements of the Region of York Transportation and Community Planning Department.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 28, 2014

Item 4, CW Report No. 1 – Page 6

Conclusion

Zoning By-law Amendment File Z.11.030 and Site Development File DA.12.106 has been reviewed in accordance with the policies of the Parkway Belt West Plan, Zoning By-law 1-88, and comments received from City Departments and external public agencies. The Vaughan Development Planning Department is satisfied that the proposal to amend Zoning By-law 1-88, to permit an interim private parking lot is appropriate and compatible with the existing and permitted uses in the surrounding area, and conforms to the Parkway Belt West Plan and the City's Official Plan. Accordingly, the Development Planning Department can support the approval of the Zoning By-law Amendment and Site Development files, subject to the recommendations in this report.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Landscape Plan

Report prepared by:

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(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)