

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 21, 2018**

Item 1, Report No. 7, of the Committee of the Whole (Public Hearing), which was adopted, as amended, by the Council of the City of Vaughan on February 21, 2018, as follows:

*By receiving Communication C2, from Mr. Luc Gagnon, EXFO, Godin Avenue, Quebec City, Quebec, dated February 6, 2018.*

#### **1                    ZONING BY-LAW AMENDMENT FILE Z.17.008                          TA & RY INVESTMENTS LIMITED                          VICINITY OF STEELES AVENUE WEST AND KEELE STREET**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management, dated February 6, 2018, be approved;
- 2) That the following deputations, be received:
  1. Mr. Peter Chee, Miko Urban Consulting Inc., High Street, Toronto, representing the applicant;
  2. Mr. Amir Tal, applicant;
  3. Mr. Luciano Carona, Willis Investment Corporation, Veneto Drive, Woodbridge, and communication C5, dated February 1, 2018; and
  4. Ms. Iuna Barone, Zinnia Place, Woodbridge, and communications C1, dated January 17, 2018, C2, dated January 15, 2018, C3, dated January 16, 2018, and C7, dated February 5, 2018; and
- 3) That the following communications, be received:  
**C4     Mr. John Ferraro, Drumlin Circle, dated January 31, 2018;**  
**C6     Ms. Susan Landolfi, Drumlin Circle, dated February 2, 2018; and**  
**C8     Ms. Dora Corona, dated February 6, 2018.**

#### **Purpose**

To receive comments from the public and the Committee of the Whole on Zoning By-law Amendment File Z.17.008 for the subject lands shown on Attachments #1 and #2, to amend Zoning By-law 1-88 to define and permit the continued use of a material recovery facility within a wholly enclosed building, as shown on Attachment #3, together with the site-specific zoning exceptions identified in Table 1 of this report.

#### **Recommendation**

1. THAT the Public Hearing report for File Z.17.008 (TA & RY Investments Limited) BE RECEIVED; and that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

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#### **Report Highlights**

- To receive input from the public and the Committee of the Whole regarding a proposal to define and permit the continued use of a material recovery facility within a wholly enclosed building.
- A Zoning By-law Amendment is required to permit the proposal.
- A technical report to be prepared by the Development Planning Department will be considered at a future Committee of the Whole meeting.

#### **Background**

The subject lands are located northeast of Keele Street and Steeles Avenue West, and are municipally known as 84 Drumlin Circle, shown as “Subject Lands” on Attachments #1 and #2. The surrounding land uses are shown on Attachment #2.

The existing building on the subject lands, as shown on Attachment #3, contains two occupants. Tal Metal, the land Owner of the subject lands that is currently operating a material recovery facility, and Omega Aluminum Railing.

Development Planning Staff conducted a site visit on November 3, 2017 and observed that both Tal Metal and Omega Aluminum Railing maintain outside storage areas located at the rear of the units that are enclosed by a fence. Outside storage is not permitted by Zoning By-law 1-88 and the Owner is not requesting permission to permit outside storage through the subject application.

The By-law and Compliance, Licensing and Permit Services Department received a complaint on February 11, 2013, regarding the outside storage of scrap metal on the Tal Metal property. Charges have been laid by the City and the Owner is required to appear in court on April 5, 2018. Omega Aluminum Railing was also charged on June 16, 2017.

#### ***A Zoning By-law Amendment Application has been submitted to permit the proposal***

The subject lands are zoned EM1 Prestige Industrial Zone by Zoning By-law 1-88, as shown on Attachment #2. Zoning By-law 1-88 does not include a definition for a material recovery facility which is the operation conducted at Tal Metal, as identified in Table 1.

The Owner has submitted Zoning By-law Amendment File Z.17.008 to amend Zoning By-law 1-88 to define and permit the continued use of a material recovery facility within

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a wholly enclosed building, as shown on Attachment #3, together with the site-specific zoning exceptions identified in Table 1.

#### ***Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol***

- a) Date the Notice of Public Hearing was circulated: January 12, 2018.

The Notice of Public Hearing was also posted on the City's web-site at [www.vaughan.ca](http://www.vaughan.ca) and a Notice Sign was installed along Drumlin Circle in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: 150 m

- c) Comments Received:

- i) I. Barone, email dated March 24, 2017, expressing concern with the outside storage and environmental damage that the operation may cause on the environment and the negative effects that the operation is having on businesses in the area.

Any additional written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication. All written comments that are received will be reviewed by the Development Planning Department as input in the application review process and will be addressed in a technical report to be considered at a future Committee of the Whole meeting.

#### **Previous Reports/Authority**

Not applicable.

#### **Analysis and Options**

##### ***The proposal conforms to Vaughan Official Plan 2010***

The subject lands are designated "General Employment" by Vaughan Official Plan 2010 (VOP 2010). This designation permits a full range of industrial uses including manufacturing, warehousing, processing, transportation, distribution, any of which may or may not include outdoor storage. The existing material recovery facility is considered to be a processing use and therefore, conforms to VOP 2010.

##### ***Amendments to Zoning By-law 1-88 are required to permit the proposal***

The subject lands are zoned EMI Prestige Employment Area Zone by Zoning By-law 1-88, which does not permit or define a material recovery facility. The "General

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Employment” designation of VOP 2010 permits outside storage on the property, however the subject lands are zoned EM1 Prestige Employment Area Zone, which requires all permitted uses to be located within a wholly enclosed building. The Owner has indicated that the existing material recovery facility use will be conducted wholly within the existing building and this requirement will be included in the implementing zoning by-law, should the application be approved. The Owner proposes to introduce a new definition for the proposed use together with the following site-specific zoning exceptions:

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Table 1:

	Zoning By-law 1-88 Standard	EM1 Prestige Employment Area Zone Requirements	Proposed Exceptions to the EM1 Prestige Employment Area Zone Requirements
a.	Permitted Uses	Employment Use(s)	Add a material recovery facility use.
b.	Definition of a “Material Recovery Facility”	Zoning By-law 1-88 does not include a definition for the proposed use	Material Recovery Facility - Means the use of a building to process waste recyclable materials limited to plastics, metals and glass, directly into useable products and/or into raw materials for further processing in an ongoing manufacturing and/or industrial operation. Such facility shall be contained within a wholly enclosed building and may also collect, sort and/or separate waste recyclable materials.
c.	Minimum Landscape Strip abutting a Street (Drumlin Circle)	3 m	2.8 m (existing condition)
d.	Minimum Landscape Percentage (of Lot Area)	5%	3.6 % (existing condition)

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Additional zoning exceptions may be identified through the detailed review of the application and will be considered in a technical report to a future Committee of the Whole meeting.

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

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
a.	City Official Plan Policies	<ul style="list-style-type: none"><li>▪ The proposed development will be reviewed in consideration of the applicable Vaughan Official Plan 2010 policies.</li></ul>
b.	Appropriateness of the Proposed Definition and Site-Specific Zoning Exceptions	<ul style="list-style-type: none"><li>▪ The appropriateness of the proposed Zoning By-law Amendments will be reviewed in consideration of, but not limited to, the following:<ul style="list-style-type: none"><li>- the existing and planned surrounding land uses</li><li>- the existing outside storage for both occupants of 84 Drumlín Circle given outside storage is not permitted or being requested</li><li>- the location of the proposed new parking spaces</li><li>- traffic impact and the operation of the shared driveway and vehicular access/movements (including service vehicles such as fire and garbage trucks)</li><li>- landscaping</li><li>- environmental concerns</li><li>- size of the operation including, but not limited to, the number of employees, volume of material being sorted, associated truck traffic, etc.</li></ul></li></ul>

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c.	By-law and Compliance, Licensing and Permit Services Department	<ul style="list-style-type: none"><li>▪ By-law Enforcement staff have conducted site inspections of the subject lands since 2013 and have issued numerous violations and charges which will be considered by a court on April 5, 2018. The area of the subject lands devoted to outside storage has been reduced, but still exists. The Development Planning Department will continue to work with By-law Enforcement staff to keep appraised of the upcoming court proceeding. The Owner shall implement the decision(s) of the court.</li></ul>
d.	Studies and Reports	<ul style="list-style-type: none"><li>▪ The Owner has submitted the following studies and reports in support of the application, which must be approved to the satisfaction of the City and/or respective public approval authority:<ul style="list-style-type: none"><li>- Planning Justification Report</li><li>- Letter of Opinion - Air Quality</li><li>- Noise Study</li><li>- Truck Maneuvering Plan</li></ul></li></ul>

#### **Financial Impact**

Not applicable.

#### **Broader Regional Impacts/Considerations**

The application has been circulated to the York Region Community Planning and Development Services Department for review and comment. Any issues will be addressed when the technical report is considered.

#### **Conclusion**

The preliminary issues identified in this report and any other issues identified through the processing of the application will be considered in the technical review of the application, together with comments from the public and Vaughan Council expressed at the Public Hearing or in writing, and will be addressed in a comprehensive report to a future Committee of the Whole meeting.

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This report was prepared in consultation with the Director of Development Planning and Senior Manager of Development Planning. For more information, please contact Margaret Holyday, Planner, Development Planning Department, at Extension 8216.

#### **Attachments**

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

#### **Prepared by**

Margaret Holyday, Planner, ext. 8216

Christina Napoli, Senior Planner, ext. 8483

(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.)