

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 24, 2015

Item 12, Report No. 12, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 24, 2015.

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**ZONING BY-LAW AMENDMENT FILE Z.05.003
DRAFT PLAN OF SUBDIVISION FILE 19T-05V01
694917 ONTARIO LIMITED
WARD 2 - VICINITY OF LANGSTAFF ROAD AND REGIONAL ROAD 50**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, Director of Development Planning, and Manager of Development Planning, dated March 3, 2015, 2015:

Recommendation

The Commissioner of Planning, Director of Development Planning, and Manager of Development Planning recommend:

1. THAT Zoning By-law Amendment File Z.05.003 (694917 Ontario Limited) BE APPROVED, specifically to amend Zoning By-law 1-88 to rezone the subject lands shown on Attachments #2 and #3 from A Agricultural Zone to EM2(H) General Employment Area Zone with the Holding Symbol "(H)" and C7(H) Service Commercial Zone with the Holding Symbol "(H)" in the manner shown on Attachment #4.
2. THAT the Holding Symbol "(H)" shall not be removed from the lands zoned EM2(H) General Employment Area Zone and C7(H) Service Commercial Zone until public road access and site servicing are demonstrated to the satisfaction of the Vaughan Development Engineering and Infrastructure Planning Services Department.
3. THAT Draft Plan of Subdivision File 19T-05V03 (694917 Ontario Limited) as shown on Attachment #4, BE APPROVED, as red-lined revised, to facilitate a proposed employment Draft Plan of Subdivision consisting of 4 blocks for General Employment use, one Service Commercial block, and a new block red-lined as Block 11 for a future public road right-of-way, subject to the Conditions of Draft Approval set out in Attachment #1 to this report.

Contribution to Sustainability

The applications implement the following Goals and Objectives of Green Directions Vaughan:

Goal 3: To ensure that getting around in Vaughan is easy and has low environmental impact.

- Objective 3.2: To develop and sustain a network of roads that supports efficient and accessible public and private transit.

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

This will be addressed when the technical report is completed.

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Communications Plan

On August 8, 2014, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands and to the West Woodbridge Homeowners' Association. A copy of the Notice of Public Hearing was also posted on the City's website at www.vaughan.ca and a Notice Sign was installed on the property in accordance with the City's Notice Sign Procedures and Protocol. No written comments were received by the Vaughan Development Planning Department from the public with respect to these applications, prior to the Public Hearing held on September 2, 2014.

A representative from Condor Properties, on behalf of Ouray Developments, appeared at the Public Hearing on September 2, 2014, and questioned the appropriateness of zoning the portion of the subject lands that abuts Regional Road 50 as C7 Service Commercial Zone to facilitate additional retail uses on land located opposite existing commercial uses on the west side of the road in the City of Brampton. The proposed zoning of the subject lands, including the C7 Service Commercial Zone block, implements the in-effect Official Plan designations for the subject lands and the approved Block Plan designations, as discussed later in this report. The two landowners have since communicated with each other and there is no issue with having commercial uses on the subject lands. The two landowners have agreed to cost share in the installation of traffic signal lights at the future Highway 50 intersection, which is referenced as Condition #72 in Attachment #1.

The recommendation of the Committee of the Whole at the Public Hearing on September 2, 2014, to receive the Public Hearing report and forward a comprehensive technical report to a future Committee of the Whole meeting, was ratified by Vaughan Council on September 9, 2014.

Purpose

To seek approval from the Committee of the Whole for the following applications on the subject lands shown on Attachments #2 and #3:

1. Zoning By-law Amendment File Z.05.003, to amend Zoning By-law 1-88, specifically to rezone the subject lands from A Agricultural Zone to EM2(H) General Employment Area Zone with the Holding Symbol "(H)" and C7(H) Service Commercial Zone with the Holding Symbol "(H)", in the manner shown on Attachment #4.
2. Draft Plan of Subdivision File 19T-05V01 as shown on Attachment #4, to facilitate a proposed employment Draft Plan of Subdivision, consisting of the following:
 - a) Blocks 1-4 (General Employment) - 2.291 ha
 - b) Block 5 (Service Commercial) - 1.2 ha
 - c) Block 11 (Future Street "A") - 0.44 ha
 - d) Street Widening and Reserves (Block 6-10) - 0.053 ha

Background - Analysis and Options

Location

The subject lands are located south of Langstaff Road and north of Fogal Road, extending from Regional Road 50 to Huntington Road, as shown on Attachments #2 and #3.

Application History

The subject applications were filed with the City of Vaughan on January 21, 2005.

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On October 6, 2008, the Committee of the Whole (Public Hearing) originally considered the subject applications to facilitate the creation of one block that was proposed to be split-zoned C7 Service Commercial Zone (1.2 ha) and EM3 Retail Warehouse Employment Area Zone (2.29 ha), together with lands for a future public road, in the manner shown on Attachment #6.

On May 13, 2013, Vaughan Council approved a recommendation from the Commissioner of Planning to rezone the subject lands from A Agricultural Zone to C7 Service Commercial Zone and EM3 Retail Warehouse Employment Area Zone, to permit one service commercial block (1.2 ha), one retail warehouse employment block (2.29 ha) and lands for a future public road (0.6 ha - to be combined in the future with the lands to the south to create a full public road allowance).

At the time, the Owner had requested that the two proposed blocks be created through the Consent (severance) process and the public road allowance be dedicated to the City of Vaughan by way of a Reference Plan. A Development Agreement would be used to secure the road and infrastructure improvements, and therefore, the Draft Plan of Subdivision application was to be closed. The Owner subsequently chose not to initiate the Development Agreement and implementation of the Zoning By-law, and subsequently submitted the current Draft Plan of Subdivision shown on Attachment #4, which is the subject of this staff report.

City of Vaughan Official Plan

The subject lands are split-designated “Prestige Employment” (adjacent to Regional Road 50) and “General Employment” (adjacent to Huntington Road) by City of Vaughan Official Plan 2010 (VOP 2010), Volume 2, Section 12.13 Huntington Business Park. A Service Node (C7 Service Commercial Zone lands) is identified on the subject lands. Service Nodes provide for the day-to-day convenience and service needs of businesses, industries and their employees. The “Prestige Employment” and “General Employment” designations permit a wide range of employment uses and accessory and/or ancillary retail uses. The “General Employment” designation also permits outside storage. The proposed zoning and Draft Plan of Subdivision implement VOP 2010, and therefore, the applications conform to the Official Plan.

Block 57/58 Land Use Plan (Huntington Business Park)

The subject lands are located within the approved Block 57/58 Land Use Plan (Attachment #5), which designates the subject lands “Prestige Area” (lands abutting Regional Road 50) and “Employment Area General” (abutting Huntington Road).

The proposed C7 Service Commercial and EM2 General Employment Area Zones as shown on Attachment #4, will implement the land use designations in the approved Block Plan, and therefore, conform to the Block Plan.

The Block 57/58 Developers’ Group was responsible for front-end financing and providing among other matters, the infrastructure for services and roads. A condition of approval, as set out in Attachment #1, requires the Owner to secure and provide to the City of Vaughan a letter from the Trustee for the Block confirming that the Owner has fulfilled all cost sharing and other obligations of the Block 57/58 Developer’s Group Agreement.

Zoning

The subject lands are zoned A Agricultural Zone by Zoning By-law 1-88. An amendment to Zoning By-law 1-88 is required to rezone the subject lands from A Agricultural Zone to C7(H) Service Commercial Zone with the Holding Symbol “(H)” and EM2(H) General Employment Area Zone with the Holding Symbol “(H)” in the manner shown on Attachment #4. The Holding Symbol

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“(H)” is required to ensure that each Block can demonstrate public road access and site servicing, to the satisfaction of the Vaughan Development Engineering and Infrastructure Planning Services Department.

Blocks 1 and 5 have frontages on Huntington Road and Regional Road 50, respectively, and may be able to develop in advance of the construction of a future east/west public road in accordance with the approved Huntington Business Park Plan. Blocks 2, 3 and 4, may require the development of the abutting lands to the south, including the lands that form the south half of a future east/west public road.

The Owner is not requesting any site-specific zoning exceptions to the C7 or EM2 Zone requirements of Zoning By-law 1-88. The proposed C7 and EM2 Zones implement VOP 2010 and By-law 1-88, and will facilitate a development that is consistent and compatible with the surrounding area. Accordingly, the Vaughan Planning Department can support the proposed rezoning of the subject lands in the manner shown on Attachment #4.

Subdivision Design

The proposed Draft Plan of Subdivision shown on Attachment #4 includes the following site statistics:

- a) Blocks 1-4 (General Employment) - 2.291 ha
- b) Block 5 (Service Commercial) - 1.2 ha
- c) Block 11 (Future Street “A”) - 0.44 ha
- d) Street Widening and Reserves - 0.053 ha

The proposed Draft Plan of Subdivision will facilitate the creation of 4 General Employment Blocks and a Service Commercial Block and includes lands that form the north half of a future east/west public road in accordance with the approved Huntington Business Park Plan. Conditions will be included in the subdivision agreement to ensure that the lands required for the future east/west public road are conveyed to the City of Vaughan and that the road is constructed in accordance with City engineering standards, upon the future conveyance of the balance of the lands required to complete a full road allowance from the landowner to the south, should the applications be approved.

The Vaughan Planning Department and Vaughan Development Engineering and Infrastructure Planning Services Department are proposing that the subdivision plan be red-lined. The Plan submitted by the Owner identifies the southerly subject portion of the lands as Street “A”, as shown on Attachment #4, which forms the north half of a future east/west public road in accordance with the approved Huntington Business Park Plan. Staff are proposing a red-line revision to the plan to identify this land as Block 11 instead of Street “A”, as the lands do not provide for a full public road allowance. Red-lining the Plan in this manner may also allow for the development of Block 1 and Block 5 if satisfactory road access and site servicing can be demonstrated to the satisfaction of the City, in advance of the construction of the future east-west road, which will require the development of the abutting lands to the south, and the conveyance of the balance of those lands to complete a full public road allowance.

Vaughan Development Engineering and Infrastructure Planning Services Department

This Department has reviewed the applications and provides the following comments:

- a) Environmental Site Assessment/Environmental Documents

The Owner has provided a Phase I Environmental Site Assessment (ESA) Report, prepared by

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Cole Engineering entitled “Final Phase I Environmental Site Assessment” January 14, 2013, together with a Letter of Reliance dated February 11, 2013. The City of Vaughan is satisfied with the submitted documents and the associated responses to date. No further environmental site assessment related requirements are noted at this time.

b) Road Network

The development is bounded on the west side by Regional Road 50 and Huntington Road to the east. Street “A” is proposed to be constructed from Regional Road 50 to Huntington Road to service the site in accordance with the approved Block 57/58 Master Environmental Servicing Plan (MESP). Lands to the immediate south of the property must be acquired to complete the full proposed Street “A” road allowance. Street “A” in the Draft Plan of Subdivision is to be constructed as a 23 metre right-of-way in accordance with the current City of Vaughan road design standards.

c) Water Servicing

The Draft Plan of Subdivision is located within the service area of Pressure District #5 of the York Water Supply System. The Draft Plan can be provided with a looped water supply by extending the existing 400 mm diameter watermain on Regional Road 50 and existing 400 mm diameter watermain on Huntington Road and constructing the proposed 400 mm diameter watermain on Street “A” within the Plan.

d) Sanitary Servicing

The Draft Plan of Subdivision can be provided with a sanitary connection by extending a 250 mm diameter sanitary sewer on Huntington Road and constructing the proposed 250 mm diameter sanitary sewer on Street “A” within the Plan.

e) Sewage and Water Allocation

The development will not require water and wastewater servicing allocation from York Region.

f) Storm Drainage

The proposed storm drainage system from the Draft Plan of Subdivision area will be connected to the existing 1050 mm diameter storm sewer on Huntington Road. The drainage flow will be discharged to the existing storm water management pond built on the east side of New Enterprise Way and north of Zenway Boulevard in accordance with the Master Environmental Servicing Report.

As part of the engineering design and prior to the initiation of any grading within the Draft Plan of Subdivision, the Owner shall provide an engineering report for the review and approval of the City of Vaughan that describes the proposed storm drainage system to develop the subject lands, and include, but not be limited to, the following items:

- i) plans illustrating the proposed system and its connection into the existing storm system;
- ii) storm water management techniques that may be required to control minor or major flows;
- iii) details of all external tributary lands; and,
- iv) proposed methods for controlling or minimizing erosion and siltation on-site and in downstream areas during and after construction.

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g) Street-lighting

The street-lighting shall meet the City of Vaughan criteria within the Draft Plan of Subdivision including the intersections of Street “A” at Regional Road 50 and Huntington Road.

Toronto and Region Conservation Authority (TRCA)

The TRCA supports the approval of the applications, subject to the Conditions of Approval in Attachment #1.

Vaughan Development Planning Department/Urban Design and Cultural Heritage Division

The Department and Division have no objection to the approval of the applications, subject to the conditions of approval in Attachment #1.

Vaughan Legal Services Department, Real Estate Division

The Vaughan Legal Services Department, Real Estate Division, has advised that for the commercial component (lands to be zoned C7 Service Commercial), the Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, in accordance with Section 42 of the Planning Act and City of Vaughan Policy.

For the industrial component (lands to be zoned EM2 General Employment Area Zone), if required, the Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, in accordance with Section 51 of the Planning Act and City of Vaughan Policy.

The cash-in-lieu payment in accordance with the Planning Act will not be required as long as the Council Policy waiving such payment remains in effect for industrial land. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for the approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.

Canada Post

Canada Post has no objection to the approval of the applications, subject to the conditions of approval included in Attachment #1.

Relationship to Vaughan Vision 2020/Strategic Plan

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

i) Plan and Manage Growth & Economic Vitality

The proposed development implements the City's Official Plan, and servicing for the proposed development has been identified.

Regional Implications

The applications were circulated to York Region and Peel Region as both share jurisdiction over Regional Road 50. Each municipality has indicated that they have no objections to the proposal, subject to their respective conditions of approval outlined in Attachment #1.

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Conclusion

The Vaughan Planning Department has reviewed Zoning By-law Amendment File Z.05.003 and Draft Plan of Subdivision File 19T-05V01 to facilitate the creation of one commercial block, 4 employment blocks, and a block for a part of a future public road in consideration of the applicable Official Plan policies, Zoning By-law 1-88 requirements, the comments received from City Departments and external public agencies, and the surrounding area context. The proposed Zoning By-law Amendment and Draft Plan of Subdivision applications implement and conform to the policies of the Official Plan, the approved Block 57/58 Huntington Business Park Plan, and the development standards for each zone in Zoning By-law 1-88. Accordingly, the Vaughan Planning Department recommends that the applications be approved, subject to the conditions of approval set out in the recommendation of this report.

Attachments

1. Conditions of Approval
2. Context Location Map
3. Location Map
4. Red-Lined (March 3, 2015) Draft Plan of Subdivision File 19T-05V01 and Proposed Zoning
5. Huntington Business Park Block 57/58 Plan
6. Proposed Zoning Considered at the October 6, 2008 Public Meeting

Report prepared by:

Clement Messere, Senior Planner, ext. 8409

(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.)