

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 18, 2014**

Item 4, Report No. 12, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on March 18, 2014.

**4**

**OFFICIAL PLAN AMENDMENT FILE OP.13.001  
ZONING BY-LAW AMENDMENT FILE Z.13.003  
RIOTRIN PROPERTIES (LANGSTAFF) INC., SRF VAUGHAN PROPERTY INC. AND  
SRF VAUGHAN PROPERTY II INC.  
WARD 2 - VICINITY OF REGIONAL ROAD 27 AND LANGSTAFF ROAD**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning and the Interim Director of Planning/Director of Development Planning, dated February 25, 2014, be approved; and
- 2) That the following deputations be received:
  1. Mr. Oz Kemal, Partner, MHBC Planning, Urban Design & Landscape Architecture, Weston Road, Woodbridge, on behalf of the applicant; and
  2. Mr. Nick Pinto, President, West Woodbridge Homeowners Association, Mapes Avenue, Woodbridge.

#### **Recommendation**

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

1. THAT the Public Hearing report for Files OP.13.001 and Z.13.003 (Riotrin Properties (Langstaff) Inc., SRF Vaughan Property Inc. and SRF Vaughan Property II Inc.) BE RECEIVED; and, that any issues identified be addressed by the Planning Department in a comprehensive report to the Committee of the Whole.

#### **Contribution to Sustainability**

The contribution to sustainability will be determined when the technical report is considered.

#### **Economic Impact**

This will be addressed when the technical report is completed.

#### **Communications Plan**

- a) Date the Notice of a Public Hearing was circulated: January 31, 2014
- b) Circulation Area: 150 m and to the West Woodbridge Homeowners' Association
- c) Comments Received as of February 11, 2014: None

#### **Purpose**

The owner has submitted the following applications to facilitate the development of the subject lands, shown on Attachments #1 and #2, for commercial development on 3 parcels of land (Parcels 'E', 'F', and 'H'), as shown on Attachment #3:

1. Official Plan Amendment File OP.13.001 to amend OPA #450 (Employment Area Growth and Management Plan), as follows:

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	<b>OPA #450 (Employment Area Growth and Management Plan) Policy</b>	<b>Proposed Amendments to OPA #450</b>
a.	Schedule “2” of OPA #450 designates the Subject Lands as “Employment Area General” (permits industrial employment uses)	<p>Re-designate the subject lands to “Employment Commercial Mixed-Use” (new in OPA #450) with the following site-specific policies and permitted uses:</p> <p>a) This designation recognizes predominately commercial uses within the Employment Area. Such areas are appropriate for non-residential intensification and make efficient use of existing or planned rapid transit and transit investment. These areas are planned to be developed with commercial buildings that allow for a variety of business uses to occur in close proximity to each other in order to assist the City in achieving its intensification objectives.</p> <p>b) Employment Commercial Mixed-Use Areas will:</p> <ul style="list-style-type: none"> <li>- Support the City’s intensification objectives for Regional Intensification Corridors within Employment Areas and Primary Intensification Corridors within Employment Areas.</li> <li>- Contribute to the provision of ancillary uses, which primarily serve the needs of businesses and employees in the Employment Areas.</li> <li>- Provide a focus for business activity providing for the largest and most comprehensive concentrations of supporting ancillary uses and amenities in the Employment Areas, including larger scale ancillary uses.</li> <li>- Be included in the calculation of the maximum amount of land which may be devoted to ancillary uses in the Employment Areas as set out in Vaughan Official Plan 2010 (VOP 2010), Volume 1.</li> <li>- Be carefully designed with a high standard of public realm and urban built form to contribute to the creation of an urban environment with a strong pedestrian orientation and attractive streetscapes in respect of the high profile locations of this designation.</li> <li>- Conform to all applicable Employment Area policies of VOP 2010 (including, but not limited to, sections 2.2.4.2, 2.2.4.3 and 2.2.4.4).</li> </ul>

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		<p>c) The following uses shall be permitted on the subject lands:</p> <ul style="list-style-type: none"><li>- Parks and Open Space</li><li>- Stormwater Management Facilities</li><li>- Small-scale Community Facilities, as defined in VOP 2010</li><li>- Day care, as defined by VOP 2010, provided they are located on a public street with a right-of-way of 26 m or greater;</li><li>- Public Safety Services, as defined by VOP 2010, provided they are located on a public street within a right-of-way of 26 m or greater</li><li>- Employment Uses</li><li>- Warehouse Uses</li><li>- Office Uses to a maximum of 12,500 m<sup>2</sup> Gross Floor Area (GFA) per lot</li><li>- Cultural and Entertainment Uses</li><li>- Retail, as defined in VOP 2010</li><li>- Major Retail</li><li>- One Gas Station</li></ul> <p>d) The following building types shall be permitted on the subject lands</p> <ul style="list-style-type: none"><li>- Low-Rise Buildings</li><li>- Mid-Rise Buildings</li><li>- Public and Private Institutional Buildings</li><li>- Gas Stations</li></ul>
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2. Zoning By-law Amendment File Z.13.003 to amend Zoning By-law 1-88 specifically to:

- a) rezone the entirety of the subject lands shown on Attachments #1 and #2 from EM1(H) Prestige Employment Area Zone and EM2(H) General Employment Area Zone each with the Holding Symbol "(H)" and subject to Exception 9(1258) and EM3 Retail Warehouse Employment Area Zone subject to Exceptions 9(1253) and 9(1356), as shown on Attachment #2, to EM3 Retail Warehouse Employment Area Zone, together with the following site-specific zoning exceptions:

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	<b>Zoning By-law Standard</b>	<b>By-law 1-88 EM3 Retail Warehouse Employment Area Zone Requirements</b>	<b>Proposed Exceptions to EM3 Retail Warehouse Employment Area Zone Requirements</b>
a.	Definitions	<p>i. Zoning By-law 1-88 does not include a definition of “Major Retail”.</p> <p>ii. A “Car Brokerage” is defined as follows:</p> <p>“Means a building or part of a building used for sales/leasing/rental of passenger vehicles, and shall not include the sale of automotive parts, mechanical repairs, or autobody repairs, or the outdoor display or storage of motor vehicles”.</p> <p>Zoning By-law 1-88 does not include a definition for a “Retail Warehouse with Food Sales”.</p>	<p>i. Permit the following additional uses and site-specific zoning provisions in the EM3 Zone:</p> <p>Permit a “Major Retail” use defined as follows:</p> <p>“Retail uses greater than 10,000 m<sup>2</sup> per lot, including, but not limited to, big-box retail stores, retail warehouses, and shopping centres.”</p> <p>ii. Permit a “Car Brokerage” defined as follows:</p> <p>“Means a use operating accessory to the main retail warehouse or retail store where the leasing/retail delivery of trucks and vans shall be permitted, and the outdoor display of storage of said vehicles shall also be permitted”.</p>

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			<p>iii. Permit a “Retail Warehouse with Food Sales” defined as follows:</p> <p>“Means a building or part of a building in which goods and merchandise including food are displayed, stored and sold in a warehouse format and may include a take-out eating establishment, personal service shops, a pharmacy, an optical dispensary, a hearing dispensary, the servicing of motor vehicles including oil changes, and the installation of tires sold within the premises. A warehouse format means a configuration where there is integrated display, storage and sale of goods and merchandise or a showroom with an associated warehouse component. A retail warehouse with food sales shall have a minimum gross floor area of 300 m<sup>2</sup> and is not a “supermarket” or “flea market”. For the purposes of this definition, a “supermarket” means a building having a gross floor area in excess of 1,000 m<sup>2</sup> where the gross floor area of the building is primarily devoted to the sale of food products”.</p>
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b.	Permitted Uses	<p>The following uses are permitted in the EM3 Zone:</p> <ul style="list-style-type: none"> <li>• All uses permitted in an EM1 Zone;</li> <li>• Building Supply Outlet;</li> <li>• Catalogue Sales;</li> <li>• Convention Centre;</li> <li>• Retail Warehouse;</li> <li>• Retail Nursery; and,</li> <li>• Swimming Pool, Recreational Vehicles and, Leasing/Rental/ Sales.</li> </ul> <p>The following additional uses are permitted by Exception 9(1253) and Exception 9(1356):</p> <ul style="list-style-type: none"> <li>• Eating Establishment with Outdoor Patio</li> <li>• Eating Establishment</li> <li>• Eating Establishment - Convenience</li> <li>• Eating Establishment - Take out with outdoor patio</li> <li>• Personal Service Shop</li> <li>• Convenience Retail Store</li> <li>• Bank and Financial Institution</li> <li>• Print Shop with Accessory Retail Sales</li> <li>• Veterinary Clinic</li> </ul>	<p>In addition to the uses permitted by the EM3 Zone, permit the following additional uses on the subject lands:</p> <ul style="list-style-type: none"> <li>• Accessory uses, not limited to but including, drive-through, outdoor patios, and outdoor seasonal garden centres with any of the permitted uses;</li> <li>• Art Galleries</li> <li>• Automotive Retail Store</li> <li>• Brewers Retail Outlet</li> <li>• Commercial Fitness Centres</li> <li>• Community Centres</li> <li>• Home Occupations</li> <li>• LCBO Outlet</li> <li>• Libraries</li> <li>• Medical Offices</li> <li>• Museums</li> <li>• Outdoor Storage and Display of Goods</li> <li>• Permanent and Seasonal Outdoor Garden Centres</li> <li>• Pet Grooming Establishment</li> <li>• Photography Studio</li> <li>• Place of Entertainment</li> <li>• Place of Amusement</li> <li>• Recreational Establishments</li> <li>• Regulated Health Professional</li> <li>• Retail Store</li> <li>• Retail Warehouse with Food Sales</li> <li>• Schools, Commercial</li> <li>• Schools, Private</li> <li>• Schools, Public</li> <li>• Service or Repair Shop</li> <li>• Supermarket</li> <li>• Video Store</li> </ul>
c.	Minimum Front Yard Setback at Milani Boulevard (Building 'H')	6.0 m	1.0 m

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d.	Minimum Rear Yard Setback (Building 'G1')	12.0 m	10.0 m (northeast)
e.	Minimum Front Yard Landscape Strip (Milani Boulevard)	3.0 m	1.0 m
f.	Minimum Parking Ratio	Various (ranging from 1.5 parking spaces per 100 m <sup>2</sup> of GFA for an Employment Use to 20 parking spaces per 100 m <sup>2</sup> of GFA for an Eating Establishment, Convenience.	3.9 parking spaces per 100m <sup>2</sup> of GFA for all permitted uses.
g.	Parking Requirement for Outdoor Patios	The required parking shall be based on a standard that is equal to that of the main eating establishment.	No parking spaces shall be required for outdoor patios associated with any eating establishments.
h.	Parking Requirement for a Seasonal Outdoor Garden Centre	The parking ratio is based on the GFA of the building, including any accessory buildings.	The floor area of any seasonal outdoor garden centre shall not be included for calculating the required parking supply.
i.	Access and Parking Area	The owner of every building or structure erected or used for any of the uses set forth in Zoning By-law 1-88 shall provide and maintain on the lot on which it is erected, for the sole use of the owner, occupant, or other persons entering upon or making use of the said premises from time to time, parking spaces and areas (driveways and aisles).	Shared driveways and aisles shall be permitted amongst Parcels "E", "F" and "H".

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j.	Loading and Unloading Requirements	Loading and unloading shall not be permitted between a building and a street. Where a lot has a frontage of less than 45.5 metres, and is not a through lot, all loading shall take place between the building and the rear lot line. Where a lot is a through lot, loading and unloading shall take place anywhere on the lot except between a building and a Highway or arterial road.	Permit loading and unloading between a building and a street (Milani Boulevard).
k.	Outdoor Display of Merchandise, Goods or Materials	Limited outdoor display of merchandise, goods or materials shall be permitted provided that the display of goods and materials is accessory to a permitted use, and such display shall not exceed an area equal to 0.25 times the gross floor area of the buildings or structures on the lot devoted to the use to which the display is accessory.	The maximum area of outdoor display of merchandise, goods or materials shall not exceed 0.29 times the GFA of the buildings or structures on the subject lands, shown on Attachment #2, to a maximum of 3,800 m <sup>2</sup> of the subject lands.
l.	Definition of Lot	Means a parcel of land fronting on a street separate from any abutting land to the extent that a consent contemplated by Section 49 of the Planning Act, R.S.O. 1983 would not be required for its conveyance. For the purpose of this paragraph, land defined in an application for a building permit shall be deemed to be a parcel of land and a reserve shall not form part of the lot.	The subject lands shall be deemed to be one lot for the purposes of zoning.

**Background - Analysis and Options**

On February 6, 2013, the owner submitted Official Plan and Zoning By-law Amendment Files OP.13.001 and Z.13.003. On May 28, 2013, the Ontario Municipal Board (OMB) approved a modification to Vaughan Official Plan 2010 (VOP 2010), bringing into effect site-specific policy 13.15 to be included in Volume 2 of VOP 2010 that redesignates the subject lands, as shown on



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Attachments #1 and #2, from “General Employment” to “Employment Commercial Mixed-Use”, with the following provisions:

- Notwithstanding policy 9.2.2.7 Employment Commercial Mixed-Use or anything else in this Plan (VOP 2010), in addition to the existing permitted uses, Major Retail uses are permitted.
- Notwithstanding policy 9.2.2.7 Employment Commercial Mixed-Use or anything else in this Plan (VOP 2010), retail units may exceed a gross floor area of 3,500 m<sup>2</sup>.

As a result of the OMB decision, the owner revised the Official Plan and Zoning By-law Amendment Applications to bring the “Employment Commercial Mixed-Use” land use designation and policy of VOP 2010, and the site-specific policy 13.15 identified above, into effect for the subject lands. However, since the OMB has not approved the entirety of VOP 2010 and the Owner does not want to wait until VOP 2010 is fully in-effect, the owner must amend the in-effect Official Plan (OPA #450) to implement the OMB decision, recognize the proposed Employment and Warehouse uses as permitted uses, and add the land use policies of the “Employment Commercial Mixed-Use” designation of VOP 2010 to the subject lands. The proposed amendment will facilitate the development of the subject lands with commercial buildings and associated parking areas, as shown on Attachment #3, and with the following site-statistics:

Site Area (Parcels ‘E’, ‘F’, and ‘H’)	11.12 ha
Total Gross Floor Area (Parcels ‘E’, ‘F’, and ‘H’)	24,921 m <sup>2</sup>
Floor Space Index (FSI)	0.22
Total Parking Provided (Parcels ‘E’, ‘F’, and ‘H’)	1,330 spaces

Parcels “E”, “F” and “H” are proposed to be developed with the following buildings as shown on Attachment #3:

- Parcel “E” - A 1,515 m<sup>2</sup> multi-unit commercial building (Building ‘G1’) and a 465 m<sup>2</sup> commercial building (Building ‘G2’).
- Parcel “F” - A 8,538 m<sup>2</sup> commercial building, including an Automotive Retail Store (shown as proposed commercial building with future building expansion).
- Parcel “H” - A 14,412.67 m<sup>2</sup> commercial building, including large-format retail uses and an Automobile Gas Bar (Building ‘H’ and proposed gas bar).

Location	<ul style="list-style-type: none"><li>▪ The subject lands are located on the west side of Regional Road 27, south of Langstaff Road, municipally known as 120, 160, 170, 182, 196, and 210 Milani Boulevard, and known as Blocks 2-7 on Registered Plan 65M-3966, Block 6 on Registered Plan 65M-4385, and Block 1 on Registered Plan 65M-4386, shown as “Subject Lands” on Attachments #1 and #2.</li><li>▪ The subject lands are currently vacant and are located adjacent to an existing commercial development to the east.</li></ul>
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<p><b>Official Plan Designation</b></p> <p>a) In-Effect Official Plan Designation (OPA #450)</p>     <p>b) VOP 2010</p>	<ul style="list-style-type: none"> <li>▪ The subject lands are designated “Employment Area General” by in-effect OPA #450 (Employment Area Growth and Management Plan). The “Employment Area General” designation permits uses which require outside storage or which would be undertaken outdoors and permitted uses in the “Prestige Area” designation, which includes a wide range of industrial, office, business and civic uses. Commercial uses are not permitted within the “Employment Area General” designation.</li> </ul> <p>The proposal does not conform to in-effect OPA #450, and the owner has submitted an Official Plan Amendment Application to permit commercial, retail and major retail uses on the subject lands, to be consistent with the decision of the Ontario Municipal Board as it pertains to VOP 2010.</p> <ul style="list-style-type: none"> <li>▪ The subject lands are designated “Employment Commercial Mixed-Use” by the City of Vaughan Official Plan 2010 (VOP 2010), and are subject to site-specific policy 13.15 in Volume 2 of VOP 2010, which was approved by the Ontario Municipal Board (OMB) on May 28, 2013, and executed through a co-signed Minutes of Settlement between the owner and the city on October 23, 2013. However, the corresponding Volume 1 land-use policies have not been fully approved by the OMB, and at this time are not fully in-effect.</li> </ul> <p>VOP 2010 was adopted by Vaughan Council on September 7, 2010 (as modified by Vaughan Council on September 7, 2011, March 20, 2012 and April 17, 2012) as endorsed by Region of York Council on June 28, 2012, and approved, in part, by the Ontario Municipal Board on July 23, 2013, December 2, 2013, and February 3, 2014.</p> <ul style="list-style-type: none"> <li>▪ The proposal does not conform to the “Employment Commercial Mixed-Use” designation, as the owner is proposing Employment and Warehouse Uses on the subject lands, which is not permitted by the “Employment Commercial Mixed-Use” designation, and was not addressed through the OMB decision.</li> </ul>
<p align="center"><b>Zoning</b></p>	<ul style="list-style-type: none"> <li>▪ The subject lands are zoned EM1(H) Prestige Employment Area Zone and EM2(H) General Employment Area Zone each with a Holding Symbol “(H)” and subject to site-specific Exception 9(1258), and EM3 Retail Warehouse Employment Area Zone subject to site-specific Exceptions 9(1253) and 9(1356) by Zoning By-law 1-88.</li> <li>▪ The proposal to rezone the subject lands and to permit the range of commercial uses together with site-specific zoning exceptions on the subject lands, as identified in the purpose section of this report does not comply with Zoning By-law 1-88.</li> </ul>
<p><b>Surrounding Land Uses</b></p>	<ul style="list-style-type: none"> <li>▪ Shown on Attachment #2.</li> </ul>

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### Preliminary Review

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

	MATTERS TO BE REVIEWED	COMMENTS
a.	Conformity with Provincial policies, Regional and City Official Plans and an Ontario Municipal Board Decision	<ul style="list-style-type: none"> <li>The applications will be reviewed in consideration of the applicable Provincial policies and Regional and City Official Plan policies, in particular Official Plan Amendment #450 (Employment Area Growth and Management Plan), the "Employment Commercial Mixed-Use" land-use policies in Volume 1 of the new City of Vaughan Official Plan 2010 (VOP 2010), site-specific policy 13.15 in Volume 2 of VOP 2010, and the Ontario Municipal Board decision respecting the subject lands.</li> </ul>
b.	Appropriateness of the Proposed Official Plan and Zoning By-law Amendments	<ul style="list-style-type: none"> <li>The appropriateness of permitting the proposed range of commercial uses and zoning exceptions, to facilitate the development of the subject lands with small and large-format commercial buildings, will be reviewed in consideration of the compatibility with the surrounding existing and planned land use context, with particular consideration given to consistency with the Ontario Municipal Board decision and site-specific policy 13.15 in Volume 2 of VOP 2010. The Employment and Warehouse uses not addressed through the OMB decision will also be reviewed.</li> <li>Many of the proposed uses area not defined in Zoning By-law 1-88. Site-specific definitions for the uses considered appropriate for the subject lands will be required, if the Zoning By-law Amendment Application is approved.</li> </ul>
c.	Future Site Development Application	<ul style="list-style-type: none"> <li>A Site Development Application(s) will be required to facilitate the development of the subject lands, if the above-noted applications are approved, that will be reviewed to ensure, but not limited to, appropriate building and site design; pedestrian, barrier free and vehicular access; internal traffic circulation; parking; landscaping; stormwater management, servicing and grading.</li> <li>Opportunities for sustainable design, including CEPTD (Crime Prevention Through Environmental Design), LEEDS (Leadership in Energy and Environmental Design), permeable pavers, bio-swales, drought tolerant landscaping, bicycle racks to promote alternative modes of transportation, energy efficient lighting, reduction in pavement to address the "heat island" effect, green roofs, etc, will be reviewed and implemented through the site plan approval process, if approved.</li> </ul>

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d.	Removal of the Holding Symbol “(H)”	<ul style="list-style-type: none"><li>▪ The northwesterly portion of the subject lands are currently zoned EM1(H) Prestige Employment Area Zone and EM2(H) General Employment Area Zone each with the Holding Symbol “(H)”, as shown on Attachment #2. The Holding Symbol was placed on this portion of the subject lands to protect for land that may be required by the Ministry of Transportation Ontario (MTO) related to the future construction of Highway #427. Prior to the removal of the Holding Symbol from this portion of the subject lands, clearance is required from the MTO. The MTO shall also advise if any land use permits are required to permit development on the subject lands.</li><li>▪ The adjacent lands to the west are subject to Zoning By-law Amendment File Z.13.017 (Strathallen Capital Corporation), as shown on Attachment #2, to remove the Holding Symbol from the entirety of the lands zoned EM1(H) Prestige Employment Area Zone and EM2(H) General Employment Area Zone each with the Holding Symbol “(H)”, as shown on Attachment #2.</li></ul>
e.	Hydro One Networks Inc.	<ul style="list-style-type: none"><li>▪ The subject lands are located within an existing Hydro Corridor, and therefore, the applications are subject to review from Hydro One Networks Inc.</li></ul>
f.	Updated Traffic Impact Study and Trip Generation Comparison	<ul style="list-style-type: none"><li>▪ The Vaughan Development/Transportation Engineering Department must review and approve the updated traffic impact study and trip generation comparison, prepared by HDR Corporation, submitted in support of the applications.</li></ul>

#### Relationship to Vaughan Vision 2020/Strategic Plan

The applicability of the applications to the Vaughan Vision will be determined when the technical report is considered.

#### Regional Implications

The applications have been circulated to the Region of York 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 applications will be considered in the technical review of the applications, together with comments from the public and 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.

#### Attachments

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

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**Report prepared by:**

Daniel Woolfson, Planner, ext. 8213

Carmela Marrelli, Senior Planner, ext. 8791

Mauro Peverini, Manager of Development Planning, ext. 8407

(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.)