

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 14, 2013

Item 15, Report No. 19, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 14, 2013.

15

ZONING BY-LAW AMENDMENT FILE Z.05.003 694917 ONTARIO LIMITED WARD 2 – VICINITY OF REGIONAL ROAD 50 AND LANGSTAFF ROAD

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated April 30, 2013:

Recommendation

The Commissioner of Planning recommends:

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 #1 and #2 from A Agricultural Zone to C7 Service Commercial Zone and EM3 Retail Warehouse Employment Area Zone, in the manner shown on Attachment #3.
2. THAT prior to the enactment of the implementing Zoning By-law by Vaughan Council, the Owner shall secure and provide to the City of Vaughan, a letter from the Trustee for the Block 57/58 West Developer's Group confirming that the Owner has fulfilled all cost sharing and other obligations of the Block, and is in good standing with respect to same.

Contribution to Sustainability

The application implements 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

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

Communications Plan

On September 12, 2008, a Notice of Public Hearing was circulated to all property owners within 120 m of the subject lands and to the West Woodbridge Homeowner's Association. The Public Hearing was held on October 6, 2008. The recommendation of the Committee of the Whole on October 6, 2008, to receive the Public Hearing report and to forward a technical report to a future Committee of the Whole meeting was ratified by Vaughan Council on October 27, 2008.

The Development Planning Department has not received any formal written comments from the public with respect to this proposal. However, the Owner of the abutting property to the south of the subject lands has verbally expressed concern to the Development Planning Department with

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 14, 2013

Item 15, CW Report No. 19 – Page 2

the requirement in the approved Block Plan to provide a public road located along the north boundary of their property. The approved Block Plan (Block 57/58 West Huntington Business Park-Block Plan) as shown on Attachment #4, identifies an east/west public road that is to be shared equally between the subject lands (shown as Street “A” on Attachment #3) and the lands to the south.

Purpose

The Owner has submitted Zoning By-law Amendment File Z.05.003, on the subject lands shown on Attachments #1 and #2, to amend Zoning By-law 1-88, specifically to rezone the lands from A Agricultural Zone to C7 Service Commercial Zone and EM3 Retail Warehouse Employment Area Zone in the manner shown on Attachment #3. The rezoning is required 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).

Background - Analysis and Options

Location

The subject lands are located south of Langstaff Road and north of Fogal Road, between Regional Road #50 and Huntington Road, City of Vaughan as shown on Attachments #1 and #2.

Previous Committee of the Whole (Public Hearing)

On October 6, 2008, the Committee of the Whole (Public Hearing) originally considered the subject Zoning By-law Amendment application together with Draft Plan of Subdivision File 19T-05V01 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) in the same manner as shown on Attachment #3, and a block for the east-west road.

The Owner has subsequently advised that should the Zoning By-law Amendment application be approved, the two proposed blocks will be created through the Consent process and the public road allowance will be dedicated to the City of Vaughan by way of a Reference Plan. A Development Agreement will be required to secure road and infrastructure improvements, and therefore, the Draft Plan of Subdivision application can be closed.

City of Vaughan Official Plan

The subject lands are designated “Prestige Area” (adjacent to Regional Road 50) and “Employment Area General” (adjacent to Huntington Road) by in-effect OPA #450 (Employment Area Plan), which permits a wide range of employment uses on the subject lands. The westerly portion of the lands are also subject to the “Service Node” provisions of OPA #450 as the property is located at the corner of an arterial road (Regional Road 50) and a future east/west collector road. The “Service Node” policies permit service commercial uses at the intersection of arterial and collector roads on lands having a maximum lot size of approximately 1.2 ha, subject to policies in the Plan. OPA #450 also includes policies respecting the development of Retail Warehouse sites and generally directs such uses to locations characterized by high visibility and accessibility. The proposed rezoning to facilitate the creation of a 1.2 ha Service Node block and 2.29 ha block for retail warehousing conforms to the Official Plan.

The subject lands are designated “Prestige Employment” and “General Employment” by the new City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified on September 27, 2011, March 20, 2012, and April 17, 2012), as further modified and endorsed by Region of York Council on June 28, 2012, and is pending

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 14, 2013

Item 15, CW Report No. 19 – Page 3

approval from the Ontario Municipal Board. The policies of VOP 2010 are similar to those of OPA #450, however, a retail warehouse use is not permitted within the “General Employment” designation. Accordingly, the proposed EM3 Retail Warehouse Zone is not consistent with VOP 2010. However, at this time, the designations, policies and provisions of the in-effect OPA #450 prevail.

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

The subject lands are situated within the approved Block 57/58 West Land Use Plan that is shown on Attachment #4, which designates the subject lands “Prestige Area” (lands abutting Regional Road 50) and “Employment Area General” (abutting Huntington Road). The Block Plan was approved by Vaughan Council on February 27, 2006.

The proposed C7 Service Commercial and EM3 Retail Warehouse Employment Area Zones proposed for the subject lands as shown on Attachment #3 will implement the land use designations in the approved Block Plan, and therefore, conforms to the Block Plan.

The Block 57/58 West Developers’ Group was responsible for front-end financing and providing among other matters, the infrastructure for services and roads. A condition is included in the recommendation of this report requiring the Owner to secure and provide to the City 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 West 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 Service Commercial Zone and EM3 Retail Warehouse Employment Area Zone in the manner shown on Attachment #3.

The Owner is not requesting any site-specific zoning exceptions to the minimum zoning requirements for the proposed C7 or EM3 Zones of Zoning By-law 1-88, and no development is being proposed at this time. The proposed C7 and EM3 Zones implement the “Prestige Employment” (“Service Node”) and “General Employment” designations within OPA #450 and the approved Block Plan, respectively. Accordingly, the proposed zoning is considered appropriate and the Development Planning Department can support the approval of the Zoning By-law Amendment application.

Consent Application

As noted previously, the Owner submitted a concurrent Draft Plan of Subdivision File 19T-05V01 with the Zoning By-law Amendment application. The Owner subsequently advised that should the Zoning By-law Amendment application be approved, the two proposed blocks will be created through the Consent process, which is a much simpler and efficient review and approval process for the number of blocks to be created, rather than going through the subdivision process. A Development Agreement will be required to secure the road and infrastructure improvements required to facilitate the development.

Site Plan approval will also be required to facilitate the development of the subject lands. The Development Planning Department has no objections to this approach, subject to the comments and recommendations in this report.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 14, 2013

Item 15, CW Report No. 19 – Page 4

Commenting Departments and Agencies

The Region of York, the Toronto and Region Conservation Authority, and the City of Vaughan's Real Estate Division and Development/Transportation Engineering Department have provided comments and conditions with respect to the Draft Plan of Subdivision application, which will be considered through the Consent process. The conditions pertain to matters such as required road widenings, cash-in-lieu of the dedication of parkland, servicing improvements, site grading and traffic demand measures for the subject lands.

The Owner submitted an Environmental Site Assessment Phase 1, prepared by Cole Engineering and dated January 14, 2013, which is acceptable to the Vaughan Development/Transportation Engineering Department.

Relationship to Vaughan Vision 2020/Strategic Plan

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

i) **Plan and Manage Growth & Economic Vitality**

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

Regional Implications

The zoning application was circulated to the Region of York and they have indicated that they have no objections to the proposal. The Owner will be required to fulfill all requirements of the Region of York Transportation Services Department through the Consent and Site Plan approval processes.

Conclusion

The Vaughan Development Planning Department has reviewed Zoning By-law Amendment File Z.05.003 in accordance with the policies of in-effect OPA #450, the approved Block 57/58 West (Huntington Business Park) Plan, the requirements of Zoning By-law 1-88, the comments received from City Departments and external public agencies, and the surrounding area context. The Vaughan Development Planning Department is satisfied that the proposal to rezone the subject lands from A Agricultural Zone to C7 Service Commercial Zone (1.2 ha) and EM3 Retail Warehouse Employment Area Zone (2.27 ha), is appropriate and compatible with the surrounding employment uses, and conforms to the in-effect Official Plan. On this basis, the Development Planning Department can support the approval of the Zoning By-law Amendment application, subject to the recommendations in this report.

Attachments

1. Context Location Map
2. Location Map
3. Proposed Zoning
4. Huntington Business Park-Block Plan

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CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 14, 2013

Item 15, CW Report No. 19 – Page 5

(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.)