

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 14, 2013

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The Committee of the Whole (Public Hearing) recommends:

- ## Recommendation

1. THAT the Public Hearing report for File Z.13.011 (Seven 427 Developments Inc. / Vaughan West II Limited / City of Vaughan) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

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

This will be addressed when the technical report is completed.

a) Date the Notice of a Public Meeting was circulated: April 5, 2013
b) Circulation Area: 150 m
c) Comments Received as of April 16, 2013: None

On June 28, 2011, Vaughan Council approved Zoning By-law Amendment File Z.06.077 (Seven 427 Developments Inc.) to rezone a portion of the subject lands from A Agricultural Zone to EM3(H) Retail Warehouse Employment Area Zone with the Holding Symbol (H), C5 Community Commercial Zone, and OS1 Open Space Conservation Zone, as shown on Attachment #5. The implementing zoning by-law has not been enacted. The subject Zoning By-law Amendment File Z.13.011 includes the lands approved for rezoning in June, 2011 (owned by Seven 427 Developments Inc.) and also includes the abutting properties to the east (owned by Vaughan West II Limited) and lands owned by the City of Vaughan. The rezoning will facilitate a land exchange among the Owners as shown on Attachment #4, so that Seven 427 Developments Inc. will own the lands to be zoned C5 Community Commercial Zone; Vaughan West II Limited will own the lands to be zoned EM1 Prestige Employment Area Zone and EM3 Retail Warehouse Employment Area Zone; and, the City of Vaughan will own the lands to be zoned OS1 Open Space Conservation Zone and the road allowances, as shown on Attachments #3 and #4. The requested site-specific zoning exceptions outlined below formed part of Zoning By-law Amendment Application Z.06.077, and have been previously approved by Vaughan Council, and are proposed to be applied to the Vaughan West II and City lands to facilitate the intended land exchanges. It is intended that all previous approvals granted by Council to the Seven 427 lands

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will continue to apply, with the only change being the zone categories at the northeast corner of their property to facilitate the re-orientation of the storm pond.

The respective Owners have submitted Zoning By-law Amendment File Z.13.011 on the subject lands shown on Attachments #1 and #2, specifically to amend Zoning By-law 1-88 to:

- i) rezone the subject lands from A Agricultural Zone, EM1 Prestige Employment Area Zone with and without the Holding Symbol "(H)", and OS1 Open Space Conservation Zone, as shown on Attachment #2, to C5 Community Commercial Zone, EM1 Prestige Employment Area Zone, EM3 Retail Warehouse Employment Area Zone and OS1 Open Space Conservation Zone in the manner shown on Attachment #3, in order to facilitate a land exchange among the Owners as shown on Attachment #4; and,
- ii) to permit the following site-specific zoning exceptions to the C5 Community Commercial Zone and EM3 Retail Warehouse Employment Area Zone standards in Zoning By-law 1-88:

	By-law Standard	By-law 1-88 Requirements C5 Community Commercial Zone	Proposed Exceptions to By-law 1-88 C5 Community Commercial Zone
a.	Permitted Uses	<ul style="list-style-type: none"> - Bank or Financial Institution - Brewers Retail Outlet - Business or Professional Office - Club or Health Centre - Eating Establishment - Eating Establishment, Convenience - Eating Establishment, Convenience with Drive-Through - Eating Establishment, Take-Out - L.C.B.O. Outlet - Office Building - Personal Service Shop - Pet Grooming Establishment, to be contained within a wholly enclosed building - Place of Amusement - Pharmacy - Photography Studio - Place of Entertainment - Retail Store - Service or Repair Shop - Supermarket - Veterinary Clinic - Video Store 	<p>To permit the following additional uses:</p> <ul style="list-style-type: none"> - Department Store; - Office and Stationary Supply; - Business and Professional Office, including for Regulated Health Professionals; - Print Shop; and, - Bank or Financial Institution with or without a drive-through facility.
b.	Maximum Building Height	11 m	26.5 m or 8 storeys, whichever is less
c.	Maximum Lot Area	25,000 m ²	94,447 m ²
d.	Loading Space Requirements	Two (2) loading spaces for every 10,000 m ² GFA or portion thereof required.	No loading space is required.

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	By-law Standard	By-law 1-88 Requirements EM3 Retail Warehouse Employment Area Zone	Proposed Exceptions to By-law 1-88, Retail Warehouse Employment Area Zone
a.	Accessory Outside Storage	<p>Notwithstanding any other provision of the By-law, where accessory storage of goods or materials is a permitted use, it shall be permitted only in accordance with the following provisions of Section 6.3.2 of By-law 1-88:</p> <p>i) Outside accessory storage to a permitted use, shall not exceed thirty (30%) of the lot area;</p> <p>ii) Outside storage is not permitted on any lot unless there is an existing building with a gross floor area of at least 550 square metres;</p> <p>iii) No outside storage shall be located in any front yard, exterior side yard or between any main building and a street line, and further shall be no closer than twenty (20) metres to any street line;</p> <p>iv) The outside storage area shall be completely enclosed by a stone or masonry wall or chain link fence with an appropriate landscaping screen and no such enclosure shall be less than two (2) metres in height;</p> <p>v) If a lot has frontage of less than 45.5 metres, no part of any open storage shall be in the side yard;</p> <p>vi) No outside storage shall be permitted on any corner lot;</p> <p>vii) If a lot upon which outside storage is permitted abuts the boundary of a Residential or Open Space Zone, screening shall be provided along such boundary within the Industrial Zone. Screening shall consist of a solid fence a minimum of two (2) metres in height;</p> <p>viii) No outside storage other than the storage of machinery and equipment shall exceed three (3) metres in height;</p> <p>ix) The outside storage of any goods or materials which are obnoxious, visually or otherwise, including derelict or scrap motor vehicles or machinery and worn-out appliances or equipment shall not be permitted.</p>	<p>Accessory outside storage shall be permitted for all uses in the EM3 Zone in accordance with Section 6.3.2, i), ii), iv), viii) and ix) of Zoning By-law 1-88 (i.e. Sections 6.3.2 iii), v), vi), and vii) shall not apply).</p>

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The proposed zoning amendments would facilitate the development of the subject lands with commercial and retail warehouse employment uses. Additional zoning exceptions maybe identified through the detailed review of the application.

Background - Analysis and Options

Location	<ul style="list-style-type: none">North side of Regional Road 7, between Old Huntington Road and Highway #427, shown as “Subject Lands” on Attachments #1 and #2.
Official Plan Designation	<ul style="list-style-type: none">“Prestige Areas - Centres and Avenue Seven Corridor” along Regional Road 7 to a maximum of 200 m north of Regional Road 7 by in-effect OPA #450 (Employment Area Plan), as amended by OPA #660 (Avenue 7 Land Use Fixtures Study) and Employment Area General” in the interior of the site by OPA #450 (Employment Area Plan). The proposal to rezone the subject lands to C5 Community Commercial Zone, EM1 Prestige Employment Area Zone, EM3 Retail Warehouse Employment Area Zone and OS1 Open Space Conservation Zone implements the policies of OPA #450 and OPA #660, and conforms to the Official Plan.“Employment Commercial Mixed-Use” along Regional Road 7 to a maximum of 200 m north of Regional Road 7 and “General Employment” in the interior of the site, under Area Specific Policy – Section 12.13 (Volume 2) of the new City of Vaughan Official Plan 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 is pending approval from the Ontario Municipal Board. The proposed EM3 Retail Warehouse Employment Area Zone for the northerly portion of the subject lands does not conform to the City of Vaughan Official Plan 2010, as VOP 2010 does not permit retail warehouse uses in the “General Employment” designation. As VOP 2010 is not yet in effect, the current in-effect OPA’s #660 and #450 apply to the processing of the subject zoning amendment application.
Zoning	<ul style="list-style-type: none">A Agricultural Zone, EM1 Prestige Employment Area Zone with and without the Holding Symbol “(H)” and OS1 Open Space Conservation Zone by Zoning By-law 1-88, as shown on Attachment #2.The proposed commercial and retail warehouse employment uses are not permitted in the A Agricultural Zone, EM1 Prestige Employment Area Zone and OS1 Open Space Conservation Zone; therefore an amendment to Zoning By-law 1-88 is required.
Surrounding Land Uses	<ul style="list-style-type: none">Shown on Attachment #2.

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Preliminary Review

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

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Conformity with City Official Plan	<ul style="list-style-type: none"> The application will be reviewed in consideration of the applicable City Official Plan policies.
b.	Appropriateness of Proposed Rezoning and Site-Specific Zoning Exceptions	<ul style="list-style-type: none"> The appropriateness of rezoning the subject lands in the manner shown on Attachment #3, together with the site-specific zoning exceptions will be reviewed in consideration of the compatibility with other proposed uses on the site and the surrounding existing and planned land use context. The appropriateness of the proposed outside storage standards at a location with high visibility from Regional Road 7 will be reviewed. The lands located immediately to the north of the subject lands are subject to site-specific Exception 9(1255), which includes the requirement for a 6 metre wide landscape strip abutting the extension of Huntington Road. This requirement will be included in any rezoning for the subject lands to ensure a consistent landscape treatment along this road.
c.	Block 57/58 Huntington Business Park Plan	<ul style="list-style-type: none"> The subject lands are located within the approved Block 57/58 Huntington Business Park Plan, as shown on Attachment #6. The Block Plan shows an approved east/west road, through the centre of the subject lands, planned to connect to Huntington Road and beyond to Old Huntington Road and Regional Road 50. The Block Plan also shows an approved north/south road, through the centre of the subject lands, which is the future southern extension of Huntington Road to New Enterprise Way and through to Regional Road 7. The appropriateness of amending the road pattern in the approved Block Plan will be reviewed by the Vaughan Development Planning and Development/Transportation Engineering Department's. If the application is approved, amendments to the Block Plan are required for: the reconfiguration of the stormwater management pond currently owned by the City of Vaughan; the cul-de-sac/termination of New Enterprise Way at a bulb at the northeast quadrant of the subject lands; and, the proposed cul-de-sac/termination of the east/west road. The conveyances for the roads and stormwater management pond and the construction of services will be addressed through an Engineering Development Agreement with the affected landowners identified on Attachment #4.

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d.	Ministry of Transportation (MTO)	<ul style="list-style-type: none">▪ The subject lands are located in proximity to the existing Highway 427 interchange at Regional Road 7 and the Highway 427 Extension Study Area. The application will be reviewed in consideration of comments from the MTO.
e.	Future Site Development Application	<ul style="list-style-type: none">▪ A future Site Development Application is required to implement the proposed C5 Community Commercial Zone and EM3 Retail Warehouse Employment Area Zone on the subject lands which will be reviewed in consideration of, but not limited to, appropriate building and site design, pedestrian connectivity, vehicular access, internal traffic circulation parking, landscaping, waste management, and servicing and grading.
f.	Exemption from Site Plan Control	<ul style="list-style-type: none">▪ The future Owner (Vaughan West II Limited) of the lands proposed to be zoned EM3 Retail Warehouse Employment Area Zone (also permits EM1 and EM2 uses), as shown on Attachment #3, are requesting that these lands be exempt from the requirement for Site Plan Control for all EM1 and EM3 employment uses to be developed on these lands, which is how all internal employment lots are currently treated, save and except for a Retail Warehouse use, which has a parking standard that is equivalent to the commercial rate of 6 spaces/100 m², and is much higher than the employment use parking rate that is below 2 spaces/100 m². The appropriateness of this request will be reviewed in consideration of the requirements of the City's Site Plan Control Official Plan and By-law, the review of the Site Plan Control Process currently being undertaken by the City, and the surrounding existing and planned land uses.

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

The application has 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 application will be considered in the technical review of the application, 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. Proposed Zoning
4. Proposed Land Exchange
5. Approved Zoning – File Z.06.077
6. Huntington Business Park – Approved Block 57/58 Plan

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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.)