

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 16, 2015**

Item 14, Report No. 31, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 16, 2015.

14

#### **ZONING BY-LAW AMENDMENT FILE Z.14.015**

#### **TONY'S LAND INC.**

#### **WARD 4 - VICINITY OF JANE STREET AND MACINTOSH BOULEVARD**

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 September 9, 2015:

#### **Recommendation**

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

1. THAT Zoning By-law Amendment File Z.14.015 (Tony's Land Inc.) BE APPROVED, to amend Zoning By-law 1-88, specifically to rezone the subject lands shown on Attachments #1 and #2 from A Agricultural Zone to EM1 Prestige Employment Area Zone and OS1 Open Space Conservation Zone in the manner shown on Attachment #3, and to permit the site-specific zoning exceptions to the EM1 Zone identified in Table 1 of this report.

#### **Contribution to Sustainability**

The application implements the following Goals and Objectives of Green Directions Vaughan:

- Objective 2.1: To achieve sustainable growth and development by completing and implementing Vaughan Tomorrow, the City's Consolidated Growth Management Strategy – 2031
- 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

Additional sustainable design features will be identified through a future Site Development Application, which is required to permit development on the subject lands.

#### **Economic Impact**

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

#### **Communications Plan**

On May 23, 2014, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands. The Notice of Public Hearing was also posted on the City's web-site at [www.vaughan.ca](http://www.vaughan.ca) and Notice Signs were installed on the property in accordance with the City's Notice Sign Procedures and Protocol. No comments were received by the Vaughan Planning Department through the notice circulation. The recommendation of the Committee of the Whole to receive the Public Hearing report of June 17, 2014, was ratified by Vaughan Council on June 24, 2014.

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 16, 2015**

Item 14, CW Report No. 31 – Page 2

#### **Purpose**

The purpose of this report is to seek approval from the Committee of the Whole for Zoning By-law Amendment File Z.14.015 to amend Zoning By-law 1-88, specifically to rezone the subject lands shown on Attachments #1 and #2 from A Agricultural Zone to EM1 Prestige Employment Area Zone and OS1 Open Space Conservation Zone in the manner shown on Attachment #3, and to permit the site-specific zoning exceptions to the EM1 Zone identified in Table 1 of this report.

#### **Background - Analysis and Options**

##### *Synopsis:*

*The Owner is proposing to amend the City's Zoning By-law 1-88 to rezone the subject lands from A Agricultural Zone to EM1 Prestige Employment Area Zone and OS1 Open Space Conservation Zone and permit site-specific zoning exceptions to the EM1 Zone to facilitate the future development of the subject lands for employment uses that are in conformity with Vaughan Official Plan 2010 (VOP 2010). The Vaughan Planning Department supports the proposed rezoning of the subject lands as it implements VOP 2010 and would facilitate development that is compatible with the surrounding existing and planned land uses within the employment area.*

#### **Location**

The subject lands shown on Attachments #1 and #2 are municipally known as 8025 and 8033 Jane Street, and are located on the east side of Jane Street, south of Macintosh Boulevard. The surrounding land uses are identified on Attachment #2.

#### **Official Plan**

The subject lands are designated "Prestige Employment" by Vaughan Official Plan 2010 (VOP 2010). The "Prestige Employment" designation permits a wide range of employment uses including manufacturing, processing and distribution uses, located within wholly enclosed buildings. Outside storage is not permitted. Office uses not related to the employment uses are also permitted to a maximum gross floor area of 10,000 m<sup>2</sup>. Ancillary retail uses are permitted, provided that: the gross floor area of any one retail unit shall not exceed 185 m<sup>2</sup>; the total gross floor area of all retail uses shall not exceed 20% of the total gross floor area of all uses on the lot, or 1,000 m<sup>2</sup>, whichever is less; and, the ancillary retail use must be located within 200 m of the intersection of two arterial and/or collector streets.

The application to rezone the subject lands to EM1 Prestige Employment Area Zone and OS1 Open Space Conservation Zone, as shown on Attachment #3, together with the site-specific zoning exceptions identified in Table 1 respecting land uses, landscape strip widths and the rear yard building setback, will implement VOP 2010, and therefore, conforms to the Official Plan. The subject lands are also located within 170 m of the intersection of Jane Street (arterial road) and MacIntosh Boulevard (collector road) as shown on Attachment #2.

#### **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 EM1 Prestige Employment Area Zone and OS1 Open Space Conservation Zone, in the manner shown on Attachment #3, and to permit the following site-specific zoning exceptions:

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 16, 2015**

Item 14, CW Report No. 31 – Page 3

Table 1

	<b>By-law Standard</b>	<b>By-law 1-88 EM1 Prestige Employment Area Zone Requirements</b>	<b>Proposed Exceptions to the EM1 Prestige Employment Area Zone Requirements</b>
a.	Permitted Uses	<ul style="list-style-type: none"> <li>• Employment Use</li> <li>• Accessory Retail Sales to an Employment Use</li> <li>• Accessory Office Uses to an Employment Use</li> <li>• Banquet Hall, in a Single Unit Building</li> <li>• Bowling Alley</li> <li>• Business or Professional Office, not including a Regulated Health Professional</li> <li>• Club, Health Centre</li> <li>• Convention Centre, Hotel, Motel</li> <li>• Funeral Home in a Single Unit Building</li> <li>• Car Brokerage</li> <li>• Office Building</li> <li>• Recreational Uses</li> <li>• Service and Repair Shop</li> </ul>	<p>Permit only the following uses on the subject lands:</p> <ul style="list-style-type: none"> <li>• Employment Use</li> <li>• Accessory Retail Sales to an Employment Use</li> <li>• Accessory Office Uses to an Employment Use</li> <li>• Business or Professional Office, not including a Regulated Health Professional</li> <li>• Office Building, with a maximum gross floor area of 10,000 m<sup>2</sup></li> <li>• Service and Repair Shop</li> <li>• One Eating Establishment; Eating Establishment, Convenience; or, Eating Establishment, Take-Out, having a maximum gross floor area of 185 m<sup>2</sup></li> <li>• One Personal Service Shop, having a maximum gross floor area of 185 m<sup>2</sup></li> </ul>
b.	Minimum Landscape Strip Width	<p>Abutting Jane Street - 9 m</p> <p>Abutting an OS1 Open Space Conservation Zone - 7.5 m</p>	<p>Abutting Jane Street - 5.5 m</p> <p>Abutting an OS1 Open Space Conservation Zone - 3.5 m</p>
c.	Minimum Rear Yard (East) Setback	12 m	6 m from the easterly OS1 Zone

The Vaughan Planning Department can support the proposed site-specific zoning exceptions to the EM1 Prestige Employment Area Zone for the following reasons:

a) Permitted Uses

The proposed uses in the EM1 Zone appropriately implement the policies and permitted uses of the “Prestige Employment” designation in VOP 2010. Accordingly, the Vaughan Planning Department can support the proposed uses for the subject lands.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 16, 2015**

Item 14, CW Report No. 31 – Page 4

b) Minimum Landscape Strip Width

The 5.5 m wide landscape strip abutting Jane Street is the result of a future road widening to York Region, as the Region is protecting for a 45 m right-of-way width on Jane Street. Landscaping will consist of a 13 m wide strip adjacent to Jane Street, inclusive of a 7.7 m road widening land dedication to York Region shown on Attachment #3, until such time that York Region requires the land for road widening purposes as part of the Jane Street Rapid Transit Corridor.

The Owner is proposing an approximate 10 m floodplain buffer inclusive of a 4 m wide strip of land along the north and east property lines, as shown on Attachment #3. The proposed 4 m OS1 Zone buffer area on the subject lands abuts the Black Creek to the north and east, and will be dedicated to the City as a condition of any Site Plan approval. The proposed 3.5 m landscape strip is appropriate given the provision of the 4 m wide open space buffer.

A future Site Development Application will address appropriate landscape screening within and abutting the OS1 Zone and Jane Street. The Owner is required to enter into an encroachment agreement with York Region for any proposed landscaping within the York Region right-of-way.

c) Minimum Rear Yard Building Setback

The Vaughan Planning Department has no objections to the proposed 6 m rear yard setback as it will have minimal impact on the abutting properties given the site's adjacency to the Black Creek. The Owner has also submitted a demonstration plan, as shown on Attachment #4, confirming site functionality. The final building envelope, driveway aisles, loading and parking layout will be satisfied through the submission of a future Site Development Application.

Future Site Development Application

Future development on the site is subject to Site Plan approval by Vaughan Council. The Owner has advised that the subject lands will be developed as one block. The Owner must submit a Site Development Application, which will be reviewed to ensure appropriate building and site design, pedestrian connectivity, barrier free access, vehicular access, internal traffic circulation, parking, landscaping, stormwater management, servicing and grading. The future Site Development Application shall also conform to the built form criteria for Employment/Industrial Buildings (Section 9.2.3.7 d.) in VOP 2010. In addition, the Black Creek channel adjacent to the subject lands will be designed in a manner that is coordinated with the planned Black Creek Renewal Project to the south at the site plan stage.

Any conditions of approval including, but not limited to, York Region road dedication and widening requirements, conveyance of the proposed OS1 zoned lands into public ownership, site access, archaeological and engineering requirements, and conditions from the Toronto and Region Conservation Authority will be implemented through the site plan approval process.

Toronto and Region Conservation Authority (TRCA)

The subject lands are located adjacent to the Black Creek stream corridor to the north and east, and are located within the Toronto and Region Conservation Authority (TRCA) Regulated Area under Ontario Regulation 166/06. A 4 m wide strip of land zoned OS1 Open Space Conservation Zone is proposed along the north and east property lines of the subject lands to respect the required 10 m buffer from the regulatory flood limit, as shown on Attachment #3. Portions of the

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 16, 2015**

#### **Item 14, CW Report No. 31 – Page 5**

10 m buffer encroach into the proposed 3.5 m landscape strip, particularly at the northwest and southeast corners of the subject lands. Through discussions with the TRCA, the Owner had requested a straightened buffer line on the subject lands in order to confirm development limits for a future site plan application. The TRCA has reviewed the proposed 4 m wide strip and is of the opinion that the line provides an equitable average and accounts for the reduced buffer associated with the floodplain at the northwest and southeast corners of the property. The TRCA requests the conveyance of the proposed OS1 lands into public ownership (the City) and that the Owner successfully obtain a TRCA Permit prior to site plan approval.

#### **Vaughan Development Engineering and Infrastructure Planning Services Department (DEIPS)**

The Owner has submitted a Functional Servicing & Preliminary Stormwater Management Report, prepared by Crozier & Associates Consulting Engineers, dated July, 2015. The Vaughan DEIPS Department has reviewed the report and agrees with the findings. Accordingly, the Department has no objection to the application and has provided the following comments to be satisfied through the future site plan approval process:

1. The Owner shall enter into a Development Agreement with the City of Vaughan, if required, to satisfy all conditions, financial or otherwise of the City with regard to such matters the municipality may consider necessary including payment of development levies, the provision of roads and municipal services, landscaping and fencing. The agreement shall be registered against the subject lands and shall be to the satisfaction of the Department. As a condition of Site Plan approval, the Development Agreement shall be registered with the City.
2. The Owner shall submit a final Stormwater Management Report at the site plan stage indicating that there is an acceptable outlet for stormwater runoff from the subject site and justifying that the allowable site release rate will not be exceeded, to the satisfaction of the Department, TRCA, and York Region, if required. The report should be signed and sealed by a professional engineer.
3. The Owner shall submit a Grading Plan showing existing and proposed grades at the site plan stage to the satisfaction of the Department. Existing grades should be shown a minimum 20 m beyond the site boundary.
4. The Owner shall pay the required securities for the proposed Area Specific Development Charge (ASDC) at the site plan stage to collect the necessary capital funds for the design and construction of the proposed “VMC Jane/7 Stormwater Management and Black Creek Flood & Erosion Improvement Works.”

The Environmental Engineering Section of the Department has no objection to the application and advises that the 4 m wide OS1 buffer area proposed along the north and east property lines shown on Attachment #3, shall be conveyed to the City. The Owner will be required to submit a Phase One Environmental Site Assessment (ESA) in accordance with O. Reg. 153/04 (as amended) with reliance extended to the City for the City's use at the time of the Site Development Application.

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

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

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

The proposed development implements the City's Official Plan and the Growth Management Strategy as set in Vaughan Official Plan 2010.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 16, 2015**

Item 14, CW Report No. 31 – Page 6

**Regional Implications**

The York Region Transportation and Community Planning Department has no objections to the Zoning By-law Amendment application. York Region has indicated that it is protecting a 45 m wide right-of-way for this section of Jane Street, and requests that all municipal setbacks be referenced 22.5 m from the centreline of construction of Jane Street.

York Region has requested that the site be restricted to one access, and that the proposed driveway be relocated closer to the south property line in order to protect for a future consolidated access to the adjacent property to the south. During the site plan approval process, the Owner may be asked to agree not to object to a future shared access and/or granting the necessary easements to create an interconnection between the Owner's property and the property to the south in the event that the property to the south redevelops.

**Conclusion**

Zoning By-law Amendment File Z.14.015 has been reviewed in accordance with the policies of VOP 2010, Zoning By-law 1-88, comments from City Departments and external public agencies, and the area context. The proposed rezoning will facilitate future development of the subject lands for employment uses that are in conformity with Vaughan Official Plan 2010 (VOP 2010), and facilitate development that is compatible with the existing and planned uses in the surrounding area. On this basis, the Vaughan Planning Department can support the approval of the Zoning By-law Amendment subject to the recommendation in this report.

**Attachments**

1. Context Location Map
2. Location Map
3. Proposed Zoning
4. Demonstration Plan

**Report prepared by:**

Mark Antoine, Planner, ext. 8212  
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.)