

COMMITTEE OF THE WHOLE MAY 11, 2010

**ZONING BY-LAW AMENDMENT FILE Z.09.019
LEGA HOLDINGS
WARD 2**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.09.019 (Lega Holdings) BE APPROVED, to rezone the subject lands shown on Attachments #1 and #2, from A Agricultural Zone to EM2 General Employment Area Zone, EM3 Retail Warehouse Employment Area Zone, C7 Service Commercial Zone and OS1 Open Space Conservation Zone in the manner shown on Attachment #3.
2. THAT the implementing Zoning By-law permit the zoning exceptions identified in Table 1 of this report.

Contribution to Sustainability

Opportunities for sustainable design, including CEPTD (Crime Prevention Through Environmental Design), LEED (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 and roof-top treatment to address the "heat island" effect, green roofs, etc, will be reviewed and implemented through the future Site Development Application.

Economic Impact

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

Communications Plan

On November 6, 2009, a Notice of Public Hearing was circulated to all property owners within 150m of the subject lands, and to the West Woodbridge Homeowners Association. The recommendation to receive the Public Hearing report of December 1, 2009, was ratified by Council on December 14, 2009.

The Vaughan Development Planning Department has received correspondence from the adjacent northerly landowner (8631 Regional Road 50), who identified the following concerns:

- i) the proposed zone change from A Agricultural Zone to EM3 Retail Warehouse Employment Area Zone does not conform to the Official Plan;
- ii) the proposed zoning includes the provision of a future road (Street 'A') connecting into the property to the north, which would prematurely fix a road system onto the lands to the north without affording any formal discussions; and,
- iii) the site was recently subject to a comprehensive Official Plan Amendment, which designated the lands "Prestige Area" and "Employment Area General" with some "Valley Land". The proposed retail warehouse uses should be included as part of a large and more comprehensive Zoning By-law Amendment Application to avoid piece-meal planning and a more integrated and coordinated approach to development in this area.

The above-noted concerns have been addressed in the Planning Consideration section of this report.

On April 29, 2010, a Notice for this Committee of the Whole meeting was sent to all individuals requesting notice of this meeting or having appeared at the Public Hearing on December 1, 2009.

Purpose

To amend the City's Zoning By-law 1-88, to rezone the subject lands (Attachments #1 and #2) from A Agricultural Zone to EM2 General Employment Area Zone, EM3 Retail Warehouse Employment Area Zone, C7 Service Commercial Zone and OS1 Open Space Conservation Zone in the manner shown on Attachment #3, to permit general employment, retail warehouse, service commercial and stormwater management pond uses, respectively, and to permit the site-specific exceptions on the property identified in Table 1 of this report.

Background - Analysis and Options

The subject lands shown on Attachments #1 and #2, are located at the northeast corner of Regional Road 50 and Langstaff Road, being Part of Lot 11, Concession 10, in Planning Block 64. The surrounding land uses are shown on Attachment #2.

Official Plan

The subject lands are designated "Prestige Area", "Valley Lands" and "Employment Area General" by OPA #450 (Employment Area Plan), as amended by OPA #631, and are subject to the following policies:

a) Prestige Area

The "Prestige Area" designation is located adjacent to arterial roads and highways, which encourages locational opportunities for uses that require high visual exposure, good accessibility and an attractive working environment. The "Prestige Area" designation permits a wide range of industrial, office, business and civic uses and is implemented through the EM1 Prestige Employment Area Zone category in Zoning By-law 1-88.

OPA #450 also contains policies respecting "Service Nodes", which allow service commercial uses at the intersection of arterial and/or collector roads. The "Service Node" designation provides policies for uses that supply the day-to-day convenience and service needs of the surrounding businesses, industries and their employees and to ensure that service opportunities are provided at convenient and accessible locations throughout the Employment Area. The maximum area of a Service Node is 1.2 ha. The proposed C7 Service Commercial Zone satisfies the Official Plan criteria respecting the location of a Service Node, since the property is located at the intersection of Regional Road 50 and Langstaff road, and is approximately 1.2 ha in size.

b) Retail Warehousing

OPA #631 identifies and designates a "Retail Warehouse" location southeast of Rutherford Road and Regional Road 50, and also permits Retail Warehousing elsewhere in Block 64, including the subject lands in accordance with the following retail warehouse policies and criteria in OPA #450: availability of access to the arterial road system; traffic impacts on adjacent land uses; the adequacy of proposed accesses and the impact of the proposed use on the operation of the regional and local road system; and compatibility with adjacent land uses. The proposed EM3 Retail Warehouse Employment Area Zone will have frontage onto Regional Road 50 and potential access through a future north/south road (Street 'A') in accordance with the approved

Block 64 Land Use Plan as shown on Attachment #4. The approved Block Plan and Official Plan accommodate employment uses in the surrounding area, and the impacts of the employment uses were considered at the Block Plan and Official Plan Stage. The proposed Retail Warehouse Employment Area Zone is compatible with the existing and proposed land uses in the surrounding area.

c) Employment Area General

The "Employment Area General" designation is located internally within employment areas and accommodates uses that do not require high visual exposure, provides locational opportunities for industrial uses which may require outside storage or be undertaken outdoors, and that facilitates a broad range of lot sizes and a diversity of building forms in order to meet the needs of any business or industry. Permitted uses include a full range of processing, warehousing, and transportation and distribution facilities with or without outside storage. The proposed EM2 Employment Area General Zone located at the northeast corner of the property conforms to the Official Plan.

d) Block 64 Land Use Plan

The approved Block 64 Land Use Plan as shown on Attachment #4 designates the subject lands as "Prestige Area", "Employment Area General" and "Valley Land". The Block Plan was approved by Vaughan Council on June 26, 2006.

The proposed zoning as shown on Attachment #3, will implement the land use designations in the approved Block Plan as shown on Attachment #4. The future road (Street "A") and storm water management pond on the approved Block 64 Land Use Plan have also been identified on the proposed zoning schedule as shown on Attachment #3.

The proposed EM2 General Employment Area Zone, EM3 Retail Warehouse Employment Area Zone, C7 Service Commercial Zone, and OS1 Open Space Conservation Zone are proposed to implement the general employment, retail warehouse, service commercial and stormwater management uses on the subject lands, and is consistent with and conforms to OPA #450, OPA #631 and the approved Block 64 Land Use Plan.

Zoning

The subject lands are currently zoned A Agricultural Zone by By-law 1-88. The proposed general employment, retail warehouse, service commercial and stormwater management pond uses are not permitted, and therefore, an amendment to the Zoning By-law is required. The following exceptions to the Zoning By-law are proposed:

Table 1: Proposed Zoning Exceptions

	By-law Standard	By-law 1-88 Requirements	Proposed Exceptions to By-law 1-88
a.	Minimum Landscape Strip Width (along Regional Road 50 - EM3 Retail Warehouse Employment Area Zone).	9.0m	Permit a minimum 6.0m wide landscape strip, where a building with windows faces a street line.

	By-law Standard	By-law 1-88 Requirements	Proposed Exceptions to By-law 1-88
b.	Minimum Landscape Strip Width on Employment Lands Abutting an Open Space Zone (affecting EM2 General Employment and EM3 Retail Warehouse Employment Area Zones)	7.5m	3.0m
c.	Parking and Building Setbacks for the EM3 Retail Warehouse Zone and C7 Service Commercial Zone	Parking and building setback requirements applied separately to each respective zone category.	For the purposes of zoning, the lands zoned C7 Service Commercial Zone and EM3 Retail Warehouse Employment Area Zone shall be deemed to be a single lot for the purposes of applying minimum parking and building setback requirements.
d.	Minimum Front Yard Setback (C7 Service Commercial Zone – opposite Regional Road 50)	9.0m	6.0m
e.	Minimum Exterior Side Yard Setback (C7 Service Commercial Zone – opposite Langstaff Road)	9.0m	6.0m
f.	Permitted Uses in the C7 Service Commercial Zone	C7 Service Commercial Zone uses only.	EM3 Retail Warehouse Employment Area Zone uses shall be permitted in the C7 Service Commercial Zone, except Swimming Pool and Recreational Vehicle Leasing/Retail/Sales.

The Development Planning Department has reviewed the proposed changes to the Zoning By-law with the above-noted exceptions and have no objections.

Planning Considerations

The subject lands are designated "Prestige Area" (adjacent to Regional Road 50), "Employment Area General" (internal to employment area) and "Valleylands" by OPA #450 (Employment Area Growth and Management Plan), as amended by OPA #631. These existing land use designations

implement the permitted uses within the Block 64 Land Use Plan which was approved by Council on June 26, 2006.

The proposed EM2 General Employment Area Zone, EM3 Retail Warehouse Employment Area Zone, C7 Service Commercial Zone and OS1 Open Space Conservation Zone as shown on Attachment #3, to permit general employment, retail warehouse, service commercial and stormwater management pond uses, respectively, is consistent and compatible with the surrounding land uses, the policies within OPA #450, OPA #631 and the approved Block 64 Land Use Plan.

In response to the written concerns submitted by the adjacent northerly landowner, the proposed road (Street 'A') as shown on Attachment #3 is situated in a location that is supported by the approved Block 64 Land Use Plan as shown on Attachment #4. The final details around the requirement and location of this road will be dealt with through a Development/Servicing Agreement with the City at the Site Development stage. In addition, the applicant should enter into a Developers Group Agreement with other participating landowners within Block 64, for the cost sharing of infrastructure within the Block Plan, including the proposed road and storm pond. The subject application proposes to rezone the site to permit the future development of the property for employment, service commercial and retail warehousing uses.

The City of Vaughan has an established Block Plan approval process to implement an overall planning scheme for an entire Block, and to ensure that development within the Block is coordinated and integrated together. The approved Block 64 Land Use Plan represents the City's overall comprehensive planning scheme for this Block, and the land uses proposed on the subject lands is consistent and compatible with the approved Block Plan and Official Plan for the surrounding area.

Access, Traffic and Parking

The applicant provided a Traffic Impact Study in support of the proposed development, and in support of the policies within OPA #450 to justify service commercial and retail warehousing uses on the subject lands. The Traffic Impact Study was reviewed and approved by the Region of Peel, the Region of York, and the Vaughan Engineering Department.

Environmental Site Assessments

The Phase 1 and Phase 2 Environmental Site Assessments provided in support of the proposed development has been reviewed and approved by the Vaughan Engineering Department.

Functional Servicing Report

The Functional Servicing Report submitted in support of the proposed development has been reviewed and approved by the Region of Peel, the Region of York, and the Vaughan Engineering Department. The storm pond proposed by the applicant has been approved by the Block Engineer (Schaeffers Consulting Engineers) and by the Vaughan Engineering Department.

Future Site Development Application

The Owner will be required to submit a Site Development Application for Council's approval on the EM3 and C7 zoned lands only, to ensure appropriate site circulation and building design, site servicing and grading, and urban design and streetscaping are appropriately addressed. The proposed EM2 lands are located internal to the site and can proceed directly to the Building Standards Department for a building permit.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Vitality".

Regional Implications

The application was circulated to the Region of York and the Region of Peel for review. Both public agencies have reviewed the proposed development and have indicated they have no concerns with the proposed rezoning, and that the technical review will occur at a later date upon the submission of the required Site Development Application.

Conclusion

The Zoning By-law Amendment Application has been reviewed in accordance with the policies of OPA #450 (Employment Area Plan) as amended by OPA #631, the Council approved Block 64 Land Use Plan, the requirements of By-law 1-88, the comments received from City Departments and external public agencies, and the public at the Public Meeting, and the surrounding area context. The Development Planning Department is satisfied that the proposal to rezone the subject lands from A Agricultural Zone to EM2 General Employment Area Zone, EM3 Retail Warehouse Employment Area Zone, C7 Service Commercial Zone and OS1 Open Space Conservation Zone as shown on Attachment #3, to permit general employment, retail warehouse, service commercial and stormwater management pond uses, with site-specific exceptions on the property, is appropriate and compatible with the existing uses in the surrounding area, and conforms with the Official Plan and Block Plan. The concerns identified by the public have been addressed through the discussion in this report. In addition, a Functional Servicing Report and a Traffic Impact Study were prepared in support of the application, which were reviewed and approved by the Region's of York and Peel and the Vaughan Engineering Department. On this basis, the Development Planning Department can support the approval of the Zoning By-law Amendment Application.

Attachments

1. Context Location Map
2. Location Map
3. Proposed Zoning
4. Approved Block 64 Land Use Plan

Report prepared by:

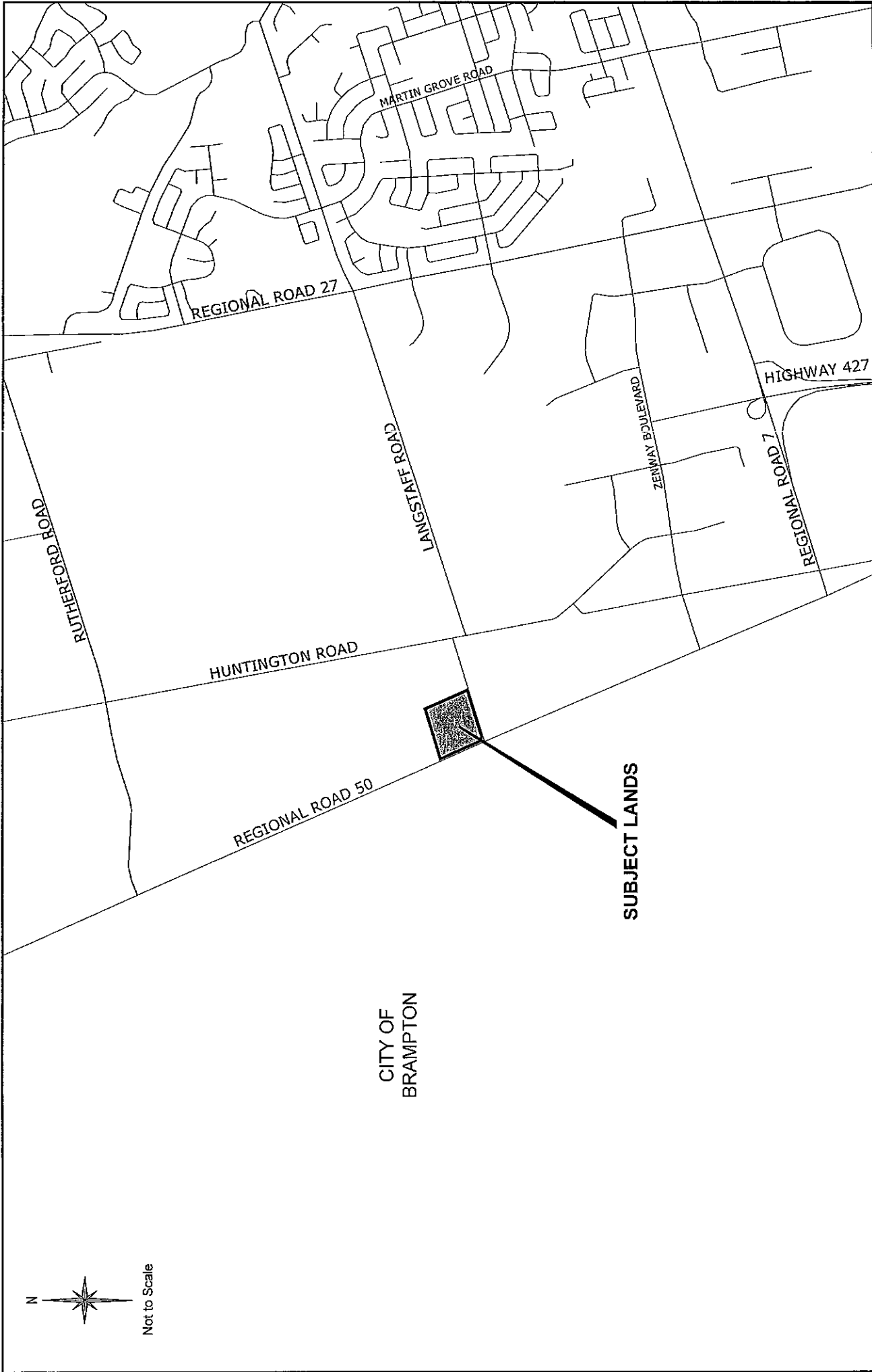
Ryan Mino, Planner, ext. 8213
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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

GRANT UYHEYAMA
Director of Development Planning

/CM



Not to Scale

Context Location Map

Location: Part of Lot 11,
Concession 10

Applicant:
Lega Holdings

N:\DPT\1 ATTACHMENTS\2.09.0-9.dwg



The City Above Toronto

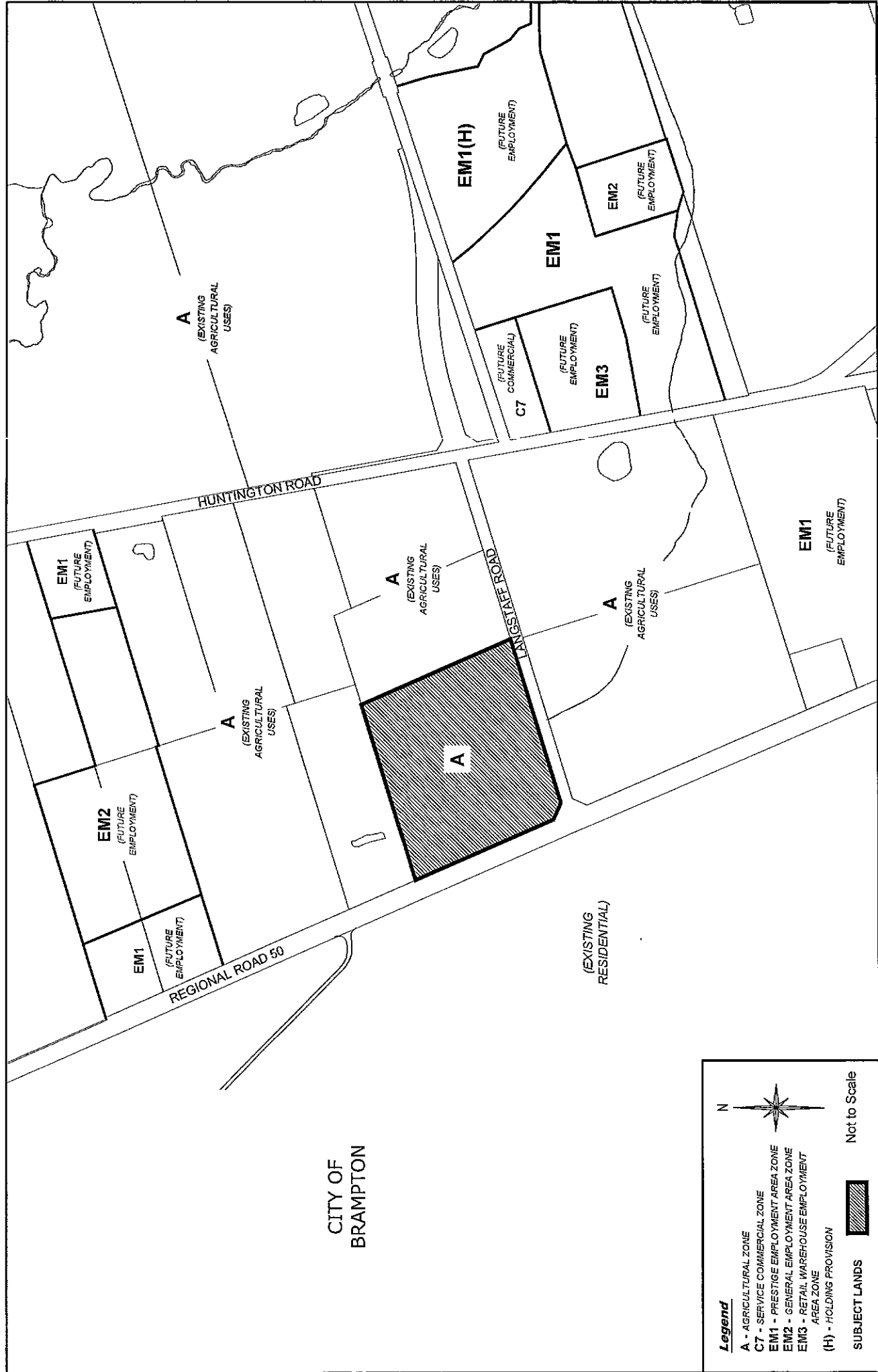
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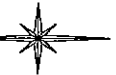


CITY OF
BRAMPTON

Legend

- A - AGRICULTURAL ZONE
- C7 - SERVICE COMMERCIAL ZONE
- EM1 - PRESTIGE EMPLOYMENT AREA ZONE
- EM2 - GENERAL EMPLOYMENT AREA ZONE
- EM3 - RETAIL WAREHOUSE EMPLOYMENT AREA ZONE
- (H) - HOLDING PROVISION

SUBJECT LANDS  Not to Scale

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Location Map

Location: Part of Lot 11,
Concession 10

Applicant:
Legs Holdings

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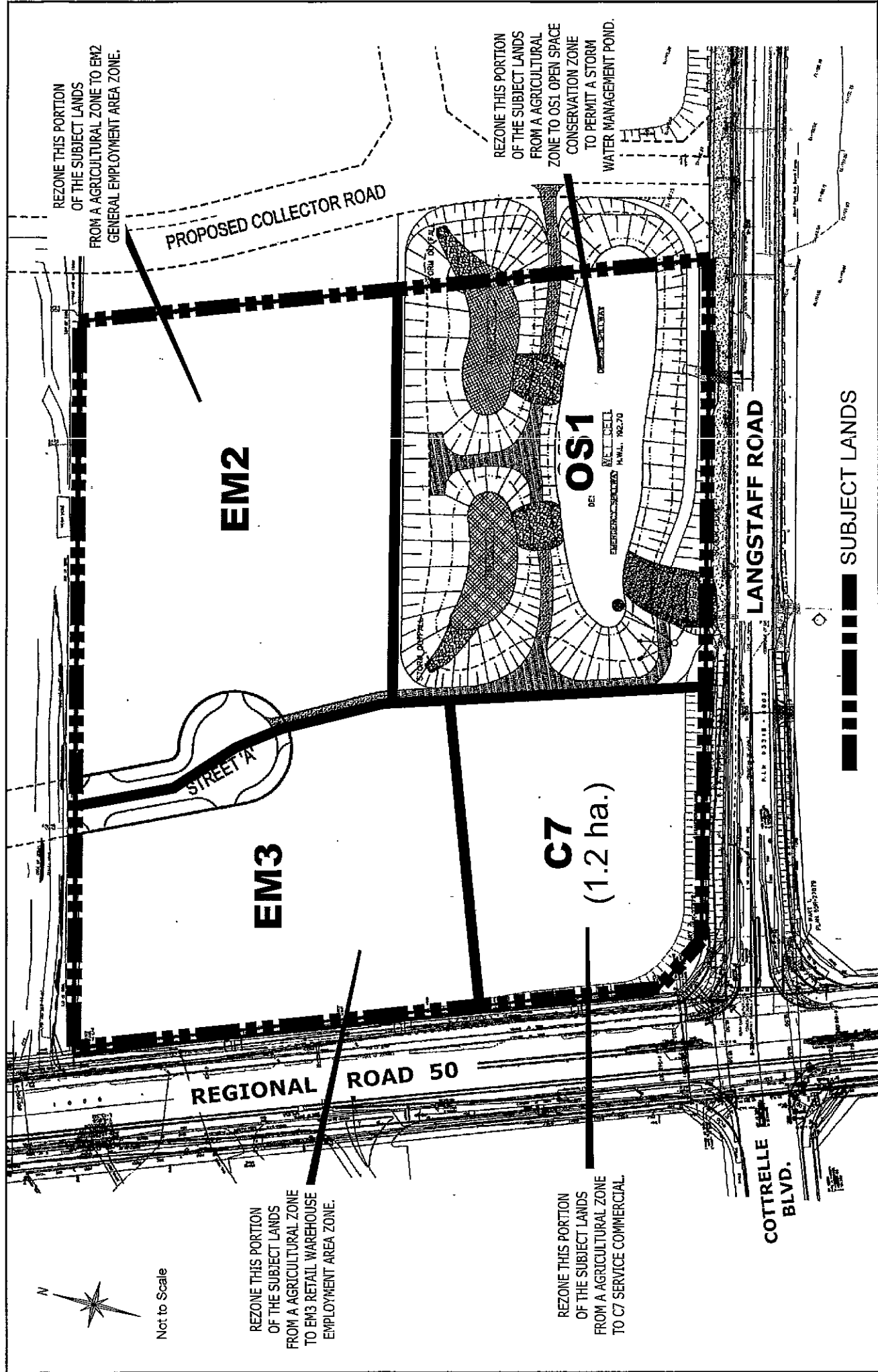


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Attachment

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Proposed Zoning

Location: Part of Lot 11,
Concession 10

Applicant:
Legs Holdings

MAP/PL/1 ATTACHMENTS/2/1: 09.019 o-mg



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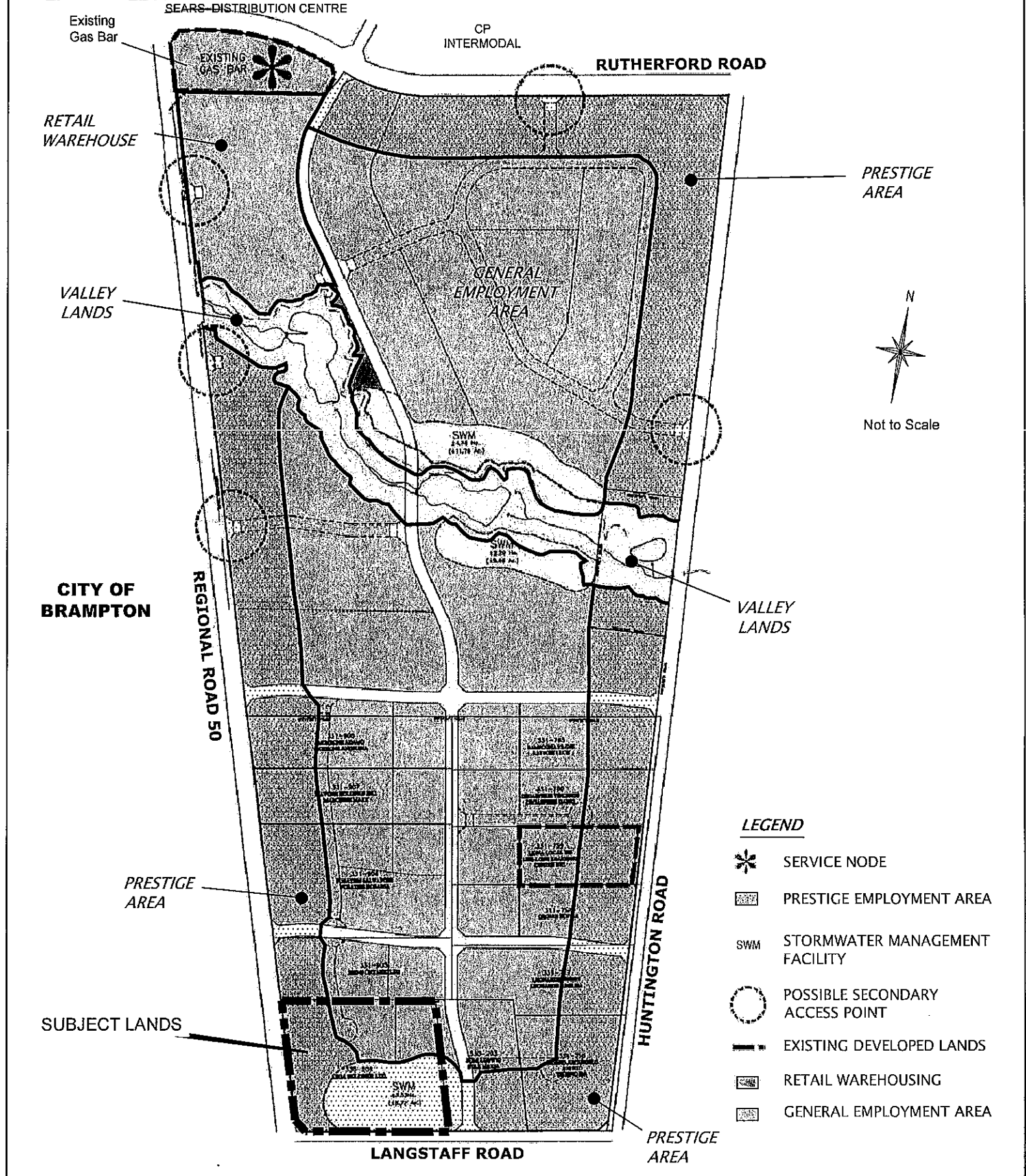
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Approved Block 64 Land Use Plan

Applicant:
Lega Holdings

Location: Part of Lot 11,
Concession 10



The City Above Toronto

Development Planning Department

Attachment

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