

## **COMMITTEE OF THE WHOLE JANUARY 17, 2012**

### **ZONING BY-LAW AMENDMENT FILE Z.11.031 611428 ONTARIO LIMITED WARD 2**

#### **Recommendation**

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.11.031 (611428 Ontario Limited) BE APPROVED, to amend Zoning By-law 1-88, specifically to rezone the subject lands shown on Attachments #1 and #2 from EM1(H) Prestige Employment Area Zone with the Holding Symbol "(H)" to EM2 General Employment Area Zone as shown on Attachment #3; and,
2. THAT the implementing Zoning By-law include the following provisions:
  - a) permit a minimum lot frontage of 30 m for Block 1 as shown on Attachment #5; and,
  - b) require a minimum 5 m wide landscape strip to be provided including the provision of trees along the rear lot line of the subject lands to be zoned EM2 General Employment Area Zone that abuts an OS1 Open Space Conservation Zone, to be used for no other purpose than landscaping.

#### **Contribution to Sustainability**

The proposal constitutes a change in zoning only at this time. Any contributions to sustainability will be determined through the Site Plan approval process, when applicable.

#### **Economic Impact**

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

#### **Communications Plan**

On September 30, 2011, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands, and to the West Woodbridge Homeowners Association. Through the notice circulation, no written comments were received by the Vaughan Development Planning Department. The recommendation of the Committee of the Whole to receive the Public Hearing report of October 25, 2011, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council on November 8, 2011.

#### **Purpose**

The Owner has submitted Zoning By-law Amendment File Z.11.031 to amend Zoning By-law 1-88, specifically to rezone the subject lands shown on Attachments #1 and #2 from EM1(H) Prestige Employment Area Zone with the Holding Symbol "(H)" to EM2 General Employment Area Zone as shown on Attachment #3, with the following zoning exceptions:

- a) permit a minimum Lot Frontage of 30 m for Block 1 as shown on Attachment #5; and,

- b) provide a minimum 5 m wide landscape strip that includes the provision of trees along the rear lot line of the subject lands to be zoned EM2 General Employment Area Zone, which abuts an OS1 Open Space Conservation Zone, to be used for no other purpose than landscaping.

## **Background - Analysis and Options**

### **Location**

The subject lands shown on Attachments #1 and #2, are 2.61 ha in size and are located west of Regional Road #27 and south of Langstaff Road, specifically on the west side of the proposed extension of Milani Boulevard, City of Vaughan. The surrounding land uses are shown on Attachment #2. An overall concept plan for the area is shown on Attachment #6.

### **Approved Plan of Subdivision File 19T-90018 (611428 Ontario Limited) and related Zoning By-law Amendment File Z.23.90 (611428 Ontario Limited)**

On August 27, 2001, Vaughan Council approved Draft Plan of Subdivision and Zoning By-law Amendment Files 19T-90018 and Z.23.90 (611428 Ontario Limited) to facilitate the development of employment, commercial, and open space blocks (Attachment #4), including the subject lands zoned EM1(H) Prestige Employment Area Zone with the Holding Symbol "(H)" (Attachment #2).

The original approved Draft Plan of Subdivision File 19T-90018 is shown on Attachment #4 and consists of 3 phases of development. Phase 2, which is not yet registered is formed by Blocks 17 to 22 inclusive and Block 25. However, since Council approval, the Owner has revised the Draft Plan of Subdivision and merged Blocks 22 and 25 to create Block 1, and merged Blocks 17, 18 and 23 to create Block 6, as shown on the proposed Draft M-Plan (Attachment #5). The lands subject to this rezoning application pertains only to the subject lands being Blocks 1 to 5 inclusive, as shown on Attachment #5.

### **Official Plan**

The subject lands are designated "Employment Area General" by OPA #450 (Employment Area Plan), which permits a wide range of employment uses including processing, warehousing and storage operations which may include the outside storage of goods. The subject lands are also designated "General Employment" by the new City of Vaughan Official Plan 2010, which was adopted by Vaughan Council on September 7, 2010 (as modified September 27, 2011) and is pending approval from the Region of York.

The application to rezone the subject lands from EM1 Prestige Employment Area Zone with the Holding Symbol "H" to EM2 General Employment Area Zone conforms to both Official Plans.

### **Zoning/Planning Considerations**

The subject lands are zoned EM1(H) Prestige Employment Area Zone with the Holding Symbol "(H)" by Zoning By-law 1-88, subject to Exceptions 9(1253), which permits a range of uses including employment, office, and business uses, with no outside storage. The Owner is proposing to rezone the subject lands to EM2 General Employment Area Zone, which permits all uses in the EM1 Prestige Employment Area Zone (except hotel, motel, convention centre and personal service shop) and other uses such as processing and warehousing, and includes the outside storage of materials subject to specific requirements in Zoning By-law 1-88, in conformity with the current in-effect and adopted Official Plans. The list of all permitted uses for both the EM1 Prestige Employment Area Zone and EM2 General Employment Area Zone are listed on Attachment #7.

The minimum required lot frontage for the EM2 General Employment Area Zone is 34 m, whereas the Owner has proposed a minimum lot frontage of 30 m for Block 1, as shown on Attachment #5. The Development Planning Department is of the opinion that this reduction is minor in nature as Block 1 meets the minimum lot area (3000 m<sup>2</sup>) and is a result of minor changes to the original layout of Phase 2 of Draft Plan of Subdivision 19T-90018.

When the subject lands were originally zoned EM1(H) Prestige Employment Zone with the Holding Symbol "(H)" by Zoning By-law 99-2006, a provision for a minimum 5 m wide landscape buffer along the rear lot line of lands abutting the OS1 Open Space Conservation Zone was included in the by-law. If the zoning application is approved, the subject lands will be rezoned to EM2 General Employment Area Zone, and the current site-specific exception must be amended to apply the same 5 m wide landscape buffer to the subject lands, including the provision of trees.

The subject lands are zoned with the Holding Symbol "(H)", which may be removed upon confirmation that the lands have been combined with other lands in the adjacent plan of subdivision to the north, to form full developable blocks. The Development Planning Department has confirmed with the adjacent landowner that these blocks will not be combined. Rather, as discussed in this report, the Owner has revised the original approved Plan of Subdivision as shown on Attachment #4, and combined Blocks 22 and 25, to form Block 1 (Attachment #5) within the same Draft Plan of Subdivision, to create a full developable block. The Development Planning Department is of the opinion that this condition for the removal of the Holding Symbol "(H)" has been satisfied.

The second condition for removal of the holding provision on the subject lands requires clearance from the Ministry of Transportation (MTO) on the final alignment of the Highway #427 extension and cross-over. Pursuant to correspondence received on October 27, 2011, from the MTO, the subject lands are no longer required for the Highway #427 extension and the Holding Symbol "(H)" can now be removed from the subject lands, thereby satisfying the second condition for removal of the Holding Symbol.

In light of the above, the Development Planning Department can support the proposed rezoning of the subject lands and the site-specific exceptions noted above.

#### Ministry of Transportation (MTO)

The MTO has advised that they have no objection to the proposed rezoning of the property and removal of the Holding Symbol "(H)" as they have determined that the final alignment of the Highway #427 extension and cross-over do not affect the subject lands. The MTO has advised in writing that the subject lands may be released for development.

#### Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority has advised that they have no objections to the proposal.

#### Future Site Development Application

The Owner of any lot in the plan may be required to submit a Site Development Application for Council's approval, depending on the future use of each lot, in accordance with the City's Site Plan Control By-law. Through the Site Plan review process matters such as appropriate site layout and building design, site servicing and grading, stormwater management, parking and access, urban design, landscaping, streetscaping and sustainable design will be addressed.

### **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 Well-being".

### **Regional Implications**

The Region of York has advised that they have no objections to the application.

### **Conclusion**

The Vaughan Development Planning Department has reviewed Zoning By-law Amendment File Z.11.031 (611428 Ontario Limited) in accordance with the policies of OPA #450, the requirements of Zoning By-law 1-88, the comments received from City Departments and external public agencies, and the surrounding area context. The Development Planning Department is satisfied that the proposal to rezone the subject lands from EM1(H) Prestige Employment Area Zone with the Holding Symbol "(H)" to EM2 General Employment Area Zone is appropriate and compatible with the existing uses in the surrounding area, and conforms to the Official Plan, and can be approved subject to the comments and recommendations in this report.

### **Attachments**

1. Context Location Map
2. Location Map
3. Proposed Zoning
4. Draft Plan of Subdivision File:19T-90018 (Approved by Council August 27, 2001)
5. Proposed Draft M-Plan
6. Overall Concept Plan for Milani Boulevard
7. EM1 Zone Permitted Uses/EM2 Zone Permitted Uses

### **Report prepared by:**

Mary Caputo, Planner, ext. 8215  
Carmela Marrelli, Senior Planner, ext. 8791  
Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN MACKENZIE  
Commissioner of Planning

GRANT UYEYAMA  
Director of Development Planning

/LG



Not to Scale

# Context Location Map

Location: Part of Lot 9,  
Concession 9

Applicant:  
611428 Ontario Limited

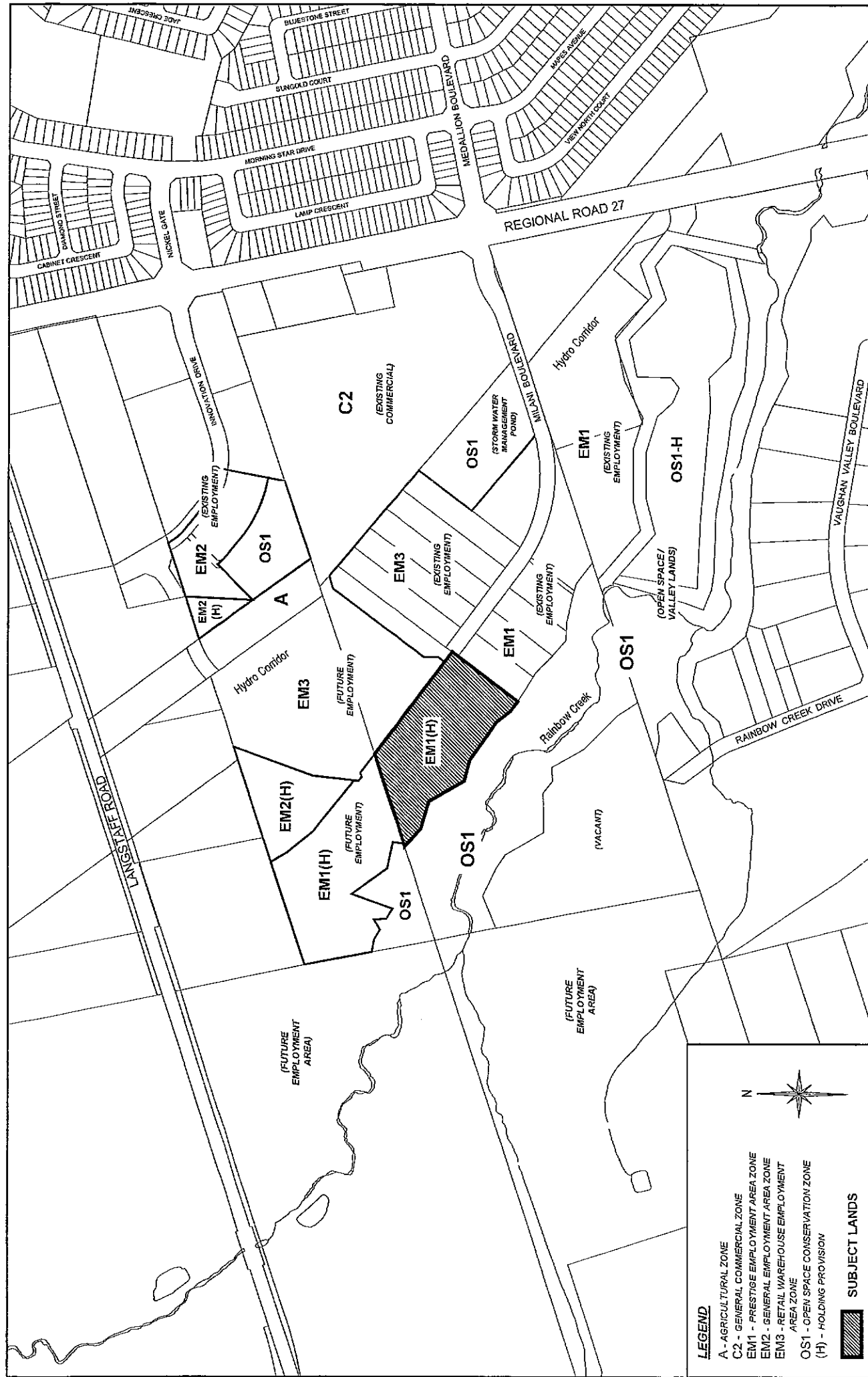
N:\DPT\1 ATTACHMENTS\Z\2-11.031.dwg



# Attachment

File: Z.11.031  
Related File: 19T-90018  
Date: December 14, 2011

1



**LEGEND**

- A - AGRICULTURAL ZONE
- C2 - GENERAL COMMERCIAL ZONE
- EM1 - PRESTIGE EMPLOYMENT AREA ZONE
- EM2 - GENERAL EMPLOYMENT AREA ZONE
- EM3 - RETAIL WAREHOUSE EMPLOYMENT AREA ZONE
- OS1 - OPEN SPACE CONSERVATION ZONE
- (H) - HOLDING PROVISION

**SUBJECT LANDS**

N

# Location Map

Location: Part of Lot 9,  
Concession 9

Applicant:  
611428 Ontario Limited

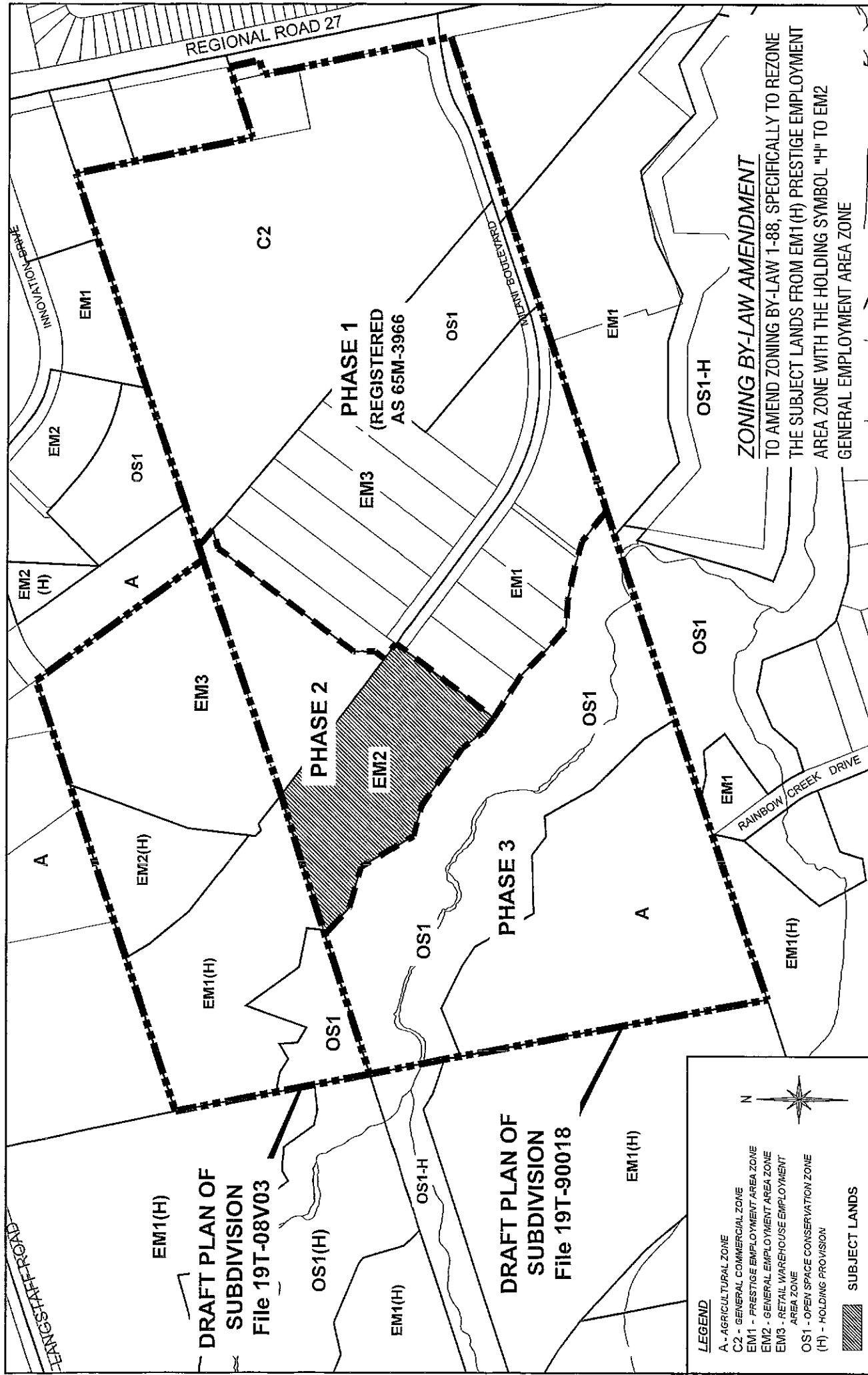
N:\DPT\1 ATTACHMENTS\2\2.11.031.dwg



# Attachment

File: Z11.031  
Related File: 19T-90018  
Not to Scale  
Date: December 14, 2011

2



# Proposed Zoning

Location: Part of Lot 9,  
Concession 9

Applicant:  
611428 Ontario Limited

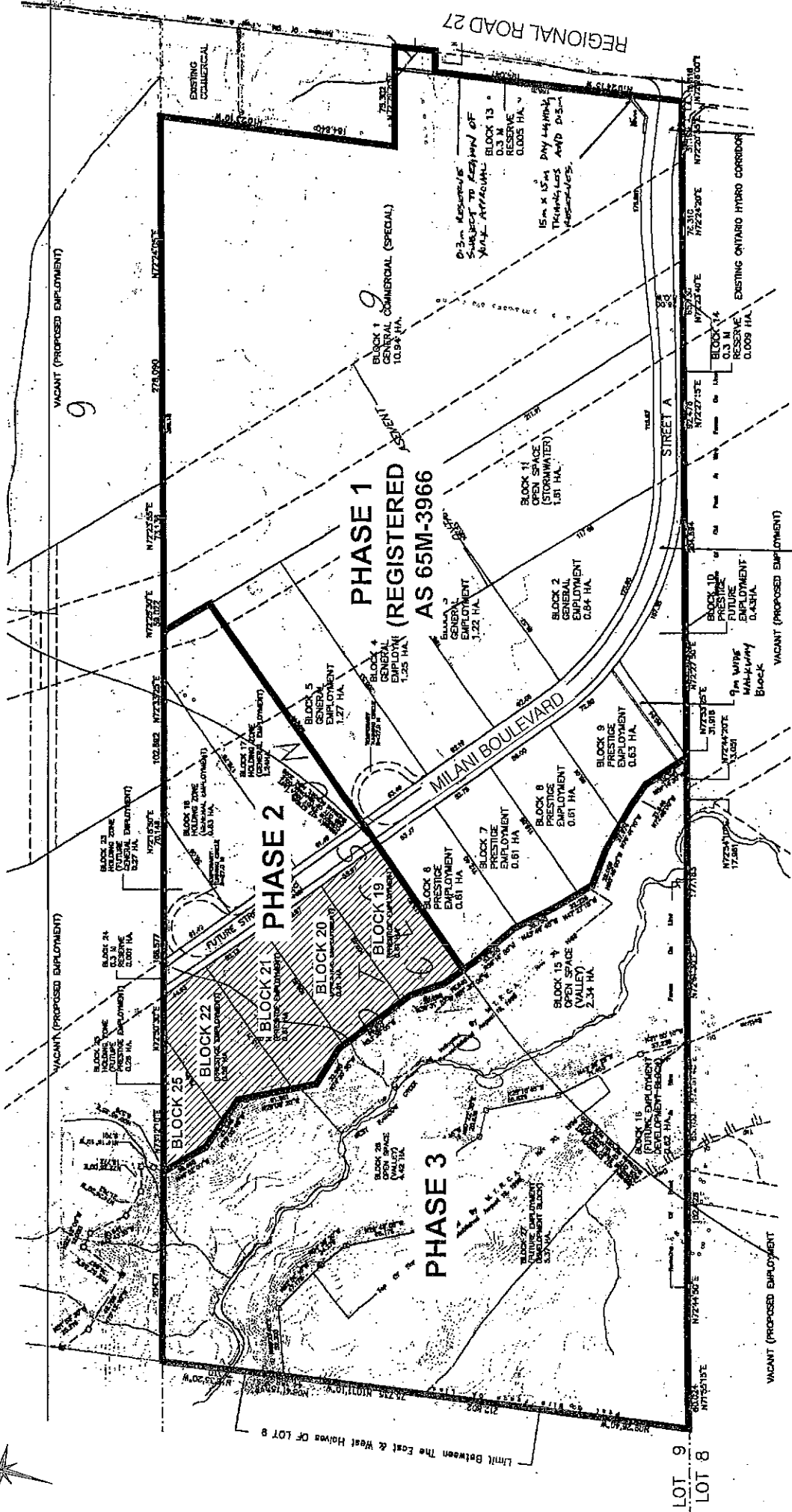
N:\DRAFT\ATTACHMENTS\Z\z.1.031.dwg



# Attachment

File: Z.11.031  
Related File: 19T-90018  
Not to Scale  
Date: December 14, 2011

3



 SUBJECT LANDS

Draft Plan of Subdivision File: 19T-90018  
(Approved By Council August 27, 2001)

Applicant: 611428 Ontario Limited  
Location: Part of Lot 9, Concession 9

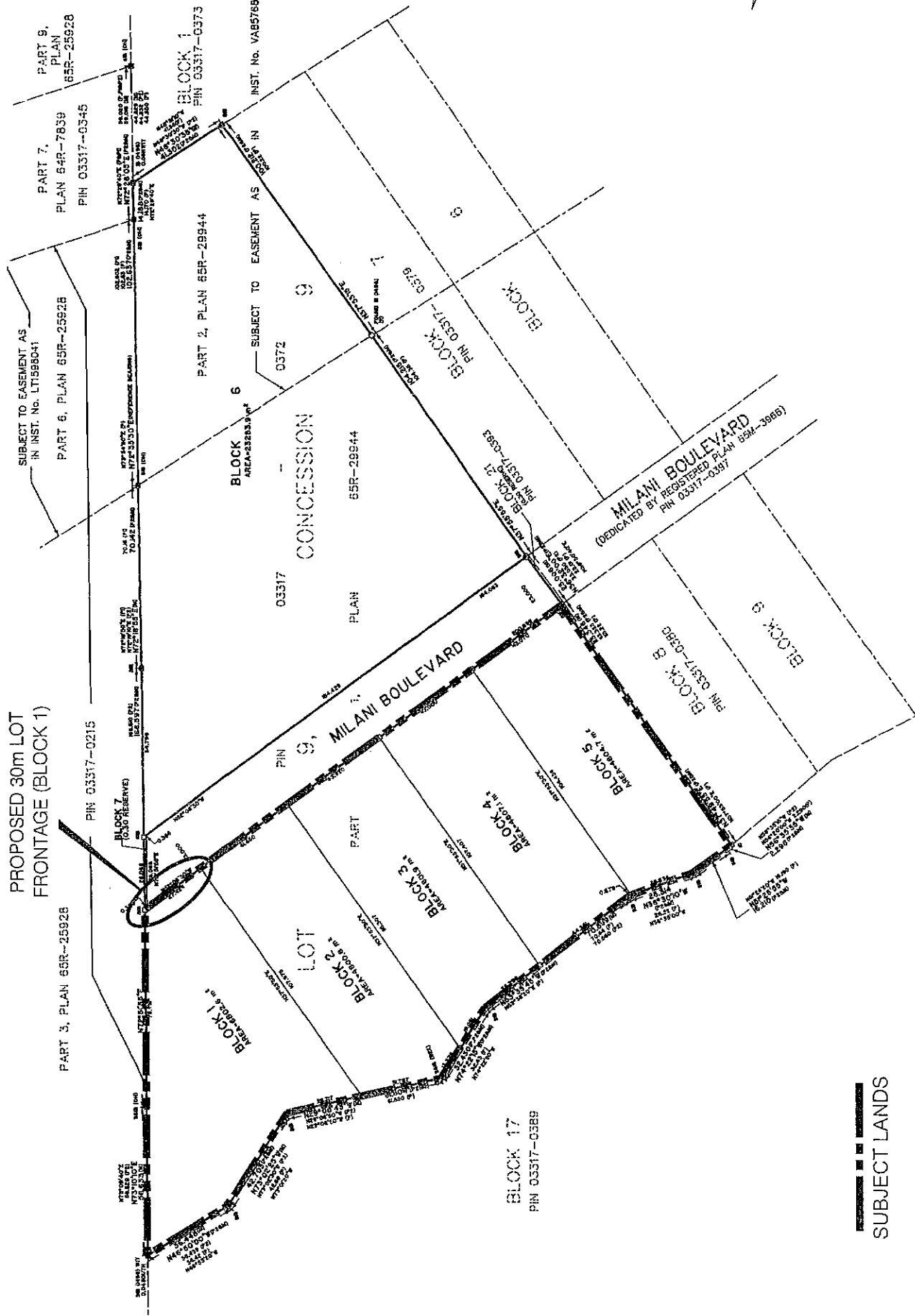


Attachment  
File: Z.11.031  
Related File: 19T-90018  
Not to Scale  
Date: December 14, 2011

4



# PROPOSED 30m LOT FRONTAGE (BLOCK 1)



## Proposed Draft M-Plan

Location: Part of Lot 9,  
Concession 9

Applicant:  
611428 Ontario Limited

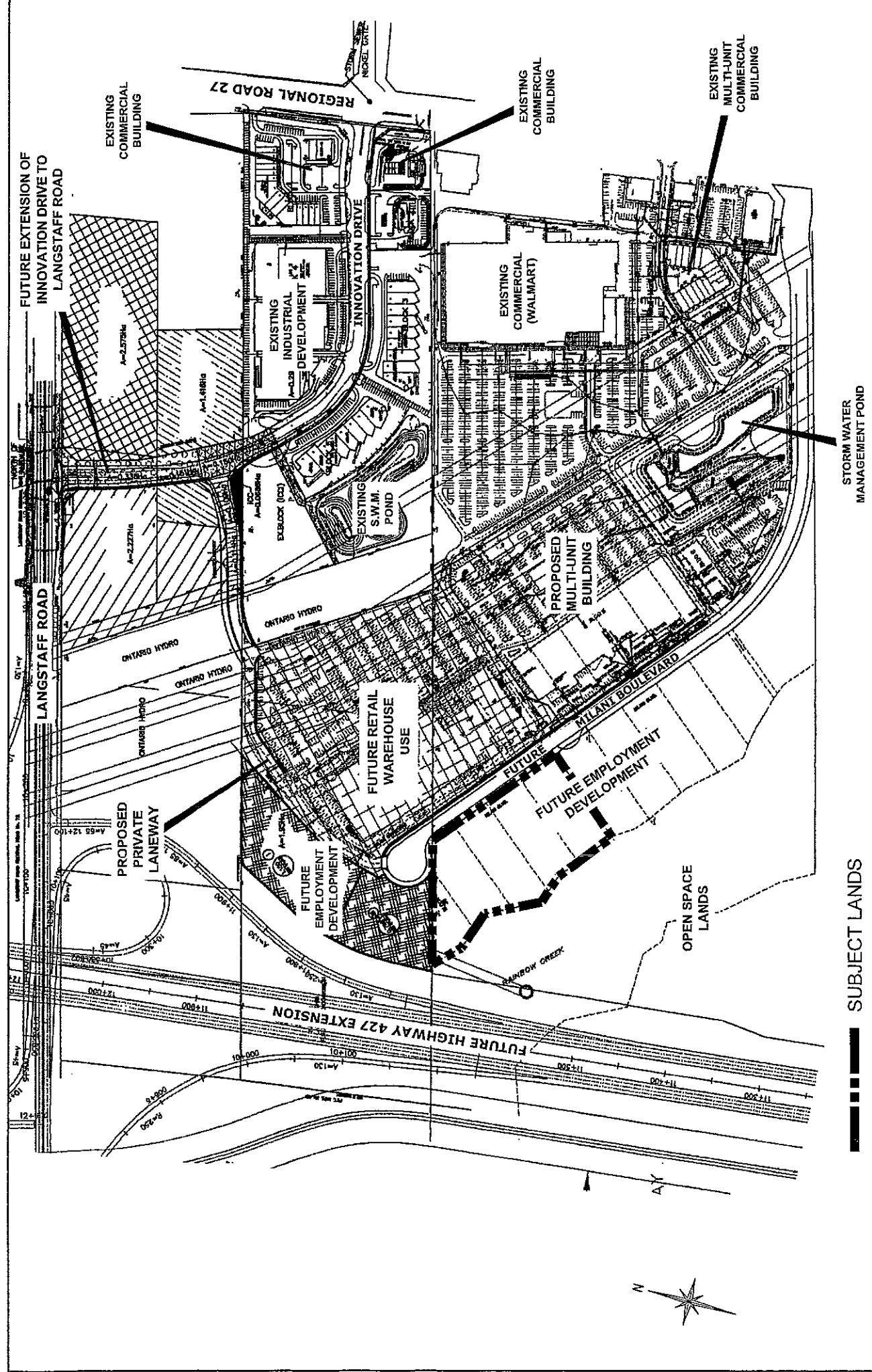
N:\DTP\1 ATTACHMENTS\2011.031.dwg



## Attachment

File: Z.11.031  
Related File: 19T-90018  
Not to Scale  
Date: December 14, 2011

5



Overall Concept Plan For  
**Milani Boulevard**

Applicant:  
 611428 Ontario Limited  
 Location: Part of Lot 9,  
 Concession 9

## USES PERMITTED IN ALL EMPLOYMENT AREA ZONES

- Day Nursery
- Technical School
- Parks and Open Space
- Recreational Uses

### EM1 - PRESTIGE EMPLOYMENT AREA ZONE

#### 6.2.1 Uses Permitted

- a) The uses permitted are as follows, provided they are within a wholly enclosed building and with no outside storage:

- Employment Use
- Accessory Retail Sales to an Employment Use
- Accessory Office Uses to an Employment Use
- Banquet Hall, in a Single Unit Building, subject to Section 3.8
- Bowling Alley, subject to Section 3.8
- Business and Professional Offices, not including regulated health professional
- Club, Health Centre, provided that the use is not located in a building which abuts a provincial highway, excepting Highway #7
- Convention Centre, Hotel, Motel, subject to Section 3.8
- Funeral Home in a Single Unit building and subject to Section 3.8
- Car Brokerage
- Office Building
- Recreational Uses, including a golf driving range and miniature golf course
- Service and Repair Shop
- Any public garage legally existing as of the date of enactment of By-law 80-95

### EM2 - GENERAL EMPLOYMENT AREA ZONE

#### 6.3.1 Uses Permitted

- a) The uses permitted with or without accessory outside storage are as follows:

- All uses Permitted in an EM1 Zone, except Hotel, Motel, Convention Centre and Personal Service Shop, subject to Section 3.8
- All Season Sports Facility, subject to Section 3.8
- Autobody Repair Shop
- Building Supply Outlet
- Car Brokerage, including trucks
- Club or Health Centre
- Contractor's Yard
- Equipment Sales/Rental Establishment
- Meat Packing and Processing, not including accessory outside storage
- Public Garage
- Scrap Paper Storage, sorting or Baling
- Service or Repair Shop, including repair of heavy equipment
- Truck Terminal

*EM1 Zone Permitted Uses /  
EM2 Zone Permitted Uses*

Applicant:  
611428 Ontario Limited

Location: Part of Lot 9,  
Concession 9



*Attachment*

File: Z.11.031  
Related File: 197-90018  
Not to Scale

Date: December 14, 2011

7