

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 13, 2010

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Eating Establishment, Eating Establishment Convenience, Eating Establishment Take-out, Personal Service Shop, Convenience Retail Store, and Pharmacy); and,

- b) rezone the east half of the lands from A Agricultural Zone to EM2 General Employment Area Zone;

in the manner shown on Attachments #3 and #4.

Background - Analysis and Options

Location	<ul style="list-style-type: none"> ▪ 8151 Regional Road 50, located on the east side of Regional Road 50, on the west side of Huntington Road, and north of Fogal Road, and shown as “Subject Lands” on Attachments #1 and #2.
Official Plan Designation and Block Plan	<ul style="list-style-type: none"> ▪ “Prestige Area” (west half) and “Employment Area General” (east half) by OPA #450 (Employment Area Growth and Management Plan), and the Huntington Business Park Block Plan (Attachment #5).
Zoning	<ul style="list-style-type: none"> ▪ C6 Highway Commercial Zone, subject to Exception 9(394), and A Agricultural Zone by By-law 1-88. ▪ The proposed employment and service commercial uses are not permitted in the C6 Highway Commercial Zone and A Agricultural Zone, and therefore, an amendment to the Zoning By-law is required to rezone the properties.
Surrounding Land Uses	<ul style="list-style-type: none"> ▪ Shown on Attachment #2.

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.	Appropriateness of Proposed Uses	<ul style="list-style-type: none"> ▪ The appropriateness of permitting the proposed employment, retail warehouse, and limited service commercial uses will be reviewed in consideration of the intent and purpose of the “Prestige Area” and “Employment Area General” designations on the property and compatibility with the surrounding land use context, the retail warehouse policies in OPA #450 as discussed in the next section of the report, and the conceptual site plan shown on Attachment #4. Of significance are the proposed limited C7 Service Commercial uses, which will be reviewed in consideration of the policies within OPA #450 (Employment Area Growth and Management Plan).

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b.	Retail Warehousing	<ul style="list-style-type: none"> ▪ The appropriateness of the proposed EM3 Retail Warehouse Employment Area Zone will be assessed in accordance with the retail warehouse policies identified in Section 2.2.7.1 of OPA #450, such as: 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 uses on the operation of the regional and local road system; and, compatibility with adjacent land uses. In considering an application for a retail warehouse, the following studies may be required: a traffic impact study, an urban design plan, and a landscape master plan, which will be considered together with the conceptual site plan shown on Attachment #4. ▪ The appropriateness of the proposed ratio of Retail GFA (37.15%) to Office GFA (62.85%) on the lands to be rezoned to EM3 Retail Warehouse Employment Area Zone will be reviewed in the context of the Official Plan and the surrounding land uses.
c.	Huntington Business Park – Block Plan	<ul style="list-style-type: none"> ▪ The subject lands are located within the approved Block Plan for the Huntington Business Park (Block 57/58 West Plan) as shown on Attachment #5; review will be given to ensure comprehensive and coordinated development of the subject lands with the surrounding lands, with respect to land use, access and road pattern.
d.	Conceptual Site Plan and Future Site Plan Application	<ul style="list-style-type: none"> ▪ The conceptual site plan (Attachment #4) will be reviewed to determine an appropriate site design and identify any necessary zoning exceptions to facilitate the development proposal. ▪ The Owner will be required to submit a future Site Plan Application, which will be reviewed to ensure appropriate building and site design, access, internal traffic circulation, parking, landscaping, and servicing and grading, for the EM3 lands only, in accordance with the City’s Site Plan Control By-law.
e.	Sustainable Development	<ul style="list-style-type: none"> ▪ Opportunities for sustainable design, including CEPTD (Crime Prevention Through Environmental Design), LEEDS (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 site plan approval process, if approved.

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f.	Urban Design Guidelines	<ul style="list-style-type: none">▪ The Urban Design brief submitted in support of the application will be reviewed in consideration of the approved Urban Design Guidelines for the Huntington Business Park.
g.	Supporting Studies	<ul style="list-style-type: none">▪ The Traffic Impact study submitted in support of the application has been reviewed and approved by the Region of Peel and the Vaughan Engineering Department.▪ The Phase 1 and Phase 2 ESA (Environmental Site Assessment) submitted in support of the application has been approved to the satisfaction of the Vaughan Engineering Department.▪ Any additional supporting studies to be submitted by the applicant will be identified through the review of the subject zoning application, and may include a parking justification report.

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. The Regional Transportation Services Department has indicated that they have no objection to the proposed development and that any technical issues will be dealt with at the Site Development stage.

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. Conceptual Site Plan
5. Huntington Business Park - Block Plan

Report prepared by:

Ryan Mino, Planner, ext. 8213
Carmela Marrelli, Senior Planner, ext. 8791
Mauro Peverini, Manager of Development Planning, ext. 8407

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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.)

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Item 2, Report No. 14, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on April 13, 2010.

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**ZONING BY-LAW AMENDMENT FILE Z.10.006
OMERS REALTY CORPORATION
WARD 2**

The Committee of the Whole (Public Hearing) recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated March 23, 2010:

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for File Z.10.006 (OMERS Realty Corporation) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Contribution to Sustainability

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

Economic Impact

This will be addressed when the technical report is completed.

Communications Plan

- a) Date the Notice of a Public Meeting was circulated: February 26, 2010
- b) Circulation Area: 150 m and to the West Woodbridge Homeowners Association
- c) Comments Received as of March 9, 2010: None

Purpose

The Owner has submitted an application to amend the City's Zoning By-law 1-88, specifically the EM2 General Employment Area Zone requirements in Exception 9(1013) to recognize the 590 existing permitted parking spaces for the existing single-use employment building, which would support the proposed conversion of the building into a multi-unit employment building requiring 1982 parking spaces (shortfall of 1392 spaces). A conceptual multi-unit configuration for the existing building is shown on Attachment #3.

Background - Analysis and Options

Location	<ul style="list-style-type: none"> ▪ 100 Royal Group Crescent, located southwest of Regional Road 27 and Regional Road 7, and shown as "Subject Lands" on Attachments #1 and #2.
Official Plan Designation	<ul style="list-style-type: none"> ▪ "Employment Area General" by OPA #450 (Employment Area Growth and Management Plan) ▪ The application conforms to the Official Plan.

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Zoning	<ul style="list-style-type: none"> ▪ EM2 General Employment Area Zone by By-law 1-88, subject to Exception 9(1013). ▪ The site is developed with 590 parking spaces to accommodate the existing single use building, however, will be deficient 1392 spaces (1982 required) if the building is converted into a multi-unit building, which would not comply with By-law 1-88.
Surrounding Land Uses	<ul style="list-style-type: none"> ▪ Shown on Attachment #2.

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.	Appropriateness of Proposed Parking Exception	<ul style="list-style-type: none"> ▪ The appropriateness of the proposed parking exception to recognize the existing 590 parking spaces on the property to support the proposed conversion of the existing single-use employment building to a multi-unit building, will be reviewed in consideration of the Parking Justification Report submitted by the applicant in support of the application, which must be reviewed and approved by the Vaughan Engineering Department.

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. Site Plan – Existing Building Showing Conceptual Unit Configuration

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Report prepared by:

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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.)

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Official Plan Designation	<ul style="list-style-type: none"> ▪ “Employment Area General” by OPA #450 (Employment Area Growth and Management Plan). ▪ The application conforms to the Official Plan.
Zoning	<ul style="list-style-type: none"> ▪ EM2 General Employment Area Zone by By-law 1-88, subject to Exception 9(995). ▪ Exception 9(995) currently permits a truck refueling station with a customer service building, which includes change rooms, showers, restroom facilities and vending machines, but does not permit convenience retail uses (i.e. packaged and prepared food and drink, tobacco products and limited truck related products such as windshield wiper blades and washer fluid, etc.). ▪ The application to permit convenience retail uses within the existing customer service building does not comply to the By-law, and therefore an amendment to the Zoning By-law is required.
Surrounding Land Uses	<ul style="list-style-type: none"> ▪ Shown on Attachment #2.

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.	Appropriateness of Proposed Uses	<ul style="list-style-type: none"> ▪ The appropriateness of permitting convenience retail uses including packaged and prepared foods, limited truck related products (e.g. washer fluid), and tobacco products within an existing 214.7 m² customer service building on the subject lands will be reviewed in consideration of compatibility with other uses on the site and the surrounding land use context.

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.

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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. Site Plan – Existing Truck Refueling Station

Report prepared by:

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	By-law Standard	By-law 1-88 C11 Mainstreet Commercial Zone Requirements and Exception 9(609)	Proposed Exceptions to the C11 Mainstreet Commercial Zone Requirements and Exception 9(609)
a.	Lot Area	A minimum of 742.5m ² is required;	2 Kellam Street: 466m ² is proposed; 4 Kellam Street: 386.7m ² is proposed;
b.	Parking Area	Shall not be located closer to a street line than the main building;	The proposed parking area is closer to a street line than the main building;
c.	Minimum Required Parking	A minimum of 8 parking spaces shall be required on the combined 2 and 4 Kellam Street properties as shown on Schedule "E-677" (Attachment #4); The required parking for Part 1 as shown on Attachment #4, shall be provided on Part 2;	An additional 7 parking spaces are proposed for 2 Kellam Street, to facilitate the proposed severance, as shown on Attachment #3; The required parking for Part 1 as shown on Attachment #4 will need to be provided on the subject lands shown on Attachment #3;
d.	Building Footprint	All buildings shall be located as shown on Schedule "E-677" (Attachment #4);	The proposed 17m ² addition to the structure located on 4 Kellam Street as shown on Attachment #3, is proposed outside of the building envelope for Building "C" on Attachment #4.

Background - Analysis and Options

Location	<ul style="list-style-type: none"> ▪ The subject lands contain 2 buildings, municipally known as 2 and 4 Kellam Street respectively, located east of Islington Avenue, south of Nashville Road, City of Vaughan, shown as "Subject Lands" on Attachments #1 and #2.
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Official Plan Designation	<ul style="list-style-type: none"> ▪ “Mainstreet Commercial” by OPA #633. The property is further designated under Part V of the Ontario Heritage Act and is within the Kleinburg-Nashville Heritage Conservation District. ▪ The proposal to amend the site-specific zoning Exception 9(609) to facilitate the severance of the property into 2 lots, and to permit a 17m² addition to an existing dwelling, and an additional parking lot conforms to the Official Plan.
Zoning	<ul style="list-style-type: none"> ▪ C11 Mainstreet Commercial by By-law 1-88, subject to site-specific Exception 9(609). ▪ An amendment to the site-specific zoning Exception 9(609) is required to facilitate a severance of the property and to permit a two-storey 17m² addition to 4 Kellam Street and an additional parking lot.
Surrounding Land Uses	<ul style="list-style-type: none"> ▪ Shown on Attachment #2.

Zoning By-law 35-2004

On December 15, 2003, Vaughan Council approved a Zoning By-law Amendment Application (File Z.03.043 – Zena T. Reinhardt) on the lands shown on Attachment #4, which includes the subject lands and the property to the west, to facilitate a severance of the lands into 2 parcels, Part 1 and Part 2 (subject lands). Prior to this approval, the existing site-specific exception on the site permitted three buildings on the lands, and included exceptions for parking, driveway and aisle widths, setbacks, landscaping, permitted uses and yard requirements. Zoning By-law 35-2004 which came in effect on February 9, 2004, amended the previous Exception 9(609) to recognize the approved severance of the property into 2 lots, and among other exceptions, permits the required parking for the Part 1 lands to be provided off site on Part 2, being the subject lands. If the subject zoning by-law amendment application is approved, the required parking for the Part 1 lands will need to be permitted on the subject lands comprising 2 and 4 Kellam Street on Attachment #4.

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 Provincial policies, Regional and City Official Plans	<ul style="list-style-type: none"> ▪ The application will be reviewed in the context of the applicable Provincial policies, Regional and City Official Plan policies, including the City’s Consent (severance) policies and the Kleinburg Heritage Conservation District Plan.

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b.	Appropriateness of Proposed Zoning Exceptions and Severance	The appropriateness of the zoning exceptions required to facilitate the severance of the property into 2 lots (2 Kellam Street and 4 Kellam Street); the 2-storey 17m ² addition to the building on 4 Kellam Street; and, an additional parking area on 2 Kellam Street will be reviewed with regard to impacts and compatibility with the surrounding area, and the requirements of By-law 1-88.
c.	Heritage Issues	<ul style="list-style-type: none"> ▪ The proposed addition to 4 Kellam Street as shown on Attachment #7, must conform to the Kleinburg-Nashville Heritage Conservation District respecting the design, building materials and landscaping for the subject lands, to the satisfaction of Heritage Vaughan and the Vaughan Cultural Services Division. ▪ The related Heritage Permit (HP.2010.003) which includes the proposed building addition and the alterations to the property were included on the March 10th, 2010 Heritage Vaughan Committee Agenda and the recommendations were as follows: <ul style="list-style-type: none"> “1. That a Heritage Permit application for the proposed addition, new parking and landscaping plan be approved; 2. That the plastic chain link be replaced with metal and wood posts; 3. That Heritage Vaughan request the applicant provide a full set of drawings reflecting any future minor design revisions for final approval by Cultural Services Staff; and, 4. That Heritage Vaughan request the applicant provide samples of all exterior cladding materials and paint samples for consideration and approval by Cultural Services Staff.”
d.	Parking Generation Assessment	<ul style="list-style-type: none"> ▪ OPA #633 requires the submission of a Parking Generation Assessment in support of the application to be reviewed and approved by the Vaughan Engineering Department. Cash-in-lieu of parking may be required if the parking study determines a parking shortage. ▪ Schedule “E-677” to Exception 9(609) states that the required parking for Part 1 as shown on Attachment #4, shall be provided for on the subject lands. The Parking Generation Assessment will need to address the impacts of this requirement on the subject lands.

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e.	Related Site Plan Application	<ul style="list-style-type: none">▪ The related Site Plan Application (File: DA.10.002) will be reviewed together with the subject zoning application, to ensure appropriate site and building addition design, landscaping, and the additional parking lot layout, including the required number of parking spaces. The final site plan, elevation plan, and landscape plan and details must be approved to the satisfaction of the Development Planning Department, if approved.▪ The Owner has obtained a Permit from the City Parks and Forestry Operations Department on November 10, 2009 (Permit No. 2009-94) to remove one (1) existing Black Locust tree abutting Kellam Street and within the new proposed driveway access as shown on Attachment #3, which expires on April 10, 2010. The Permit requires the Owner to plant a replacement tree on the property, within one (1) year of the tree being removed. Attachment #5 proposes the location of a new tree at the southwest corner of 2 Kellam Street, which will need to be reviewed by Development Planning Staff.▪ The Owner is proposing to remove the utility pole and bury the overhead wires underground along Kellam Street. The utility pole abuts the proposed new driveway entrance and will be subject to PowerStream’s approval.
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Relationship to Vaughan Vision 2020/Strategic Plan

The applicability of the 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. Site Plan
4. Existing Zoning Schedule “E-677”
5. Landscape Plan
6. Elevation Plan
7. Existing and Proposed Elevations (4 Kellam Street)

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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.)