

COMMITTEE OF THE WHOLE APRIL 4, 2005

**OFFICIAL PLAN AMENDMENT FILE OP.03.027
ZONING BY-LAW AMENDMENT FILE Z.03.105
CORPORATION OF THE CITY OF VAUGHAN/GALCAT INVESTMENTS INC.**

Recommendation

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment File OP.03.027 (Corporation of the City of Vaughan/Galcat Investments Inc.) BE APPROVED, as follows:
 - a) That the implementing Official Plan Amendment:
 - i) redesignate the subject lands from “Special Complementary Use Area” within the Parkway Belt West Plan to “Prestige Area” within OPA #450 (Employment Area Plan);
 - ii) permit limited outside storage in accordance with the locational requirements to be included in the implementing zoning by-law;
2. THAT Zoning By-law Amendment File Z.03.105 (Corporation of the City of Vaughan/Galcat Investments Inc.) BE APPROVED, subject to the following conditions:
 - a) That the implementing zoning by-law:
 - i) rezone the subject lands from PB2 Parkway Belt Complementary Use Zone to EM1 Prestige Employment Area Zone, with the inclusion of limited EM2 General Employment Area Zone uses being permitted as additional uses, as identified in the staff report;
 - ii) prohibit the following uses: All Seasons Sports Facility; Autobody Repair Shop; Banquet Hall; Bowling Alley; Club/Health Centre; Contractor’s Yard; Convention Centre/Hotel/Motel; Correctional or Crises Care Group Home; Eating Establishment; Funeral Home; Personal Service Shop; Public Garage; Recreational Uses; and Truck Terminal;
 - iii) require a minimum building unit size of 929 sq.m;
 - iv) limit the maximum building coverage to 50% of the lot area and accessory retail to 5% of the building’s total gross floor area;
 - v) permit outside storage up to a maximum of 10% of the lot area and to be setback a minimum distance of 150 m from Highway #407 and Pine Valley Drive, and shall not be permitted between a building and Highway 407 and Pine Valley Drive;
 - vi) include any necessary exceptions to the EM1 Zone, including relief to permit indirect access to a public road;
 - vii) include a minimum 10 m building and structural setback from the Regional Storm Flood Plain;
 - viii) include a minimum 14 m building and structural setback (including driveways and parking) from Highway 407.

Purpose

Applications to amend the Official Plan and Zoning By-law have been submitted by Galcat Investments Ltd. (prospective Owner) on behalf of the City of Vaughan, to permit employment uses on the subject lands shown on Attachment #1. The proposal is to redesignate and rezone the property from "Special Complementary Use Area" under the Parkway Belt West Plan and PB2 Parkway Belt Complementary Use Zone under By-law 1-88, respectively, to the following: the northerly 8.41 ha to "Prestige Area" and corresponding EM1 Prestige Employment Area Zone, and the southerly 4.01 ha to "Employment Area General" and corresponding EM2 General Employment Area Zone (see Attachments #2 and #3).

Background - Analysis and Options

The 13.52 ha vacant site is located on the southeast corner of Pine Valley Drive and Highway 407, in Lots 2 and 3, Concession 6, City of Vaughan (Attachment #1). The subject lands are designated "Special Complementary Use Area" by the Parkway Belt West Plan and zoned PB2 Parkway Belt Complementary Use Zone by By-law 1-88. The surrounding land uses are:

- North - Highway 407 (PB1(S) Parkway Belt Linear Facilities Zone)
- South - Hydro Corridor (PB1(S) Zone)
- East - Emery Creek Stormwater Pond (PB2 Zone)
- West - Pine Valley Drive and Highway 407 on-ramp

On February 6, 2004, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands. To date, no responses have been received. The recommendation of the Committee of the Whole on March 1, 2004, to receive the Public Hearing report and to forward a technical report to a future Committee of the Whole meeting, was ratified by Council on March 8, 2004.

Official Plan

The subject lands are designated "Special Complementary Use Area" by the Parkway Belt West Plan. In addition to the low intensity parkway belt uses permitted in Section 5.5.1 of the Plan, industrial uses are permitted, subject to a site-specific by-law and site plan agreement. Some of the restrictions include a maximum 20% lot coverage, and a maximum building height of one-storey, except offices that can be two-storeys. The Owner is proposing the subject lands to be redesignated to "Prestige Area" and "Employment Area General" and to be included in OPA #450 (Employment Area Plan), which when implemented through the respective EM1 Prestige Employment and EM2 General Employment Zone categories, would permit a greater range of permitted uses and more flexible provisions for development.

The subject lands have been deleted from the Parkway Belt West Plan by the Ministry of Municipal Affairs and Housing.

The Region of York has reviewed the proposal and supports the proposed land use change. The proposal is consistent with Regional Official Plan policies to direct development to existing built-up portions in urban areas; that business and industrial enterprises be directed to fully serviced employment areas; and to provide accessibility to existing and planned transit services. The location next to Highway 407 is ideal for employment use exposure and is also situated in close proximity to other employment type uses, making the site appropriate for new employment uses. The Region advises that the Amendment is of local significance, and has exempted the application from Regional approval.

Zoning

The subject lands are zoned PB2 Parkway Belt Complementary Use Zone by By-law 1-88, which does not permit employment uses. Therefore, an amendment to the Zoning By-law is required.

The prospective Owner proposes two employment zone categories; an EM1 Prestige Employment Area Zone adjacent to Pine Valley Drive and Highway 407; and an EM2 General Employment Area Zone along the south portion of the subject lands adjacent to the Hydro Corridor, as shown on Attachment #2. In order to avoid any traffic concerns in the future, the prospective Owner proposes a minimum unit size of 929 sq.m and prohibiting higher traffic generating uses from locating within the Employment Zones, including Banquet Hall, Bowling Alley, Club/Heath Centre, Convention Centre/Hotel/Motel, Funeral Home, and Truck Terminal. Planning Staff recommends expanding the list of prohibited uses to include an All Seasons Sports Facility, Autobody Repair Shop, Contractor's Yard, Correctional or Crises Care Group Home, Eating Establishments, Personal Service Shop, Public Garage and Recreational Uses. These uses would not appear appropriate given the location of the subject lands and its "Prestige Area" designation, and given the minimum unit size restriction of 929 sq.m.

Therefore, the following remaining uses would be permitted on the site:

EM1 Prestige Employment Area Zone

- Employment Use
- Accessory Retail Sales to an Employment Use (maximum 5% GFA of building)
- Accessory Office Uses to an Employment Use (maximum 49% GFA of building)
- Business & Professional Offices, not including Regulated Health Professionals
- Car Brokerage
- Office Building
- Service & Repair Shop

Additional EM2 General Employment Area Zone Uses

- Building Supply Outlet
- Car Brokerage, including trucks
- Equipment Sales/Rental Establishment
- Meat Packing and Processing, not including accessory outside storage
- Scrap Paper Storage, Sorting or Baling
- Service or Repair Shop, including repair of heavy equipment
- Accessory Outside Storage (maximum 10% of lot area)

The prospective Owner has submitted a concept plan (Attachment #3), which shows three employment buildings, each consisting of a plant with warehousing and first and second storey offices. The total gross floor area is 49,691.13 sq.m, representing 34% building coverage, with 1024 parking spaces. Access would be obtained via an all moves, signalized intersection at Pine Valley Drive, utilizing the existing driveway access easement through the Hydro One lands along the south side of the property.

The zone line between the proposed EM1 and EM2 Zone traverses through the buildings as shown on the concept plan (Attachment #3). Planning Staff generally does not support split zoning on one property, particularly when the zone line will potentially traverse buildings. The site does not have sufficient depth to accommodate both zones, which would typically be divided by a road, similar to Aviva Park to the east. Alternatively, Staff recommends that the entire property be rezoned to EM1 Zone, with the addition of a restricted list of EM2 Zone uses, including a site-specific location and provisions for outside storage, as shown on Attachment #4.

A minimum unit size of 929 sq.m is supported, and the high traffic generating uses as identified in this report will be deleted. A maximum building coverage of 50% of the total lot area (whereas 60% is permitted in the EM1 Zone) and 5% accessory retail (whereas 30% is permitted in the EM1 Zone), as recommended by the traffic study, undertaken by SRM Associates in 2003, will be implemented to ensure that the intersection at Pine Valley Drive will not be adversely effected. Access to Pine Valley Drive is not direct and will be provided through the hydro corridor, and will require an exception to By-law 1-88 with respect to the provision of indirect access to a public road.

The Toronto and Region Conservation Authority advises that the east portion of the subject is adjacent to a Fill Regulated area of the Humber River. TRCA staff will require a 10 m development setback from the Regional Storm Flood Plain, which will be included in the implementing zoning by-law.

Planning Analysis

The proposal is supportable for the following reasons:

- The proposed "Prestige Area" designation and respective EM1 Zone is consistent with the locational criteria set-out in OPA #450 (Employment Area Plan).

The subject lands are located at the southeast corner of Highway 407 and Pine Valley Drive, with high visibility and accessibility. The prospective owner is proposing the "Prestige Area" designation and EM1 Zone adjacent to Highway 407 and Pine Valley Drive, which is consistent with the "Prestige Area" designation in OPA #450. The "Prestige Area" designation provides locational opportunities for activities that require high visual exposure, good accessibility and an attractive working environment. The land uses permitted are primarily those that require the full range of processing and warehousing, storage operations, transportation and distribution facilities, and outside storage is not permitted. The proposed concept plan (Attachment #3) shows an outside storage area in the southeast corner of the site that would not be visible due to the placement of the buildings that would screen the storage area. Staff has no objections to permitting limited outside storage in accordance with the locational requirements to be included in the implementing zoning by-law, as discussed later in this section of the report.

- The proposed employment uses are compatible with the surrounding land use.

There is an existing employment area to the east on Aviva Park Drive, known as the Emery Creek Employment Area; to the north is Highway 407 and an employment area known as the Pine Valley Business Park; to the south is a hydro corridor, a planned transitway corridor, CN railway line and an employment area known as the Steeles West Employment Area, all of which extends east of Pine Valley Drive. City and Regional Planning Staff consider the subject lands as being an appropriate location for employment use.

- The proposed restriction of permitted uses will ensure proper function of the operational restraints of the Pine Valley intersection, as shown on Attachment #1.

Eliminating the high traffic generating uses from the list of permitted uses in the implementing zoning by-law, including a bowling alley, banquet hall, club/health centre, convention centre/hotel/motel and funeral home, as well as restricting the minimum unit size (929 sq.m) to avoid multiple unit buildings, and limiting building coverage and accessory retail to a maximum of 50% and 5% respectively, will ensure proper function of the operational restraints of the Pine Valley intersection.

- Appropriate implementation will ensure compatibility.

The proposed zoning provisions and restrictions, together with the submission of a site plan application for development approval/agreement will ensure that outside storage will not detract from the general character of the area. This will include limiting the amount of outdoor storage to a maximum of 10% of the lot area, and in an appropriate location, similar to the one shown on the concept plan, and screened from view by buildings and landscaping. Buildings will be required to face or front onto Highway 407, and loading will not be permitted to face Highway 407.

As discussed earlier in this staff report, the entire property will be zoned EM1 Zone, with the addition of a restricted list of EM2 Zone uses being permitted. Outside storage will be permitted in the rear portion of the site only, setback a minimum of 150 m from Highway 407 and Pine Valley Drive, and restricted to a maximum size of 10% of the lot area, with requirements for landscape and fence screening in accordance with the standards contained in By-law 1-88. Development of the site will be subject to site plan approval, including Council approval of elevations, and the site plan agreement shall be registered on title.

Access

Access to the property will be obtained from an all moves signalized intersection at Pine Valley Drive, with a driveway being provided through the hydro corridor and onto the south portion of the subject lands. There is currently an existing easement with a gravel driveway over the hydro lands permitting access from Pine Valley Drive to the subject lands. This easement requires re-location to satisfy access requirements at Pine Valley Drive, which is to be to the satisfaction of the Ministry of Transportation Ontario (MTO).

The prospective Owner submitted an updated traffic study, prepared by Sernas Transtech, dated February 2005, which examined an access alternative of providing a connection between Weston Road and Pine Valley Drive via Aviva Park Drive to the east. This examined access scenario is not recommended as the connection would facilitate through traffic between the two arterial roads and cause traffic congestion on Pine Valley Drive and the intersections to the south. It is recommended that site access be focused on a signalized intersection at Pine Valley Drive.

The MTO, 407ETR, the Region of York and the City of Vaughan will be required to review and approve a detailed development proposal(s) on the subject lands at the site plan stage, including the signalization of the access at Pine Valley Drive. Staff is satisfied that the implementing by-law, which includes a minimum building unit size, limits building coverage and percentage of accessory retail use, and prohibits higher traffic generating uses, will help ensure that the intersection will not be adversely effected.

Servicing

On-site stormwater management quantity and quality control is required. The prospective Owner will be required to submit a stormwater management report at the site plan stage. The Toronto & Region Conservation Authority advises that the easterly portion of the subject lands is located adjacent to the Authority's Fill Regulated Area of the Humber River, and is subject to the Fill Line Extension Program that is being conducted to identify valley and stream corridors that are currently not included in the registered Fill Schedules listed under Ontario Regulation 158 (Fill, Construction and Alteration to Waterways). Stormwater management will be addressed at the site plan stage.

Existing sanitary and water service connections are currently available adjacent to the site. A site-servicing plan will be required at the site plan stage.

Powerstream Inc. advises there is an existing pole line on the property, which will require an easement. All hydro requirements to serve the site will be required to be addressed at the site plan stage.

Relationship to Vaughan Vision 2007

This staff report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'A-5', "Plan and Manage Growth".

Conclusion

Staff has reviewed the proposed amendment to the Official Plan and Zoning By-law to permit employment uses on the subject lands. The proposed "Prestige Area" designation is appropriate and is consistent with the locational criteria set-out in OPA #450 (Employment Area Plan), and is compatible with the surrounding land uses.

Planning Staff does not support a split official plan designation and zone scenario as proposed (EM1 and EM2 Zones) by the prospective Owner. The zone line would traverse through the buildings as shown on the prospective Owner's concept plan (Attachment #3). The property does not have sufficient depth to accommodate both designations and zones, which would typically be separated by an internal road, such as Aviva Park Drive to the east. Planning Staff recommends that the entire site be designated "Prestige Area" and zoned EM1 Zone, with a restricted list of EM2 zone uses permitted as additional uses. High traffic generating uses, such as a banquet hall, bowling alley, club/health centre, convention centre, hotel, motel, and truck terminal, will not be permitted. Further restrictions of uses are recommended that are considered inappropriate in a "Prestige Area" designation and location, and considering the proposed minimum unit size requirement of 929 sq.m, will exclude an all season sports facility, autobody repair shop, correctional or crises care group home, eating establishments, personal service shop, public garage, contractors yard and recreational uses.

Also included in the by-law will be a minimum building unit size requirement of 929 sq.m, a maximum lot coverage of 50%, and a maximum permission of 5% accessory retail of the total gross floor area of each building, to ensure that the intersection at Pine Valley Drive will maintain proper function and not be adversely effected by traffic in the future. The official plan and zoning by-law will also contain provisions restricting the size and location of outside storage areas, which will be sited at the rear of property, and away from the view of any arterial roads and highways.

On the basis of land use and compatibility, and with the appropriate implementation, Planning Staff can recommend approval of the applications, subject to conditions as set-out in this report.

Attachments

1. Location Map with Existing Zoning
2. Proposed Official Plan and Zoning (Galcat)
3. Concept Plan (Galcat)
4. Staff Recommended Official Plan and Zoning

Report prepared by:

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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

/CM

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Not to Scale



SUBJECT LANDS
W/PROPOSED ZONING

Location Map with Existing Zoning

APPLICANT:
CITY OF VAUGHAN /
GALCAT INVESTMENTS INC.
Part Lots 2 & 3,
Concession 6
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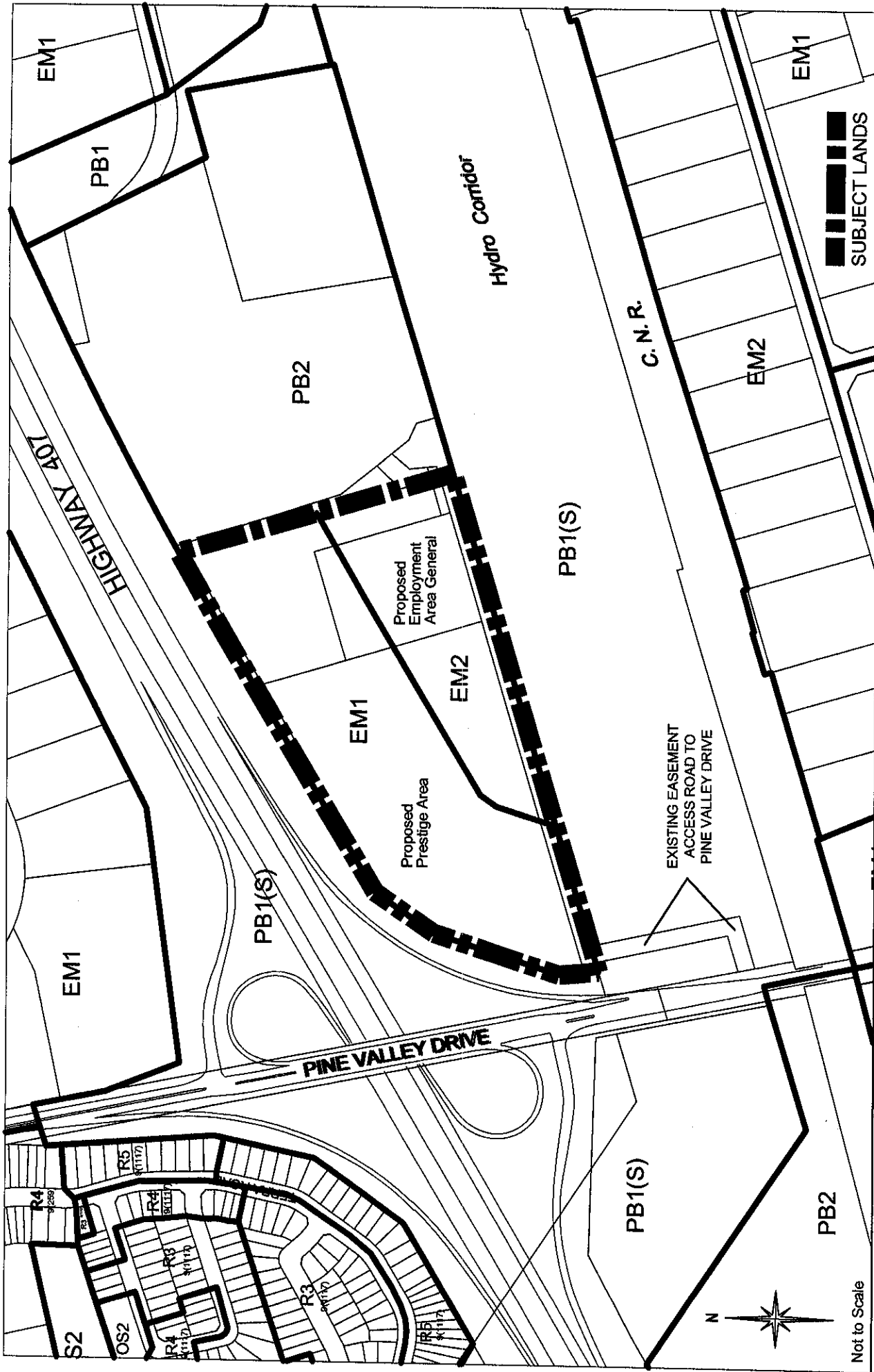


Development Planning Department

Attachment 1

FILE No.:
OP.03.027 &
Z.03.105

March 18, 2005



SUBJECT LANDS

Attachment 2

FILE No.:
OP.03.027 &
Z.03.105

March 18, 2005

City of
Vaughan

Development Planning Department

Proposed Official Plan and Zoning

APPLICANT:
CITY OF VAUGHAN /
GALCAT INVESTMENTS INC.
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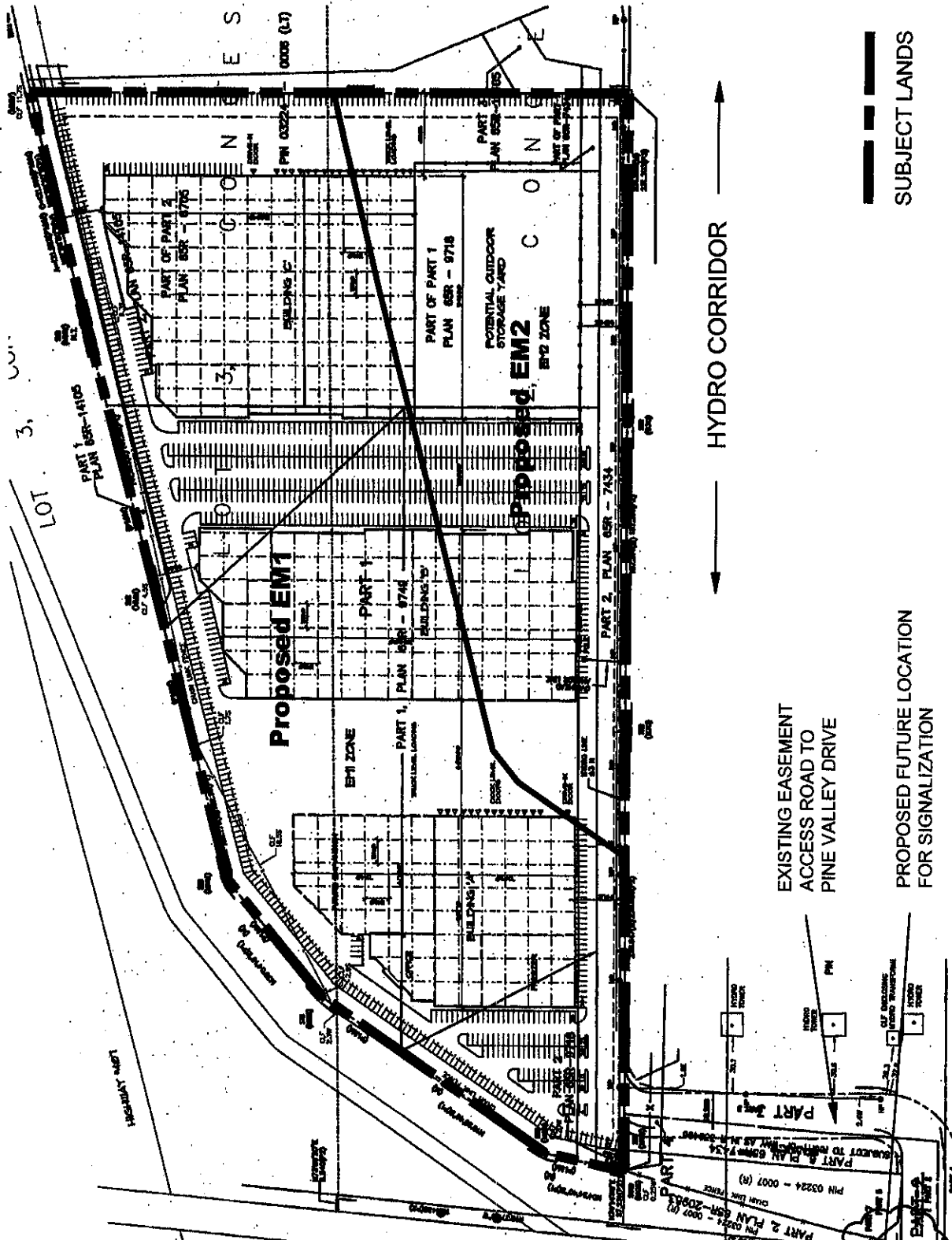
Part Lot's 2 & 3,
Concession 6

Not to Scale





PINE VALLEY DRIVE



--- SUBJECT LANDS

← HYDRO CORRIDOR →

EXISTING EASEMENT
ACCESS ROAD TO
PINE VALLEY DRIVE

PROPOSED FUTURE LOCATION
FOR SIGNALIZATION

Not to Scale

Concept Plan

Part Lots 2 & 3,
Concession 6

APPLICANT:
CITY OF VAUGHAN / GALCAT INVESTMENTS INC.

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City of Vaughan

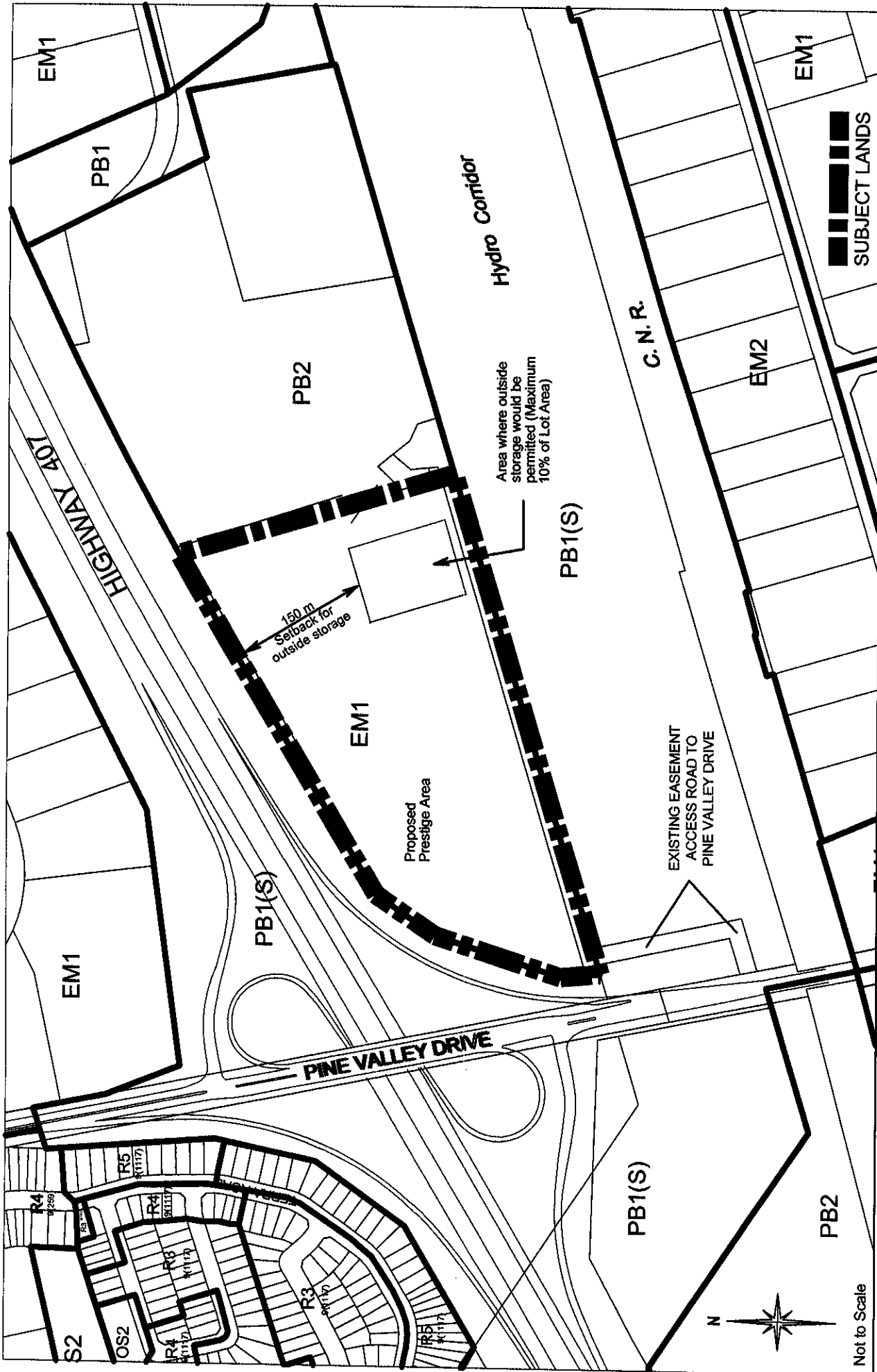
Development Planning Department

Attachment

3

FILE No.:
OP.03.027 &
Z.03.105

March 18, 2005



Not to Scale

Attachment 4
 FILE No.:
 OP.03.027 &
 Z.03.105
 March 18, 2005

City of **Vaughan**
 Development Planning Department

Staff Recommended Official Plan and Zoning
 APPLICANT:
 CITY OF VAUGHAN /
 GALCAT INVESTMENTS INC.
 Part Lot's 2 & 3,
 Concession 6
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