

COMMITTEE OF THE WHOLE NOVEMBER 7, 2005

**ZONING BY-LAW AMENDMENT FILE Z.02.066
NHD DEVELOPMENT LIMITED
REPORT #P.2002.067**

Recommendation

The Commissioner of Planning recommends:

THAT Zoning By-law Amendment File Z.02.066 (NHD Development Limited) BE APPROVED, to rezone a portion (5.363 ha) of the subject lands as shown on Attachment #1, from PB2 Parkway Belt Complementary Use Zone to EM1 Prestige Employment Area Zone, to permit prestige employment uses, subject to the inclusion of a minimum 14m setback for all buildings, structures and roads, from the future planned MTO Transitway Corridor in the implementing zoning by-law:

Economic Impact

There are no requirements for new funding associated with this report. The proposal will facilitate new assessment to the local tax base.

Purpose

The Owner has submitted an application to amend the Zoning By-law on the subject lands shown on Attachment #1 to rezone a portion (5.363) of the subject lands from PB2 Parkway Belt Complementary Use Zone to EM1 Prestige Employment Area Zone, to permit prestige employment uses, as shown on Attachment #2. The (0.78 ha) will remain PB2 Parkway Belt Complementary Use Zone, to facilitate the future planned MTO Transitway corridor.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located on the northeast corner of Regional Road 27 and Steeles Avenue West (7233 Regional Road 27), south of Highway 407, in Part of Lot 1, Concession 8, City of Vaughan. The 6.1 ha site has 67 m frontage on Regional Road 27 and 217m flankage on Steeles Avenue West. A golf driving range and accessory building are located on the site, with a single access on Steeles Avenue West.

The site is designated "Prestige Area" by OPA #450, and zoned PB1(S) Parkway Belt Complementary Use Zone by By-law 1-88, subject to Exception 9(555). The surrounding land uses are:

- North - Highway 407; hydro corridor (PB1(S) Parkway Belt Linear Facilities)
- South - Steeles Avenue West; City of Toronto/Industrial
- East - employment (EM1 Prestige Employment Area Zone)
- West - Regional Road 27; vacant/planned MTO transitway station (PB2 Parkway Belt Complementary Use Zone)

On September 27, 2002, a Notice of Public Hearing was circulated to all property owners within 120 m of the subject lands. At that time, the applicant had requested to rezone the subject lands to C7 Service Commercial Zone (1.2 ha) and EM1 Prestige Employment Area Zone (4.9 ha) as shown on Attachment #3, to permit industrial/service commercial development. One comment was received expressing support for this proposal. The recommendation of the Committee of the Whole on October 21, 2002, 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 October 28, 2002.

Since then, comments were received from the Ministry of Transportation (MTO) indicating that the above rezoning proposal would not be supported, and that the applicant would have to ensure that they protected for the Public Use Area-Inter Urban Transit as shown on Attachment #4. After discussions and meetings with the MTO, the applicant submitted a revised proposal to the City on June 16, 2005 reflecting the current rezoning proposal as shown on Attachment #2, which will allow for the developable portion of the lands to be rezoned from PB2 to EM1 Zone, and the lands to be protected for the MTO Transitway corridor to remain as PB2 Zone.

Official Plan

The site is designated "Prestige Area" by OPA #450 (Employment Area Plan), which permits a wide range of industrial, office, business and civic uses, with no outside storage. The proposed EM1 Prestige Employment Area Zone will implement the "Prestige Area" designation.

Zoning

The subject lands are zoned PB2 Parkway Belt Complementary Use Zone by By-law 1-88, subject to Exception 9(555). The site-specific exception facilitates the existing golf driving range and provides zoning standards for the buildings and structures on site. This site-specific exception would be eliminated upon enactment of the implementing zoning by-law; should Council approve the subject zoning application. The existing use could continue to operate as a legal non-conforming use in accordance with Subsection 1.6 of By-law 1-88, until such time as the site is redeveloped. The developable lands are to be pre-zoned to EM1 Zone, and the applicable development standards for the EM1 Zone will be applied to the future review of the required site development application.

Ministry of Transportation

The Ministry of Transportation (MTO) has reviewed the revised rezoning proposal and has no concerns with the portion of the subject property, south of the Transitway requirement. The applicant will need to obtain the necessary approvals from MTO when the lands are redeveloped. The following additional comments were provided, for the applicant to take into consideration at the time of a formal Site Development Application submission:

- "i) Access to the subject site shall be through the existing entrance at Steeles Avenue. No entrance to or from Regional Road 27 will be permitted.
- ii) The Ministry will require that any new buildings, structures, roads or any other land use above and below grade be setback a minimum distance of 14m from the future Highway 407 Transitway corridor and all Ministry permits will have to be obtained.
- iii) The developer would be responsible for any issues that may arise due to the existing high mast lighting.
- iv) The developer would be responsible for erecting and maintaining on their property any required noise barriers."

City of Toronto

The City of Toronto has provided comments advising that the access to Steeles Avenue West will be restricted to the extreme east limit of the site, and suggest that the Owner use their best effort to secure a joint access with the adjoining east property (ie. Sadr Investments-Window City).

At this time, the City of Toronto cannot allow for the servicing of the site. The City of Toronto's Steeles Avenue Sub-Committee has requested that Senior Toronto staff meet with the Region of York regarding servicing of the lands external to the City of Toronto. Until further notice, no new servicing agreement will be entered into. If and when this issue is resolved, the City will require a grading and servicing plan and a stormwater management report to be submitted. The City of

Toronto has not received any drawings pertaining to the actual site design, and will reserve their right to make further comments when the plans are received through a formal site plan application.

Region of York

The Region of York Transportation and Work Department has indicated that the Region of York will be a participant in the future site plan agreement for the property, respecting any development proposed on the site. Additionally, the property is subject to the creation of a cross-border servicing agreement between the City of Vaughan, York Region and the City of Toronto.

Vaughan Engineering Department

The Engineering Department advises that they have no objection to the approval of the subject zoning amendment application and that the necessary approvals must be obtained from the City of Toronto for access and to extend municipal services to the property; from the Ministry of Transportation related to the Highway 407 Transitway corridor; and from the Region of York for any future requirements along Regional Road 27. A functional servicing report and servicing plan, stormwater management report, and site grading plan, will be required to be provided at the site plan stage for review and approval.

Planning Consideration

The Development Planning Department has reviewed the proposed application to rezone the subject lands from PB2 Parkway Belt Complementary Use Zone to EM1 Prestige Employment Area Zone, in accordance with the policies in OPA #450; the zoning standards in By-law 1-88; the comments received from the Vaughan Engineering Department, Region of York Transportation and Works Department, Ministry of Transportation (MTO), and the City of Toronto; and the area context. The Development Planning Department is satisfied that the developable portion of the subject lands (5.36 ha) can be pre-zoned to EM1 Zone to allow for the future development of the site for prestige employment uses, which will implement the "Prestige Area" designation and policies in the Official Plan; and that the issues relating to access on Steeles Avenue West and the extension of services to the site from the City of Toronto, can be resolved upon the future submission of a site plan application.

In addition, the MTO is satisfied with maintaining the existing PB2 Zone on the northerly 0.78 ha of the property. These lands would be conveyed to the MTO, likely as a condition of site plan approval, to be included within their 30m wide Transitway corridor. A Transitway line is planned to extend through the PB2 lands, and grade-separated below Regional Road 27 to an MTO Transitway station and commuter parking lot to be located at the northwest corner of Regional Road 27 and Steeles Avenue West, as shown on Attachment #4.

The proposed EM1 Zone will facilitate the future development of the site for prestige employment uses, in keeping with the industrial area context in both Vaughan and Toronto. Any future development proposed on the site will require appropriate integration of an upgraded architectural treatment of the building facing Steeles Avenue West, Regional Road 27 and Highway 407, and incorporation of high urban design and landscaping treatment throughout the site to complement this highly visible location.

For these reasons, the Development Planning Department can support the proposed rezoning of the site to EM1 Zone, with the future MTO Transitway Corridor lands being zoned PB2 Zone.

Relationship to Vaughan Vision 2007

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

Conclusion

The Development Planning Department is of the opinion that the proposed rezoning of the subject lands from PB2 Parkway Belt Complementary Use Zone to EM1 Prestige Employment Area Zone to permit prestige employment uses will implement the "Prestige Area" designation and policies in the Official Plan and is appropriate for the area. Accordingly, the Development Planning Department recommends approval of the Zoning By-law Amendment Application.

Attachments

1. Location Map
2. Draft Reference Plan with Proposed Zoning
3. Original Proposed Zoning
4. MTO Transitway Protection Corridor

Report prepared by:

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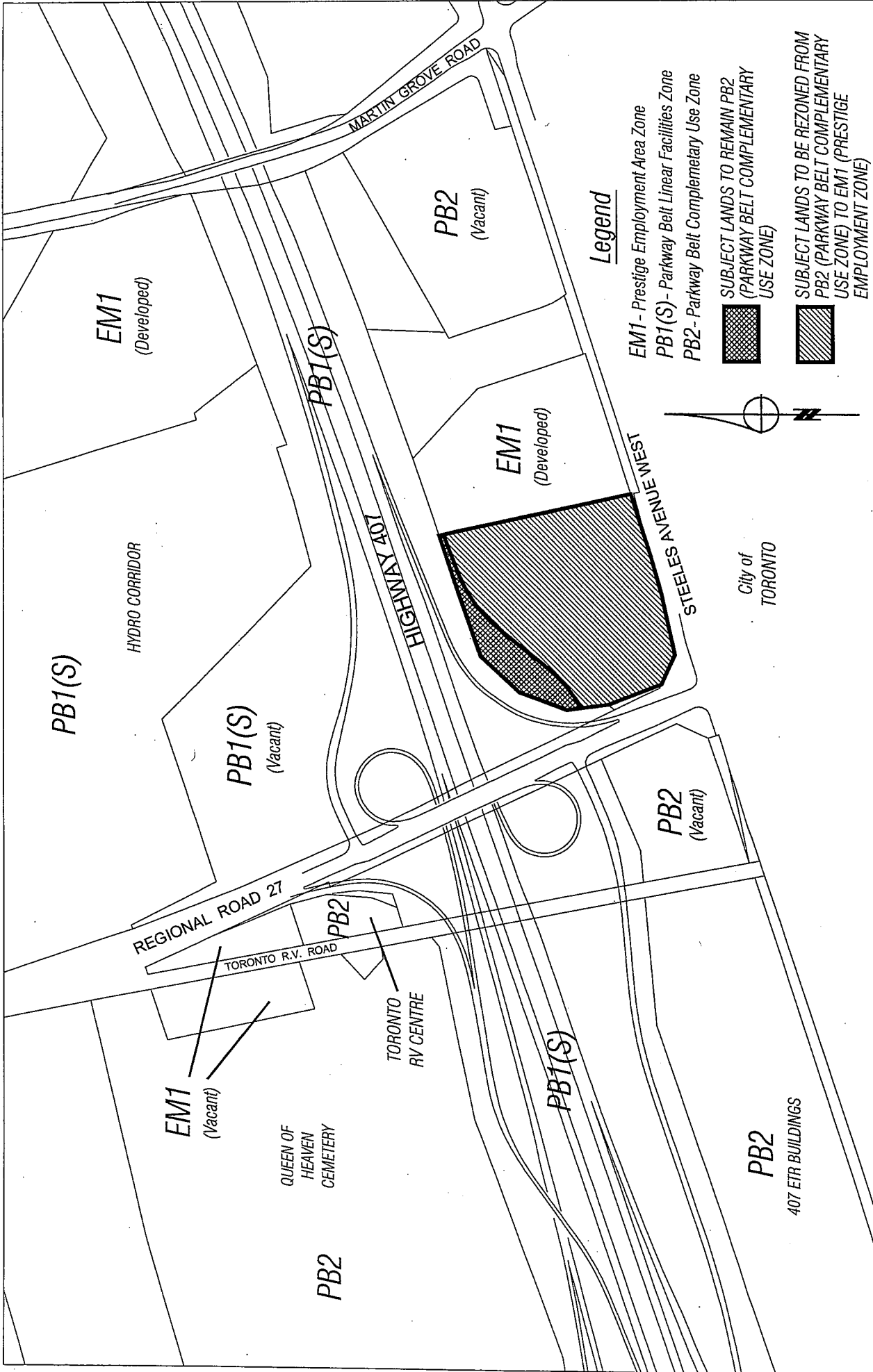
Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning



MARCO RAMUNNO
Director of Development Planning

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Legend

- EM1 - Prestige Employment Area Zone
- PB1(S) - Parkway Belt Linear Facilities Zone
- PB2 - Parkway Belt Complementary Use Zone
-  SUBJECT LANDS TO REMAIN PB2 (PARKWAY BELT COMPLEMENTARY USE ZONE)
-  SUBJECT LANDS TO BE REZONED FROM PB2 (PARKWAY BELT COMPLEMENTARY USE ZONE) TO EM1 (PRESTIGE EMPLOYMENT ZONE)

City of
TORONTO

Location Map

Part of Lot 1,
Concession 8

APPLICANT:
NHD DEVELOPMENTS LIMITED

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Development Planning Department

Attachment 1

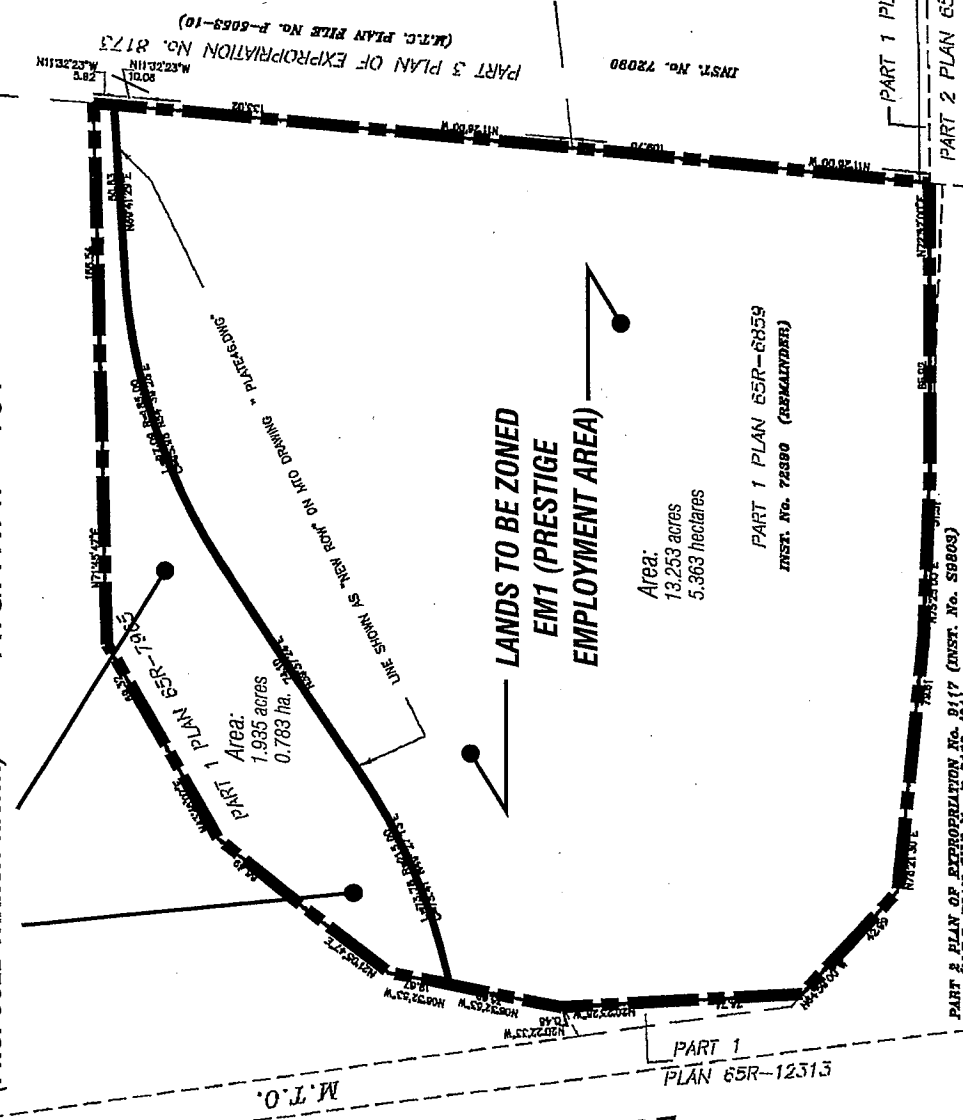
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Z.02.066

Not to Scale

September 28, 2005

LANDS TO REMAIN PB2
(PARKWAY BELT
COMPLIMENTARY USE ZONE)
(PROPOSED TRANSIT R.O.W.)

HIGHWAY 407



SUBJECT LANDS

Draft Reference Plan With Proposed Zoning

APPLICANT:
NHD DEVELOPMENTS LIMITED

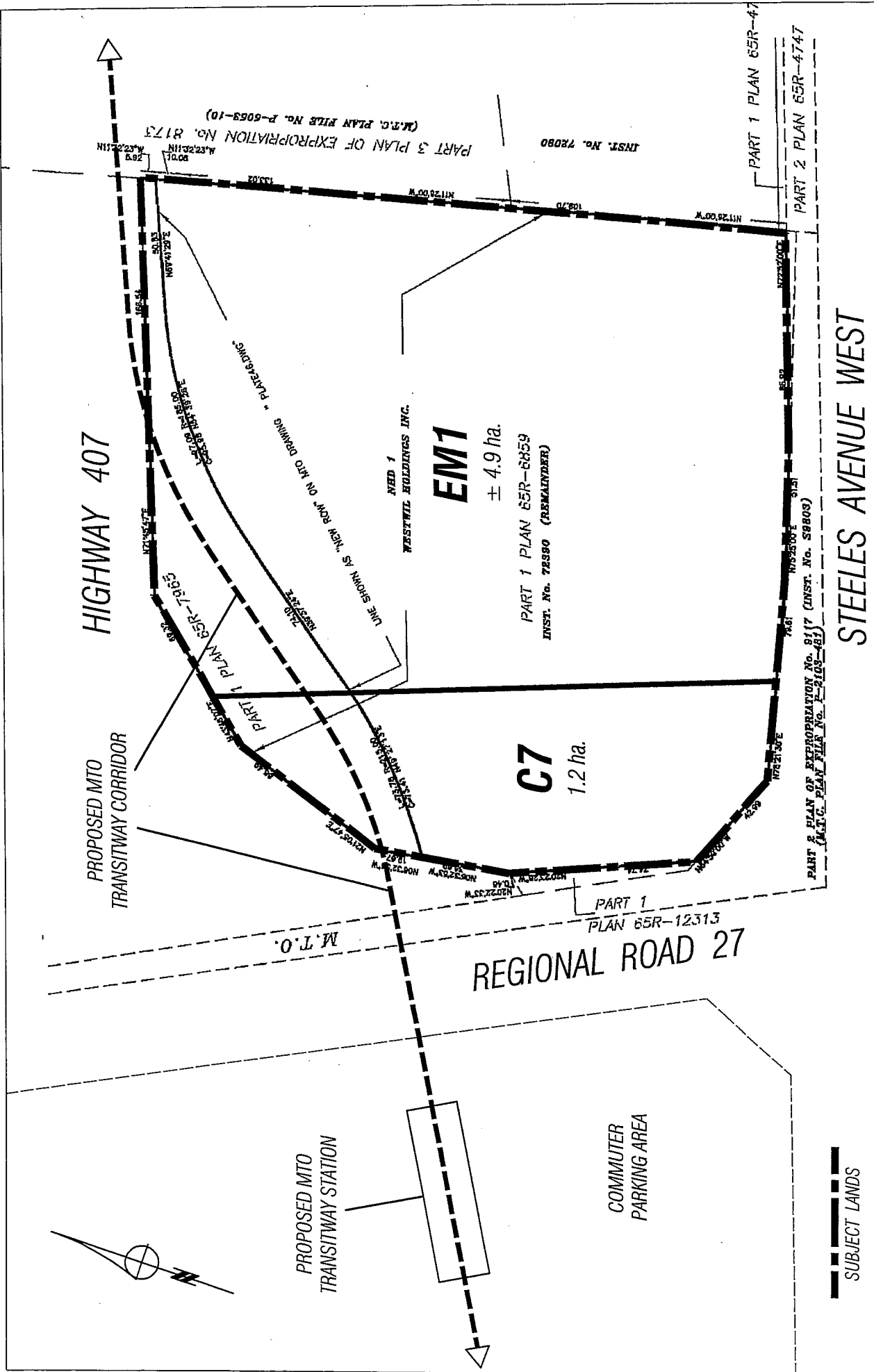
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STEELES AVENUE WEST

Attachment 2
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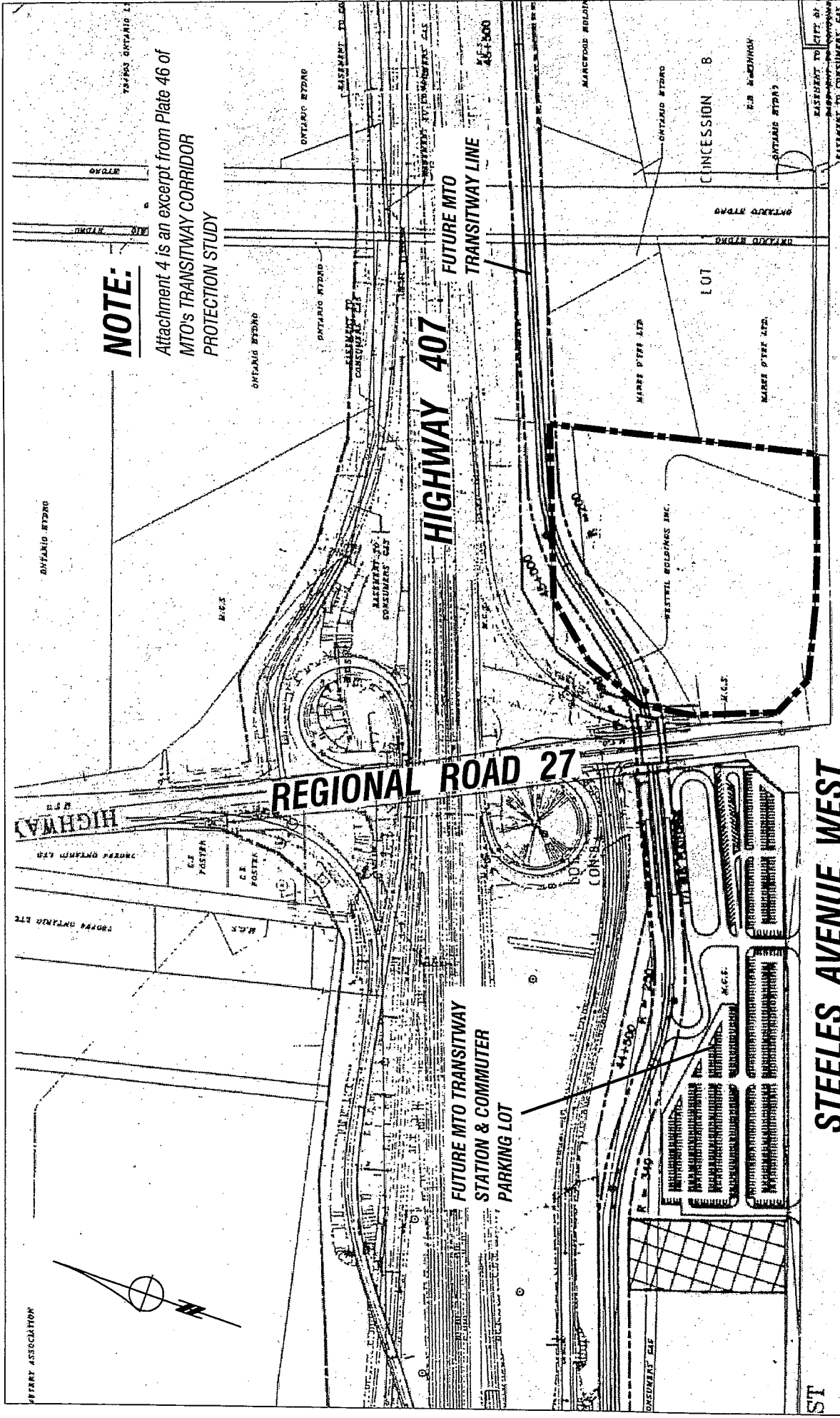


Attachment 3
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City of **Vaughan**

Original Proposed Zoning
 APPLICANT: NHD DEVELOPMENTS LIMITED
 Part of Lot 1, Concession 8
 Development Planning Department

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Attachment 4

FILE No.: Z-02.066
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September 28, 2005



Development Planning Department

MTO Transitway Corridor Protection

APPLICANT: NHD DEVELOPMENTS LIMITED
Part of Lot 1, Concession 8

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