

**COMMITTEE OF THE WHOLE FEBRUARY 19, 2008**

**OFFICIAL PLAN AMENDMENT FILE OP.99.014  
ZONING BY-LAW AMENDMENT FILE Z.99.034  
SITE DEVELOPMENT FILE DA.07.080  
DANLAUTON HOLDINGS INC.**

**Recommendation**

The Commissioner of Planning and recommends:

1. That Official Plan Amendment File OP.99.019, Zoning By-law Amendment File Z.99.034 and Site Development File DA.07.080 (Danlauton Holdings Inc.) BE REFUSED.

**Economic Impact**

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

**Communications**

On August 25, 2006, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands. The recommendation of the Committee of the Whole to receive the Public Hearing report of September 18, 2006 and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Council on September 25, 2006.

Various letters from local landowners were received, objecting to the applications. Their concerns related to the following:

- the applications are premature based on its location within the Employment Secondary Plan Study Area;
- OPA #600 requires the preparation and approval of a block plan to implement an approved secondary plan, and no such process has commenced for the area;
- the lands should not be discounted from the Highway 427 study area;
- development should occur on full municipal services, which are not available to this area;
- the proposed uses impact the future development within the area since they are not being considered in a comprehensive manner, and will prejudice the potential of future land use opportunity on adjacent lands in the area;
- inappropriate repercussions may result with respect to the design of transportation/road network systems, stormwater management facility locations and other elements that form the founding principles of good land use planning and efficient land development;
- the appropriateness and compatibility of the nature of the proposed use is undesirable unsightly, and potentially obnoxious;
- compatibility with the surrounding area, and allowing piecemeal development; and,
- the impact of the proposed development on the valley, drainage and erosion.

Letters of objection were also received from the City of Brampton and the Region of Peel on the subject applications, which will be discussed further in this report.

**Purpose**

The Owner has submitted the following applications:

1. A revised Official Plan Amendment Application (OP.99.019) to amend OPA #600 to redesignate the tableland portion of the subject lands from "Agriculture Area" to "Industrial", as shown on Attachment #2;

2. A revised Zoning By-law Amendment Application (Z.99.034) to:
  - a) rezone the westerly 1.06 ha of the subject lands from A Agricultural Zone to C7(H) Service Commercial Zone with the addition of the Holding Symbol (H) as shown on Attachment #2, to permit the commercial uses within the C7 Service Commercial Zone category as permitted in By-law 1-88 (except banquet hall and eating establishment with outdoor patio) on the subject lands;
  - b) rezone the balance of the tableland portion of the subject lands from A Agricultural Zone to EM2 General Employment Area Zone to permit a recycling operation, including concrete crushing and wood grinding and ancillary recycling operation uses, on approximately 13.52 ha of the subject lands, as shown on Attachment #2; and,
3. A Site Development Application (File DA.07.008) to permit the development of a Waste Recycling and Transfer Station (concrete crushing and wood grinding and ancillary recycling operation uses) on the proposed EM2 General Employment Area Zone portion of the subject lands (13.52 ha), as shown on Attachment #2. The westerly 1.06 ha of the subject lands proposed to be zoned C7(H) Service Commercial Zone, and which abuts Highway 50, is not subject to the site plan application.

#### **Background - Analysis and Options**

The subject lands shown on Attachment #1 are located on the east side of Highway #50, north of Major Mackenzie Drive, municipally known as 10335 Highway 50, in Part of Lot 23, Concession 10, City of Vaughan. The subject lands are designated "Agriculture Area" (tableland) and "Valley and Stream Corridor" and are located within the "Employment Secondary Plan Study Area" by OPA #600. The lands are zoned A Agricultural Zone and OS1 Open Space Conservation Zone by By-law 1-88. The surrounding land uses are shown on Attachment #1.

On May 5, 1999, the applicant submitted Official Plan and Zoning By-law Amendment applications (Files OP.99.014 and Z.99.034) to redesignate the subject lands from "Agriculture Area" to "Industrial" and to rezone the tablelands from A Agricultural Zone to EM2 General Employment Area Zone (13.52 ha) and C6 Highway Commercial Zone (1.08 ha) to permit a recycling operation, a gas bar service and repair station, automotive and heavy equipment sales, and convenience eating establishment with a drive-through along the Highway 50 frontage.

The applicant currently owns land at 8940 Jane Street (south of Rutherford Road), where a recycling operation is located. The above applications were submitted to facilitate the intended relocation of the existing Jane Street waste recycling operation to the subject Highway 50 site, as well as to utilize the frontage of Highway 50 for uses including a gas bar, service and repair shop, automotive and heavy equipment sales, eating establishment, and convenience and drive-through uses.

On May 13, 1999, the Development Planning Department advised the applicant that the development applications would be held in abeyance, pending the completion of the City's Employment Area Secondary Plan Study.

On April 26, 2002, the Owner submitted Official Plan and Zoning By-law Amendment applications (OP.02.009 and Z.02.037) to permit commercial uses (sale of used cars, including outside storage of vehicles and a portable sales office) in the Agriculture Area, as a temporary (maximum 3 years) use, restricted to the 0.607 ha portion fronting onto Highway 50 of the total site. On June 3, 2003, City of Vaughan Council refused these applications.

On September 8, 2006, the applicant submitted revised Official Plan and Zoning By-law Amendment Applications (Files OP.99.014 and Z.99.034) to redesignate the subject lands from "Agriculture Area" to "Industrial" and to amend Zoning By-law 1-88 to rezone the lands from A Agricultural Zone to C6 Highway Commercial Zone to permit an automobile gas bar/service station, an automobile repair shop, automotive and heavy equipment sales, and a restaurant with drive-through on 1.08 ha, and rezone to EM2 General Employment Area Zone to permit a recycling operation, including concrete crushing and wood grinding, and ancillary recycling operation uses on 13.52 ha.

On June 14, 2007, the applicant appealed the Official Plan Amendment and Zoning By-law Amendment to the Ontario Municipal Board on the grounds that Council neglected to make a decision on the applications within the Planning Act time frames. An OMB hearing is scheduled to commence on May 5, 2008 to deal with these applications.

On October 4, 2007, the applicant submitted a Site Development application and further revised the Official Plan and Zoning By-law Amendment applications (Files OP.99.014 & Z.99.034). The proposed zone category for the commercial portion of the site was changed from C6 Highway Commercial Zone to C7(H) Service Commercial Zone with the addition of the Holding Symbol (H). The area of the proposed C7 Service Commercial Zone was reduced from 1.08 ha to 1.06 ha, and the proposed uses were changed to those permitted as-of-right by By-law 1-88 in the C7 Service Commercial Zone category (excluding a banquet hall and eating establishment with outdoor patio uses).

#### **Land Use Status/Planning Considerations**

The Development Planning Department has reviewed the applications to permit the proposed waste transfer station and service commercial uses and cannot support the proposal for the following reasons:

i) **Prematurity**

OPA #600 designates the subject lands as "Employment Secondary Plan Study Area" pending future incorporation of these lands into OPA #450 (Employment Area Growth and Management Plan). OPA #600 states that this area is subject to the Rural Area General, Agriculture Area and Rural Area policies of OPA #600 until a secondary plan(s) amendment is adopted by Council and approved, giving the lands status, and providing appropriate policies and a detailed land use schedule. Accordingly, until a secondary plan(s) is adopted, the subject lands are designated "Agriculture Area" by OPA #600.

The proposed waste recycling uses are not permitted within the Agriculture Area designation. Section 6.1.1 c.) Permitted Uses specifically states that "waste disposal sites shall not be permitted in the Agriculture Area".

The secondary planning exercise required by OPA #600 has not been started due to the Provincial study on the alignment of the future Highway 427 extension. The Highway 427 route selection process is currently being undertaken by the Province and it would be premature to proceed with the applications prior to the completion of the alignment study. Once the final determination on the Highway route is completed then a comprehensive secondary planning exercise will be required to determine the most suitable land uses, road alignments, environmental protection, et cetera, on a comprehensive basis. On February 14, 2005, Council adopted a motion that provides direction with respect to the preparation of the required studies as follows (in part):

- "1. THAT a Request for Proposals be prepared based upon the attached draft Terms of Reference for the Employment Secondary Plan Study Area as identified in OPA 600 consisting of two phases:

- a. Phase 1 – Highway 427 Corridor Identification Study; and
  - b. Phase 2 – Land Use Study and Secondary Plan.
2. THAT following Council direction, the Phase 1 – Highway 427 Corridor Identification Study commence under a Request for Proposals at a cost not to exceed \$75,000, to be completed in June of 2005;
  3. THAT after Phase 1 is completed a decision of Council will be required to proceed with the Phase 2 – Land Use Study and Secondary Plan;
  4. THAT following Council direction, the Phase 2 Study will commence under a second Request for Proposals at a cost not to exceed \$160,000 to be completed in the fall of 2005;...”

To approve any applications within this study area at this time may prejudice the future planning exercise for the entire area. The final determination of the internal road pattern may be affected by the approval of the applications. A comprehensive review of the environmental considerations, efficient road network and land use planning matters should be undertaken first in order to determine the most appropriate development plan for the study area.

Given the potential importance of lands that are abutting or adjacent to the Highway 427 extension it would be shortsighted to allow the development of uses in this area, at this time, particularly a use that is not reflective of the visual importance that should be given to lands that have exposure to an arterial road and potentially a 400 series highway.

#### Ministry of Transportation (MTO)

The Ministry of Transportation (MTO) advised in letters dated May 18, 2007 and November 27, 2007, that they do not support the applications proceeding for the following reasons:

- “1. The subject property falls completely within the recently established “Preliminary Study Area” for the Highway 427 Transportation Corridor EA Study which was shown to the public at the Public Information Centre held on April 25, 2007. Any development on these lands at this time may preclude a future alignment for the 427 and as such it is recommended that Vaughan give serious consideration to deferring the approval of such development at this time.
2. York Region and the Region of Peel are also initiating studies to review potential realignments and widening of Major Mackenzie Drive and other east-west arterials in the area. These possible new routes may also impact this holding.
3. We therefore strongly recommend that Vaughan does not proceed with the approvals of this application at this time.”

#### Region of Peel and City of Brampton Concerns

The Region of Peel and the City of Brampton have expressed concerns through various letters that the subject applications are premature from a land use and transportation planning perspective.

In a letter dated September 24, 2007, the Region of Peel has expressed transportation concerns relating to implications of this development on the Highway 427 Transportation Corridor Environmental Assessment (EA) Study currently being undertaken by the MTO, as well as, the Western Vaughan IEA to address the realignment of arterial roads, including Major Mackenzie Drive in connection to the Highway 427 extension.

Peel Region advised that a Highway 50/Highway 427 Extension Area Transportation Master Plan study, conducted jointly by Peel Region, Brampton and Caledon is also underway to review the arterial system and its connection with the Highway 427 extension and with the road system on the west side of Highway 50. This proposed development may preclude options for future road alignments (such as Major Mackenzie Drive) and could impact the road network in the vicinity of Highway 50. The Region of Peel states that it is premature for this development to proceed at this time until these studies have clarified the Highway 427 extension and associated road network requirements in the area.

The City of Brampton advises that a secondary planning exercise is to be undertaken on the west side of Highway 50, and they want to ensure that the best possible road alignments with access to Highway 427 and land uses are secured and that their study is not prejudiced by any decisions made on one site-specific application.

On January 30, 2008, Council of the City of Brampton adopted the following resolution:

1. THAT the staff report dated January 11, 2008 and entitled "Status Report, OMB Appeal by Danlauton Holdings Ltd. 10355 Highway 50, City of Vaughan and attachments (File: G70 VA DH), be received;
2. THAT staff attend the Ontario Municipal Board Pre-Hearing of February 27, 2008 to present the City's issues as outlined in this report and attached as Appendix C; to continue representing the City of Brampton at the OMB and that staff report back to Council with final recommendations, including the status of any settlement discussions, prior to the start of the hearing set to begin on May 5, 2008; and,
3. THAT the City Clerk be directed to forward this staff report and Council Resolution to the Regions of Peel and York and the City of Vaughan for their information."

The City of Brampton has expressed concerns with the subject applications in letters dated September 14, 2006 and October 23, 2006 to the City of Vaughan Development Planning Department. The City of Brampton's Council endorsed report summarized these letters, which stated:

"These letters advise Vaughan that the subject lands are within the overall potential corridor for the Highway 427 extension and that this corridor could also be affected by realignments of arterial roads (including Major Mackenzie Drive) and the alignments of new arterial connections as part of an overall arterial road network rationalization in the Highway 50/Highway 427 area north of the CPR Intermodal Terminal.

The City's (*Brampton*) letters advise that it is not appropriate to grant additional development permissions until the completion of a multi-municipal Highway 50/Highway 427 Area Arterial Network Study and once a full scale EA study that is being initiated by York Region addresses both north-south and east-west arterial road requirements in western Vaughan. This includes clarifying the Highway 427 extensions and associated road network requirements in the area.

The City's (*Brampton*) letters go on to state that the subject site is designated "Employment Secondary Plan Study Area" by Vaughan OPA 600. Its policies clearly state that the "West Vaughan Enterprise Lands" be comprehensively developed for urban employment uses through the adoption of a Secondary Plan. The City's letters note that OPA 600 requires that the transportation matters referenced above be addressed prior to the adoption of a Secondary Plan for this West Vaughan Enterprise Zone.

The City's (*Brampton*) letters conclude that the subject application should not be approved, that it would not be appropriate to permit an individual re-designation from the Employment Secondary Plan Study Area designation and the Interim Agriculture Area designation in this area, or to expand the urban use zoning permissions of these lands. The letters further state that Vaughan's defined comprehensive planning process incorporating Secondary Plan preparation and adoption should be allowed to run its course, together with the prior completion of the required supporting major transportation studies."

The report also discusses the Transportation Studies currently underway in the area as noted in the Region of Peel comments, including the Highway 50/Highway 427 Area Arterial Network Study being undertaken jointly by Region of Peel, Region of York together with local area municipalities of Brampton, Caledon and Vaughan which will examine potential east-west connections to the 427 Transportation Corridor from the west and is expected to be completed by the Fall of 2008.

The report indicates that York Region has started the Western Vaughan EA Study, which will examine transportation improvements in western Vaughan, examining the east-west connections to the 427 Transportation Corridor from the east and is expected to be completed before the end of 2010. The report also states that although the Brampton alignment that crossed Highway 50 was eliminated from the 427 Transportation Corridor EA Study, Brampton Staff are of the opinion that the subject lands are not free and clear of transportation planning concerns because a future east-west road network in the vicinity of Highway 50 has yet to be determined.

In summary, the City of Brampton continues to consider the Danlouton proposal as premature, from a land use and transportation planning perspective, having concern with its potential to impact the planning for their Secondary Plan Area in Brampton, including the provisions of good arterial road connections to future Highway 427 in the City of Vaughan.

The Region of Peel is expected to proceed to Regional Council on the subject applications on February 14, 2007, after the finalization of this report, and therefore, the contents of that report are not included herein. An additional information item may be provided to Council with the Region of Peel's position on the matter, if available.

ii) Applications are Not in the Public Interest

As previously noted, the final route selection for the Highway 427 extension has not been determined at this point in time. The final Highway 427 route selection may impact on the location of existing roads (i.e. Major Mackenzie Drive), internal roads, and lands required for potential ramps and overpasses. The subject lands extend from Highway 50 to the valley lands thereby bisecting Planning Block 66 into a northerly and southerly part. Any north/south collector through Block 66 would have to traverse through the subject lands. Approving the private application prior to determination of the Highway 427 route as well as prior to the associated road network in Block 66, would not be in the public interest since future infrastructure (particularly road) and land use decisions that could benefit the municipality in terms of achieving an efficient and attractive employment area could be compromised. The proposal represents "piecemeal" planning for the purpose of advancing the interests of the land owner, potentially at the expense of the surrounding land owners, the municipality, and the general public if future road patterns, land uses and environmental conditions are not assessed on a comprehensive basis.

iii) Applications Do Not Have Regard to Matters of Provincial Interest Identified in the Planning Act

Section 2 of the Planning Act, requires that Council shall have regard for the following provincial matters of interest including:

- *the adequate provision of and efficient use of communication, transportation, sewage and water services and waste management systems*

At this time, the appropriate studies have not been undertaken in order to develop the most efficient transportation system for the Block 66 area and the lands on the west side of Highway 50. Approving the applications at this time could impede achieving the most efficient transportation system for the overall Block.

- *the orderly development of safe and healthy communities and the co-ordination of planning activities of public bodies*

As stated above, OPA #600 requires that a secondary planning study be undertaken for Block 66. A similar secondary planning process will be undertaken on the west side of Highway 50, in the City of Brampton. The Highway 427 route selection has not been finalized and the Ministry of Transportation has advised that the applications are premature. Approval of these applications in advance of the appropriate secondary planning studies being undertaken is not considered "orderly development" and would not have regard for the comprehensive planning initiatives being undertaken by the Ministry of Transportation, the Region of Peel and the Cities of Vaughan and Brampton. Approval of a single development within a planning area designated as a study area represents "piece-meal" planning, contrary to the orderly and comprehensive approach required by the Official Plan, and required by the Planning Act.

iv) Applications Do Not Have Regard for the Provincial Policy Statement

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The applications were originally submitted in May, 1999 and therefore, the Provincial Policy Statement (1997) is applicable. The applications do not have regard for the Provincial Policy Statement as follows:

"1.1 b) Development and land use patterns that would hinder the efficient expansion of urban areas or rural settlement areas are not permitted in adjacent areas;"

Given the long term development intentions for the subject lands the approval of a land use and site development application could hinder the long term planning and implementation of an employment area secondary plan.

"1.1 e) A coordinated approach should be achieved when dealing with issues which cross municipal boundaries, including:

1. Infrastructure and Public Service Facilities;"

The Development Planning Department has been advised by the City of Brampton that they are currently studying the lands on the west side of Highway 50 for employment uses. Given that it is anticipated that employment lands will be located along both sides of Highway 50 there will be a need to coordinate road patterns to ensure the long term efficient movement of goods and traffic. To permit the proposed use at this point that may frustrate the ability to achieve a coordinated traffic network.

"1.3.3.1 Corridors and rights-of-way for significant transportation and infrastructure facilities will be protected."

The Ministry of Transportation (MTO) have provided comments to the City, advising that the applications are premature until the completion of the Highway 427 route selection process is complete.

v) Applications Do Not Have Regard for the Region of York Official Plan

Section 6.1 Regional Infrastructure, Paragraphs 13 and 19, of the Region of York Official Plan states that it is Council policy:

- *to support the planning, corridor protection and the early construction of (in part):*
  - *Highway 427 north, by a local official plan amendment and secondary plans that integrate land and transportation planning and development for the Regional Official Plan Amendment 19 area;*

and,

- *to address matters of cross-boundary traffic with adjacent regions and municipalities, coordinated planning with such municipalities is supported and encouraged in order to establish a planned network of road which considers and coordinates the road hierarchy across municipal boundaries.*

Regional Official Plan Amendment #19 (ROPA 19) also states that:

"The secondary plans that must be completed and approved by the City and Region require the results of the environmental assessment in order to establish detailed land use designations and policies. Development within the ROPA 19 area cannot occur until the secondary plans are approved and the alignment of the Highway 427 extension is established through the E.A. process."

The secondary planning process required by OPA #600 for the study area will determine the most efficient transportation system for the Block 66 area and integrate the planning for future infrastructure planned growth for the study area. The proposed development could diminish the opportunity to achieve the most efficient road pattern for the area and does not integrate the planning of infrastructure and growth in a comprehensive manner.

The Cities of Vaughan and Brampton will both be undertaking comprehensive secondary planning exercises to determine the best future land use and transportation planning regime with respect to the overall development in the area. The applications represent the land use desire of one land owner, which could impact on the integrated and coordinated approach to the planning for this area being undertaken by Vaughan and Brampton.

vi) Site Specific Applications Compromise Comprehensive Planning

The subject applications propose a waste transfer facility and commercial uses on a site-specific basis for the subject lands. The Agent representing the Owner has also submitted applications to amend the Official Plan and Zoning By-law for lands fronting onto Major Mackenzie Drive (Files – OP.04.019, Z.04.059, DA.08.003 - Amardeep Deol) to permit a trucking and outside storage facility, which has also been appealed to the Ontario Municipal Board (OMB). On November 1, 2001, the OMB approved applications (Guscon Mackenzie Ltd. - Files OP.97.009 & Z.97.040) to redesignate and rezone lands on Major Mackenzie Drive within Block 66 to permit a trucking facility with the outside storage of trucks. Approval of the subject applications (Attachment #1) may set a precedent for continued site specific land use permissions, which cumulatively will impact on the City's ability to undertake a proper secondary plan study process. The nature of the uses approved and proposed by these applications, a waste recycling facility, trucking facility and outside storage also begins to establish a land use character for the area, which may not be in keeping with the recommended secondary plan upon completion of the study. Again, the site by site approach for approvals/applications in this area represents "piecemeal" planning, which will potentially impact on a comprehensive plan for the Block.



## Planning Justification Study

On October 4, 2007, the applicant submitted a "Planning Justification Report" prepared by Weston Consulting Group Inc. - September 2007. The Development Planning Department has reviewed the planning justification report and have determined that it fails to provide the necessary justification for the support of the subject applications at this time.

The justification report states that the applications are supported by the 1997 Provincial Policy Statement, while the Development Planning Department is of the opinion that the 1997 Provincial Policy Statement (PPS) would not support the uses as proposed.

The report states that the proposed waste transfer and recycling facility will be buffered on three sides by a landscape berm and on the fourth side by the Rainbow Creek. The report goes on to state that the Certificate of Approval that would be required to be issued by the Ministry of Environment will also address land use compatibility, however, the report fails to explain how this would be achieved.

The planning justification report does point out that all the preferred options for the Highway 427 extension are located to the east of the Hydro Corridor and should one of these options be ultimately selected then the impact on the subject lands may be negligible. However, should the preferred alignment be immediately adjacent to the Hydro Corridor then the potential of the subject lands being visible from the 427 is a possibility and the future uses should be of a nature that is in keeping with a 400 series highway.

It should also be noted that until such time as the final alignment is selected and approved by the Ministry any number of factors may lead to a redesign of the alignment options and this may have an impact on the subject lands.

The justification report states that the location of the proposed facility "provides ample room" for the consideration of a north/south public road, and therefore, does not prejudice the future internal road network for the block. The Development Planning Department disagrees with this position and maintains that until such time that the secondary plan is approved for the area the location of the internal road networks can not be determined and therefore, no conclusion can be made on the ability of the site to not prejudice the future secondary plan.

To allow the use and site development of the subject lands at this time would not only compromise the secondary planning process by approving land use designations but would also severely prejudice the adjacent land holdings by limiting the range of uses that would or could locate adjacent to this type of use.

## Zoning

The subject lands shown on Attachment #1 are zoned A Agricultural Zone (tableland) and OS1 Open Space Conservation Zone (valleyland) by By-law 1-88. The proposed zoning amendment would rezone the subject lands (ie. west of the OS1 lands) to EM2 General Employment Area Zone and C7(H) Service Commercial Zone with the addition of the Holding Symbol (H). The applicant is proposing that restrictions be placed in the by-law to permit the waste recycling and transfer activities including outside storage, to the rear of the property, and to place the proposed commercial lands along the Highway 50 frontage in a Holding Zone that would be lifted when a site plan was approved.

The Development Planning Department cannot support this approach as it presupposes that a commercial designation along Highway 50 and a General Employment designation for the internal subject lands will be appropriate once the secondary plan for the entire area is completed. The requested C7 Service Commercial Zone is only permitted within a Service Node (adjacent to an intersection of two roads) within the Prestige Employment Area designation.

Without the completion of the secondary plan, there is no way to ensure that a Service Node will be located on the frontage of the subject lands adjacent to Highway 50, and therefore cannot be supported at this time.

#### City Engineering Department

On February 13, 2008, comments were received from the Vaughan Engineering Department and are as follows:

"The Transportation Planning Division does not support the subject development as the information/analysis provided in the Traffic Impact Study (prepared by Read, Voorhees & Associates dated October 2007) is insufficient with respect to following:

1. The subject development falls under potential corridor for the Highway 427 extension. Environmental Assessment for Highway 427 has not been completed yet and the subject corridor may be affected due to the realignment of arterial roads/future City road network (including Major Mackenzie Drive). Furthermore, the appropriateness of the access location on Highway 50 would be determined in light of Highway 427 EA (Western Vaughan IEA) study report.

The City of Vaughan OPA 600 designates the subject lands "Agriculture Area" and "Valley/Stream Corridor" and are located within the "Employment Secondary Plan Study Area". However, a secondary plan is not commenced/approved yet and the subject development may also affect the future road network of the secondary plan, hence at this point in the time we believe that the subject proposal is premature.

2. Background traffic growth rates considered in the submitted study report observed too low, also traffic generated by the future background developments needs to be updated.
3. Existing intersection of Regional Road 50/Major Mackenzie Drive is currently operating at LOS (level of service) - 'F', furthermore we also believe that without having any geometric improvements, the subject intersection would not be able to accommodate the anticipated growth in the traffic, even with the installation of a traffic signal.
4. Heavy vehicles percentage used in the analysis needs justification."

#### Cultural Services Division

The Vaughan Cultural Services Department advises that the required Archaeological Assessment has not been submitted by the applicant for review and approval by the Ministry of Culture's Archeological Branch and the City of Vaughan.

The Division also advises that the existing 1½ storey brick farmhouse on the subject lands is included in the Listing of Significant Heritage Structures, the City of Vaughan's Register of Property of Cultural Heritage Value as per Part IV, Subsection 27 of the Ontario Heritage Act. Any proposed changes to the exterior of the existing farmhouse must be reviewed by the Cultural Services Division and Heritage Vaughan in order to preserve the property's heritage integrity. As well, the Cultural Services Division requests that the property owner provide an opportunity to conduct an interior site visit to conduct a full Built Heritage Evaluation of the Building.

## Toronto and Region Conservation Authority (TRCA)

The Development Planning Department has received various letters from the Toronto and Region Conservation Authority (TRCA), indicating that prior to any approvals or conditions of approval being issued by the TRCA, revisions to the Master Environmental Servicing Plan as well as the submission of additional information is required for review and comment. The applicant is working directly with the Conservation Authority to address any site-specific outstanding issues to their satisfaction.

The TRCA has also advised by letter on December 14, 2007 that although there are site-specific issues that are required to be addressed by the applicant, the development proposal falls within the Highway 427 Transportation Corridor-Individual Environmental Assessment Review (EA), and should therefore, be reviewed concurrently in the context of the EA study.

## Relationship to Vaughan Vision 2020

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

## Regional Implications

The Region of York Planning Department has advised by letter dated February 13, 2008, that the site is located within the ROPA 19 area, which is designated "Urban Area" by the Regional Official Plan. Policies of the Regional Official Plan support development within "Urban Areas" through comprehensive secondary plans that take into consideration environmental issues, infrastructure requirements, including roads, water, sewer and transit, and high quality urban design. Similar policies are set out in the City's Official Plan (OPA 600). The comprehensive secondary plan process for the ROPA 19 area is awaiting the completion of the EA for the Hwy 427 extension or at least determination of the preferred alignment. The potential future extension of Highway 427 may impact this site and Regional staff have not received any information to-date that would confirm that this site will not be impacted by the 427 extension. Possible alignment options identified at the first Public Information Centre for the Highway 427 extension indicate this site is impacted.

The site is located on the east side of Highway 50, north of Major Mackenzie Drive. Major Mackenzie Drive is a Regional Road having a 36 metre right-of-way in this area. It is anticipated that Major Mackenzie Drive will play a key role in providing east-west connection to the Hwy 427 extension. Improvements to Major Mackenzie Drive are part of an Individual EA which the Region is carrying out for the road network in West Vaughan. East west connection to the Hwy 427 extension, improvements and/or realignment of Major Mackenzie Drive could all impact the proposed site.

## Conclusion

The Development Planning Department has reviewed the applications to amend the Official Plan and Zoning By-law (Files OP.99.014 and Z.99.034) and the Site Development Application (File DA.07.080) in accordance with the applicable policies of the Official Plan, the Provincial Policy Statement (1997), and the Regional Official Plan. The applicant has not appropriately justified the need for the applications proceeding in advance of the completion of the Employment Secondary Plan Study, and the Highway 427 Extension Environmental Assessment (EA). The Development Planning Department is of the opinion that the applications are premature and are not in the public interest, since the approval of the proposed uses in the "Employment Secondary Plan Study Area" could prejudice the future transportation network and land uses in the area, if the applications are approved in advance of the completion of the Highway 427 extension EA, and the preparation of a Secondary Plan. Comments received from the City of Brampton and the Region of Peel also indicate that the proposed applications are premature from a land use and

transportation planning perspective. The Ministry of Transportation (MTO) is of the opinion that the approval of these applications may preclude a future alignment for the Highway 427 as well as potential realignments and widening of Major Mackenzie Drive, and other east-west arterials in the area.

Furthermore, the approval of site specific applications will create a precedent in the "Employment Secondary Plan Study Area" and may result in additional applications proceeding in advance of the completion of the Secondary Plan. It is the Development Planning Department's opinion that this site by site approach for approvals of applications within the Study Area represents "piecemeal" planning that may potentially impact the comprehensive plan for the entire block. Accordingly, the Development Planning Department cannot support the approval of the Official Plan Amendment, Zoning By-law Amendment and Site Development Applications as shown on Attachment #2, and recommends that the applications BE REFUSED.

**Attachments**

1. Location Map
2. Overall Site Plan
3. Proposed Layout for EM2 Portion of Lands

**Report prepared by:**

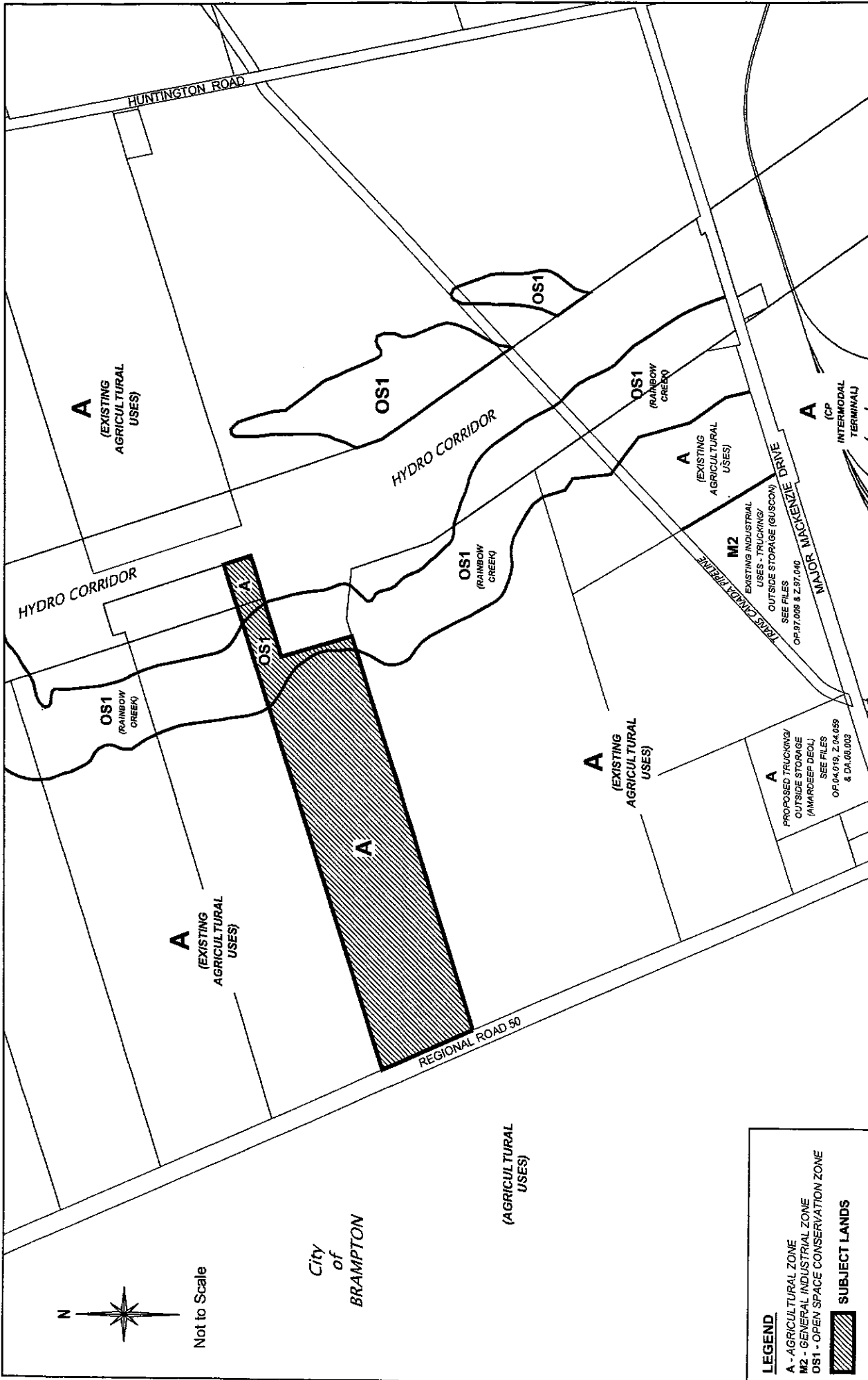
Carmela Marrelli, Planner, ext. 8791  
Mauro Peverini, Senior Planner, ext. 8407  
Grant Uyeyama, Manager of Development Planning, ext. 8635

Respectfully submitted,

JOHN ZIPAY  
Commissioner of Planning

MARCO RAMUNNO  
Director of Development Planning

/CM



Not to Scale

City of  
BRAMPTON

(AGRICULTURAL  
USES)

**LEGEND**

- A - AGRICULTURAL ZONE
- M2 - GENERAL INDUSTRIAL ZONE
- OS1 - OPEN SPACE CONSERVATION ZONE

SUBJECT LANDS

# Location Map

Part of Lot 23,  
Concession 10

APPLICANT:  
DANLAUTON HOLDINGS INC.

N:\DFT\1 ATTACHMENTS\DA\66.07.080

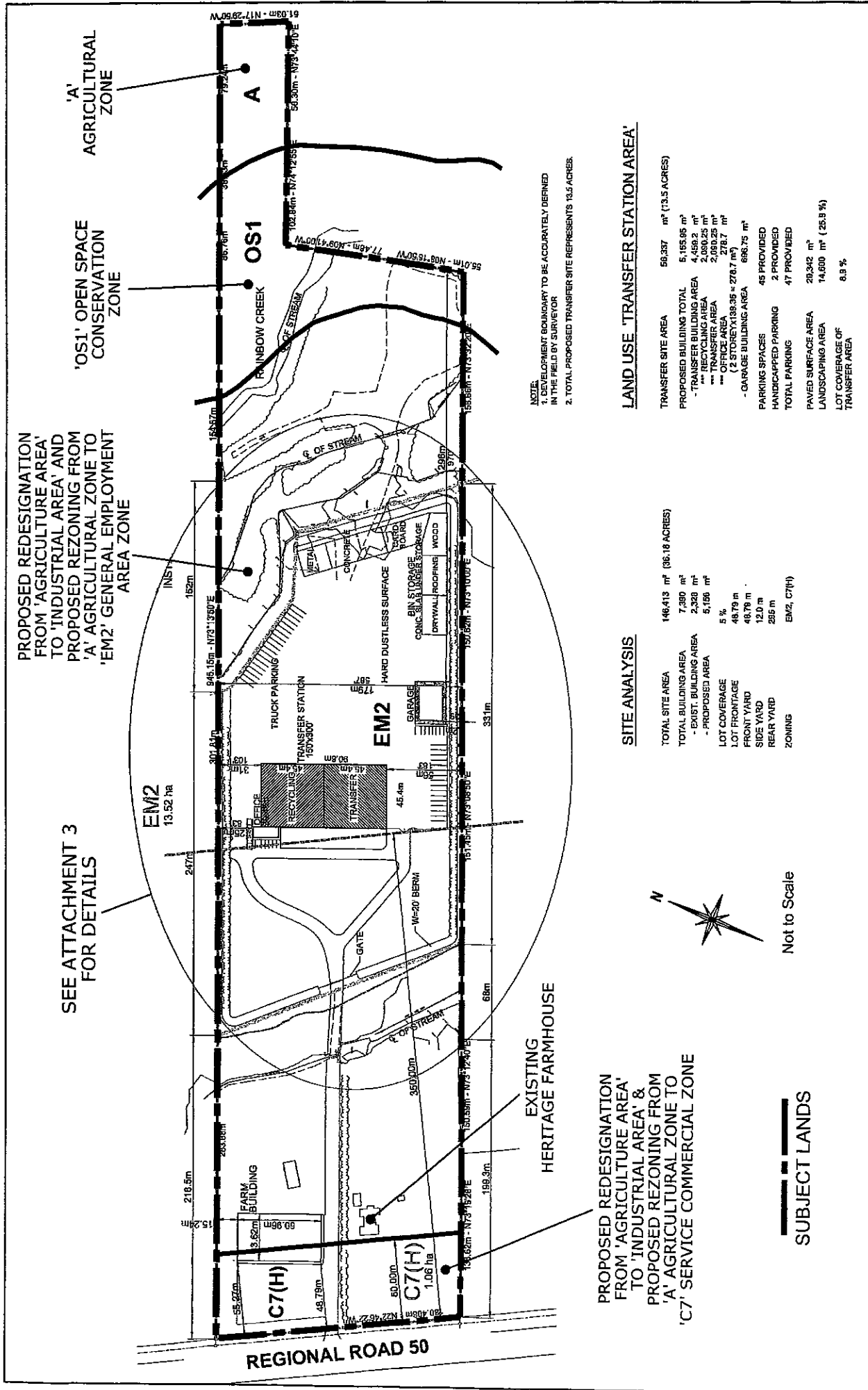


The City Above Toronto

Development Planning Department

# Attachment 1

FILE No.:  
DA.07.080  
RELATED FILES:  
OP.99.014 & Z.99.034  
February 13, 2008



PROPOSED REDESIGNATION FROM 'AGRICULTURE AREA' TO 'INDUSTRIAL AREA' AND PROPOSED REZONING FROM 'A' AGRICULTURAL ZONE TO 'EM2' GENERAL EMPLOYMENT AREA ZONE

SEE ATTACHMENT 3 FOR DETAILS

'OS1' OPEN SPACE CONSERVATION ZONE  
'A' AGRICULTURAL ZONE

EXISTING FARMHOUSE

PROPOSED REDESIGNATION FROM 'AGRICULTURE AREA' TO 'INDUSTRIAL AREA' & PROPOSED REZONING FROM 'A' AGRICULTURAL ZONE TO 'C7' SERVICE COMMERCIAL ZONE

SUBJECT LANDS

Not to Scale

NOTE:  
1. DEVELOPMENT BOUNDARY TO BE ACCURATELY DEFINED IN THE FIELD BY SURVEYOR  
2. TOTAL PROPOSED TRANSFER SITE REPRESENTS 13.5 ACRES.

**SITE ANALYSIS**

TOTAL SITE AREA	146,413 m <sup>2</sup> (35.18 ACRES)
TOTAL BUILDING AREA	7,390 m <sup>2</sup>
- EXIST. BUILDING AREA	2,328 m <sup>2</sup>
- PROPOSED AREA	5,196 m <sup>2</sup>
LOT COVERAGE	5 %
FRONT YARD	48.79 m
SIDE YARD	12.0 m
REAR YARD	29.6 m
ZONING	EM2, C7(H)

**LAND USE 'TRANSFER STATION AREA'**

TRANSFER SITE AREA	56,337 m <sup>2</sup> (13.5 ACRES)
PROPOSED BUILDING TOTAL	5,195.95 m <sup>2</sup>
- TRANSFER BUILDING AREA	4,459.2 m <sup>2</sup>
- RECYCLING AREA	2,080.25 m <sup>2</sup>
- TRANSFER AREA	2,080.25 m <sup>2</sup>
- GARAGE BUILDING AREA	688.75 m <sup>2</sup>
- GARAGE BUILDING AREA	688.75 m <sup>2</sup>
PARKING SPACES	45 PROVIDED
HANDICAPPED PARKING	2 PROVIDED
TOTAL PARKING	47 PROVIDED
PAVED SURFACE AREA	29,342 m <sup>2</sup>
LANDSCAPING AREA	14,800 m <sup>2</sup> (25.9 %)
LOT COVERAGE OF TRANSFER AREA	8.9 %

**Overall Site Plan**

Part of Lot 23, Concession 10

APPLICANT:  
DANLAUTON HOLDINGS INC.

NA\PT\1 ATTACHMENTS\DA\06.07.080



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**Attachment 2**

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