

5. ZONING BY-LAW AMENDMENT FILE Z.08.069 P.2009.24
2107683 ONTARIO LIMITED, RIOCAN PS INC., AND SRF VAUGHAN INC.
WARD 2

Recommendation

The Commissioner of Planning recommends:

THAT the Public Meeting report for File Z.08.069 (2107683 Ontario Limited, Riocan PS Inc., and SRF Vaughan Inc.) 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: May 29, 2009
- b) Circulation Area: 150 m and to the West Woodbridge Homeowners Association
- c) Comments Received as of June 9, 2009: None

Purpose

Proposal:

To amend the City's Zoning By-law 1-88, to rezone the subject lands shown on Attachments #1 and #2 from EM2 General Employment Area Zone to EM3 Retail Warehouse Employment Area Zone and C7 Service Commercial Zone, to permit retail warehouse uses on the northern portion of the site and two multi-unit buildings for service commercial uses on the southern portion of the site as shown on Attachment #3.

Background - Analysis and Options

Location	<ul style="list-style-type: none"> ▪ On the north side of Milani Boulevard, located southwest of Regional Road 27 and Langstaff Road, 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 Plan) ▪ The proposal to rezone the northern portion of the site to EM3 Zone to permit retail warehouse uses conforms with the Official Plan, however, some of the stores being contemplated by the applicant (in discussions with the City) for the proposed 93,000m² building may not be considered to be retail warehouses, and may be more retail in nature. The conformity of the proposed uses/stores will need to be reviewed in greater

	<p>detail to determine if the proposed uses constitute an employment land conversion, which is inconsistent with the Provincial Policy Statement and the Places to Grow Plan.</p> <ul style="list-style-type: none"> ▪ The proposal to rezone the southerly portion of the site to C7 Service Commercial Zone is not consistent with the “Service Node” policies in the Official Plan and constitutes an employment land conversion. The Development Policies under Section 2.2.5 in OPA #450 (Employment Area Growth and Management Plan) states: <p style="margin-left: 40px;">“1.b) Service nodes shall generally be located at intersections of arterial and or collector roads. Other areas that are conveniently located or are predominately devoted to another use, such as an office complex, a hotel or retail warehousing may also be considered.”</p> <p>As shown on Attachment #2, the location of the proposed C7 site is not situated at the intersection of an arterial and/or collector road, and would not constitute a “Service Node”, and therefore, would not conform to the Official Plan. The Development Planning Department has not supported requests to locate Service Nodes internally within an Employment Area, and away from major intersections. This request represents a proposal that would set an undesirable precedent that would promote Service Commercial areas throughout the Employment Areas instead of in certain specified areas along arterial roads where operationally they are situated better to support the day-to-day convenience and service needs of surrounding businesses, industries, and their employees.</p>
Zoning	<ul style="list-style-type: none"> ▪ EM2 General Employment Area Zone by By-law 1-88.
Ontario Municipal Board (OMB)	<ul style="list-style-type: none"> ▪ This application has been appealed to the Ontario Municipal Board, under Section 34(11) of the <i>Ontario Planning Act</i> as the City has not made a decision on the application within 120 days as required in the Act. An OMB Hearing date has not yet been scheduled to consider the appeal.
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.	Conformity with Provincial policies, Regional and City Official Plans	The appropriateness of the proposed rezoning will be reviewed in consideration of the applicable Provincial policies, Regional and City Official Plan policies, including the Phases to Grow Plan and the Provincial Policy Statement, and with particular consideration to the conversion of employment lands to non-employment uses.
b.	Appropriateness of Proposed Uses	The appropriateness of permitting EM3 Retail Warehouse and C7 Service Commercial uses will be reviewed for conformity with Provincial policies and City and Regional Official Plan policies, and compatibility with other uses on the site and in the surrounding area.
c.	Coordination of land uses	A comprehensive and co-ordinated review of the property with the surrounding lands, with respect to land use, location of buildings, access and roads will be reviewed.
d.	Traffic Impact Study/Functional Servicing Report	The Traffic Impact Study and Functional Servicing Report submitted in support of the application must be reviewed by the Region of York and the Vaughan Engineering Department, in consideration of the appropriateness of the proposed rezoning.

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 Meeting or in writing, and will be addressed in a comprehensive report to a future Committee of the Whole meeting.

Attachments

1. Context Map
2. Location Map
3. Conceptual Site Plan

Report prepared by:

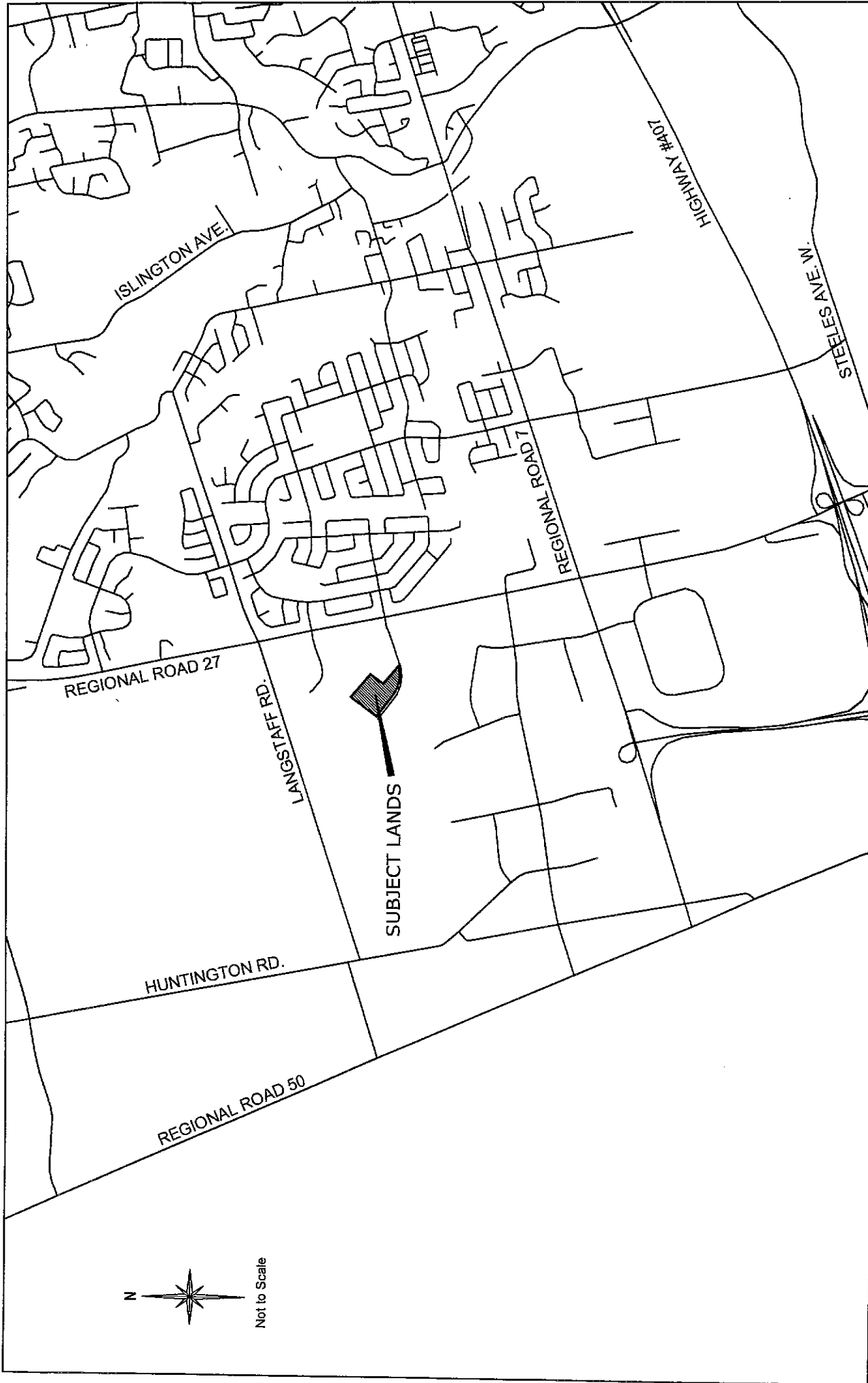
Ryan Mino, Planner, ext. 8213
Carmela Marrelli, Senior Planner, ext. 8791
Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

GRANT UYEVAMA
Director of Development Planning

/CM



Context Location Map

Location:
 Part of Lot 9, Concession 9
 Applicant: 2107683 ONTARIO LTD.,
 RIOCAN PS INC. & SRF VAUGHAN INC.

N:\OPT\1 ATTACHMENTS\Z\Z.08.069

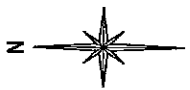
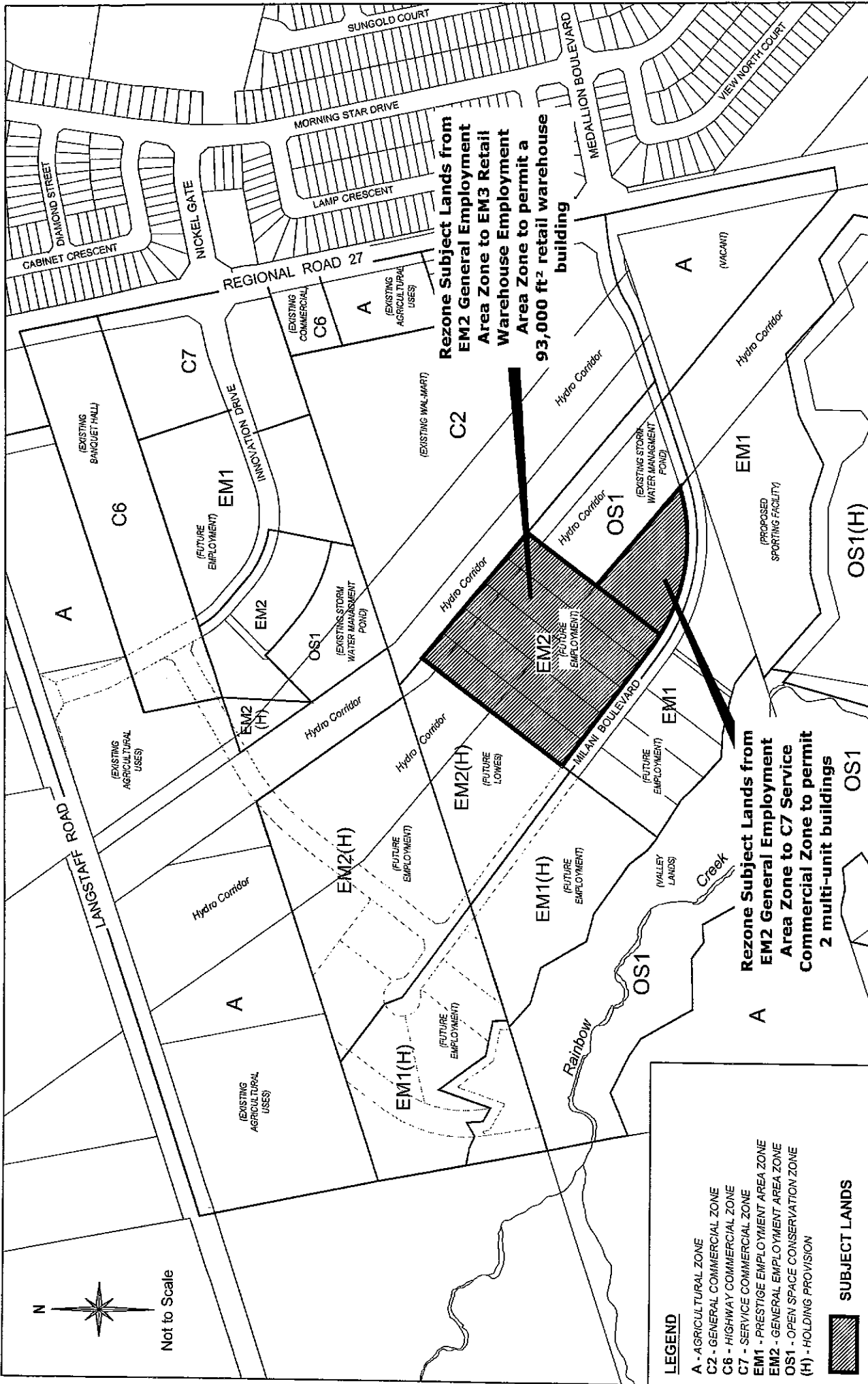


The City Above Toronto
 Development Planning Department

Attachment

File:
 Z.08.069
 Date:
 June 9, 2009

1



Not to Scale

LEGEND

- A - AGRICULTURAL ZONE
- C2 - GENERAL COMMERCIAL ZONE
- C6 - HIGHWAY COMMERCIAL ZONE
- C7 - SERVICE COMMERCIAL ZONE
- EM1 - PRESTIGE EMPLOYMENT AREA ZONE
- EM2 - GENERAL EMPLOYMENT AREA ZONE
- OS1 - OPEN SPACE CONSERVATION ZONE
- (H) - HOLDING PROVISION



SUBJECT LANDS

Location Map

Location:
Part of Lot 9, Concession 9
Applicant: 2107683 ONTARIO LTD,
RIOCAN PS INC. & SRF VAUGHAN INC.
N:\DFT\1 ATTACHMENTS\2-7-08.0689

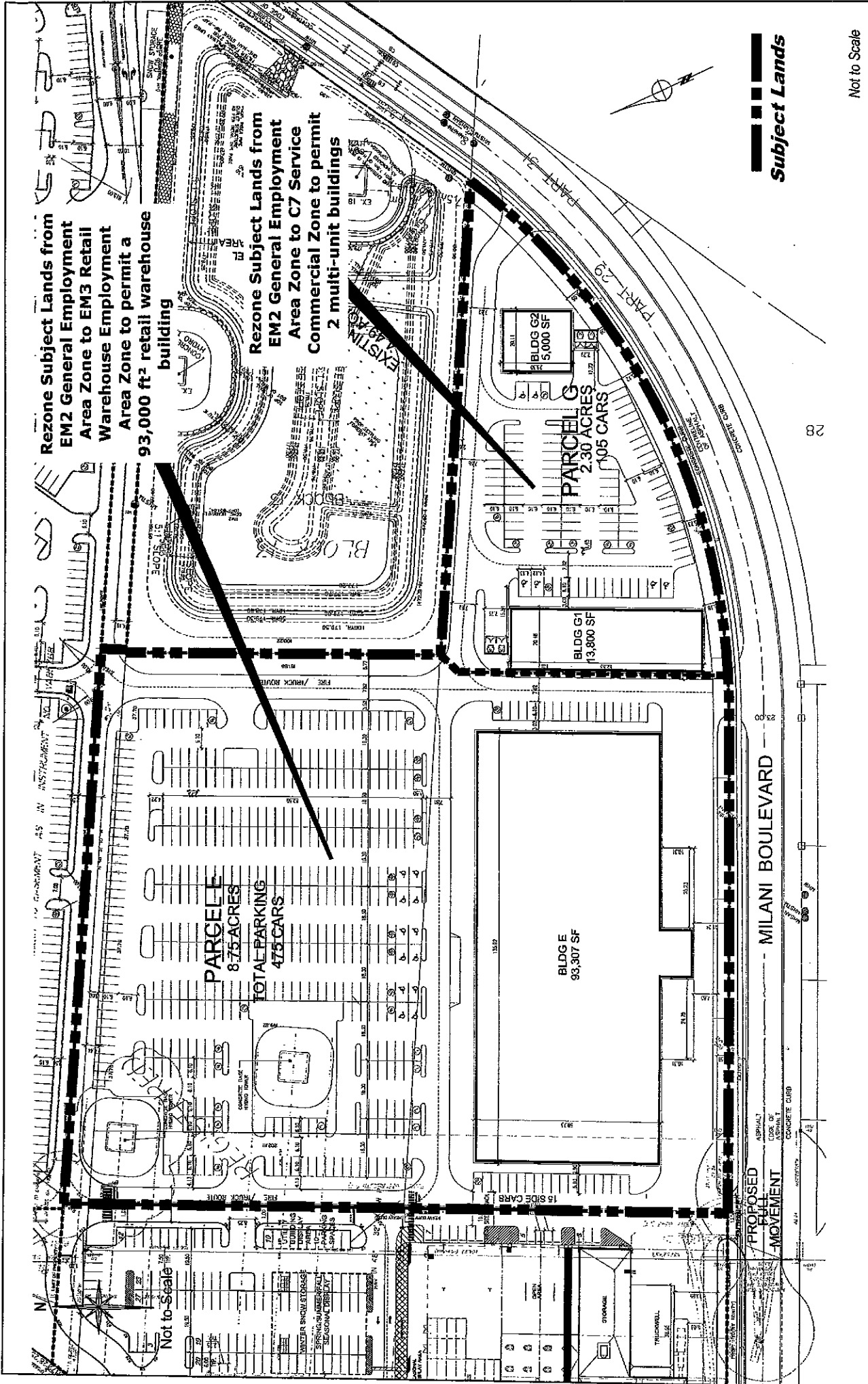


The City Above Toronto
Development Planning Department

Attachment

2

File:
Z.08.069
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June 9, 2009



Rezone Subject Lands from
 EM2 General Employment
 Area Zone to EM3 Retail
 Warehouse Employment
 Area Zone to permit a
 93,000 ft² retail warehouse
 building

Rezone Subject Lands from
 EM2 General Employment
 Area Zone to C7 Service
 Commercial Zone to permit
 2 multi-unit buildings

Subject Lands

Not to Scale

Attachment 3

File: Z.08.069
 Date: June 9, 2009



The City Above Toronto
 Development Planning Department

Conceptual Site Plan

Location:
 Part of Lot 9, Concession 9
 Applicant: 2107683 ONTARIO LTD,
 RIOCAN PS INC. & SRF VAUGHAN INC.

N:\DFT\1 ATTACHMENTS\Z.08.069c