

## **COMMITTEE OF THE WHOLE JUNE 1, 2010**

### **ZONING BY-LAW AMENDMENT FILE Z.07.041 1693143 ONTARIO INC. AND 1693144 ONTARIO INC. WARD 2**

#### **Recommendation**

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.07.041 (1693143 Ontario Inc. and 1693144 Ontario Inc.) BE APPROVED, to rezone the subject lands shown on Attachments #1 and #2, from C6 Highway Commercial Zone and A Agricultural Zone to EM2 General Employment Area Zone and EM3 Retail Warehouse Employment Area Zone, in the manner shown on Attachment #3.
2. THAT the implementing Zoning By-law permit the zoning exceptions identified in Table 1 of this report.

#### **Contribution to Sustainability**

Opportunities for sustainable design, including CEPTD (Crime Prevention Through Environmental Design), LEED (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 future Site Development Application.

#### **Economic Impact**

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

#### **Communications Plan**

On February 3, 2009, Council adopted a policy that requires a new public hearing for all development applications that have not been considered by the Committee of the Whole within two (2) years of the original public hearing date, and to increase the public notification area from 120m to 150m. This application was considered at two (2) Public Hearings; the first on November 5, 2007 and the second on March 23, 2010.

On February 26, 2010, a Notice of Public Hearing was circulated to all property owners within 150m of the subject lands, and to the West Woodbridge Homeowner's Association. There were no comments or objections raised by the public and Council at the March 23, 2010 Public Hearing. The recommendation to receive the Public Hearing report of March 23, 2010, was ratified by Council on April 13, 2010.

#### **Purpose**

The Owner has submitted an application to amend the City's Zoning By-law 1-88, to rezone the subject lands in the manner shown on Attachment #3 as follows:

- a) rezone the west half of the property from C6 Highway Commercial Zone and A Agricultural Zone to EM3 Retail Warehouse Employment Area Zone with additional limited site specific uses (Bank and Financial Institution, 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.

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

The subject lands shown on Attachments #1 and #2, are located on the east side of Regional Road #50, through to Huntington Road and north of Fogel Road, municipally known as 8151 Regional Road 50, in Part of Lot 8, Concession 1, City of Vaughan.

A public garage is currently in operation on the lands zoned C6 Highway Commercial on the western portion of the subject lands. This use will continue to exist until such time that the owner of the lands proposes to redevelop the property in accordance with the zoning amendments contemplated in this report. The surrounding land uses are shown on Attachment #2.

### **Official Plan**

The subject lands are designated "Prestige Area" along Regional Road 50, and "Employment Area General" in the interior of the site by OPA #450 (Employment Area Plan), and are subject to the following policies:

#### **a) Prestige Area/Retail Warehousing**

The "Prestige Area" designation is located adjacent to arterial roads and highways (Regional Road 50), and encourages locational opportunities for uses that require high visual exposure, good accessibility and an attractive working environment. The "Prestige Area" designation permits a wide range of industrial, office, business and civic uses.

The applicant is requesting retail warehousing, which is not a specific land use designation within OPA #450, but is permitted on the basis of a site-specific amendment to the Zoning By-law, in accordance with the following retail warehouse policies and criteria in OPA #450: 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 use on the operation of the regional and local road system; and compatibility with adjacent land uses.

The proposed EM3 Retail Warehouse Employment Area Zone will have direct access onto Regional Road 50 via a right-in-right-out entrance with further access through the eastern portion of the property to Huntington Road, and ultimately through the lands to the north and south, which will be served by full movement access points (i.e. signalized intersection) at Ebenezer Road and a future road to the south as shown on Attachment #4. The Region of Peel has indicated that cross easements will be required between the landowners in this area to enhance the traffic circulation and access to Regional Road 50. The proposal to rezone the west side of the property from C6 Highway Commercial Zone and A Agricultural Zone to EM3 Retail Warehouse Employment Area Zone is compatible with the existing and proposed land uses in the surrounding area and conforms to the Official Plan.

#### **b) Employment Area General**

The "Employment Area General" designation is located internally within employment areas and accommodates uses that do not require high visual exposure, provides locational opportunities for industrial uses which may require outside storage or be undertaken outdoors, and that facilitates a broad range of lot sizes and a diversity of building forms in order to meet the needs of any business or industry. Permitted uses include a full range of processing, warehousing, and transportation and distribution facilities with or without outside storage. The proposal to rezone the east side of the property from A Agricultural Zone to EM2 General Employment Area Zone is

consistent with the approved Huntington Business Park Block Plan as shown on Attachment #4 and discussed later in this report, and conforms to the Official Plan.

c) Huntington Business Park Block Plan

The approved Huntington Business Park Block Plan as shown on Attachment #4 designates the subject lands "Prestige Area" (west) and "Employment Area General" (east). The Block Plan was approved by Vaughan Council on February 27, 2006.

The approved Block Plan differs slightly from land use Schedule "2A" in OPA #450. However, the following Policy in subsection 3.5.a) of OPA #450 implements the land use designations through an approved Block Plan, in this case the Huntington Business Park Block Plan, as shown on Attachment #4:

"The boundaries between the land use designations shown on Schedules "2", "2a", "2b", and "2c" are approximate where they coincide with arterial roads, railway lines, valleylands, or other clearly defined physical features. It is intended that the extent of various land use designations be established through the Block Plan process. The detailed boundaries would be reflected in the approved subdivision plans and zoning by-law."

The proposal to rezone the subject lands to EM2 General Employment Area Zone and EM3 Retail Warehouse Employment Area Zone in the manner shown on Attachment #3, will implement general employment, prestige employment and retail warehouse uses on the subject lands, which conforms with the policies of OPA #450 and is consistent with the approved land uses in the Huntington Business Park Block Plan.

Zoning

The subject lands are currently zoned C6 Highway Commercial Zone, subject to Exception 9(394) and A Agricultural Zone by By-law 1-88. The proposed general employment, prestige employment and retail warehouse uses are not currently permitted, and therefore, an amendment to the Zoning By-law is required. The following exceptions to the Zoning By-law are proposed:

Table 1: Proposed Zoning Exceptions

	<b>By-law Standard</b>	<b>By-law 1-88 Requirements</b>	<b>Proposed Exceptions to By-law 1-88</b>
a.	Minimum Landscape Strip Width (along Regional Road 50 - EM3 Retail Warehouse Employment Area Zone)	9.0m	Permit a minimum 6.0m wide landscape strip, where a building with windows faces a street line.
b.	Minimum Landscape Strip Width (along Huntington Road - EM2 General Employment Area Zone)	9.0	6.0 m

	<b>By-law Standard</b>	<b>By-law 1-88 Requirements</b>	<b>Proposed Exceptions to By-law 1-88</b>
c.	Parking and Building Setbacks for the EM2 General Employment Area Zone and EM3 Retail Warehouse Zone	Parking and building setback requirements applied separately to each respective zone category.	For the purposes of this zoning exception, the lands zoned EM2 General Employment Area Zone and EM3 Retail Warehouse Employment Area Zone shall be deemed to be a single lot for the purposes of applying minimum parking and building setback requirements.
d.	Permitted Uses in the EM3 Retail Warehouse Employment Area Zone	EM3 Retail Warehouse Employment Area Zone uses only.	<p>To permit the following site-specific uses within the EM3 Retail Warehouse Employment Area Zone up to a combined maximum of 1800m<sup>2</sup> on the property:</p> <ul style="list-style-type: none"> <li>- Eating Establishment;</li> <li>- Eating Establishment with outdoor patio;</li> <li>- Eating Establishment, Convenience</li> <li>- Eating Establishment, Take Out, with Outdoor Patio;</li> <li>- Personal Service Shop;</li> <li>- Convenience Retail Store;</li> <li>- Bank and Financial Institution.</li> </ul>

The list of site-specific uses requested by the applicant within the EM3 Retail Warehouse Zone has been scaled down since the application was first submitted. Most of the uses listed in the table above are typically permitted in the EM1 Prestige Employment Area Zone. The EM1 Zone permits a Personal Service Shop use and an Eating Establishment use with each respective use limited to one per multi-unit building up to a maximum of 185m<sup>2</sup>. A Convenience Retail Store and Bank and Financial Institution are not permitted uses in the EM1 Zone. An EM3 Retail Warehouse Zone permits all EM1 Prestige Employment Area Zone uses as-of-right.

The subject lands are situated between two (2) "Service Node" sites as identified in the approved Block Plan. The additional site-specific uses including the Convenience Retail Store and Bank and Financial Institution uses are compatible and complimentary to the proposed uses on the site

and the existing and proposed land uses in the surrounding area. The EM3 Retail Warehouse Employment Area Zone would permit most of the additional uses proposed as-of-right, including an Eating Establishment and Personal Service Shop. The proposed zoning would allow these additional site-specific uses to exist within a stand-alone building, or within a multi-unit building, and would permit a Convenience Retail Store and Bank and Financial Institution as complimentary uses on the site.

To ensure the proposed site-specific uses remain ancillary to the uses permitted in an EM3 Retail Warehouse Zone, Development Planning Staff recommend that the additional site-specific uses be limited to a maximum GFA of 1800m<sup>2</sup>, which represents approximately 25% of the total building GFA that the applicant has identified could potentially be constructed on the site based on zoning standards (e.g. coverage, setbacks, parking).

The applicant also requested a Pharmacy use within the EM3 Retail Warehouse Employment Area Zone. After further review, the Development Planning Department is of the opinion that a Pharmacy use in the context of this development is not appropriate, and is more suited towards a commercial area.

The Development Planning Department has reviewed the proposed amendments and exceptions to the Zoning By-law and have no objections, excluding the request for a Pharmacy use.

#### Access, Traffic and Parking

The applicant provided a Traffic Impact Study in support of the proposed development, and in support of the policies within OPA #450 to justify service commercial and retail warehousing uses on the subject lands. The Traffic Impact Study was reviewed and approved by the Region of Peel, the Region of York, and the Vaughan Engineering Department.

#### Archaeological Assessment

The City of Vaughan Cultural Services Division has identified that an archaeological assessment will be a condition of approval for any future site development or grading permit, prior to any soil disturbance in accordance with the requirements of the Province of Ontario.

#### Environmental Site Assessments

The Phase 1 and Phase 2 Environmental Site Assessments provided in support of the proposed development has been reviewed and approved by the Vaughan Engineering Department. The Engineering Department advises the applicant that certification will be required for any subsequent development on the subject lands, indicating that the underground storage tanks and wells have been removed and disposed of properly.

#### Future Site Development Application

A future Site Development Application will be required on the proposed EM3 lands for Council's approval to ensure appropriate site circulation and building design, site servicing and grading, and urban design and streetscaping are appropriately addressed. The proposed EM2 lands are internal employment lands and can proceed through the Building Permit process.

#### Relationship to Vaughan Vision 2020/Strategic Plan

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

### **Regional Implications**

The subject application was circulated to the Region of York and the Region of Peel for review. Both public agencies have reviewed the proposed zoning amendment application and have no concerns with the proposed rezoning, as the technical review for the proposed EM3 lands will occur upon the submission of the required Site Development Application.

### **Conclusion**

The Zoning By-law Amendment Application has been reviewed in accordance with the policies of OPA #450 (Employment Area Plan), the Council approved Huntington Business Park Block Plan, the requirements of By-law 1-88, the comments received from City Departments and external public agencies, and the surrounding area context. The Development Planning Department is satisfied that the proposal to rezone the subject lands from C6 Highway Commercial Zone and A Agricultural Zone to EM2 General Employment Area Zone and EM3 Retail Warehouse Employment Area Zone in the manner shown on Attachment #3, to permit general employment, prestige employment and retail warehouse uses, with site-specific exceptions on the property, is appropriate and compatible with the existing uses in the surrounding area and conforms with the Official Plan and Block Plan. In addition, a Traffic Impact Study and Environmental Site Assessment were prepared in support of the application, which were reviewed and approved by the Region's of York and Peel and the Vaughan Engineering Department. On this basis, the Development Planning Department can support the approval of the Zoning By-law Amendment Application.

### **Attachments**

1. Context Location Map
2. Location Map
3. Proposed Zoning
4. Huntington Business Park – Block Plan

### **Report prepared by:**

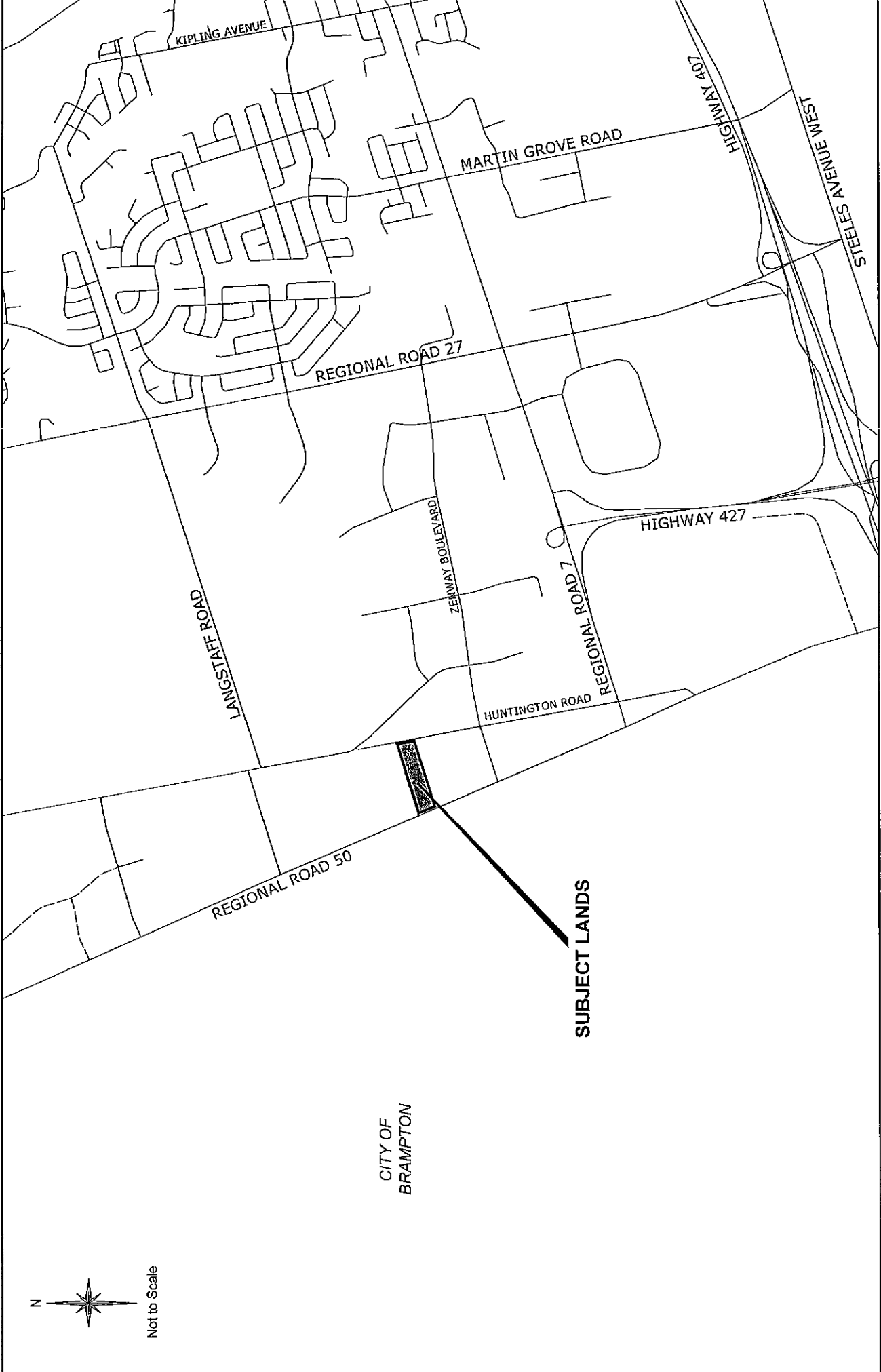
Ryan Mino, Planner, ext. 8213  
Christina Napoli, Acting Senior Planner, ext. 8483  
Carmela Marrelli, Acting Manager of Development Planning, ext. 8791

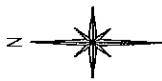
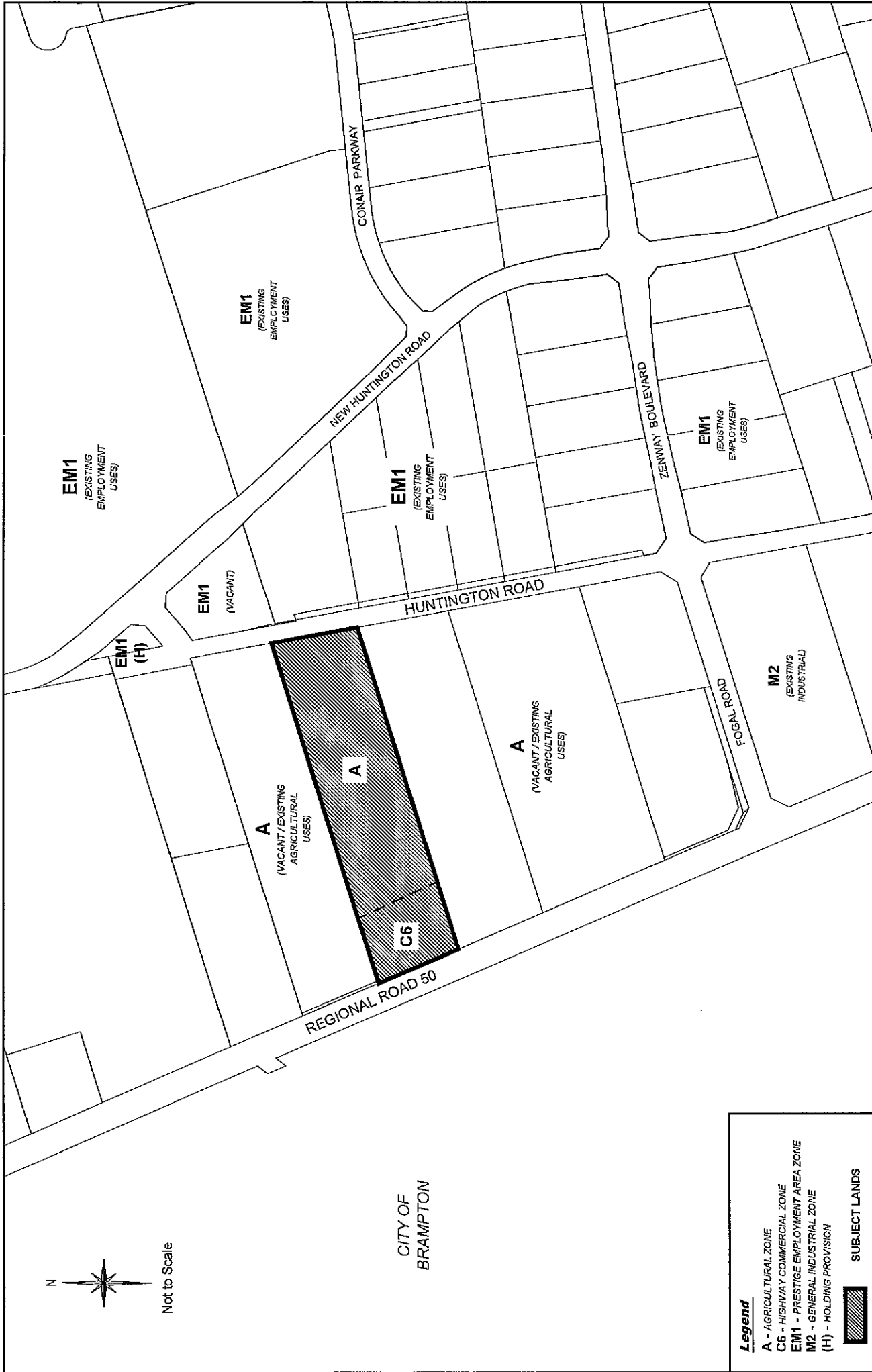
Respectfully submitted,

JOHN ZIPAY  
Commissioner of Planning

/CM

GRANT UYHEYAMA  
Director of Development Planning





Not to Scale

CITY OF  
BRAMPTON

#### Legend

- A - AGRICULTURAL ZONE
- C6 - HIGHWAY COMMERCIAL ZONE
- EM1 - PRESTIGE EMPLOYMENT AREA ZONE
- M2 - GENERAL INDUSTRIAL ZONE
- (H) - HOLDING PROVISION



SUBJECT LANDS

## Location Map

Location: Part of Lot 8,  
Concession 10

Applicant:  
1693143 & 1693144 Ontario Inc.

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## Attachment

File:  
Z07.041

Date:  
June 1, 2010

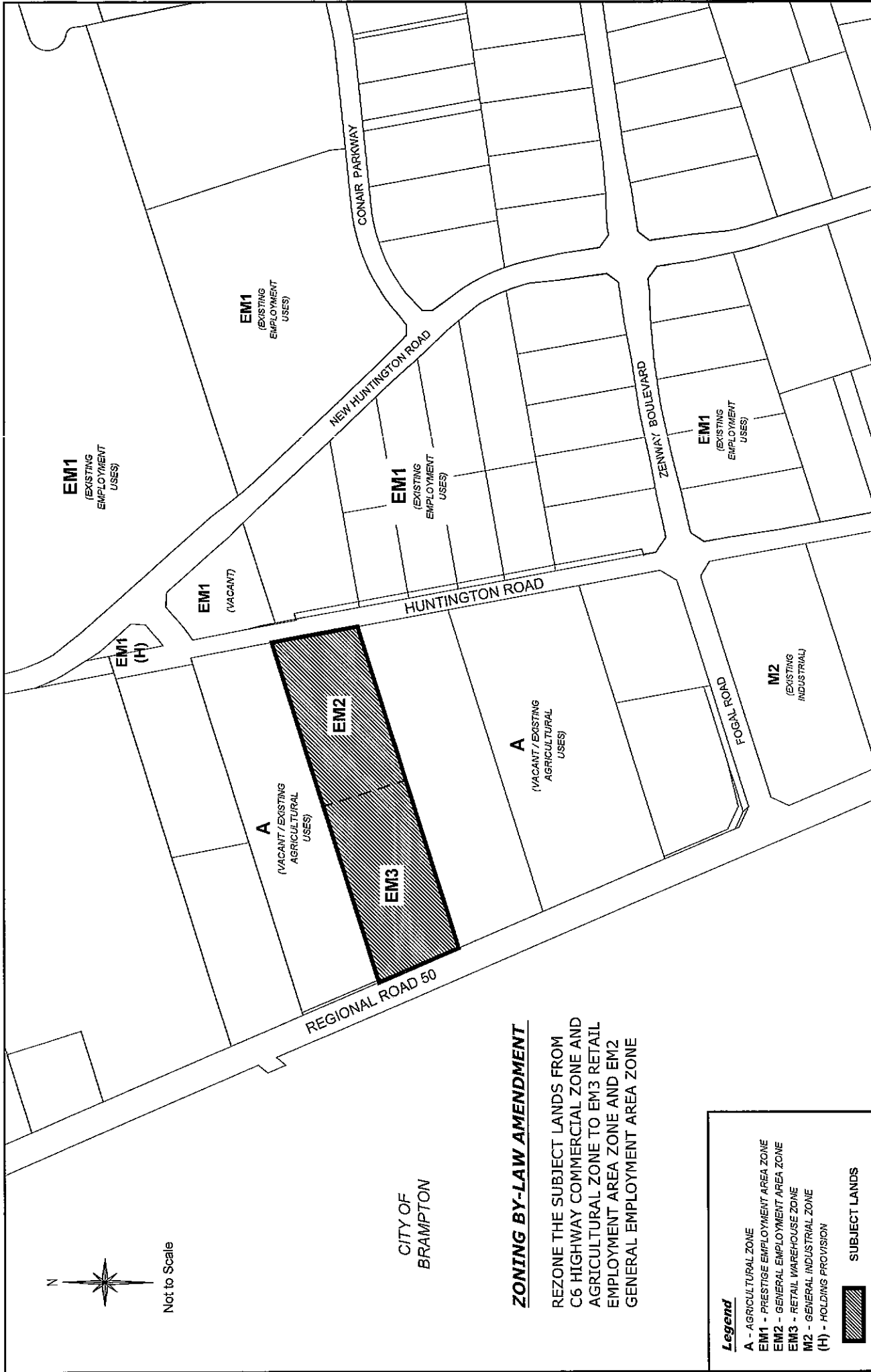
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**City of Vaughan**

*The City Above Toronto*

Development Planning Department





# Proposed Zoning

Location: Part of Lot 8,  
Concession 10

Applicant:  
1693143 & 1693144 Ontario Inc.

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*The City Above Toronto*

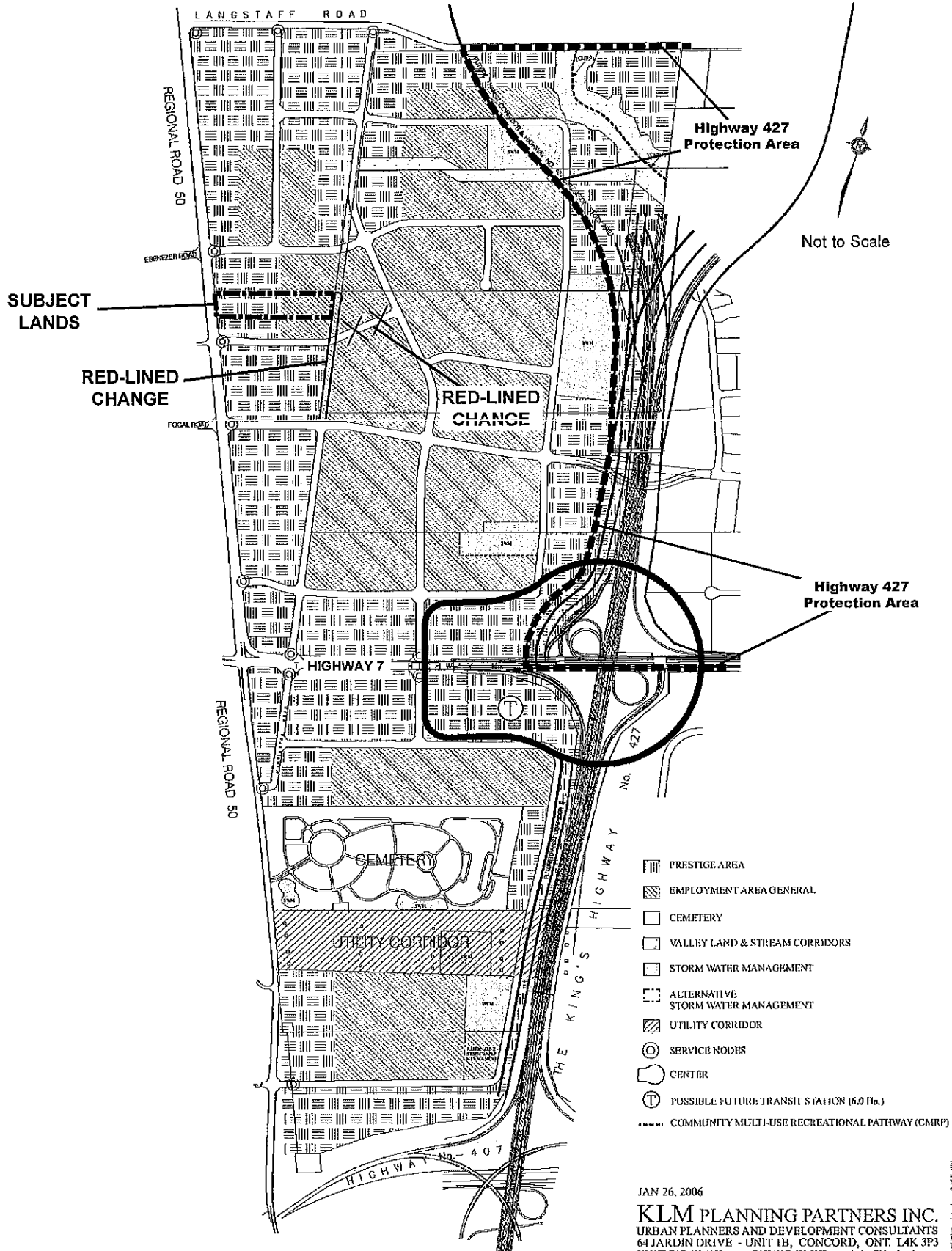
Development Planning Department

# Attachment

File: Z.07.041  
Date: June 1, 2010

**3**

# HUNTINGTON BUSINESS PARK - BLOCK PLAN



JAN 26, 2006

**KLM PLANNING PARTNERS INC.**  
URBAN PLANNERS AND DEVELOPMENT CONSULTANTS  
64 JARDIN DRIVE - UNIT 1B, CONCORD, ONT. L4K 3P3  
PHONE (905) 669-4055 FAX (905) 669-0697 design@klmplanning.com

## Huntington Business Park - Block Plan

Applicant: 1693143 &  
1693144 Ontario Inc.

Location: Part of Lot 8,  
Concession 10



*The City Above Toronto*

Development Planning Department

## Attachment

File:  
Z.07.041

Date:  
June 1, 2010

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