

**4. ZONING BY-LAW AMENDMENT FILE Z.06.077
SEVEN 427 DEVELOPMENTS INC.
WARD 2**

P.2011.14

Recommendation

The Commissioner of Planning and the Director of Development Planning recommend:

THAT the Public Hearing report for File Z.06.077 (Seven 427 Developments 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: March 18, 2011
- b) Circulation Area: 150 m
- c) Comments Received as of March 29, 2011: None

Purpose

The Owner has submitted a revised Zoning By-law Amendment Application (File Z.06.077), specifically to amend Zoning By-law 1-88 to:

- i) rezone the subject lands shown on Attachments #1 and #2 from A Agricultural Zone to C5 Community Commercial Zone and EM3(H) Retail Warehouse Employment Area Zone with the Holding Symbol "(H)" in the manner shown on Attachment #3; and,
- ii) to permit the following exceptions to the C5 Community Commercial Zone and EM3 Retail Warehouse Employment Area Zone standards in By-law 1-88:

	By-law Standard	By-law 1-88 Requirements	Proposed Exceptions to By-law 1-88
a.	Permitted Uses in the C5 Community Commercial Zone	<ul style="list-style-type: none"> - Bank or Financial Institution - Brewers Retail Outlet - Business or Professional Office - Club or Health Centre - Eating Establishment - Eating Establishment, Convenience - Eating Establishment, Convenience with Drive-Through - Eating Establishment, Take –Out 	<p>To permit the following additional uses in the C5 Zone:</p> <ul style="list-style-type: none"> - Department Store; - Office and Stationery Supply; - Business and Professional Office, including for Regulated

	By-law Standard	By-law 1-88 Requirements	Proposed Exceptions to By-law 1-88
		<ul style="list-style-type: none"> - L.C.B.O. Outlet - Office Building - Personal Service Shop - Pet Grooming Establishment, to be contained within a wholly enclosed building - Place of Amusement - Pharmacy - Photography Studio - Place of Entertainment - Retail Store - Service or Repair Shop - Supermarket - Veterinary Clinic - Video Store 	<p>Health Professionals;</p> <ul style="list-style-type: none"> - Print Shop; and, - Bank or Financial Institution with or without a drive-through facility
c.	Maximum Building Height in the C5 Zone	11 m	No maximum building height
d.	Maximum Lot Area in the C5 Zone	25,000 m ²	94,447 m ²
e.	Loading Space Requirements in the C5 Zone	Two (2) loading spaces for every 10,000 m ² GFA or portion thereof are required.	No loading spaces
f.	Accessory Outside Storage in the EM3 Zone	<p>Notwithstanding any other provision of By-law 80-95, where accessory outside storage of goods or materials is a permitted use, it shall be permitted only in accordance with the following provisions of Section 6.3.2 of By-law 1-88:</p> <ul style="list-style-type: none"> i) Outside accessory storage to a permitted use, shall not exceed thirty (30%) of the lot area; ii) Outside storage is not permitted on any lot unless there is an existing building with a gross floor area of least 550 square metres; iii) No outside storage shall be located in any front yard, exterior side yard or between any main building and a street line, and 	<p>Accessory outside storage shall be permitted for all uses in the EM3 Zone area in accordance with Section 6.3.2 i), ii), iv), viii) and ix) of By-law 1-88.</p>

	By-law Standard	By-law 1-88 Requirements	Proposed Exceptions to By-law 1-88
		<p>further shall be no closer than twenty (20) metres to any street line;</p> <p>iv) The outside storage area shall be completely enclosed by a stone or masonry wall or chain link fence with an appropriate landscaping screen and no such enclosure shall be less than two (2) metres in height;</p> <p>v) If a lot has frontage of less than 45.5 metres, no part of any open storage shall be in the side yard;</p> <p>vi) No outside storage shall be permitted on any corner lot;</p> <p>vii) If a lot upon which outside storage is permitted abuts the boundary of a Residential or Open Space Zone, screening shall be provided along such boundary within the Industrial Zone. Screening shall consist of a solid fence a minimum of two (2) metres in height;</p> <p>viii) No outside storage other than the storage of machinery and equipment shall exceed three (3) metres in height;</p> <p>ix) The outside storage of any goods or materials which are obnoxious, visually or otherwise, including derelict or scrap motor vehicles or machinery and worn-out appliances or equipment shall not be permitted.</p>	

The proposed zoning amendments would facilitate the development of the subject lands with commercial and retail warehouse employment uses.

Background - Analysis and Options

Location	<ul style="list-style-type: none"> ▪ North side of Regional Road 7, between Old Huntington Road and Highway #427, shown as "Subject Lands" on Attachments #1 and #2.
Official Plan Designation	<ul style="list-style-type: none"> ▪ "Prestige Areas-Centres and Avenue Seven Corridor" along Regional Road 7 to a maximum of 200m north of Regional Road 7 by OPA #450 (Employment Area Plan), as amended by OPA #660 (Avenue 7 Plan) and "Employment Area General" in the interior of the site by OPA #450. ▪ "Commercial Mixed-Use" along Regional Road 7 to a maximum of 200m north of Regional Road 7 and "General Employment" in the interior of the site, under Area Specific Policy – Section 12.13 (Volume 2) of the new City of Vaughan Official Plan 2010, which was adopted by Vaughan Council on September 7, 2010 and is pending final approval from the Region of York. ▪ The Application conforms to the current Official Plan. The application does not conform to the City of Vaughan Official Plan 2010, which does not permit retail warehouse uses in the "General Employment" designation.
Zoning	<ul style="list-style-type: none"> ▪ "A" Agricultural Zone by By-law 1-88. ▪ The proposed commercial and retail warehouse employment uses are not permitted in the Agricultural Zone; therefore an amendment to Zoning By-law 1-88 is required.
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 Regional and City Official Plans	<ul style="list-style-type: none"> ▪ The application will be reviewed in the context of the applicable, Regional and City Official Plan policies.

	MATTERS TO BE REVIEWED	COMMENT(S)
b.	Appropriateness of Proposed Uses	<ul style="list-style-type: none"> ▪ The appropriateness of the proposed rezoning from A Agricultural Zone to C5 Community Commercial Zone and EM3 Retail Warehouse Employment Area Zone together with the proposed additional commercial uses and zoning exceptions for building height, lot area, loading spaces and accessory outside storage will be reviewed in consideration of compatibility with other uses and the surrounding land use context.
c.	Proposed Holding Symbol "(H)" and Future Site Development Application	<ul style="list-style-type: none"> ▪ Review will be given to the applicant's proposal to apply the Holding Symbol "(H)" to the proposed EM3 Retail Warehouse Employment Zone lands, which shall not be removed to permit a retail warehouse use until such time as a traffic study supporting the use has been submitted and approved to the satisfaction of the Vaughan Engineering Department and Vaughan Council has approved a Site Development Application. ▪ The Owner will be required to submit a future Site Development Application(s) to facilitate development on the respective C5 and EM3(H) lands, or phase thereof, to address issues including but not limited to, built form, massing and design, traffic and transportation related issues, environmental issues, sustainability initiatives and site design. ▪ The Site Development Application(s) must show and protect for the transportation plan/network within the approved Block 57/58 Huntington Business Park Plan, specifically the roads noted below.
d.	Transportation	<ul style="list-style-type: none"> ▪ The subject lands are located within the approved Block 57/58 Huntington Business Park Plan as shown on Attachment #4. The block plan shows an approved east/west road, through the centre of subject lands, which is the future western extension of New Enterprise Way that will connect to Huntington Road and beyond to Old Huntington Road and to Regional Road 50. The Block Plan also shows an approved north/south road, through the centre of the subject lands which is the future southern extension of Huntington Road to New Enterprise Way and beyond to Regional Road 7.
f.	Ministry of Transportation (MTO)	<ul style="list-style-type: none"> ▪ The subject lands are located in close proximity to the existing Highway 427 interchange at Regional Road 7 and the Highway 427 Extension Study Area. The application will be reviewed in consideration of comments from MTO.

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

Attachments

1. Context Location Map
2. Location Map
3. Proposed Zoning
4. Huntington Business Park – Approved Block 57/58 Plan

Report prepared by:

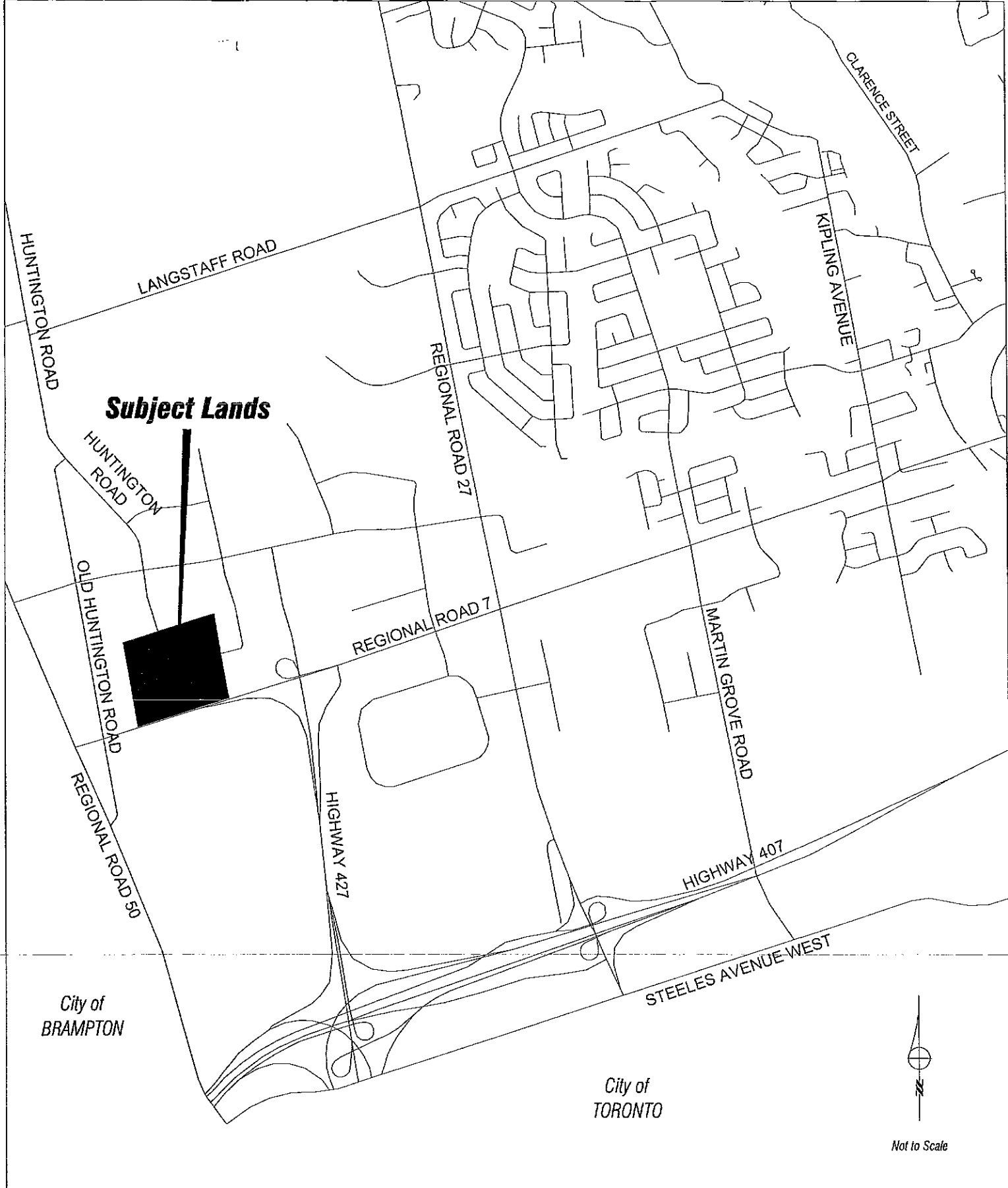
Christina Napoli, Senior Planner, ext. 8483
Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

GRANT UYHEYAMA
Director of Development Planning

/CM



Context Location Map

LOCATION:
Part of Lot 6, Concession 9

APPLICANT:
Seven 427 Developments Inc.



Attachment

FILE:
Z.06.077

DATE:
March 16, 2011


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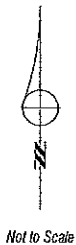
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Legend

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

 Subject Lands



Location Map

LOCATION:
Part of Lot 6, Concession 9

APPLICANT:
Seven 427 Developments Inc.

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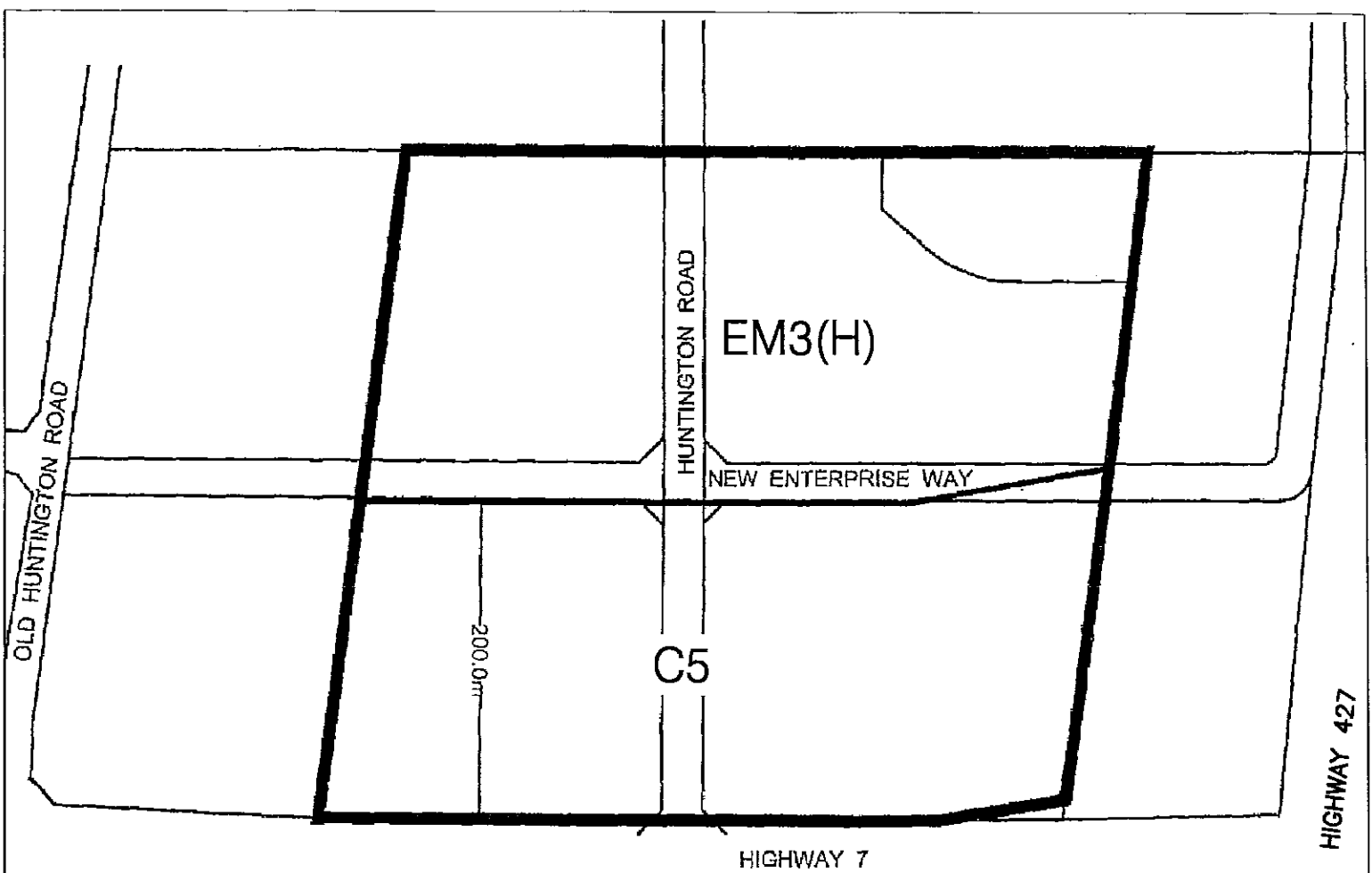


Attachment

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March 16, 2011

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ZONING BY-LAW AMENDMENT

AMEND ZONING BY-LAW 1-88 SPECIFICALLY TO:

- i) REZONE THE SUBJECT LANDS FROM A AGRICULTURAL ZONE TO C5 COMMUNITY COMMERCIAL ZONE AND EM3(H) RETAIL WAREHOUSE EMPLOYMENT AREA ZONE WITH THE HOLDING SYMBOL '(H)' AS SHOWN ABOVE;
- ii) PERMIT ADDITIONAL COMMERCIAL USES IN THE C5 COMMUNITY COMMERCIAL ZONE AS IDENTIFIED IN THE "PURPOSE" SECTION OF THIS REPORT;
- iii) PERMIT EXCEPTIONS TO THE MAXIMUM BUILDING HEIGHT, LOT AREA AND LOADING SPACE REQUIREMENTS IN A C5 COMMUNITY COMMERCIAL ZONE; AND,
- iv) PERMIT EXCEPTIONS TO THE ACCESSORY OUTSIDE STORAGE PROVISIONS IN AN EM3 RETAIL WAREHOUSE EMPLOYMENT AREA ZONE.



Subject Lands

Proposed Zoning

LOCATION:
Part of Lot 6, Concession 9

APPLICANT:
Seven 427 Developments Inc.

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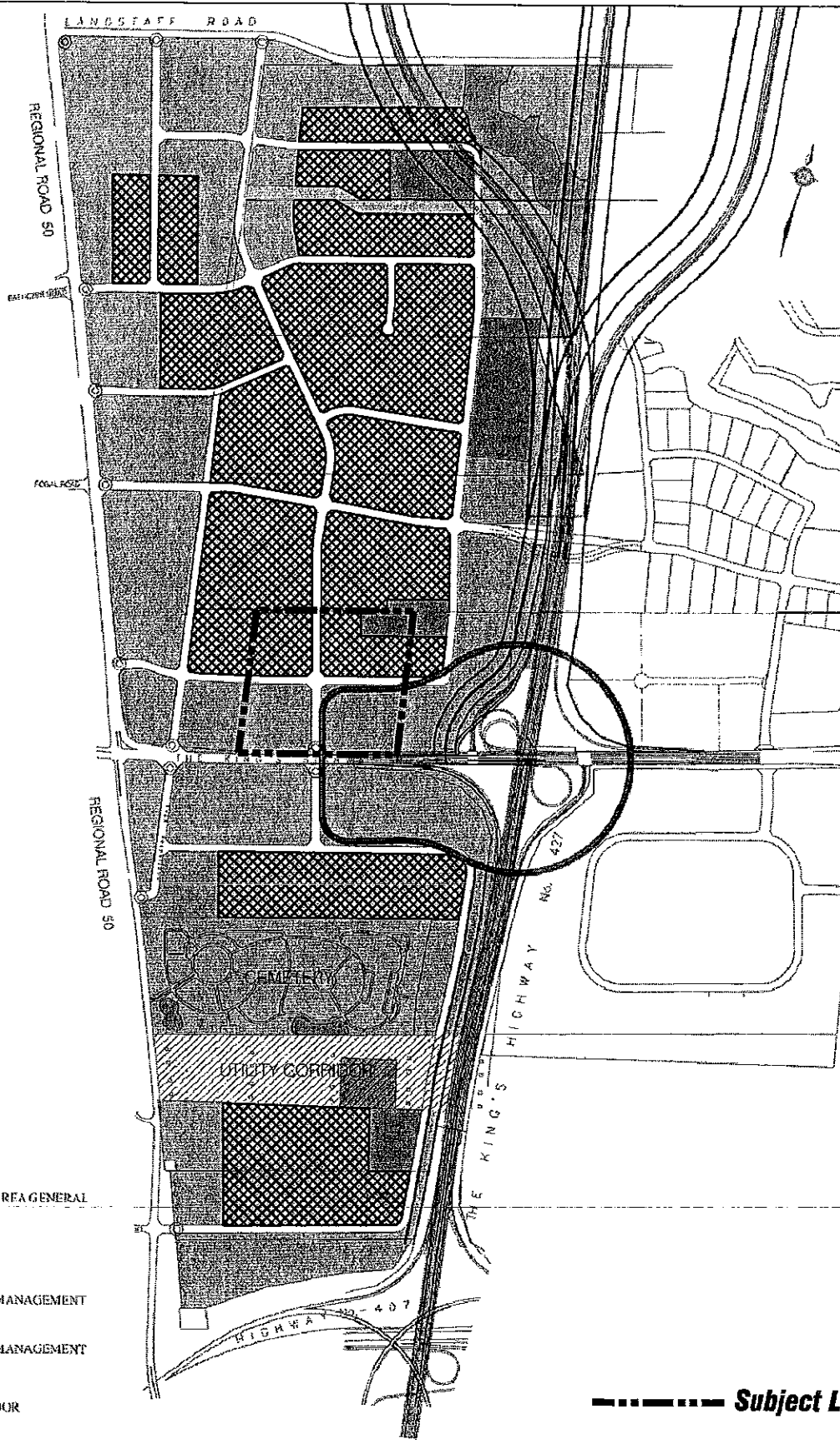


Attachment

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3



- PRESTIGE AREA
- EMPLOYMENT AREA GENERAL
- CEMETERY
- VALLEY LAND
- STORM WATER MANAGEMENT
- ALTERNATIVE STORM WATER MANAGEMENT
- OPEN SPACE
- UTILITY CORRIDOR
- SERVICE NODES
- CENTER

----- Subject Lands

Huntington Business Park Approved Block 57/58 Plan



APPLICANT:
Seven 427 Developments Inc.

LOCATION:
Part of Lot 6, Concession 9

Attachment

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March 16, 2011

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