

## **COMMITTEE OF THE WHOLE FEBRUARY 22, 2011**

### **ZONING BY-LAW AMENDMENT FILE Z.08.025 TRINITY DEVELOPMENT GROUP INCORPORATED WARD 2**

#### **Recommendation**

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.08.025 (Trinity Development Group Incorporated) BE APPROVED, to amend By-law 1-88, specifically to rezone the subject lands shown on Attachments #1 and #2 from EM2(H) General Employment Area Zone with the Holding Symbol "(H)" to EM3 Retail Warehouse Employment Area Zone to facilitate the future development of a one-storey retail warehouse building conceptually shown on Attachment #3.
2. THAT the implementing Zoning By-law:
  - a) permit an eating establishment (take-out), accessory outside storage, and a car brokerage as additional site-specific permitted uses in the EM3 Retail Warehouse Employment Area Zone as identified in the Zoning section of this report;
  - b) permit site-specific exceptions to the EM3 Retail Warehouse Employment Area Zone as identified in Table 1 of this report; and,
  - c) include a minimum 23 m building setback from the northwest property line for the purposes of protecting for the necessary private laneway right-of-way.

#### **Contribution to Sustainability**

The proposal constitutes a change in zoning only at this time. Any contributions to sustainability will be determined through the site plan process.

#### **Economic Impact**

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

#### **Communications Plan**

On September 25, 2009, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands, and to the West Woodbridge Homeowners Association. Through the notice circulation, no written comments were received by the Vaughan Development Planning Department. The recommendation of the Committee of the Whole to receive the Public Hearing report of October 19, 2009, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council on November 3, 2009.

#### **Purpose**

The Owner has submitted a Zoning By-law Amendment Application to amend By-law 1-88, specifically to rezone the subject lands shown on Attachments #1 and #2 from EM2(H) General Employment Area Zone with the Holding Symbol "(H)" to EM3 Retail Warehouse Employment Area Zone, to facilitate the future development of a one-storey retail warehouse building with

additional accessory uses and the necessary zoning exceptions required to implement the conceptual site plan shown on Attachment #3.

## **Background - Analysis and Options**

### **Location**

The subject lands shown on Attachments #1 and #2, are located southwest of Regional Road #27 and Langstaff Road, specifically on the east side of the proposed extension of Milani Boulevard, City of Vaughan. The surrounding land uses are shown on Attachment #2.

### **Site History**

The subject lands constitute a combination of employment blocks which are subject to two separate Plan of Subdivision applications. The northerly portion of the subject lands is identified as Block 1 in Plan of Subdivision File 19T-08V03 (SRF Vaughan Property II Inc. – staff report to be considered by the Committee of the Whole on February 22, 2011) and the southerly portion is identified as Part of Block 17 and Blocks 18 and 23 in Approved Plan of Subdivision File 19T-90018 (611428 Ontario Limited) as shown on Attachments #3 and #4.

#### a) Draft Plan of Subdivision File 19T-08V03 (SRF Vaughan Property II Inc.)

The Owner submitted Draft Plan of Subdivision File 19T-08V03 (SRF Vaughan Property II Inc.) to revise Approved Plan of Subdivision 19T-89063 (SRF Vaughan Property II Inc.) which was approved by Vaughan Council on August 27, 2001, together with Zoning By-law Amendment File Z.00.020 (698067 Ontario Limited) to rezone the lands to EM2(H) General Employment Area Zone with the Holding Symbol "(H)". This original revised draft plan of subdivision proposed an amended road network and additional employment blocks. The application was considered by Vaughan Council at the Public Hearing on September 2, 2008.

Through the review process, the Ministry of Transportation (MTO) advised that the proposed Highway #427 would extend onto the subject lands, thereby eliminating a number of the proposed employment blocks. As a result of the reduced development potential, the proposed road connection from Milani Boulevard to Innovation Drive was changed from a public street to a private laneway connection as shown on Attachment #4. The current draft plan of subdivision (File 19T-08V03) includes the terminus of Milani Boulevard into a cul-de-sac and proposes a private laneway connection between Milani Boulevard and Innovation Drive identified as Street "A", and 2 employment blocks identified as Blocks 1 and 2 on Attachment #4. The current proposal was considered by Vaughan Council at a Public Hearing on October 19, 2009, and the technical report is being considered at the Committee of the Whole meeting on February 22, 2011.

Through the review of the related Draft Plan of Subdivision Application (File 19T-08V03 – SRF Vaughan Property II Inc.) also being considered at this Committee of the Whole meeting (February 22, 2011), the Vaughan Engineering Department advised that a 23 m wide right-of-way be protected to facilitate the proposed private laneway which would connect the extension of Milani Boulevard to Innovation Drive. The proposed conceptual site plan shown on Attachment #3 provides for a building that is located approximately 23 m from the northwest limit of the property. Accordingly, the implementing zoning by-law should include a requirement for a minimum 23 m wide building setback from this property line.

b) Approved Plan of Subdivision File 19T-90018 (611428 Ontario Limited) and related Zoning By-law Amendment File Z.23.90 (611428 Ontario Limited)

On August 27, 2001, Vaughan Council approved Plan of Subdivision and Zoning By-law Amendment Files 19T-90018 and Z.23.90 (611428 Ontario Limited) to facilitate the development of commercial, employment and open space blocks with the appropriate zoning as shown on Attachment #4. The approved subdivision plan, of which the Phase 2 subject lands are not yet registered, consists of an internal street access from Regional Road #27, known as Milani Boulevard. Only Part of Blocks 17, and Blocks 18 and 23 from this approved plan of subdivision are subject to this zoning by-law amendment application, together with Block 1 from the subdivision to the north (File 19T-08V03), as shown on Attachment #4. These blocks, all currently zoned EM2(H) General Employment Area Zone with the Holding Symbol "(H)", will be merged together to create a complete development block, shown as the "subject lands" on Attachment #3.

Conceptual Site Design

The conceptual site plan shown on Attachment #3, includes a 13,227 m<sup>2</sup> one-storey retail warehouse building with a 2,938.8 m<sup>2</sup> garden centre. Parking for the development is proposed on the northeast portion of the site, adjacent to and under the existing hydro lines. The development will be served by 650 parking spaces, of which 65 of these parking spaces will be used for the seasonal outdoor display area of materials. The property will be served by 1 access point on Milani Boulevard, 2 access points on the private laneway, and an access to the existing commercial developments (existing Wal-mart complex) located to the southeast of the subject lands.

Specific details as they relate to appropriate building and site design, access, internal traffic circulation, parking layout, landscaping, servicing and grading, and the implementation of sustainable site and building design features will be reviewed in greater detail through the required Site Development Application.

Official Plan

The property is designated "Employment Area General" by OPA #450 (Employment Area Plan), which permits a wide range of employment uses. OPA #450 also includes policies relating to the development of retail warehouses within the Employment Areas which state that retail warehousing shall generally be directed to locations characterized by high visibility and accessibility, and that the following criteria be assessed in determining the appropriateness of permitting a retail warehouse development:

- i) availability of access to the arterial road system by way of an existing or planned signalized intersection with an internal feeder or collector road;
- ii) the traffic impacts on adjacent uses;
- ii) the adequacy of proposed accesses and the impact of the proposed use on the operation of the regional and local road system;
- iv) the degree of compatibility with adjacent land uses including residential uses in proximity to the proposed use; and,
- v) the urban design impacts of the proposed use on neighbouring lands.

The proposed development is situated on a site with direct access to an internal feeder road (Milani Boulevard), which connects to a signalized intersection at Regional Road #27, opposite Medallion Boulevard. A private laneway (23 m right-of-way) is proposed to be constructed by the applicant and will connect Milani Boulevard to Innovation Drive, and outletting to Regional Road #27, opposite Nickel Gate, which is a signalized intersection. In addition, the applicant is proposing to design, construct and front-end finance the cost associated with the extension of Innovation Drive to Langstaff Road to complete the road network in this area. The proposed EM3 Zone and uses would be compatible with the employment uses to the south and east, and the existing commercial uses to the southeast (Wal-mart complex). The urban design issues related to the development will be reviewed in greater detail during the review of a required Site Development Application for the proposed retail warehouse development. The proposed retail warehouse development conforms to the provisions of the Official Plan.

The subject lands are designated "Commercial Mixed-Use" and "Infrastructure and Utilities" by the new City of Vaughan Official Plan 2010, which is pending approval from the Region of York and is not yet in effect.

### Zoning

The subject lands are zoned EM2(H) General Employment Area Zone with the Holding Symbol "(H)" by By-law 1-88, subject to Exceptions 9(1258) (northerly portion) and 9(1253) (southerly portion), which permits a wide range of employment uses including manufacturing and warehousing. The proposed amendment to By-law 1-88 to permit retail warehouse uses on the property is not permitted by the current EM2(H) General Employment Area Zone. The Applicant is proposing to rezone the subject lands to EM3 Retail Warehouse Employment Area Zone to permit the proposed retail warehouse uses. In addition to the retail warehouse uses permitted as-of-right in the EM3 Zone, the Owner is proposing that the following uses be permitted:

- a) Eating Establishment, Take-out;
- b) Accessory Outside Storage (3800m<sup>2</sup>) to the retail warehouse use as shown on Attachment #3;
- c) Car Brokerage use defined as follows:

"Car Brokerage – Means a use operating accessory to the main retail warehouse use where the leasing/rental of delivery trucks and vans shall be permitted, and the outdoor display or storage of said vehicles shall also be permitted."

The above noted uses are often associated with retail warehouse developments and are considered to be accessory and appropriate. The outside storage of rental vehicles can be supported, subject to the vehicles parking in the outdoor storage area located between the rear of the building (west side) and the proposed vegetated screen fence to be provided adjacent to Milani Boulevard. It is noted that the building must be located in the west portion of the site as it cannot be located within the hydro corridor in the east portion of the site. Accordingly, the building faces the parking area that is located in the hydro corridor.

The following site-specific exceptions to the EM3 Retail Warehouse Employment Area Zone requirements are proposed to permit the conceptual development plan shown on Attachment #3:

**Table 1: Proposed Exceptions to the EM3 Retail Warehouse Area Zone:**

	<b>By-law Standard</b>	<b>By-law 1-88 Requirements (Minimum Requirements of the EM3 Retail Warehouse Employment Area Zone)</b>	<b>Proposed Exceptions to By-law 1-88 (EM3 Zone)</b>
a.	Minimum Parking Requirement	6 spaces/100 m <sup>2</sup>	3.9 spaces/100 m <sup>2</sup>
b.	Loading and Unloading Between a Building and a Street	Not permitted	To permit loading and unloading between the proposed building and Milani Boulevard.
c.	Shared driveways and aisles with the lands to the south and east	Not permitted	To permit shared driveways and aisles with the lands to the south and east.
d.	Maximum Driveway Access Width (on Milani Boulevard)	13.5 m	16.5 m
e.	Maximum Outdoor Display of merchandise, goods or materials	Shall not exceed 0.25 times the gross floor area of the buildings or structures on the lot.	Shall not exceed 0.29 times the gross floor area (3800 m <sup>2</sup> ) of the buildings or structures on the lot.

The Development Planning Department has reviewed the above-noted amendments to the Zoning By-law based on the development concept submitted in support of the Zoning By-law Amendment Application (Attachment #3) and considers the changes to be appropriate for the development of the site and compatible with the surrounding land uses.

The Development Planning Department considers the proposed exception to permit a loading area to be located between the proposed one-storey home improvement use building and Milani Boulevard to be acceptable, provided that the applicant provide screening of the loading area along Milani Boulevard with a living wall and planting of conifers to the satisfaction of the Development Planning Department, as agreed to by the applicant. The screening design and materials will be fully reviewed and determined through the review of the required site development application.

The reduction of parking spaces can be accommodated on the property as confirmed in the Parking Study submitted in support of the development, and is discussed further in this report.

The Development Planning Department recognizes the need for a larger driveway access as shown on Attachment #3 to accommodate truck movement from Milani Boulevard, and can support the proposed maximum 16.5 m driveway width. The Development Planning Department has no objections to the shared driveways and aisles with the proposed development to the south

and the existing Wal-mart and commercial development to the east, which will allow for a cohesive and integrated development complex. On this basis, the Development Planning Department has no objections to the above-noted site-specific exceptions to By-law 1-88.

Through the review of the related Draft Plan of Subdivision Application (File 19T-08V03 – SRF Vaughan Property II Inc.) also being considered at this Committee of the Whole Meeting (February 22, 2011), the Vaughan Engineering Department has advised that a 23 m wide right-of-way should be protected to facilitate the proposed private laneway which would connect the extension of Milani Boulevard to Innovation Drive. The proposed conceptual site plan shown on Attachment #3 provides for a building that is located approximately 23 m from the northwest limit of the property. Accordingly, the implementing zoning by-law should include a requirement for a minimum 23 m wide building setback from this property line.

The subject lands are currently zoned with a Holding Symbol "(H)", which can be removed from the subject lands, as the 2 portions of the respective subdivisions shown on Attachment #4 will be registered to facilitate the creation of blocks that will be combined to form full developable blocks, which is one condition for the removal of the "H" provision. The other condition requires the determination of the final alignment of the Highway #427 extension and cross-over, to the satisfaction of the Ministry of Transportation.

Pursuant to a meeting held on January 28, 2011 between MTO, Vaughan Development Planning Department and the Applicant, the MTO confirmed that the subject lands are no longer required for the Highway #427 extension and that the subject lands may now be released for future development, and the Holding Symbol "(H)" can be removed, as later confirmed in writing. In light of the above, the two conditions for the removal of the "H" Holding provision have been satisfied.

#### Access, Traffic and Parking

The proposed development concept consists of a total of 14,815.2 m<sup>2</sup> of gross floor area (GFA) (building and garden centre), which requires 889 parking spaces (6 spaces/100m<sup>2</sup> GFA). The Owner has requested a parking reduction based on a calculation of 3.9 spaces/100m<sup>2</sup>, resulting in a total requirement of 578 parking spaces. The applicant will be providing a total of 650 spaces, of which 65 spaces will be used for outdoor seasonal display, as shown on the conceptual site plan (Attachment #3). The reduction in parking is supported by a parking study prepared by Dillon Consulting, dated April 21, 2009, which was reviewed and approved by the Vaughan Engineering Department.

Access to the proposed development will be achieved from Milani Boulevard via a signalized intersection at Milani Boulevard and Regional Road 27. The Owner has proposed a private laneway connection between Block 1 and Innovation Drive, shown as Street "A" on Attachment #3. A Traffic Impact Study (Vaughan West Access Review and Network Opportunities) was submitted in support of the related Draft Plan of Subdivision (File: 19T-08V03 – SRF Vaughan Property II Inc.) on the subject lands, which was prepared by HDR/iTrans and dated November 9, 2010, and approved by the Vaughan Engineering Department.

#### Ministry of Transportation (MTO)

The MTO has advised that they have no objection to the proposed rezoning of the property and removal of the Holding Symbol "(H)" as they have determined the final alignment of the Highway #427 extension and cross-over do not affect the subject lands. The MTO has advised in writing that the subject lands may be released for development.

#### Future Site Development Application

The Owner will be required to submit a Site Development Application for Council's approval on the subject lands, to ensure an appropriate site layout and building design, site servicing and

grading, stormwater management, parking and access, urban design, landscaping, streetscaping and sustainable design, are addressed.

### **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 Region of York has advised that they have no objections to the proposal.

### **Conclusion**

The Vaughan Development Planning Department has reviewed Zoning By-law Amendment File Z.08.025 (Trinity Development Group Incorporated) in accordance with the policies of OPA #450, the requirements of Zoning 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 EM2(H) General Employment Area Zone with the Holding Symbol "(H)" to EM3 Retail Warehouse Employment Area Zone to facilitate a retail warehouse development on the subject lands, is appropriate and compatible with the existing uses in the surrounding area, subject to the comments and recommendations in this report.

### **Attachments**

1. Context Location Map
2. Location Map
3. Conceptual Site Plan and Proposed Zoning
4. Related Draft Plan of Subdivision Files 19T-08V03 and 19T-90018

### **Report prepared by:**

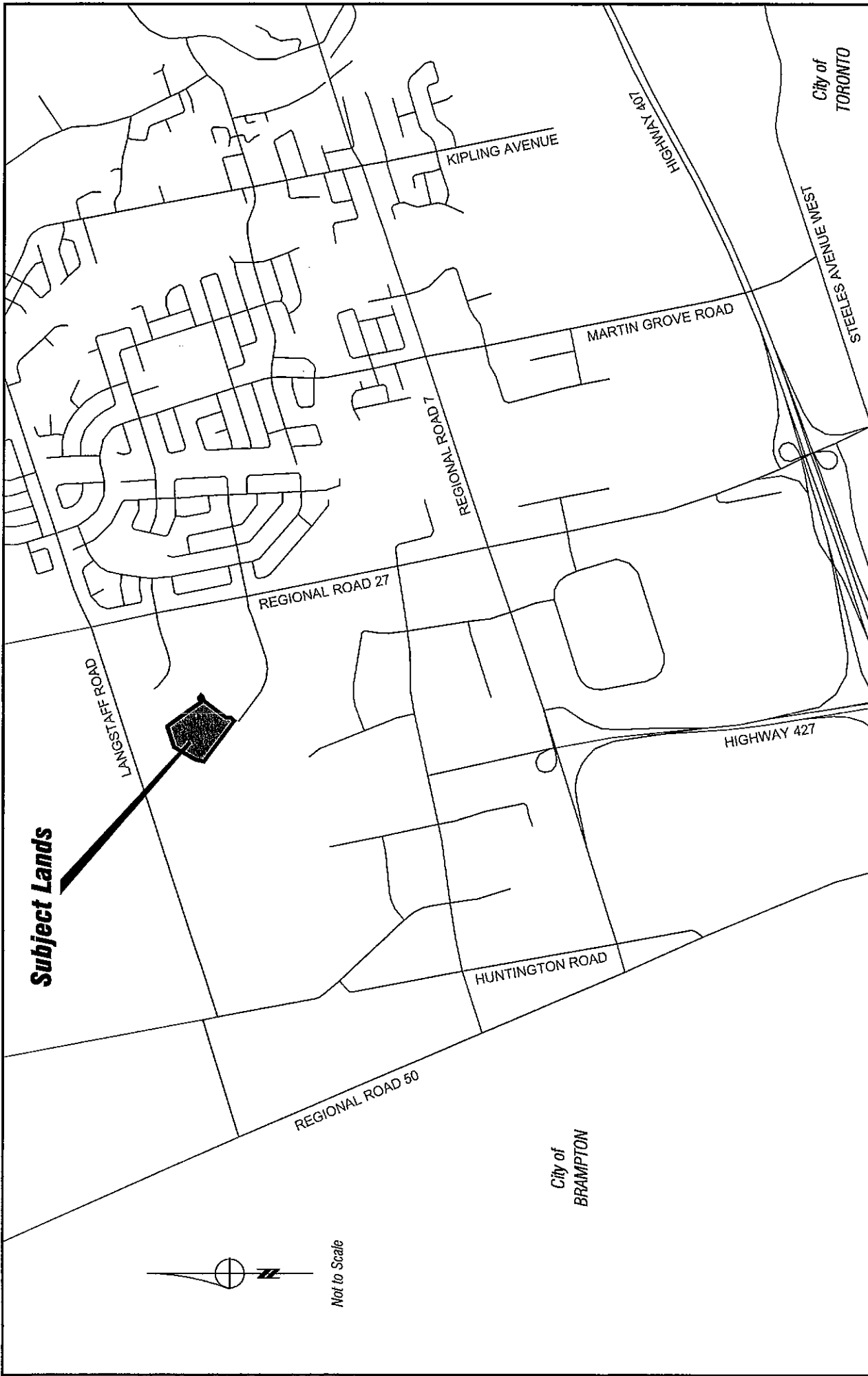
Mary Caputo, Planner 1, ext. 8215  
Carmela Marrelli, Senior Planner, ext. 8791  
Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN ZIPAY  
Commissioner of Planning

GRANT UYEVAMA  
Director of Development Planning

/CM



**Subject Lands**



Not to Scale

City of  
**BRAMPTON**

City of  
**TORONTO**

# Context Location Map

LOCATION:  
Part of Lots 9 & 10, Concession 9

APPLICANT:  
Trinity Development Group Incorporated  
N:\DFT\1 ATTACHMENTS\2.08.025\rev.dwg

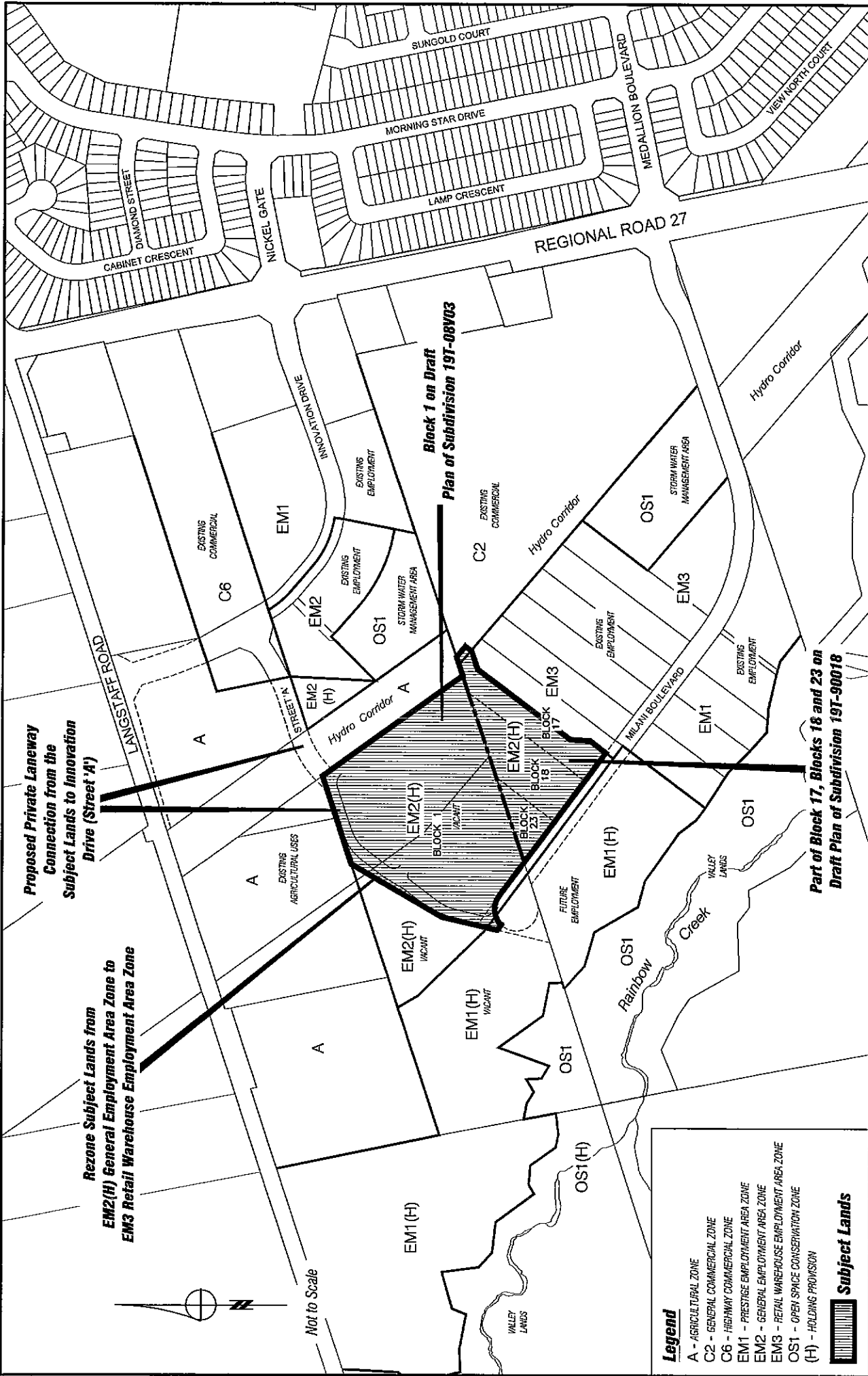


# Attachment 1

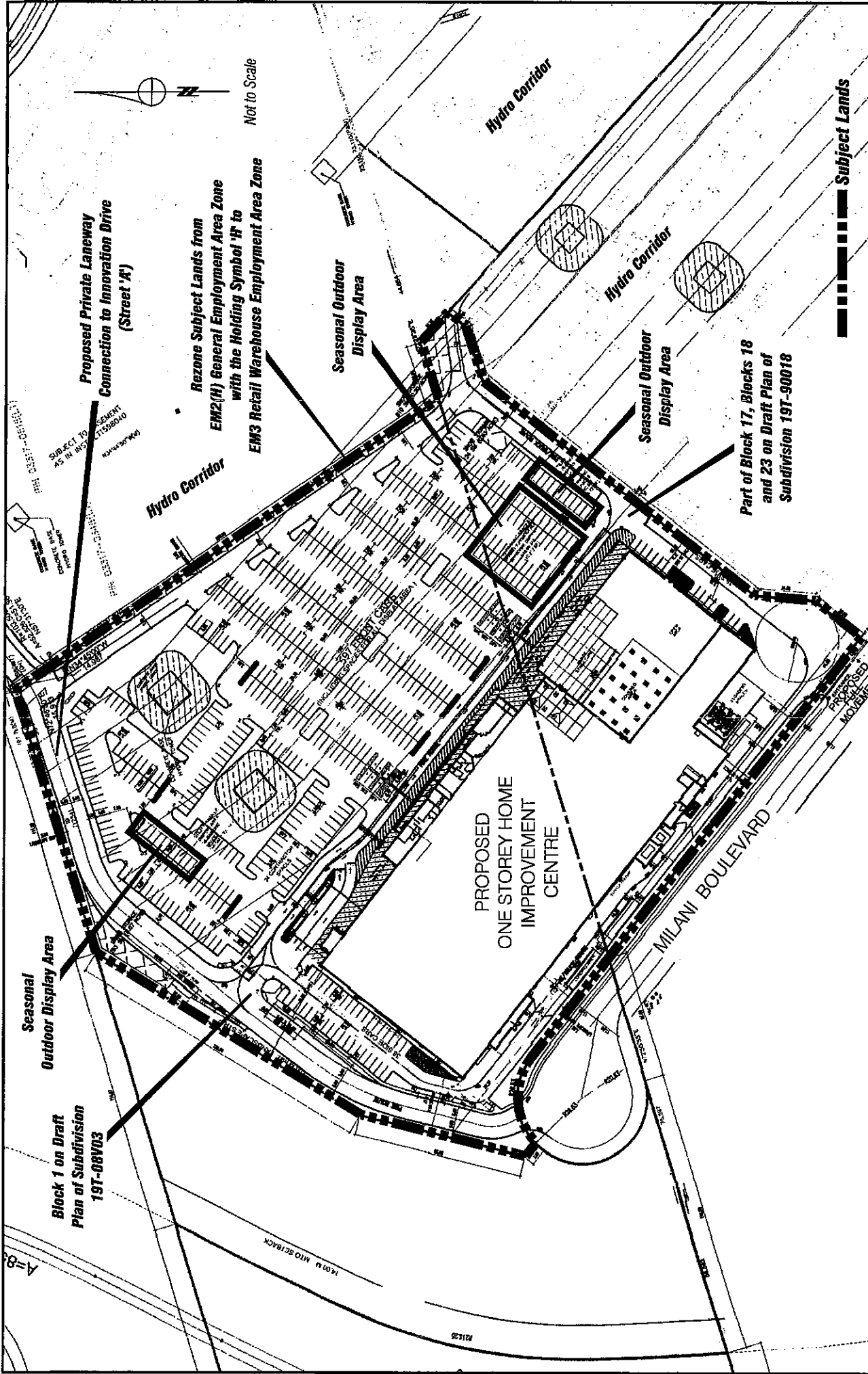
FILE:  
Z.08.025

DATE:  
January 17, 2011





- Legend**
- A - AGRICULTURAL ZONE
  - C2 - GENERAL COMMERCIAL ZONE
  - C6 - HIGHWAY COMMERCIAL ZONE
  - EM1 - PRESTIGE EMPLOYMENT AREA ZONE
  - EM2 - GENERAL EMPLOYMENT AREA ZONE
  - EM3 - RETAIL WAREHOUSE EMPLOYMENT AREA ZONE
  - OS1 - OPEN SPACE CONSERVATION ZONE
  - (H) - HOLDING PROVISION
- Subject Lands**



# Conceptual Site Plan and Proposed Zoning



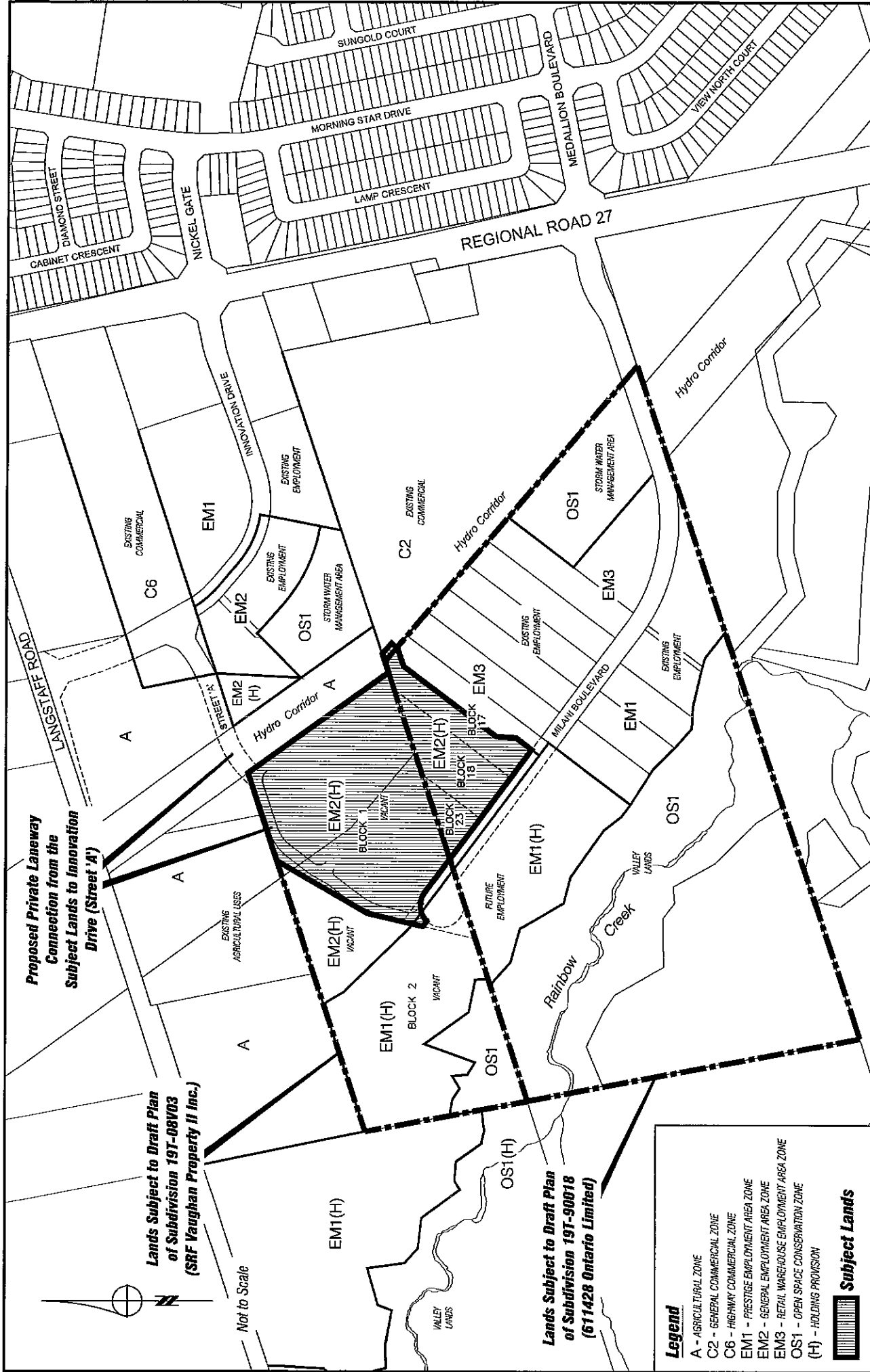
**APPLICANT:**  
 Trinity Development Group Incorporated  
 N:\DFT\1 ATTACHMENTS\A.Z.08.025rev.dwg

**LOCATION:**  
 Part of Lots 9 & 10, Concession 9

Attachment

FILE: Z.08.025  
 DATE: January 17, 2011

3



**Related Draft Plan of Subdivision Files:**  
**19T-08V03 (SRF Vaughan Property II Inc.)**  
**and 19T-90018 (611428 Ontario Limited)**



**LOCATION:**  
Part of Lots 9 & 10, Concession 9

**APPLICANT:**  
Trinity Development Group Incorporated

**Attachment**

**FILE:**  
Z.08.025

**DATE:**  
January 17, 2011

**4**