

Committee of the Whole (Public Meeting) Report

DATE: Tuesday, May 3, 2022

WARD(S): 2

TITLE: AUGEND INVESTMENTS LTD. TGA GROUP
ZONING BY-LAW AMENDMENT FILE NO. Z.21.051
20 ROYAL GATE BOULEVARD
VICINITY OF REGIONAL ROAD 27 AND HIGHWAY 7

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To receive comments from the public and the Committee of the Whole on an application to amend Zoning By-law 1-88 and Zoning By-law 001-2021 for the subject lands shown on Attachment 1, to permit the development of a two-storey warehouse building with accessory office uses as shown on Attachments 2 to 4.

Report Highlights

- The Owner proposes a two-storey warehouse building with accessory office uses.
- A Zoning By-law Amendment application is required to permit the proposed development.
- This report identifies preliminary issues to be considered in a technical report to be prepared by the Development Planning Department at a future Committee of the Whole meeting.

Recommendations

1. THAT the Public Meeting report for Zoning By-law Amendment File Z.21.051 (Augend Investments Ltd. TGA Group) BE RECEIVED, and that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Background

Location: The 0.57 ha vacant subject lands (the 'Subject Lands') are municipally known as 20 Royal Gate Boulevard and are legally described as Parts 4, 5 and 6, on Reference Plan 65R-32562 in Part of Block 1 on Registered Plan 65M-3033. The Subject Lands and surrounding land uses are shown on Attachment 1.

Date of Pre-Application Consultation Meeting: March 5, 2021

Date application was deemed complete: January 10, 2022

A Zoning By-law Amendment Application has been submitted to permit the proposed development

The Owner has submitted Zoning By-law Amendment File Z.21.051 (the 'Application') to rezone the Subject Lands as follows:

- From "C8 Office Commercial Zone", subject to site-specific Exception 9(654F) in Zoning By-law 1-88 to "EM1 Prestige Employment Area Zone" in Zoning By-law 1-88 in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in Table 1 of this report.
- From "EM2-396 General Employment Zone" subject to site-specific Exception 396 in Zoning By-law 001-2021 to "EM1 Prestige Employment Zone" in Zoning By-law 001-2021 in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in Table 2 of this report.

The Application would permit the development of one, two-storey warehouse building with accessory office uses having a total gross floor area ('GFA') of 2,632 m² (the 'Development'), as shown on Attachments 2 to 4.

Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol

- a) Date the Notice of Public Meeting was circulated: April 8, 2022.

The Notice of Public Meeting was also posted on the City's website at www.vaughan.ca and a Notice Sign was installed along Royal Gate Boulevard and Regalcrest Court in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: To all property owners within 150 m of the Subject Lands and to the West Woodbridge Homeowners Ratepayers' Association and to anyone on file with the Office of the City Clerk having requested notice.
- c) The following is a summary of written comments received as of April 12, 2022 by the Development Planning Department from:

- Phil Girard, P.Eng., PG Compliance Management Inc., representing Westlake Pipe and Fittings (101, 131 and 155 Regalcrest Court), dated March 3, 2022
- Adrian Sturino, Board of Directors for Condominium Corporation No. 1351, representing 7681 Highway 27, dated February 3, 2022

The comments are organized by theme as follows:

Environmental Impacts regarding the operation of 101, 131 and 155 Regalcrest Court

- Concern with the sensitive use of a day care centre and related play area uses and outdoor patio (accessory to a banquet hall use) that would be permitted in the “EM1 Prestige Employment Area Zone” in Zoning By-law 1-88, and the “EM1 Prestige Employment Zone” in By-law 001-2021
- The environmental approval issued by the Ontario Ministry of the Environment, Conservation and Parks (‘MECP’) to operate Westlake Pipe and Fittings plants at 101, 131 and 155 Regalcrest Court must comply with provincial air and noise limits
- The introduction of any new noise sensitive receptor in proximity to Pipe and Fittings could put the operator at 101, 131 and 155 Regalcrest Court out of compliance

Driveway access concerns with shared driveway access to 7681 Highway 27

- The shared driveway from Royal Gate Boulevard is a safety concern with trucks sharing the driveway with users to the office commercial area located northwest of the Subject Lands, including the day care centre at 7681 Highway 27
- Movement of heavy trucks will result in damage to the driveway
- The driveway access should be from Regalcrest Court for heavy trucks to use to access the Subject Lands and loading area

Any additional written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication and be reviewed and addressed by the Development Planning Department in a future technical report to the Committee of the Whole.

Previous Reports/Authority

Not applicable.

Analysis and Options

The Development conforms to Vaughan Official Plan 2010

Official Plan Designation:

- “Employment Area” on Schedule 1 – Urban Structure by Vaughan Official Plan 2010 (‘VOP 2010’)

- “General Employment” and “Prestige Employment” on Schedule 13 – Land Use by VOP 2010
- Policy 10.2.1.6 “Interpretation” of VOP 2010 states “for the purposes of delineating between “Prestige Employment” and “General Employment” land uses... the use abutting an arterial street shall be interpreted to extend one lot depth in from the arterial street.”
- The west portion of the Subject Lands are designated “Prestige Employment”, the designation of which extends from Regional Road 27. The east portion of the Subject Lands abutting Regalcrest Court are designated “General Employment”. Therefore the “Prestige Employment” designation applies to the Subject Lands and permits employment buildings with accessory office uses

Amendments to Zoning By-law 1-88 and Zoning By-law 001-2021 are required to permit the Development

Zoning:

- “C8 Office Commercial Zone” by Zoning By-law 1-88, and subject to site-specific Exception 9(654F)
- This zone does not permit the Development
- The Owner proposes to rezone the Subject Lands to “EM1 Prestige Employment Area Zone” together with the following site-specific zoning exceptions shown on Table 1 to permit the Development:

Table 1

	Zoning By-law 1-88 Standard	EM1 Prestige Employment Area Zone Requirement	Proposed Exceptions to the EM1 Prestige Employment Area Zone Requirement
a.	Minimum Rear Yard (North Property Line)	12 m	7.5 m
b.	Minimum Landscape Strip abutting a Street	6 m (Royal Gate Boulevard and Regalcrest Court)	3 m (Royal Gate Boulevard and Regalcrest Court)
c.	Minimum Parking Requirements	Warehousing 1 spaces/100 m ² x 2,122 m ² = 22 spaces Accessory Office 3.5 spaces/100 m ² x 510 m ² = 18 spaces Total Parking Required = 40 spaces	Warehousing 0.85 spaces/100 m ² x 2,122 m ² = 19 spaces Accessory Office 3 spaces/100 m ² x 510 m ² = 16 spaces Provide a total of 35 spaces

Council enacted By-law 001-2021 as the new Vaughan Comprehensive Zoning By-law

On October 20, 2021, Council enacted By-law 001-2021 as the new Vaughan Comprehensive Zoning By-law. A notice of passing was circulated on October 25, 2021 in accordance with the *Planning Act*. The last date for filing an appeal to the Ontario Land Tribunal ('OLT') in respect of By-law 001-2021 was November 15, 2021. By-law 001-2021 is currently under appeal and, when in force, will replace Zoning By-law 1-88, as amended. Until such time as By-law 001-2021 is in force, the Owner will be required to demonstrate conformity with both By-law 001-2021 and Zoning By-law 1-88, as amended, unless a transition provision under By-law 001-2021 applies.

Zoning:

- "EM2-396 General Employment Zone", by Zoning By-law 001-2021, and subject to site-specific Exception 396
- This zone does not permit the Development
- The Owner proposes to rezone the Subject Lands to "EM1 Prestige Employment Zone" together with the following site-specific zoning exception shown on Table 2 to permit the Development:

Table 2

	Zoning By-law 001-2021 Standard	EM1 Prestige Employment Zone Requirement	Proposed Exceptions to the EM1 Prestige Employment Zone Requirement
a.	Minimum Landscape Strip abutting a Street	5 m (Royal Gate Boulevard and Regalcrest Court)	3 m (Royal Gate Boulevard and Regalcrest Court)

Additional zoning exceptions may be identified through the detailed review of the Application and will be considered in a comprehensive report at a future Committee of the Whole meeting.

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 and Consistency with Provincial Policies, York Region and City Official Plan Policies	<ul style="list-style-type: none"> ▪ The Application will be reviewed for consistency and conformity with the Provincial Policy Statement, 2020 (the 'PPS'), A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (the 'Growth Plan') and the policies of the York Region Official Plan, 2010 ('YROP') and VOP 2010

	MATTERS TO BE REVIEWED	COMMENT(S)
b.	Appropriateness of the Proposed Rezoning and Amendments to City Zoning By-laws 1-88 and 001-2021	<ul style="list-style-type: none"> ▪ The appropriateness of the rezoning and site-specific exceptions will be reviewed in consideration of the existing and planned surrounding land uses, including the location of any sensitive land uses that are permitted as-of-right in proximity to the Subject Lands
c.	Studies and Reports	<ul style="list-style-type: none"> ▪ The Owner submitted studies and reports in support of the Application available on the city's website at https://maps.vaughan.ca/planit/ (PLANit Viewer) and must be approved to the satisfaction of the City or respective approval authority. Additional studies and/or reports may be required as part of the application review process
d.	Servicing	<ul style="list-style-type: none"> ▪ The Subject Lands are currently serviced from the existing Regalcrest Court watermain, with a water service connection branch for a domestic water service ▪ A Backflow Preventer Chamber is required as per City of Vaughan Standard (2020) W-111, and a Domestic Water Meter and Backflow Preventer in Chamber per City Standard (2020) W-106 ▪ The Owner is required to address any increase in sanitary discharge and any impacts to municipal infrastructure downstream in the Functional Servicing Report, as the existing zoning has a more restrictive sanitary demand than what is proposed through the Application
e.	Urban Design Guidelines	<ul style="list-style-type: none"> ▪ The Development will be reviewed in consideration of the City of Vaughan City-wide Urban Design Guidelines
f.	Public Agency/Municipal Review	<ul style="list-style-type: none"> ▪ The Application must be reviewed by York Region and the Toronto and Region Conservation Authority and external public agencies and utilities, municipalities and the Public, Separate, and French School Boards
g.	Parkland Dedication	<ul style="list-style-type: none"> ▪ The cash-in-lieu payment in accordance with Section 42 of the <i>Planning Act</i> will not be required as long as the Council Policy waiving such payment remains in effect for industrial land

	MATTERS TO BE REVIEWED	COMMENT(S)
h.	Tree Protection	<ul style="list-style-type: none"> ▪ The Arborist Report prepared by Landscape Planning Landscape Architects and dated November 22, 2021, concluded that the five (5) of the nine trees inventoried on and within 6 m of the Subject Lands shall be removed as they are dead. Tree protection fencing shall be provided for the one (1) tree along Regalcrest Court, two (2) trees to the north and one (1) tree to the west of the Subject Lands ▪ A Private Property Tree Removal and Protection Permit (Dead/Hazardous/Emerald Ash Borer) is required for the removal/injury to trees (over 20 cm Diameter at Breast Height ('DBH')) on the Subject Lands, in accordance with By-Law 052-2018
i.	Site Plan Control By-law 123-2013	<ul style="list-style-type: none"> ▪ A Site Development Application is not required to develop the Subject Lands as it is an internal lot within the Employment Area and therefore, is exempt from the provisions of Site Plan Control in accordance with Section 6 a) i) of the City's Site Plan Control By-law 123-2013

Financial Impact

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

Broader Regional Impacts/Considerations

The Application has been circulated to the York Region Community Planning and Development Services Department for review and comment. York Region has determined the Application to be a matter of local significance and does not have any comments to provide.

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. Comments from the public and Vaughan Council expressed at the Public Meeting or in writing will be addressed in a comprehensive report to a future Committee of the Whole meeting.

For more information, please contact: Judy Jeffers, Planner, Development Planning Department, ext. 8645.

Attachments

1. Context and Location Map
2. Proposed Zoning and Site Plan
3. Landscape Plan
4. Building Elevations

Prepared by

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