

Committee of the Whole (Public Meeting) Report

DATE: Tuesday, April 4, 2023 **WARD(S):** 2

TITLE: 611428 ONTARIO LIMITED
ZONING BY-LAW AMENDMENT FILE Z.14.032
PART OF LOT 9, CONCESSION 9
VICINITY OF RAINBOW CREEK DRIVE AND HIGHWAY 427

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: FOR INFORMATION

Purpose

To receive comments from the public and the Committee of the Whole on an application to amend Zoning By-laws 1-88 and 001-2021, specifically to rezone the subject lands for the future development of prestige employment uses.

Report Highlights

- The Owner proposes to rezone the subject lands to permit the future development of prestige employment uses.
- A Zoning By-law Amendment application is required to facilitate the proposal.
- This report identifies preliminary issues to be considered in a comprehensive 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.14.032 (611428 Ontario 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.

Background

Location: Part of Lot 9, Concession 9 (the 'Subject Lands'), located at the northern terminus of Rainbow Creek Drive, east of Highway 427. The Subject Lands and the surrounding land uses, including Rainbow Creek, are shown on Attachment 1.

Date of Pre-Application Consultation Meeting: *January 24, 2014*

Date application was deemed complete: *August 26, 2015*

A Zoning By-law Amendment Application has been submitted to permit the future development of Prestige Employment uses

611428 Ontario Ltd. (the 'Owner') has submitted the following application (the 'Application') for the Subject Lands to permit the future development of prestige employment uses:

1. Zoning By-law Amendment File Z.14.032 to amend Zoning By-law 1-88 and Zoning By-law 001-2021, as follows:
 - a) Rezone the Subject Lands from "A – Agricultural Zone" ('A Zone'), as shown on Attachment 1, to "EM1 Prestige Employment Area Zone" ('EM1 Zone') and "OS1 Open Space Conservation Zone" under Zoning By-law 1-88 in the manner shown on Attachment 2, together with site-specific zoning exceptions; and
 - b) Rezone the Subject Lands from "A Agriculture Zone", as shown on Attachment 1, to "EM1 Prestige Employment Zone", and "EP Environmental Protection Zone" under Zoning By-law 001-2021 in the manner shown on Attachment 2, together with site-specific zoning exceptions.

The Application has been revised since it was presented at the November 3, 2015, Public Hearing

The Committee of the Whole, on November 3, 2015, received a Public Hearing report on Zoning By-law Amendment Application Z.14.032 which considered the rezoning of the Subject Lands to the "EM1 Prestige Employment Area Zone" under Zoning By-law 1-88, with no site-specific exceptions.

The Owner has revised the Application to include an amendment to Zoning By-law 001-2021, as well as site-specific exceptions to both Zoning By-laws 1-88 and 001-2021. A second Public Meeting is required in accordance with Section 10.1.4.1 of VOP 2010 as the application has not been considered by Council within two years of the previous statutory public meeting, and to consider further amendments to Zoning By-law 001-2021.

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

- a) Date the Notice of Public Meeting was circulated: March 10, 2023

The Notice of Public Meeting was also posted on the City's web-site at www.vaughan.ca and a Notice Sign was installed along Rainbow Creek Drive 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, properties with frontage on Rainbow Creek Drive, and to the West Woodbridge Homeowners Association and to anyone on file with the Office of the City Clerk having requested notice.
- c) No comments have been received as of March 21, 2023, by the Development Planning Department.

Any 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 comprehensive report to the Committee of the Whole.

Previous Reports/Authority

The following is a link to a previous report regarding the Subject Lands:

611428 Ontario Limited Public Hearing Report:
[November 17, 2015, Committee of the Whole Public Hearing \(Item 2, Report 41\)](#)

Analysis and Options

The Application conforms with Vaughan Official Plan 2010

Official Plan Designation:

- "Employment Areas" on Schedule 1 – Urban Structure by Vaughan Official Plan 2010 ('VOP 2010')
- "Prestige Employment" on Schedule 13 – Land Use by VOP 2010
- This designation permits a limited range of industrial uses not requiring outside storage, accessory office and/or retail uses to a permitted industrial use, stand-alone office uses and ancillary retail
- The Application conforms to VOP 2010

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

Zoning - By-law 1-88:

- A Agricultural Zone by Zoning By-law 1-88
- This Zone does not permit Employment uses
- The Owner proposes to rezone the Subject Lands to "EM1 Prestige Employment Area Zone" and "OS1 Open Space Conservation Zone" in the manner shown on Attachment 2
- The Owner proposes the following site-specific exception for the "OS1 Open Space Conservation Zone", as shown on Attachment 2:

- a) In addition to the uses permitted in the OS1 Zone, a stormwater management facility is also permitted.
- The Owner proposes the following site-specific exceptions for the portion of the “EM1 Prestige Employment Area Zone” identified as “3.0 m Erosion Access/Landscape Buffer”, as shown on Attachment 2:
 - a) The permitted uses shall be limited to landscaped open space uses, whereas By-law 1-88 permits a variety of prestige employment uses; and
 - b) The 3.0 m Erosion Access/Landscape Buffer shall be included in the calculation of Lot Area and Lot Coverage, and for determining minimum setbacks

Council enacted Zoning By-law 001-2021 on October 20, 2021, as the new Vaughan Comprehensive Zoning By-law

Applications to amend both Zoning By-law 1-88 and Zoning By-law 001-2021 are required because Zoning By-law 001-2021 is not in force for the Subject Lands due to it being under appeal.

Zoning - By-law 001-2021:

- A Agriculture Zone by Zoning By-law 001-2021
- This Zone does not permit Employment uses
- The Owner proposes to rezone the Subject Lands to “EM1 Prestige Employment Zone”, and “EP Environmental Protection Zone” in the manner shown on Attachment 2
- The Owner proposes the following site-specific exception for the “EP Environmental Protection Zone”, as shown on Attachment 2:
 - a) In addition to the uses permitted in the EP Zone, a stormwater management facility is also permitted.
- The Owner proposes the following site-specific exceptions for the portion of the “EM1 Prestige Employment Zone” identified as “3.0 m Erosion Access/Landscape Buffer”, as shown on Attachment 2:
 - a) The permitted uses shall be limited to landscaped open space uses whereas the By-law permits a variety of prestige employment uses; and
 - b) The 3.0 m Erosion Access/Landscape Buffer shall be included in the calculation of Lot Area and Lot Coverage, and for determining minimum setbacks

Additional zoning exceptions may be identified through the detailed review of the Applications and will be considered in a comprehensive report to 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, 2022 ('YROP 2022') and VOP 2010
b.	Appropriateness of Amendments to Zoning By-laws	<ul style="list-style-type: none"> ▪ The appropriateness of the proposed rezoning and site-specific exceptions will be reviewed in consideration of the existing and planned surrounding land uses ▪ The appropriateness of a 3-metre buffer (minimum vegetation protection zone) to Rainbow Creek
c.	Studies and Reports	<ul style="list-style-type: none"> ▪ The Owner submitted studies and reports in support of the Applications 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.	Public Agency/Municipal Review	<ul style="list-style-type: none"> ▪ The Application must be reviewed by York Region, the Toronto, and Region Conservation Authority ('TRCA'), the Ministry of Transportation ('MTO') and other external public agencies and utilities
e.	Parkland Dedication	<ul style="list-style-type: none"> ▪ The Application will be reviewed in consideration of the requirements of the <i>Planning Act</i> and the City of Vaughan's Parkland Dedication Policy
f.	TRCA	<ul style="list-style-type: none"> ▪ The TRCA must review and provide comments on the Application as the Subject Lands are located within the TRCA's Regulated Area ▪ The TRCA has issued Permit No. C-211358 granting the Owner permission for fill placement/compaction and grading to level the Subject Lands, and the installation of servicing connections from Rainbow Creek Drive to the south property limit ▪ The Owner is required to submit a Slope Stability Study for review and approval by the TRCA

	MATTERS TO BE REVIEWED	COMMENT(S)
g.	MTO	<ul style="list-style-type: none"> ▪ The Subject Lands abut the Highway 427 extension to the west of the Subject Lands. The Application must be reviewed and approved by the MTO
h.	Required Application	<ul style="list-style-type: none"> ▪ The Owner is required to submit a Site Development Application for the future development of the lands. By-law 142-2022 delegates the approval of Site Development Applications to the Deputy City Manager, Planning and Growth Management or designate

Financial Impact

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

Operational Impact

Development Planning staff have circulated the Application to internal City Departments for review.

Broader Regional Impacts/Considerations

The Application has been circulated to the York Region Community Planning and Development Services Department for review and comment. Any issues will be addressed when the comprehensive 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 Applications. 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 Casandra Krysko, Senior Planner, Development Planning Department, ext. 8003.

Attachments

1. Context and Location Map
2. Proposed Zoning

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