

Committee of the Whole (2) Report

DATE: Tuesday, February 13, 2024

WARD(S): 2

TITLE: LIVWEST NORTH INC. AND LIVWEST SOUTH INC.
C/O ZZEN GROUP OF COMPANIES
ZONING BY-LAW AMENDMENT FILE NO. Z.23.023
6751 HIGHWAY 7, 7575 HUNTINGTON ROAD AND
850 GIBRALTAR ROAD
VICINITY OF HIGHWAY 50 AND HIGHWAY 7

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole on an application to rezone the subject lands, and to amend the site-specific zoning exception applicable to part of the subject lands to permit a 19,509.08 m² expansion to an existing warehouse, as shown on Attachments 2-5.

Report Highlights

- The Owner proposes an expansion to an existing warehouse facility.
- A Zoning By-law Amendment application is required to permit the proposed development.
- The Development Planning Department supports the proposed development as outlined in this report.

Recommendations

1. THAT Zoning By-law Amendment File No. Z.23.023 (Livwest North inc. and Livwest South inc. c/o Zzen Group of Companies) BE APPROVED, to amend Zoning By-law 1-88 to rezone part of the Subject Lands shown on Attachment 1, from "A-Agricultural Zone" to "EM1 - Prestige Employment Area" subject to site-

specific exception 9(1501) in the manner shown on Attachments 2 and 3, together with the site-specific zoning exceptions identified on Table 1; and

2. THAT Zoning By-law Amendment File No. Z.23.023 (Livwest North inc. and Livewest South inc. c/o Zzen Group of Companies) BE APPROVED, to amend Zoning By-law 001-2021 to rezone part of the Subject Lands shown on Attachment 1, from “Agriculture Zone” (‘A Zone), to ‘EM1 – Prestige Employment Zone’ (‘EM1 Zone’) subject to site-specific exception 14.1119 in the manner shown on Attachments 2 and 3, together with the site-specific zoning exceptions identified on Table 2.

Background

Location: 6751 Highway 7, 7575 Huntington Road and 850 Gibraltar Road (the ‘Subject Lands’). The Subject Lands and the surrounding land uses are shown on Attachment 1.

Previous Development Applications were approved on the Subject Lands.

A Zoning By-law Amendment (File Z.16.028) was previously approved for a portion of the Subject Lands by Council on September 29, 2020. Zoning By-law Amendment file Z.16.028 amended Zoning By-law 1-88 to rezone a portion of the Subject Lands from “Agricultural Zone” to “EM1 Prestige Employment Area Zone”.

A Site Development Application (File DA.18.089) was approved on June 03, 2022, to permit the first phase of the industrial development, as shown on Attachment 3. The first phase consists of one industrial building with a Gross Floor Area (‘GFA’) of 51,368.87 m² on the eastern portion of the lands which is currently under construction.

A Stop up and Close of Huntington Road South has been approved by Council.

On February 15, 2022, Council approved and passed By-law 032-2022 to stop up and close a portion of Huntington Road located south of Highway 7. Through By-law 165-22, the lands were declared surplus to the municipality, and was approved to sell to the Owner subject to executing an Agreement of Purchase and Sale.

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

(Livwest North inc. and Livewest South inc. c/o Zzen Group of Companies) (the ‘Owner’) has submitted Zoning By-law Amendment File Z.23.023 (the ‘Application’) for the Subject Lands to permit the proposed expansion to an existing warehouse facility, being an additional 19,509.08 m² in GFA (the ‘Development’) as shown on Attachments 2 to 5.

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

- a) Date the Notice (Circulated 150 m from Subject Lands as shown on Attachment 1): November 3, 2023
- b) Location of Notice Sign: Highway 50 and Gibraltar Road
- c) Date of Public Meeting: November 28, 2023.
- d) Date of Committee of the Whole Courtesy Notice sent to those requested to be notified: February 6, 2024

Previous Reports/Authority

Previous reports related to the application and Subject Lands can be found at the following links:

1406979 Ontario Limited Public Hearing Report:

[October 19, 2016, Committee of the Whole \(Public Hearing\) \(Item 4, Report 36\)](#)

1406979 Ontario Limited Committee of the Whole Report:

[September 29, 2020, Committee of the Whole \(Item 2, Report 38\)](#)

Delegation Authority for Site Plan Application File No. DA.18.089 Council Report:

[December 10, 2021, Council \(Addendum No. 1\)](#)

Road Closure – Part of Huntington Road South of Highway #7 to Highway #50
Committee of the Whole Report:

[February 15, 2022, Committee of the Whole \(Item 7, Report 4\)](#)

Consent Application B012/23 6701 Hwy 7 Committee of Adjustment Report:

[August 31, 2023, Committee of Adjustment \(Item 6.16\)](#)

Analysis and Options

The Development is consistent with the Provincial Policy Statement and conforms to the Growth Plan, YROP 2022 and VOP 2010.

Provincial Policy Statement, 2020 ('PPS')

Section 1.3.1 of the PPS requires that Planning authorities shall promote economic development and competitiveness by providing for: an appropriate mix and range of employment, and broader mixed uses to meet long-term needs [1.3.1.a)] and opportunities for a diversified economic base including maintaining a range of choice of suitable site for employment uses which support a wide range of economic activities and ancillary uses [1.3.1.b)].

The Application proposes to maintain the existing “Prestige Employment” and “General Employment” land use designations in Vaughan Official Plan 2010 (‘VOP 2010’) and will facilitate the second phase of an industrial development on the Subject Lands. Staff are satisfied that the development is consistent with the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (the ‘Growth Plan’)

Section 2.2.5 of the Growth Plan sets out the policies for Employment. Section 2.2.5.1 states that economic development and competitiveness in the Greater Golden Horseshoe will be promoted by: making more efficient use of existing employment areas and vacant and underutilized employment lands and increasing the employment densities [2.2.5.a)]; ensuring the availability of sufficient lands, in appropriate locations, for a variety of employment to accommodate forecasted employment growth [2.2.5.b)]; and integrating and aligning land use planning and economic development goals and strategies to retain and attract investment and employment [2.2.5.d)].

The Application implements the “Prestige Employment” and “General Employment” land use designations in VOP 2010 and will facilitate a comprehensive development through the consolidation of development parcels in an appropriate location for such uses. The Application conforms to the Growth Plan.

York Region Official Plan 2022 (‘YROP 2022’)

The YROP 2022 designates the Subject Lands “Urban Area” on Map 1 – “Regional Structure” and “Employment Area” on Map 1A – “Land Use Designations”, which permits industrial uses. Section 4.3 states that “Employment Areas” are strategic and vital to the Regional economy and are major drivers of the economic activity in York Region, and are to be maintained and protected to meet York Region’s forecast and land need requirements for Employment Areas.

The Application is for a second phase of an industrial development on the Subject Lands, in an area designated for employment land uses. The Development conforms to YROP 2022.

Vaughan Official Plan 2010 (‘VOP 2010’)

VOP 2010 sets out the municipality’s general planning goals and policies that guide future land use. The Subject Lands are identified in VOP 2010 as follows:

- “Employment Areas” on Schedule 1 – “Urban Structure” of VOP 2010
- “Prestige Employment” and “General Employment” on Schedule 13 – Land Use of VOP 2010
- “Prestige Employment”, “General Employment” and “Service Node” on Map 12.12A: Huntington Business Park – Land Use by VOP 2010, Volume 2

The Subject Lands are located within the “Prestige Employment” and “General Employment” designation, which permits industrial uses including manufacturing, warehousing (but not a retail warehouse), processing, and distribution uses located

within wholly enclosed buildings, with no outside storage permitted in the “Prestige Employment” designation. The Application would rezone the Subject Lands to the appropriate zoning category to facilitate the Development, which consists of employment uses in accordance with the VOP 2010 land use designations.

On this basis, the Development conforms to VOP 2010.

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.

Amendments to Zoning By-law 1-88 and Zoning By-law 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 the Development.
- The Owner proposes to rezone part of the Subject Lands to “EM1 – Prestige Employment Area Zone” subject to site-specific exception 9(1501), in the manner shown on Attachment 2, together with the following site-specific zoning exceptions:

Table 1:

	Zoning By-law 1-88 Standard	EM1 Prestige Employment Area Zone Requirements	Proposed Exceptions to EM1 Prestige Employment Area Zone Requirements
a.	Definition of Lot, Through	Means a lot having two (2) lot lines which are not adjacent, abutting on two (2) streets. Except for the purposes of setback requirements, a through lot shall be deemed to front on only one (1) street. The front lot line shall be the one so designated in an application for a building permit.	The front lot line shall be deemed to be Gibraltar Road.
b.	Minimum Rear Yard Setback (Highway 50)	12 m	10.0 m
c.	Maximum Lot Coverage	60%	62%

	Zoning By-law 1-88 Standard	EM1 Prestige Employment Area Zone Requirements	Proposed Exceptions to EM1 Prestige Employment Area Zone Requirements
d.	Minimum Landscape Open Space	5%	4.4 %
e.	Required Landscape Strip abutting a Residential Zone or Open Space Zone	7.5 m	0 m
f.	Required Landscape Strip abutting a Provincial Highway or an Arterial Road (Highway 50)	9.0 m	3.0 m
g.	Minimum Parking Requirements	1.0 parking space per 100 sq.m. of G.F.A	0.5 parking spaces per 100 sq.m. of G.F.A
h.	Maximum width of Access (truck) Driveways (Highway 50)	13.5 m	14.0 m

Zoning (By-law 001-2021):

- Agriculture Zone by Zoning By-law 001-2021
- This Zone does not permit the Development.
- The Owner proposes to rezone part of the Subject Lands to the “EM1 Prestige Employment Zone” in the manner shown on Attachment 2, together with the following site-specific zoning exceptions:

Table 2:

	Zoning By-law 001-2021 Standard	EM1 Prestige Employment Zone Requirements	Proposed Exceptions to EM1 Prestige Employment Zone Requirements
a.	Definition of Lot Line, Front	Means the lot line that abuts the road. In the case of a corner lot or through lot, the front lot line shall be determined as follows: ii. In the case of a corner lot with two street lines of equal lengths, or a through lot, the lot line that abuts the wider road or abuts a Regional or Provincial Road or highway	The front lot line shall be deemed to be Gibraltar Road.

	Zoning By-law 001-2021 Standard	EM1 Prestige Employment Zone Requirements	Proposed Exceptions to EM1 Prestige Employment Zone Requirements
		shall be deemed to be the front lot line.	
b.	Maximum Lot Coverage	60%	62%
c.	Minimum Landscape Open Space	5%	4.4%
d.	Required Landscape Strip abutting a Residential Zone or Open Space Zone	4.5 m	0 m
e.	Minimum Setback for Short-Term Bicycle Parking Spaces from a Parking Area	3.0 m	1.8 m

The Development Planning Department can support the zoning exceptions identified in Tables 1 and 2 on the basis that the proposed site-specific zoning standards would facilitate a development that is consistent with the policies of the PPS and conforms to the Growth Plan, YROP 2022 and VOP 2010. The site-specific development standards will enable the further development of employment uses on the Subject Lands with an appropriate size and form for the employment area.

Minor modifications may be made to the zoning exceptions identified in Tables 1 and 2 prior to the enactment of implementing Zoning By-laws, as required, should the Application be approved.

Financial Impact

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

Operational Impact

The Development Engineering ('DE') Department has no objections to the Application:

The DE Department has provided the following comments:

Municipal Servicing – Water

The Subject Lands are situated within Pressure District 5 (PD5) of the York Water Supply System. There is an existing watermain on Gibraltar Road connected to the PD5

System that was constructed as part of the first phase development design to service the Subject Lands. The Subject Lands are proposed to be serviced through a connection to the City's watermain on Gibraltar Road.

A municipal watermain is required to be relocated as a result of the closure and disposition of Old Huntington Road, south of Highway 7, to the Owner.

The Servicing Agreement, which was executed to provide services from Gibraltar Road to the Subject Lands has been amended to include the works required to re-locate the services and/or utilities that exist within the Old Huntington Road Right-of-Way (ROW) to within the Highway 50 and Highway 7 ROWs. The Owner will be responsible for the costs incurred to re-locate the services at this time, the existing services, which includes the municipal watermain, have not been relocated from the old Huntington Road ROW and are currently in conflict with the proposed development.

The DE Department requires the Owner to address any comments and conditions through the Site Development Application to support a complete approval of the proposed water servicing strategy.

Municipal Servicing – Sanitary

The Subject Lands will be serviced via the existing sanitary connection to the municipal sanitary sewer located along the newly constructed Gibraltar Road. A service stub and control manhole located at the property line (Gibraltar Road) was provided through the first phase of development to service the Subject Lands.

The DE Department requires the Owner to address any comments and conditions through the Site Development Application to support a complete approval of the proposed sanitary strategy.

Municipal Servicing – Stormwater Management

The Subject Lands are currently serviced by existing storm infrastructure located on Gibraltar Road, constructed as part of the first phase of development on the Subject Lands. The stormwater management plan comprises of roof top controls, underground storage and additional ponding on the Subject Lands to address quantity control. Storm sewers within Gibraltar Road drain to the existing stormwater management pond within the hydro corridor which has been designed to treat the Subject Lands for quality control.

The DE Department required the Owner to address any comments and conditions through the Site Development Application to support a complete approval of the Proposed stormwater management strategy.

Noise Assessment

The Owner submitted a Noise Study (prepared by Valcoustics Canada Ltd, dated September 22, 2023) to investigate the potential environmental noise impact on neighboring lands from the Subject Lands. The Noise Study concluded that the design

of and sound emissions from Development will comply with the applicable Ministry of Environment, Conservation and Parks (MECP) noise guideline limits at all off-site noise sensitive receptors.

Transportation

The Transportation Engineering division of the DE Department has reviewed the Transportation Brief (prepared by T.Y. Lin International Canada Inc., dated July 2023) and other applicable drawings. The Transportation Brief anticipates that the Development will introduce an acceptable transportation impact.

A minor east-west collector road is contemplated on Schedule 9 – “Future Transportation Network” of VOP 2010 connecting Gibraltar Road to Highway 50. The ‘Owner’ shall provide revised drawings identifying the necessary sight triangles at the north-west corner of the subject property and land conveyances for necessary future east-west road connection between Highway 50 and Gibraltar Road by entering into one or more Development Agreements with City of Vaughan to the satisfaction of the Transportation Engineering Division, Municipality of Peel Region and Municipality of York Region prior to approval of Site Development File DA.23.049, as shown on Attachment 2.

The DE Department required the Owner to address any comments and conditions through the Site Development Application to support a complete approval of the proposed transportation strategy.

Other internal City Departments, external agencies and various utilities have no objection to the Development.

The Development Finance Department, Parks Infrastructure Planning and Development Department, Alectra, Bell Canada, Canada Post, and Enbridge have no objections to the Development and outstanding comments will be addressed through the Site Development Application.

Emergency Planning, the Forestry Division, Fire & Rescue Services, Hydro One, and Rogers have no objections to, or comments on, the Development.

Infrastructure Planning Corporate Asset Management Department (IPCAM)

IPCAM has no objections to the Zoning By-law Amendment application, subject to finalizing engineering infrastructure project(s) adjacent to the subject lands for sidewalk and street lighting on the east side of Highway 50 and submitting Applicable Area Specific Development Charges (ASDC) to the satisfaction of IPCAM.

Broader Regional Impacts/Considerations

Regional Municipality of Peel

Peel Region has no objections to the Application. The Owner is required to convey lands to satisfy Highway 50 road widening requirements. A condition to this effect will be included in the Site Plan Agreement.

Regional Municipality of York

York Region has no objections to the Application and consider this to be a local matter. York Region has provided technical comments to be addressed through the Site Development Application.

The Toronto and Region Conservation Authority (TRCA)

The TRCA has no objection to the Application.

Conclusion

The Development Planning Department is satisfied the Application is consistent with the PPS, conforms with the Growth Plan, YROP 2022 and VOP 2010, and is appropriate for the development of the Subject Lands. The Development is considered appropriate and compatible with existing and planned surrounding land uses. Accordingly, the Development Planning Department can recommend approval of the Application.

For more information, please contact Kaveen Fernando, Planner, at extension 8592.

Attachments

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

Prepared by

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