

Committee of the Whole (Public Hearing) Report

DATE: Tuesday, June 04, 2019

WARD(S): 1

**TITLE: CONDOR PROPERTIES (FENMARCON) INC.
ZONING BY-LAW AMENDMENT FILE Z.19.007
DRAFT PLAN OF SUBDIVISION 19T-19V002**

FROM:

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To receive comments from the public and the Committee of the Whole on Zoning By-law Amendment and Draft Plan of Subdivision Files Z.19.007 and 19T-19V002 for the Subject Lands shown on Attachment 1, to permit a 98,522 m² warehouse/distribution centre, with 2,048 m² of accessory office uses, accessory buildings including a gatehouse and kiosk, two satellite electrical room buildings, and parking for employees, visitors, trailers, tractor-trailers, tractors, vans, and a snow cleaning machine on a concrete pad as shown on Attachments 2 to 4.

Report Highlights

- To receive input from the public and Committee of the Whole regarding a 98,522 m² warehouse/distribution centre with 2,048 m² of accessory office uses, accessory buildings including a gatehouse and kiosk, two satellite electrical room buildings, and parking for employees, visitors, trailers, tractor-trailers, tractors, vans, and a snow cleaning machine on a concrete pad.
- Zoning By-law Amendment and Draft Plan of Subdivision approval are required to permit the proposed development.
- A technical report prepared by the Development Planning Department will be considered at a future Committee of the Whole meeting.

Recommendations

1. THAT the Public Hearing report for the Zoning By-law Amendment and Draft Plan of Subdivision Files Z.19.007 and 19T-19V002 (Condor Properties (Fenmarcon) 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

The subject lands (the 'Subject Lands') shown on Attachment 1 are located on the west side of Jane Street, north of Teston Road, east of Highway 400 and are municipally known as 11110 Jane Street. The surrounding land uses are shown on Attachment 1. The Subject Lands are currently used for agricultural uses.

The proposed warehouse/distribution centre (the 'Development'), as shown on Attachments 2 to 5, consists of a 98,522 m² warehouse/distribution centre, 2,048 m² of accessory office uses, accessory buildings including a gatehouse, kiosk, two satellite electrical room buildings, and parking for employees, visitors, trailers, tractor-trailers, tractors, vans, and a snow cleaning machine on a concrete pad.

Zoning By-law Amendment and Draft Plan of Subdivision applications have been submitted to permit the Development

The Owner has submitted the following applications (the 'Applications') to permit the Development:

1. Zoning By-law Amendment File Z.19.007 to amend Zoning By-law 1-88 to rezone the Subject Lands from "A Agricultural Zone" to "EM1 Prestige Employment Zone" and "OS1 Open Space Conservation Zone" in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in Table 1 of this report; and,
2. Draft Plan of Subdivision File 19T-19V002, as shown on Attachment 3, to facilitate a Plan of Subdivision (the 'Draft Plan') consisting of the following:

| Blocks/ Roads | Land Use | Area (ha) | Number of Buildings |
|--------------------------|---------------------------------|------------------|--------------------------------|
| 1 | Prestige and General Employment | 36.672 | 5 |
| 2 | Road Widening | 0.330 | N/A |
| 3 | Buffer | 0.088 | N/A |
| Public Road | Street '1' | 2.527 | N/A |
| TOTAL | | 39.144 | 1 |

Public Notice was provided in accordance with the Planning Act and Vaughan Council's Notice Signs Procedures and Protocol

- a) Date the Notice of Public Hearing was circulated: May 10, 2019.

The Notice of Public Hearing was also posted on the City's web-site at www.vaughan.ca and a Notice Sign was installed on the property 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.

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. All written comments that are received will be reviewed by the Development Planning Department as input in the application review process and will be addressed in the final technical report to be considered at a future Committee of the Whole meeting.

Previous Reports/Authority

None

Analysis and Options

The proposed Development conforms to Vaughan Official Plan ("VOP 2010")

The Subject Lands are designated as "Prestige Areas", "General Employment Area", "Potential Valley and Stream Corridor", and "Stormwater Management Facility by VOP 2010 Volume 2, Section 11.4 Highway 400 North Employment Lands Secondary Plan, (OPA 637) which amended OPA 450 and OPA 600.

The Subject Lands are located in the Block 34 East Planning Area. The Highway 400 North Employment Lands Secondary Plan is reliant on policies in OPA 450 and OPA 637. Policies in OPA 450 continue to apply to Block 34 East. In accordance with Section 3.4.2 of OPA 450 a Block Plan is required for greenfield development. A Block Plan Application has been submitted (File BL.34E.2014) for the portion of Block 34 East located south of the Subject Lands. The portion of Block 34 East north of the Subject Lands, comprise three large parcels, and do not form part of the Block Plan Land Owner's Group. The Subject Lands are not included as part of Block Plan Application BL.34E.2014, however they are subject to the Block Plan policy requirements.

In the absence of the Subject Lands being part of Block Plan Application BL.34E.2014, all the supporting studies have been prepared and include analysis similar to a Block Plan review. Accordingly, the studies are required to reflect the Block Plan policies of VOP 2010, specifically policies 10.1.1.15 through 10.1.1.19 and 10.1.1.23 through 10.1.1.25. This would ensure that any development on the Subject Lands reflects and is consistent with the work being undertaken as part of the Block Plan review.

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

The Subject Lands are zoned “A Agricultural Zone” by Zoning By-law 1-88, which does not permit Prestige Employment uses. The Owner is proposing to rezone the Subject Lands from “A Agricultural Zone” to “EM1 Prestige Employment Area Zone” and “OS1 Open Space Conservation Zone”, in the manner shown on Attachment 2, together with the following site-specific exceptions to Zoning By-law 1-88:

Table 1

| | Zoning By-law 1-88 Standard | EM1 Prestige Employment Area Zone Requirements | Proposed Exceptions to the EM1 Prestige Employment Area Zone Requirements |
|----|--|--|--|
| a. | Definition of a Front Lot Line | Means the street line, provided that in the case of a corner lot, the shorter street line is deemed to be the front lot line. Where both lot lines are of equal length or where the lot abuts more than two (2) street lines, the front lot line shall be the line facing the main entrance of the building unless the lot is a through lot. A reserve abutting a street line shall be deemed to be a street for the purpose of this paragraph. If the lot is a corner lot with a sight triangle then the centre point of the lot line shall be the intersection point of the two lot lines. | The Front Lot Line shall be the lot line along the public road directly parallel to Jane Street. |

| | Zoning By-law 1-88 Standard | EM1 Prestige Employment Area Zone Requirements | Proposed Exceptions to the EM1 Prestige Employment Area Zone Requirements |
|----|--|---|---|
| b. | Minimum Parking Requirements | <p>For Employment Uses Other than Warehousing (Building with greater than 3,700m² of Gross Floor Area (GFA);</p> <p><u>Employment:</u></p> <p>Employment Use:</p> <p>98,522 m² @ 1.5 spaces/100 m² = 1478 spaces</p> <p>Accessory Office:</p> <p>2,048 m² @ 2.0 spaces/100 m² = 41 spaces</p> <p>Total Required Parking: = 1519 spaces</p> | <p>0.83 parking spaces per 100m² GFA devoted to the employment use plus 2.0 parking spaces per 100 m² GFA devoted to ancillary office use, plus the requirements for any other use, or 3.5 parking spaces per unit, whichever is greater. For the purposes of clarity, a gatehouse and kiosk structure shall be considered part of the employment use.</p> <p><u>Employment:</u></p> <p>Employment Use:</p> <p>98,522 m² @ 0.83 spaces/100 m² = 818 spaces</p> <p>Accessory Office:</p> <p>2,048 m² @ 2.0 spaces/100 m² = 41 spaces</p> <p>Total Required Parking: = 859 spaces</p> |
| c. | Parking Requirements Minimum Driveway Width | A parking area shall be provided with a means of access or driveway at least 5.4 m but not exceeding 7.5 m in width. | Access driveway width 9 m |
| d. | Parking Requirements (Minimum Distance of Intersection to Driveway) | Distance between an intersection of street lines and the nearest driveway: 15 m. | Distance between the street line and the nearest driveway: 5.75 m. |

| | Zoning By-law 1-88 Standard | EM1 Prestige Employment Area Zone Requirements | Proposed Exceptions to the EM1 Prestige Employment Area Zone Requirements |
|----|--|---|--|
| e. | Loading Space Requirements | Loading and unloading shall not be permitted between a building and a street. | Permit loading and unloading between a building and a highway or a street. |
| f. | Minimum Width of a Landscape Strip | 3 m | 2.4 m (along the new public road abutting Jane Street) |
| g. | Minimum Landscaping Requirement | 7.5 m where an Employment Area zone abuts the boundary of lands zoned Open Space or Residential. | 0 m |
| h. | Permitted Uses in Employment Zones and in the EM1 Zone | <ul style="list-style-type: none"> - Employment Use - Accessory Retail Sales to an Employment Use - Accessory Office Uses to an Employment Use - Banquet Hall in a Single Unit Building, subject to Section 3.8 - Bowling Alley, subject to Section 3.8 - Business and Professional Offices, not including regulated health professional - Club, Health Centre, provided that the use is not located in a building which abuts a provincial highway, excepting Highway #7 - Convention Centre, Hotel, Motel, subject to | The parking of trucks, trailers, tractors, tractor trailers, vans, and a snow cleaning machine on a concrete pad shall be permitted and shall not be considered accessory outside storage. |

| | Zoning By-law 1-88 Standard | EM1 Prestige Employment Area Zone Requirements | Proposed Exceptions to the EM1 Prestige Employment Area Zone Requirements |
|----|--|---|---|
| | | Section 3.8 - Funeral Home in a Single Unit building and subject to Section 3.8 - Car Brokerage - Office Building - Recreational Uses, including a golf driving range and miniature golf course - Service and Repair Shop - Any public garage legally existing as of the date of enactment of By-law 80-95. | |
| i. | Location of Accessory Buildings | No accessory building or structure shall be located in any yard, or area abutting a yard, which abuts Jane Street, or Highway 400. | Accessory buildings/structures to be located in the yard abutting Highway 400 (satellite electrical room, gatehouse and kiosk), and an accessory building in the yard abutting Jane Street (satellite electrical room). |
| j. | Maximum Building Height | 15 m | 30 m |

Additional zoning exceptions may be identified through the detailed review of the Applications and will be considered in a technical report to a future Committee of the Whole meeting.

Following a preliminary review of the Applications, the Development Planning Department has identified the following matters to be reviewed in greater detail

| | MATTERS TO BE REVIEWED | COMMENT(S) |
|----|--|---|
| a. | Consistency and Conformity with the PPS, Growth Plan, YROP 2010, VOP 2010, and OPA 450 | <ul style="list-style-type: none"> ▪ The Applications will be reviewed for consistency with the <i>Provincial Policy Statement 2014</i> (the “PPS”), and for conformity with the <i>Growth Plan for the Greater Golden Horseshoe 2019</i> (the “Growth Plan”), the York Region Official Plan (“YROP 2010”) and VOP 2010. ▪ The Applications will be reviewed in consideration of OPA 450. |
| b. | Block Plan Application for lands in Block 34 East | <ul style="list-style-type: none"> ▪ A Block Plan Application has been submitted (File BL.34E.2014), for the lands south of the Subject Lands in Block 34 East. ▪ The Subject Lands are not included as part of Block Plan Application BL.34E.2014. ▪ The requisite studies submitted in support of the Applications must include analysis consistent with the documentation of the current Block Plan review. |
| c. | Appropriateness of the Proposed Rezoning and Site- Specific Zoning Exceptions | <ul style="list-style-type: none"> ▪ The appropriateness of the proposed amendments to Zoning By-law 1-88 will be reviewed in consideration of the existing and planned surrounding land uses, with consideration given to land use and built form compatibility, and appropriate development standards, including but not limited to: <ul style="list-style-type: none"> i) the scale and massing of the proposed buildings in relation to the surrounding lands ii) the proposed lot/block pattern, configuration, transition and built form compatibility in relation to the immediate surrounding area iii) the building height, lot frontage, lot coverage and setbacks |

| | MATTERS TO BE REVIEWED | COMMENT(S) |
|----|--|--|
| | | iv) the urban design policies of the Official Plan |
| d. | Studies and Reports | <ul style="list-style-type: none"> Additional studies/reports may be required as part of the development application review process. |
| e. | Cultural Heritage | <ul style="list-style-type: none"> The Subject Lands are Listed on the City of Vaughan's Register of Cultural Heritage Value. The Owner is proposing to remove a dwelling identified on Vaughan's Register of Property of Cultural Heritage Value located on the Subject Lands. Staff have requested the submission of a Cultural Heritage Impact Assessment ('CHIA') for review. The Subject Lands may also contain significant archaeological potential and an archaeological assessment is required. The Subject Lands are not designated under Part IV, Section 29 or under Part V of the Ontario Heritage Act. Therefore, a Heritage Permit process is not required. |
| f. | Parkland Dedication Requirements | <ul style="list-style-type: none"> The Owner is required to provide parkland and/or cash-in-lieu of the dedication of parkland to the City of Vaughan in accordance with the <i>Planning Act</i> and the City's Parkland Dedication and Cash-in-lieu Policy, should the Applications be approved. |
| g. | Functional Servicing Report/Allocation | <ul style="list-style-type: none"> The Development Engineering Department must review and approve a Functional Servicing Report. The availability of water and sanitary servicing capacity for the Development must be identified and formally allocated by Vaughan Council, if the Applications are approved. Should allocation not be available, use of the Holding Symbol "(H)" will be considered for the Subject Lands. |

| | MATTERS TO BE REVIEWED | COMMENT(S) |
|----|--|--|
| h. | Draft Plan of Subdivision | <ul style="list-style-type: none"> Draft Plan of Subdivision File 19T-19V002 will be reviewed in consideration of the surrounding land uses, including all necessary conditions to ensure the appropriate road alignment and connection, servicing and grading and other municipal, regional and community agency requirements. |
| i. | Sustainable Development | <ul style="list-style-type: none"> Opportunities for sustainable design, including CPTED (Crime Prevention Through Environmental Design), LEED (Leadership in Energy and Environmental Design), permeable pavers, bio-swales, drought tolerant landscaping, bicycle racks to promote alternative modes of transportation, energy efficient lighting, reduction in pavement and roof-top treatment to address the “heat island” effect etc., will be reviewed. In accordance with the City of Vaughan Sustainability Metrics Program, the Development must achieve a minimum Bronze Threshold Overall Application Score. |
| j. | Toronto and Region Conservation Authority ('TRCA') | <ul style="list-style-type: none"> The Applications will be reviewed by TRCA, regarding but not limited to, the location of Provincially Significant Wetlands and stream/valley corridors. |
| k. | Source Water Protection Plan | <ul style="list-style-type: none"> The Applications will be reviewed in consideration of the WHPA-Q Recharge Management Area, Significant Groundwater Recharge Area and Highly Vulnerable Aquifer as identified in the approved Source Protection Plan, which provides policies for protecting the drinking water sources/supply. All land development activities within the WHPA-Q area to maintain predevelopment recharge levels to the satisfaction of the TRCA and the City. The Owner is required to satisfy all water balance requirements of the TRCA and the City prior to finalization of the Site Development Application. |

| | MATTERS TO BE REVIEWED | COMMENT(S) |
|----|---|--|
| I. | Urban Design and Architectural Guidelines | <ul style="list-style-type: none"> ▪ The Development must conform to the approved City-wide Urban Design Guidelines. |
| m. | Ministry of Transportation (MTO) | <ul style="list-style-type: none"> ▪ The MTO require a Traffic Impact Study and a Stormwater Management Report for the entire Block 34 East. The Applications will be reviewed in consideration of the Block 34 East documents. |
| n. | Site Development Application | <ul style="list-style-type: none"> ▪ A Site Development Application will be required to permit the development and will be reviewed in consideration of, but not limited to, appropriate building and site design, barrier free accessibility, pedestrian connectivity, vehicular access, internal traffic circulation, parking, landscaping (hard and soft), the location of permeable pavers, landscape buffers, fencing, environmental sustainability, bird friendly design, waste management, outdoor lighting designed to eliminate light spillage to neighbouring properties, stormwater management, and servicing and grading. ▪ A Site Development Application can be processed concurrently with the Applications and be considered together in a comprehensive technical report to a future Committee of the Whole Meeting to ensure that the site-specific exceptions are identified in the implementing zoning by-law to facilitate the Development, if the Applications are approved. |

Financial Impact

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

Broader Regional Impacts/Considerations

The Applications have been circulated to the York Region Community Planning and Development Services Department for review and comment. Any issues identified will be addressed when the technical report is considered.

The Subject Lands have frontage on Jane Street, which is a Regional Road. The Draft Plan of Subdivision includes a road widening block to meet the required right-of-way width identified in the YROP 2010.

Conclusion

The preliminary issues identified in this report and any other issues identified through the processing of this Application will be considered in the technical review of the Application. Comments from the public and Vaughan Council express at the Public Hearing or in writing will be addressed in a comprehensive report to a future Committee of the Whole meeting.

For more information, please contact: Carol Birch, Planner at extension 8485.

Attachments

1. Location Map
2. Conceptual Site Plan and Proposed Zoning
3. Draft Plan of Subdivision
4. Conceptual Elevations

Prepared by

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