

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 24, 2024

Item 5, Report No. 28, of the Committee of the Whole (Public Meeting), which was adopted, as amended, by the Council of the City of Vaughan on September 24, 2024, as follows:

By receiving Communication 17 from Jai Arora, dated September 23, 2024.

5. 523 VALLEY INC. ZONING BY-LAW AMENDMENT FILE Z.24.022 523 BOWES ROAD VICINITY OF LANGSTAFF ROAD AND KEELE STREET

The Committee of the Whole (Public Meeting) recommends:

- 1. That the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management, dated September 10, 2024, be approved;**
- 2. That the comments of Jonathan Sasso, Humphries Planning Group Inc., Pippin Road, Vaughan, on behalf of the applicant, and Communication C44., presentation material, dated September 10, 2024, be received; and**
- 3. That the comments and communication of the following speaker be received:**
 - 1. Mike Everard, Augusta National Inc., Main Street, Unionville, on behalf of J.D. Smith and Sons Ltd., and Communication C45., dated September 9, 2024.**

Recommendations

- 1. THAT the Public Meeting report for Zoning By-law Amendment Z.24.022 (523 Valley 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.**

Committee of the Whole (Public Meeting) Report

DATE: Tuesday, September 10, 2024

WARD: 4

TITLE: 523 VALLEY INC.
ZONING BY-LAW AMENDMENT FILE Z.24.022
523 BOWES ROAD
VICINITY OF LANGSTAFF ROAD AND KEELE STREET

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 applications to rezone to permit a waste transfer processing and storage station use, as shown on Attachments 1 to 2.

Report Highlights

- The Owner proposes a waste transfer processing and storage station use.
- A Zoning By-law Amendment application is required to permit the proposed use.
- 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 Z.24.022 (523 Valley 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: 523 Bowes Road (the 'Subject Lands'). The Subject Lands and the surrounding land uses are shown on Attachment 1. The Waste Transfer Processing and Storage Station has been operating illegally on the Subject Lands.

Date of Pre-Application Consultation Meeting: January 11, 2024

Date Application was deemed complete: The Application is incomplete as of the writing of this report.

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

523 Valley Inc. (the 'Owner') has submitted Zoning By-law Amendment File Z.24.022 (the 'Application') to permit the additional use of a waste transfer processing and storage station on the Subject Lands as shown on Attachment 2, together with the site-specific zoning exceptions identified in the Zoning section of this Report.

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

- a) Date the Notice of Public Meeting was circulated: August 16, 2024.

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 Bowes Road 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 Concord West Ratepayers' Association and to anyone on file with the Office of the City Clerk having requested notice.
- c) No comments have been received as of August 27, 2024, by the Development Planning Department.

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

N/A

Analysis and Options

The proposed development is being reviewed for conformity with York Region Official Plan 2022.

Official Plan Designation:

- "Employment Area" on Schedule 1A – Land Use Designations by York Region Official Plan 2022 ('YROP 2022').

- The designation recognizes the importance of employment lands and the importance of enhancing their long-term viability through protection and providing efficient and effective land use planning and design.
- The Application is being reviewed for conformity with YROP 2022.

The proposed development conforms with Vaughan Official Plan 2010.

Official Plan Designation:

- “Employment Area” on Schedule 1 – Urban Structure by Vaughan Official Plan 2010 (‘VOP 2010’).
- “General Employment” on Schedule 13 – Land Use by VOP 2010.
- This designation permits a full range of industrial uses including manufacturing, warehousing, processing, transportation, and distribution, any of which may or may not include outdoor storage.
- The use must not result in a nuisance or have an adverse effect on neighbouring uses by virtue of the emission/discharge of noise, odor, etc.

Amendments to Zoning By-law 001-2021 are required to permit the Development.

Zoning:

- “EM2 – General Employment Zone” by Zoning By-law 001-2021. It is transitioned under Section 1.6.2.6 as Exception 9(770) under Zoning By-law 1-88 was not carried over. “EM2 – General Employment Area Zone” by Zoning By-law 1-88.
- These Zones do not permit the use and the use is listed as an obnoxious use under Section 3.0 and as a prohibited use under Section 4.16 of Zoning By-law 001-2021.
- The Owner proposes a site-specific zoning exception to permit the use, as shown in Attachment 2:

Table 1:

| | Zoning By-law 001-2021 Standard | EM2 General Employment Zone Requirement | Proposed Exceptions to the EM2 General Employment Zone Requirement |
|----|--|--|---|
| a. | Minimum Rear Yard | 12.0 m | 2.9 m |
| b. | Permitted Uses | A waste transfer, processing, and storage station use is not a permitted use | Permit a waste transfer, processing, and storage station use |
| c. | Minimum Parking Requirements | <p>Manufacturing or Processing Facility</p> <p>1 spaces/100 m² GFA x 6,129 m² = 62 spaces</p> <p>Accessory Office</p> <p>3 spaces/100 m² GFA x 277 m² = 9 spaces</p> <p>Total Required Spaces = 71</p> | Provide a total of 65 spaces |

| | Zoning By-law 001-2021 Standard | EM2 General Employment Zone Requirement | Proposed Exceptions to the EM2 General Employment Zone Requirement |
|----|--|--|---|
| d. | Barrier Free Parking Requirements | A Type A Barrier-Free Parking Space shall abut a Barrier-Free Access Aisle | Provide a Type A Barrier-Free Parking Space that abuts a raised walkway |
| e. | Loading Space Requirements | Industrial Uses with 5,000 m ² – 9,999 m ² GFA = 3 Type B Loading Spaces | 0 Loading Spaces |
| f. | Minimum Landscaped Open Space | 5% | 4.32% |
| g. | Minimum Landscape Strip Abutting a Street | 3.0 m | 0.0 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. | Conformity and Consistency with Provincial Policies, York Region and City Official Plan Policies | <ul style="list-style-type: none"> The Applications 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-law | <ul style="list-style-type: none"> The appropriateness of the site-specific exceptions will be reviewed in consideration of the existing and planned surrounding land uses and streetscape. |
| 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.v 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 the Toronto and Region Conservation Authority. |

| | MATTERS TO BE REVIEWED | COMMENT(S) |
|----|--|--|
| e. | Metrolinx Rail Corridor | <ul style="list-style-type: none"> ▪ A 2.4 m high security fence acting as an anti-trespass barrier is required along the rail corridor. ▪ The Owner shall grant Metrolinx an environmental easement for operational emissions, to be registered on title. |
| f. | Traffic Impacts, Road Widening and Access | <ul style="list-style-type: none"> ▪ Matters including the driveway entrances, parking, truck maneuvering, bicycle parking and Transportation Demand Management requirements are required to be reviewed to the satisfaction of the Development Engineering Department. |
| g. | The Application has been Deemed Incomplete | <ul style="list-style-type: none"> ▪ The Owner is required to submit the following material for the Application to be deemed complete: <ul style="list-style-type: none"> ○ Environmental Compliance Approval ('ECA') ○ Pavement marking and signage plan ○ Transportation maneuverability plans ○ Transportation Demand Management (TDM) Toolkit ○ geo referenced AutoCAD Site Plan ○ GIS layered pdf |

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 Developments for review.

Broader Regional Impacts/Considerations

York Region Council adopted the YROP 2022 in June 2022. YROP 2022 was approved, as modified, by the Minister of Municipal Affairs and Housing in November 2022, bringing it into full force and effect. Bill 150 (*Planning Statue Law Amendment Act, 2023*) and Bill 162 (*Get It Done Act, 2024*) later rescinded some of those modifications.

On June 6, 2024, Bill 185 (*Cutting Red Tape to Build More Homes Act, 2024*) ("Bill 185") received Royal Assent which includes amendments to the *Planning Act*. In accordance with the amendments to the *Planning Act* implemented through Bill 185, York region became a Region without planning responsibilities effective July 1, 2024.

Pursuant to subsection 70.13(2) of the *Planning Act*, YROP 2022 is deemed to constitute an official plan of the City in respect of any area in the City to which it applies and will remain in effect until the City revokes or amends it.

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 David Harding, Senior Planner, Development Planning Department, ext. 8409.

Attachments

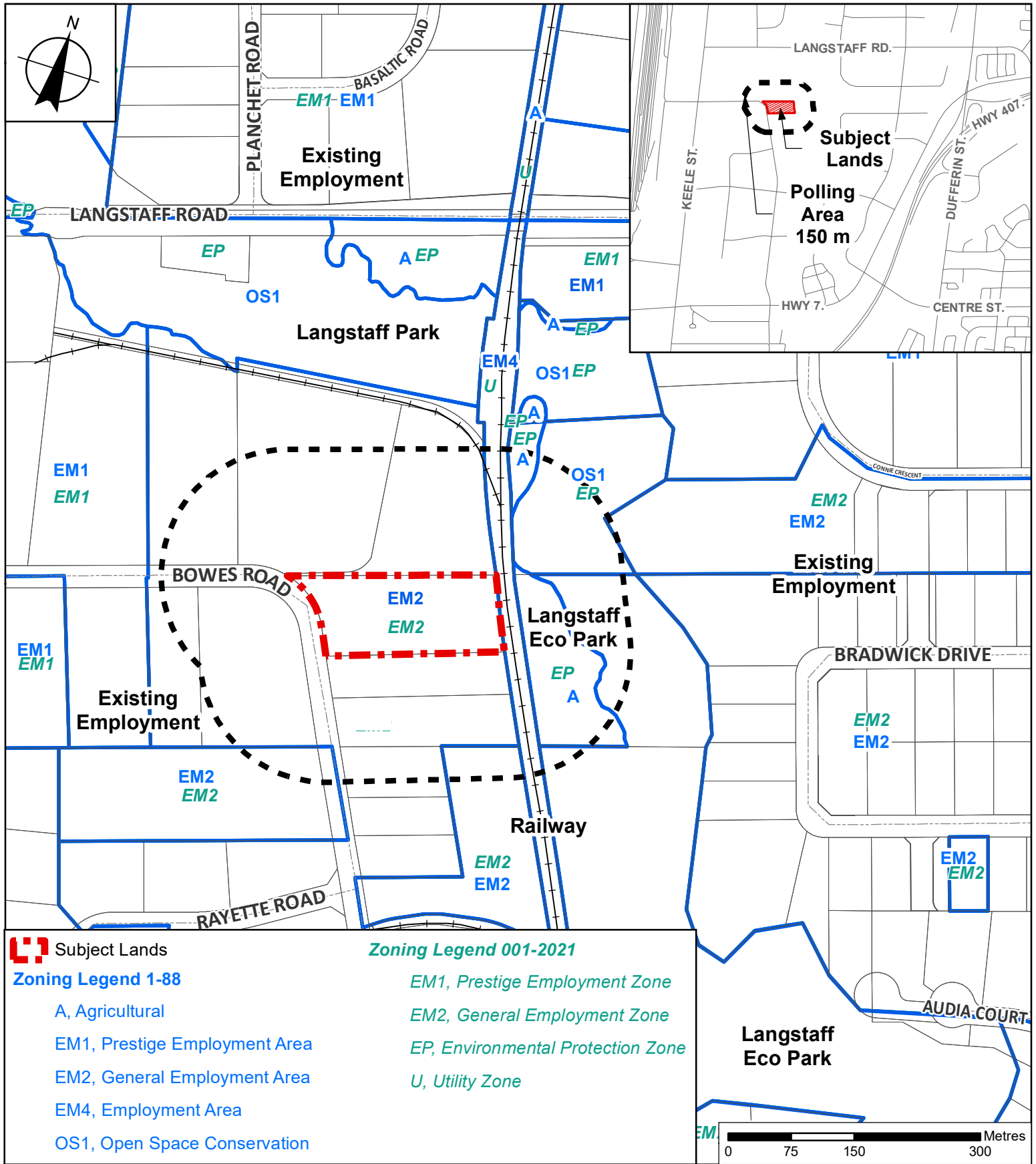
1. Context and Location Map
2. Site Plan and Zoning

Prepared by

David Harding, Senior Planner, ext. 8409

Mary Caputo, Senior Manager of Development Planning, ext. 8635

Nancy Tuckett, Director of Development Planning, ext. 8529



Context and Location Map

LOCATION:
523 Bowes Road
Part of Lot 9, Concession 3

APPLICANT:
523 Valley Inc.

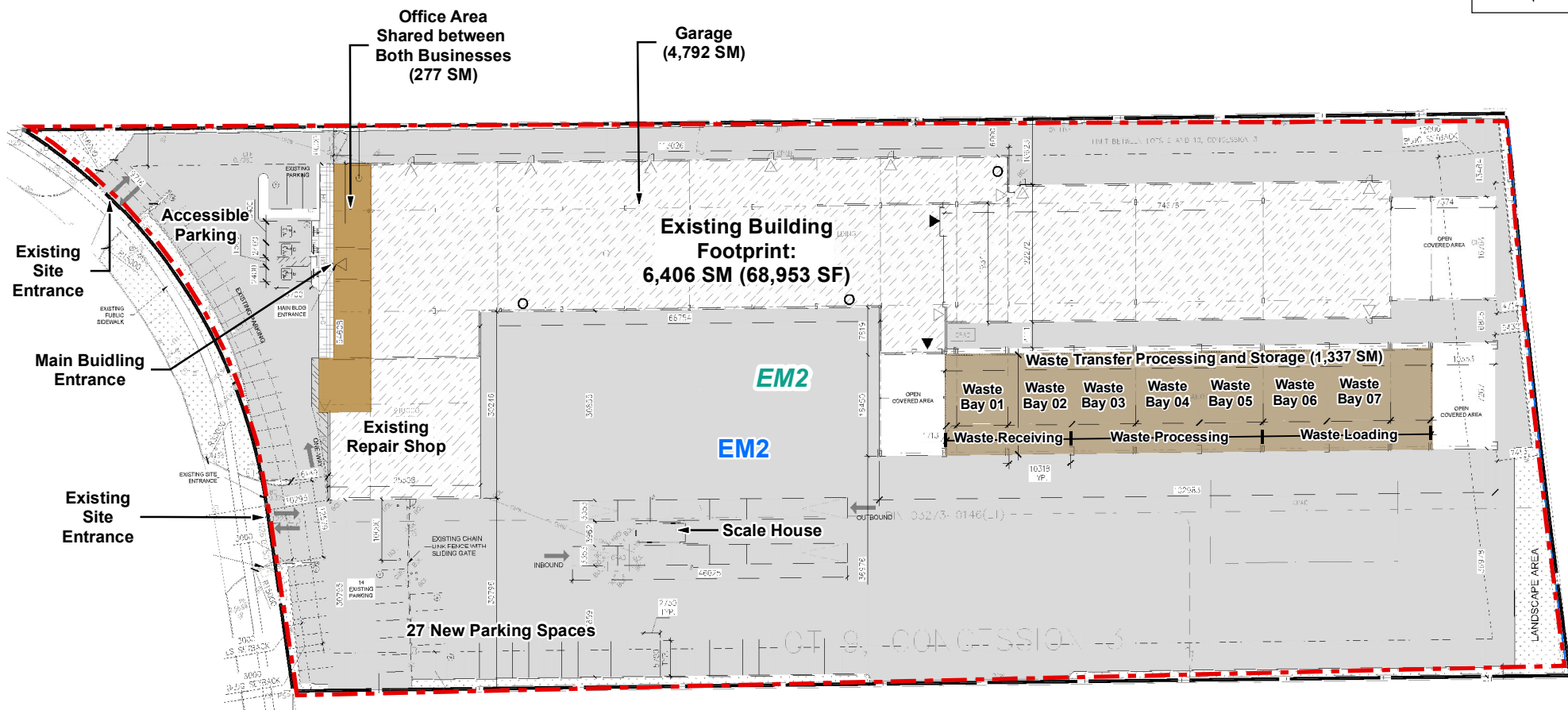
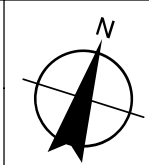


Attachment

FILE:
Z.24.022

DATE:
September 10, 2024

1



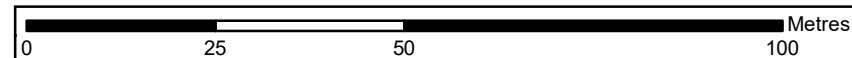
Subject Lands

Zoning By-Law 1-88

EM2, General Employment Area

Zoning By-Law 001-2021

EM2, General Employment Zone



Site Plan and Zoning

LOCATION:

523 Bowes Road
Part of Lot 9, Concession 3

APPLICANT:

523 Valley Inc.



Attachment

FILE:
Z.24.022

DATE:
September 10, 2024

2