

Committee of the Whole (Public Meeting) Report

DATE: Tuesday, December 3, 2024

WARD: 4

**TITLE: CAUPURCH INVESTMENTS INC.
ZONING BY-LAW AMENDMENT FILE Z.24.028
2739 HIGHWAY 7
VICINITY OF HIGHWAY 7 AND COSTA ROAD**

FROM:

Haiqing Xu, Deputy City Manager, Planning, Growth Management and Housing Delivery

ACTION: FOR INFORMATION

Purpose

To receive comments from the public and the Committee of the Whole to permit a temporary use of the outside storage of vehicles on the subject lands without an associated building for a period of three (3) years, with a total of 99 parking spaces on a primarily gravel surface, as shown on Attachments 1 and 2.

Report Highlights

- The Owner proposes to permit the outside storage of vehicles on the subject lands without an associated building for a temporary period of three (3) years.
- A Zoning By-Law Amendment Application is required to permit the proposed temporary use.
- This report identifies preliminary issues to be considered in a technical report to be prepared by the Development and Parks Planning Department at a future Committee of the Whole meeting.

Recommendations

1. THAT the Public Meeting report for Zoning By-law Amendment File Z.24.028 (Caupurch Investments Inc.) BE RECEIVED, and that any issues identified be addressed by the Development and Parks Planning Department in a comprehensive report to the Committee of the Whole.

Background

Location: 2379 Highway 7 (the 'Subject Lands'). The Subject Lands and the surrounding land uses are shown on Attachment 1.

Date of Pre-Application Consultation Meeting: *December 11, 2023*

Previously Development Applications for temporary uses were submitted on the Subject Lands

In 2020, Seven View Chrysler, submitted Official Plan and Zoning By-law Amendment Files OP.20.007 and Z.20.015 on five (5) parcels, including the Subject Lands, to permit the expansion of the existing motor vehicle sales establishment and associated outside storage of motor vehicle uses. After the Public Meeting, Seven View Chrysler revised their applications to exclude the Subject Lands from the proposal.

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

Caupurch Investments Inc. (the 'Owner') has submitted Zoning By-law Amendment File Z.24.028 (the 'Application') for the Subject Lands (Attachment 1) to permit the outside storage of vehicles on the without an associated building for a period of three (3) years with a total of 99 parking spaces on a primarily gravel surface as shown on Attachment 2 (the 'Development'), together with the site-specific exceptions identified in Table 1 on Attachment 3 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: November 8, 2024

The Notice of Public Meeting was also posted on the City's website at www.vaughan.ca and a Notice Sign was installed along Highway 7, as well as Costa 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.

c) No comments have been received as of November 19, 2024, by the Development and Parks 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 and Parks Planning Department in a future technical report to the Committee of the Whole.

Previous Reports/Authority

The following is a link to a previous report regarding the Subject Lands:
[September 22, 2020, Committee of the Whole Public Hearing \(Item 3, Report 42\).](#)

The following is a link to a previous report regarding the same Applications in the report above, omitting Subject Lands:

[June 22, 2021, Committee of the Whole \(Item 8, Report 29\)](#)

Analysis and Options

The Development is allowed under the Planning Act

- The *Planning Act* is provincial legislation that sets out the ground rules for land use planning in Ontario. It describes how land uses may be controlled, and who may control them.
- Section 39(1) of the *Planning Act* allows Council to pass a by-law authorizing “the temporary use of land, buildings or structures for any purpose set out therein that is otherwise **prohibited** by the City’s Zoning By-law. The proposed temporary use of Outside Storage is prohibited by the City of Vaughan Zoning By-law 001-2021.
- Section 39(2) of the *Planning Act* further requires a Temporary Use by-law to “define the area to which it applies and specify the period of time for which the authorization shall be in effect, which shall not exceed three years from the day of the passing of the by-law”.
- Under the *Planning Act*, municipalities are required to make local planning decisions; prepare planning documents, such as an official plan and zoning by-laws; and ensure planning decisions and planning documents are consistent with the Provincial Policy Statement and conform or do not conflict with provincial plans.

Vaughan Official Plan 2010 (‘VOP 2010’) permits temporary uses

Official Plan Designation:

- “Regional Intensification Corridors within Employment Areas” on Schedule 1 – Urban Structure by VOP 2010.
- “Employment Commercial Mixed-Use” on Schedule 13 – Land Use by VOP 2010.
- This designation permits Office Uses, Hotel, Cultural and Entertainment Uses, Retail units that do not exceed a Gross Floor Area (GFA) of 3,500 square meters, and Gas Stations subject to Policy 5.2.3.12 of VOP 2010.
- This designation permits a maximum height of 10-storeys and a maximum density of 3.0 times the area of the lot.
- Policy 10.1.2.4 of VOP 2010 includes policies to permit the temporary use of land, buildings or structures provided the temporary use meets the following five (5) conditions:
 - a. Is consistent with the general intent of this Plan;
 - b. Is compatible with adjacent land-uses;
 - c. Is temporary in nature and can be easily terminated when the temporary zoning by-law expires;
 - d. Sufficient servicing and transportation capacity exists for the temporary use; and
 - e. Maintains the long-term viability of the lands for the uses permitted in this Plan.

The Application will be reviewed in consideration of the Temporary Use policies of VOP 2010.

An amendment to Zoning By-law 001-2021 is required to permit the Development
Zoning By-law 001-2021

- “EMU – Employment Commercial Mixed-Use” Zone.
- This Zone does not permit the Development.
- The Owner proposes site-specific zoning exceptions as identified in Table 1 in Attachment 3, to permit the Development shown on Attachment 2.

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 and Parks 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, and City Official Plan Policies	<ul style="list-style-type: none"> ▪ The Applications will be reviewed for consistency and conformity with the Provincial Planning Statement 2024 ('PPS 2024') and the policies of VOP 2010.
b.	VOP 2010 and Temporary Use By-law Policies of VOP 2010	<ul style="list-style-type: none"> ▪ The appropriateness of the proposed uses within the “Employment Commercial Mixed-Use” designation will be reviewed in consideration of the temporary use policies of VOP 2010. ▪ Section 10.1.2.4 of VOP 2010, enables the City to enact Temporary Use By-laws for the temporary use of land, buildings or structures. The temporary use must be consistent with the general intent of VOP 2010; compatible with adjacent land-uses; temporary in nature; located in an area where sufficient servicing and transportation capacity exists; and maintains the long-term viability of the lands for the uses permitted by VOP 2010. ▪ The proposed uses will be reviewed in consideration of the Temporary Use By-law policies of Section 10.1.2.4 of VOP 2010.
c.	Appropriateness of the Proposed Use and Site-Specific Zoning Exceptions	<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. ▪ The appropriateness of outside storage located on the entirety of the Subject Lands (without an associated building or any screening/buffer) will be reviewed in consideration of the existing and surrounding land uses.

	MATTERS TO BE REVIEWED	COMMENT(S)
d.	Regional Corridor	<ul style="list-style-type: none"> ▪ The majority of the Subject Lands front onto a regional corridor where investment in transit improvements have been established. Transit-oriented-design is encouraged along Highway 7 and the Applications will be reviewed in consideration of the “Regional Intensification Corridor within Employment Areas” policies of VOP 2010.
e.	Public Agency / Municipal Review	The Application must be reviewed by external public agencies and utilities and York Region.
f.	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.
g.	The Applications have been Deemed Incomplete	<ul style="list-style-type: none"> ▪ The Owner is required to submit the following material for the Applications to be deemed complete: <ul style="list-style-type: none"> ○ Parcel Abstract ○ Revised Planning Justification Brief
h.	Required Applications	<ul style="list-style-type: none"> ▪ The Owner is required to submit a Site Development Application to facilitate the Development, should this Application be approved. The Site Development Application shall include more details including (but not limited to) landscaping details as well as proposed screening/buffering measures.

Financial Impact

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

Operational Impact

Development and Parks Planning staff have circulated the Applications to internal City Departments and external agencies 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.

The Application is being circulated to York Region for the purpose of receiving comments on matters of Regional interest i.e., roads and servicing infrastructure. Further comments will be discussed in the future comprehensive report.

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 Nicholas Del Prete, Planner, Development and Parks Planning Department, ext. 8070.

Attachments

1. Context and Location Map
2. Conceptual Site Plan
3. Zoning Exceptions to By-law 001-2021

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