

Committee of the Whole (Public Meeting) Report

DATE: Tuesday, December 3, 2024

WARD(S): 1

**TITLE: ALBION VAUGHAN ROAD INC.
OFFICIAL PLAN AMENDMENT FILE OP.24.008
ZONING BY-LAW AMENDMENT FILE Z.24.020
11339 ALBION-VAUGHAN ROAD
VICINITY OF ALBION-VAUGHAN ROAD AND HIGHWAY 50**

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 on applications to amend the official plan and zoning by-law for the subject lands shown on Attachment 1, to permit the continued storage of truck and trailer parking associated with the existing truck transport facility on the overall subject lands, and accessory offices and warehousing in the existing 1-storey building, as shown on Attachments 2 and 3.

Report Highlights

- The Owner proposes to permit the continued storage of truck and trailer parking associated with an existing truck transport facility on the overall subject lands, and accessory offices and warehousing in the existing 1-storey building.
- Official Plan and Zoning By-law Amendment Applications are required to permit the current storage of truck and trailer parking and proposed expansion of the truck transport facility and associated uses on the subject lands.
- This report identifies preliminary issues to be considered in a comprehensive 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 Official Plan and Zoning By-law Amendment Files OP.24.008 and Z.24.020 (Albion Vaughan Road 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: 11339 Albion-Vaughan Road (the 'Overall Subject Lands'). The Overall Subject Lands and the surrounding land uses are shown on Attachment 1. The applications are solely applicable to the 4.17- hectare area at the northwest corner of the property (the 'Subject Lands'), as shown on Attachment 1.

Date of Pre-Application Consultation Meeting: October 16, 2023

A building permit was previously submitted for the Subject Lands related to a Helicopter Landing Pad

On February 24, 1989, the Building Standards Department received a permit application from Muscillo Transport Ltd., the former owner of the Subject Lands, to develop the Subject Lands with a "storage shed", which would serve a proposed aerodrome (specifically a 'Helicopter Landing Pad'). The proposed Helicopter Landing Pad would be utilized as a base of operations for the transportation company National Helicopters Inc. On March 1, 1989, an Order to Comply was issued to Muscillo Transport Ltd. as construction of the "storage shed" had commenced prior to the issuance of the building permit. On July 17, 1990, an Aerodrome Certificate was issued by Transport Canada to permit the Helicopter Landing Pad and "storage shed". Transport Canada determined that a building permit is not required for any aerodrome, or the structures connected thereto, as they are within federal jurisdiction. National Helicopters Inc. continues to operate the Helicopter Landing Pad on the Subject Lands.

An Ontario Land Tribunal Decision was issued for a portion of the Overall Subject Lands

On December 24, 2013, the former Ontario Municipal Board (now Ontario Land Tribunal) ordered that an appeal of Vaughan Official Pan 2010 ('VOP 2010') is allowed in part to amend Volume 2 of the VOP 2010 to include various site-specific policies including Site Specific Policy 13.4 – 11245 Highway 50, which permits a truck transport facility with employee parking, truck repair and maintenance facilities, fuel pumping and sales, truck sales, and limited retail and office accessory uses, and is currently applicable to only the south and east portions of the Overall Subject Lands, as shown on Attachments 2 and 3.

Notices were issued to the owner by By-law Enforcement for the Subject Lands

On May 10, 2023, the City of Vaughan By-law and Compliance, Licensing and Permit Services Department issued a Notice of Contravention to Albion Vaughan Road Inc.

(the 'Owner') for the use and operation of a contractor's yard and outside storage on the Subject Lands, which are not permitted uses. On January 28, 2024, a Cease-and-Desist Demand Letter was issued to the Owner for the continued illegal outside storage use and for operating a contractor's yard on the Subject Lands.

Official Plan and Zoning By-law Amendment Applications have been submitted to permit the existing uses

The Owner has submitted the following applications (the 'Applications') for the Subject Lands to permit the continued storage of truck and trailer parking associated with the existing truck transport facility on the Overall Subject Lands, and accessory offices and warehousing in the existing 1-storey, as shown on Attachments 2 to 3:

1. Official Plan Amendment File OP.24.008 to amend VOP 2010, Volume 2, Site-Specific Policy 13.4 – 11245 Highway 50, to expand Site-Specific Policy 13.4 – 11245 Highway 50 to the Subject Lands to permit a truck transport facility (truck trailers, tip trailers and gravel trucks) and the uses incidental to the main trucking uses such as offices, employee parking, truck repair and maintenance facilities, fuel pumping, public truck maintenance garage, public truck body shop, public truck fuel sales, truck sales, and limited retail and/or office accessory uses.
2. Zoning By-law Amendment File Z.24.020 to rezone the Subject Lands from "A Agriculture Zone" to "EM2 General Employment Zone" in Zoning By-law 001-2021 in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in Attachment 4 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 Notice Signs were installed along Albion-Vaughan Road and Cold Creek 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, to the Kleinburg and Area Ratepayers Association and the Kleinburg Business Improvement Area ('BIA'), and to anyone on file with the Office of the City Clerk having requested notice.
- c) No comments have been received as of November 18, 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

Not applicable.

Analysis and Options

An amendment to VOP 2010 is required to permit the existing uses

Official Plan Designation:

- “Natural Areas and Countryside” and outside the “Urban Boundary” on Schedule 1 – Urban Structure of VOP 2010 Volume 1
- “Agricultural” on Schedule 13 – Land Use of VOP 2010 Volume 1, subject to Site Specific Policy 13.4 – 11245 Highway 50 of VOP 2010 Volume 2
- The “Agricultural” designation does not permit non-agricultural uses including the proposed outside storage and other employment uses. Therefore, an amendment to VOP 2010 is required.
- The Owner proposes to amend Site Specific Policy 13.4 – 11245 Highway 50 to expand the area permitted to operate as a truck transport facility with accessory offices and warehousing on the Subject Lands.

Amendments to Zoning By-law 001-2021 are required to permit the existing uses

Zoning:

- “A Agriculture Zone” and “EM2 General Employment Zone” subject to Site-specific Exception 14.500 of Zoning By-law 001-2021
- The “A Agriculture Zone” does not permit non-agricultural uses including the proposed outside storage and other employment uses. Therefore, an amendment to By-law 001-2021 is required.
- The Helicopter Landing Pad is permitted on the Subject Lands and is proposed to be maintained without change.
- The Owner proposes to rezone the Subject Lands from “A Agriculture Zone” to “EM2 General Employment Zone”, together with the site-specific zoning exceptions to the “EM2 General Employment Zone” identified in Attachment 4, to expand the existing truck transport facility with truck and trailer parking, and accessory offices and warehousing in the existing 1-storey building, as shown on Attachments 2 and 3.
- The Owner proposes to amend Site-specific Exception 14.500 which applies to the Overall Subject Lands, to expand the area permitted to operate as a truck transport facility with accessory offices and warehousing on the Subject Lands with the site-specific zoning exceptions to the “EM2 General Employment Zone” identified in Attachment 4.

Additional zoning exceptions may be identified through the detailed review of the

Applications and will be considered in a comprehensive 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 with the Provincial Planning Statement, 2024 and conformity to the policies of VOP 2010 Volume 1 and Volume 2, Site Specific Policy 13.4 – 11245 Highway 50, and other deemed City official plan policies.
b.	Appropriateness of Amendments to VOP 2010 and Zoning By-law 001-2021	<ul style="list-style-type: none"> ▪ The appropriateness of the amendments to VOP 2010 will be reviewed in consideration of the proposed land use designation and location of the proposed outside storage. ▪ The appropriateness of the rezoning and site-specific exceptions will be reviewed in consideration of the existing and planned surrounding land uses, location of outside storage, and appropriate screening/landscaping provided on the Subject Lands.
c.	Site Development Application	<ul style="list-style-type: none"> ▪ Should the Applications be approved, the Owner will be required to submit a Site Development Application to address site access, servicing and grading, landscaping, environmental, noise, and other municipal, regional and public agency and utility requirements.
d.	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.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.
e.	Public Agency/Municipal Review	<ul style="list-style-type: none"> ▪ The Applications have been circulated to the Town of Caledon, the Toronto and Region Conservation Authority, Nav Canada, Transport Canada, and external public agencies and utilities.

	MATTERS TO BE REVIEWED	COMMENT(S)
f.	Parkland Dedication	<ul style="list-style-type: none"> ▪ The Applications will be reviewed in consideration of the requirements of the <i>Planning Act</i> and the City of Vaughan's Parkland Dedication Policy.
g.	City's Tree Protection Protocol ('TPP')	<ul style="list-style-type: none"> ▪ There are 46 trees on and within six (6) m of the Subject Lands (along the north and west property lines), 16 of which are required to be removed regardless of the proposal due to hazardous conditions (Emerald Ash Borer infested Ash trees). ▪ The Proposal will be reviewed in accordance with the City's Tree Protection Protocol, for the protection and the replacement of any tree(s) should they be damaged during construction, if the Applications are approved
h.	Traffic Impacts, Road Widening and Access	<ul style="list-style-type: none"> ▪ The Transportation Impact Study will be reviewed in accordance with the City's Transportation Impact Study Guidelines to the satisfaction of the Development Engineering Department. ▪ The proposed traffic generated by the proposal at the requested density will be reviewed in consideration of existing traffic conditions along Albion-Vaughan Road and Highway 50. ▪ Matters including the driveway entrance, parking, truck manoeuvring, bicycle parking, and Transportation Demand Management requirements are required to be reviewed to the satisfaction of the Development Engineering Department. ▪ The Subject Lands are located on Albion-Vaughan Road at the intersection of Albion-Vaughan Road and Highway 50. Highway 50 is a regional arterial road with a planned right-of-way width of up to 45 m or 50.5 m within 245 m of an intersection, under the jurisdiction of York Region and Peel Region, while Albion-Vaughan Road is a local municipal road under the jurisdiction of the City of Vaughan.

	MATTERS TO BE REVIEWED	COMMENT(S)
		<ul style="list-style-type: none"> ▪ York Region and Peel Region will identify any required land conveyances.
i.	The Applications have been Deemed Incomplete	<ul style="list-style-type: none"> ▪ The Owner is required to submit the following materials for the Applications to be deemed complete: <ul style="list-style-type: none"> ○ Storm Water Management Report ○ Grading Plan ○ GIS Approval Letter

Financial Impact

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

Operational Impact

Development 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 Applications are being circulated to York Region and Peel 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 Applications 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 technical report to a future Committee of the Whole meeting.

For more information, please contact Joshua Cipolletta, Planner, Development and Parks Planning Department, ext. 8112.

Attachments

1. Context and Location Map
2. Site Plan and Proposed Zoning
3. Landscape Plan
4. Proposed Exceptions to EM2 General Employment Zone in Zoning By-law 001-2021

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