

Committee of the Whole (Public Hearing) Report

DATE: Tuesday, February 05, 2019

WARD: 2

**TITLE: ZONING BY-LAW AMENDMENT FILE Z.18.027
DRAFT PLAN OF SUBDIVISION FILE 19T-18V011
ANATOLIA INVESTMENTS CORP.
VICINITY OF HUNTINGTON ROAD AND RUTHERFORD ROAD**

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.18.027 and 19T-18V011 for the Subject Lands shown on Attachments 1 and 2, to rezone the Subject Lands from “A Agricultural Zone” to “EM1 Prestige Employment Zone”, “C7 Service Commercial Zone” and “OS1 Open Space Conservation Zone” in the manner shown on Attachment 4 and for Draft Plan of Subdivision Approval to create blocks for future commercial and employment uses, open space areas, the hydro corridor, and a street, as shown on Attachment 3.

Report Highlights

- To receive input from the public and Committee of the Whole on Zoning By-law Amendment and Draft Plan of Subdivision applications to rezone the Subject Lands and create blocks for future commercial and employment uses, open space areas, the hydro corridor, and a street, as shown on Attachments 3 and 4.
- A technical report to be 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 Files Z.18.027 and 19T-18V011 (Anatolia Investments Corp.) 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 Attachments 1 and 2 are located at the southeast corner of Huntington Road and Rutherford Road, and are known municipally as 9151 Huntington Road. The Subject Lands include an existing 2-storey dwelling, a barn, and 3 accessory buildings, which are proposed to be removed prior to development. Rainbow Creek also traverses the Subject Lands. The surrounding land uses are shown on Attachment 2.

Zoning By-law Amendment and Draft Plan of Subdivision Applications have been submitted to permit the future development of the Subject Lands

The Owner has submitted the following applications (the ‘Applications’) for the Subject Lands shown on Attachments 1 and 2, to rezone the Subject Lands and create blocks for future commercial and employment uses, open space areas, the hydro corridor, and a street, as shown on Attachments 3 to 6:

1. Zoning By-law Amendment File Z.18.027 to amend Zoning By-law 1-88, to rezone the Subject Lands from “A Agricultural Zone” to “EM1 Prestige Employment Zone”, “C7 Service Commercial Zone” and “OS1 Open Space Conservation Zone” in the manner shown on Attachment 4.
2. Draft Plan of Subdivision File 19T-18V011, 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	Commercial (future development lands)	1.323	0
2 and 3	Prestige Employment	10.655	2
4	Valley	3.764	N/A
5	Hydro Corridor	4.850	N/A
6 and 7	Buffers	0.845	N/A
8 and 9	Road Widening (Huntington Road and Rutherford Road)	0.175	N/A
Public Road	Street ‘1’	0.931	N/A
TOTAL		22.543	2

Related Site Development File DA.18.067

A related Site Development File DA.18.067 has been submitted together with the Applications to permit the development of two (2), one-storey employment (warehouse / industrial) buildings on the Subject Lands, identified as Buildings '1' and '2' on Attachments 3 to 6. Buildings '1' and '2' have a Gross Floor Area ('GFA') of 20,313.3 m² and 21,838.37 m², respectively, for a combined total GFA of 42,151.67 m².

The Owner owns other lands in Block 59, which are subject to concurrent Zoning By-law Amendment, Draft Plan of Subdivision and Site Development applications

The Owner has also submitted development applications on two additional properties within the Block 59 area, shown on Attachment 2. These applications are being reviewed concurrently and form part of the February 5, 2019, Public Hearing agenda.

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

- a) Date the Notice of Public Hearing was circulated: January 11, 2019.

The Notice of Public Hearing was also posted on the City's website at www.vaughan.ca and a Notice Sign was installed along the Huntington Road frontage in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: 150 m, the West Woodbridge Homeowners' Association, the Kleinburg and Area Ratepayers' Association, and the Greater Woodbridge Ratepayers' Association.

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 a technical report to a future Committee of the Whole meeting.

Previous Reports/Authority

[June 17, 2014, Committee of the Whole \(Public Hearing\) \(Item 5, Report No. 32, Recommendations 1 to 3, adopted as amended by Vaughan Council on June 24, 2014\)](#)

Analysis and Options

The Applications conform to Vaughan Official Plan 2010 ('VOP 2010')

The Subject Lands are designated "Prestige Employment", "General Employment",

“Natural Areas” and “Utility” by VOP 2010, Volume 2, Section 11.9 - the West Vaughan Employment Area Secondary Plan (“WVEASP”). Schedule 1 of VOP 2010 also identifies the Subject Lands as an “Employment Area” and “Natural Area and Countryside”.

The “Prestige Employment” designation permits industrial uses including manufacturing, warehousing (but not a retail warehouse), processing, and distribution uses located within wholly enclosed buildings and which do not require outside storage. Outside storage is not permitted within the “Prestige Employment” designation. Office uses, limited retail uses, and gas stations are also permitted in the “Prestige Employment” designation, subject to meeting certain criteria outlined in VOP 2010. Employment Industrial Buildings are also a permitted building type within the “Prestige Employment” designation.

The “General Employment” designation permits a full range of industrial uses including manufacturing, warehousing (but not a retail warehouse), processing, transportation, distribution, any of which may or may not include outdoor storage, but not used for the sole purpose of outside storage. Accessory office and/or retail uses, and gas stations are also permitted in the “General Employment” designation, subject to meeting certain criteria outlined in VOP 2010. Employment Industrial Buildings are also a permitted building type within the “General Employment” designation.

The manufacturing and/or warehousing uses are proposed within wholly enclosed employment/industrial buildings in the “Prestige Employment” and “General Employment” designations.

The “Natural Areas” designation identifies portions of the City that are part of the Natural Heritage Network. The policies of VOP 2010 require that the Natural Heritage Network be protected and enhanced, as an interconnected system of natural features and the functions they perform. Additionally, the “Natural Areas” designation on the Subject Lands are specifically identified as a “Core Feature” by VOP 2010. The location of Rainbow Creek coincides with the “Natural Areas” designation on the Subject Lands, and will be incorporated into the valley blocks together with the environmental buffer blocks identified on the Draft Plan shown on Attachment 3.

The policies of VOP 2010 require that Core Features and their minimum vegetation protection zones be dedicated to an appropriate public agency (e.g. the City or the Toronto and Region Conservation Authority – “TRCA”) at no public expense, through the development approval process. The conveyance of these lands will be secured through the subject Applications to ensure that the integrity of ecological systems on or within direct proximity to the Subject Lands will be retained. The development limits of

the Subject Lands, including all the natural heritage features and hazards, will be determined through the Block Plan process in accordance with the policies of VOP 2010 and the WVEASP.

The “Utility” designation coincides with the hydro corridor located on the Subject Lands. This designation permits all uses and structures associated with the provision of a utility or municipal service and secondary uses such as passive or active recreation, community gardens, other utilities, parking lots and outdoor storage that are accessory to adjacent land uses subject to the review/approval of the utility provider. There is no development proposed within the hydro corridor.

In consideration of the above, the Applications conform to the Official Plan.

The Draft Plan and proposed zoning must be consistent with the final Block Plan for the Block 59 Area

Section 10.1.1 of VOP 2010, Volume 1 states that a Block Plan is required for all Secondary Plans. Vaughan Council, on June 17, 2014, considered the draft Block 59 Plan at a Public Hearing (File BL.59.2014). The draft Block 59 Plan, which requires Council approval, is shown on Attachment 7 and identifies the Subject Lands as “Prestige Area”, “Employment Area”, “Valleyland” and “10 m Buffer”, and “Hydro Easement”. Street “2” (shown as Street “F” on the Draft Block 59 Plan on Attachment 7) is also proposed on the Subject Lands.

An updated Block Plan Application (File BL.59.2018) was submitted on August 21, 2018, by the Block 59 Landowners Group Inc., of which the Owner is a participating landowner. Council approval of the Block 59 Plan is required prior to, or concurrently with the approval of the subject Applications.

Amendments to Zoning By-law 1-88 are required to facilitate the Draft Plan

The Subject Lands are zoned “A Agricultural Zone” by Zoning By-law 1-88, which does not permit Prestige and General Employment uses. The Owner is proposing to rezone the Subject Lands from “A Agricultural Zone” to “EM1 Prestige Employment Zone”, “C7 Service Commercial Zone” and “OS1 Open Space Conservation Zone”, in the manner shown on Attachment 4.

The conceptual site plan and building elevations submitted in support of the Applications are shown on Attachments 4 to 6. 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.

Through a preliminary review of the Applications, the Development Planning Department has identified matters to be reviewed in further detail

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Conformity and Consistency with Provincial Policies / Plans, and York Region and City of Vaughan Official Plans	<ul style="list-style-type: none"> ▪ The Applications will be reviewed in consideration of all applicable statutory policies of the <i>Provincial Policy Statement 2014</i> (the 'PPS'), the <i>Growth Plan for the Greater Golden Horseshoe 2017</i> (the 'Growth Plan'), and the York Region Official Plan ('YROP') policies. ▪ The Applications will be reviewed in consideration of VOP 2010 and of the WVEASP policies.
b.	Block 59 Plan and Block 59 Employment Area Urban Design Guidelines, Architectural Design Guidelines, and Landscape Master Plan	<ul style="list-style-type: none"> ▪ The Subject Lands are located within the Block 59 Plan Area, which is not approved. ▪ The Development is being reviewed concurrently and in consideration of the Block 59 Plan and the corresponding Urban Design Guidelines, Architectural Design Guidelines, and Landscape Master Plan that have been submitted in support of the Block Plan. ▪ The Block 59 Plan must be approved by Council prior to a final technical report respecting the subject Applications proceeding to a future Committee of the Whole meeting for Council's consideration.
c.	Appropriateness of the Proposed Rezoning and Site-Specific Zoning Exceptions	<ul style="list-style-type: none"> ▪ The appropriateness of the proposed rezoning of the Subject Lands and the site-specific amendments to Zoning By-law 1-88 will be reviewed in consideration of the existing and planned surrounding land uses, particularly with respect to the Block 59 Plan. ▪ In particular, the proposed "C7 Service Commercial Zone" will be reviewed in consideration of the "Prestige Employment" designation policies of VOP 2010 to ensure consistency of the permitted uses and other VOP 2010 and Zoning By-law 1-88 requirements.

	MATTERS TO BE REVIEWED	COMMENT(S)
d.	Studies and Reports	<ul style="list-style-type: none"> ▪ The following studies and reports submitted in support of the Applications, must be approved to the satisfaction of the City and/or respective public approval authority: <ul style="list-style-type: none"> – Planning Justification Report – Stationary Noise Impact Study – Traffic and Transportation Study – Urban Design and Sustainability Brief – Environmental Impact Study ('EIS') – Archaeological Assessment – Cultural and Built Heritage Assessment Report – Functional Servicing and Stormwater Management Report – Geotechnical/Soil Investigation Report – Phase 1 Environmental Site Assessment ('ESA') ▪ Additional studies/reports may be required as part of the development application review process.
e.	Toronto and Region Conservation Authority ("TRCA")	<ul style="list-style-type: none"> ▪ Portions of the Subject Lands are located within the TRCA's regulated area and therefore, must be reviewed by the TRCA. ▪ Matters regarding the establishment of the development limits, building setbacks, buffer areas, tree preservation, geotechnical requirements, servicing, and the dedication/conveyance of open space lands to either the City of Vaughan or the TRCA will be reviewed through the review of the subject Applications and the Block Plan.
f.	Cultural Heritage	<ul style="list-style-type: none"> ▪ The Owner is proposing to remove the existing heritage dwelling (the 'John Fleming House') and the other structures located on the Subject Lands. ▪ The Subject Lands were added to the City of Vaughan Register (under Part IV, Section 27, of the Ontario Heritage Act) on June 28, 2016.

	MATTERS TO BE REVIEWED	COMMENT(S)
		<ul style="list-style-type: none"> ▪ Staff have requested the submission of a Cultural Heritage Impact Assessment ("CHIA") for review. The recommendations of the CHIA will be considered to determine if the proposed demolition of the existing structures is appropriate. ▪ If the structures are recommended to be removed or demolished, Heritage Vaughan Committee approval may be required, subject to Urban Design and Cultural Heritage staff review.
g.	Related Site Development Application	<ul style="list-style-type: none"> ▪ The Owner has submitted related Site Development File DA.18.067 for the proposed industrial buildings as shown on Attachments 4 to 6, which will be reviewed comprehensively and concurrently with the subject Applications. The review of the Site Development Application will consider, but not be limited to, the following matters: <ul style="list-style-type: none"> – Appropriate built form, building elevations and materials, site design, and enhanced landscaping – The relationship of the building setbacks, height and design with the immediate area – Pedestrian and barrier-free accessibility to and throughout the site – Provision of accessible parking on the site in accordance with the requirements of Ontario Regulation 413/12, made under the <i>Accessibility for Ontarians with Disabilities Act</i>, which cannot be varied – Site circulation, proper vehicular access and turning movements (from existing and proposed future streets), and any road widening(s), if required, along Huntington Road and Rutherford Road – Provision of sufficient snow storage area(s) – Conservation methods for the existing heritage building and associated cultural heritage landscape

	MATTERS TO BE REVIEWED	COMMENT(S)
		<ul style="list-style-type: none"> – Implementation of appropriate waste collection design standards, stormwater management, and site servicing and grading – Proper stormwater management and retention measures to ensure any runoff/drainage is properly maintained on site.
h.	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, reduction in pavement, bicycle racks to promote alternative modes of transportation, energy efficient lighting, etc., will be reviewed and implemented through the Site Development Application process. ▪ In accordance with the City of Vaughan Sustainability Metrics Program, the future industrial buildings must achieve a minimum Bronze Threshold Application Score.
i.	Parkland Dedication	<ul style="list-style-type: none"> ▪ The Owner will be required to pay to the City of Vaughan, cash-in-lieu of the dedication of parkland, prior to the issuance of a Building Permit, in accordance with the <i>Planning Act</i> and the City of Vaughan's Cash-in-Lieu of Parkland Policy, should the Applications be approved. The final value of the cash-in-lieu of parkland dedication will be determined by the Vaughan Legal Department, Real Estate Division. ▪ A Trail Feasibility Study is required to be submitted for Draft Plan of Subdivision File 19T-18V011, to the satisfaction of the Parks Development Department.

	MATTERS TO BE REVIEWED	COMMENT(S)
j.	Hydro Corridor	<ul style="list-style-type: none"> The east portion of the Subject Lands contains an existing Hydro One Networks Inc. ("HONI") transmission corridor, as shown on Attachment 2. The Owner is required to satisfy all requirements of HONI.
k.	Highway 427 Extension	<ul style="list-style-type: none"> The Applications have been circulated to the Ministry of Transportation ("MTO") for review and comment as the Subject Lands are located within the within the MTO Permit Control Area (i.e. within 500 m of the centrepont of the proposed Highway 427 extension). An MTO Building and Land Use Permit may be required prior to the commencement of any on-site construction/works. The Owner must satisfy the requirements of the MTO.
l.	TransCanada Pipelines Limited ("TCPL")	<ul style="list-style-type: none"> The Applications have been circulated to TCPL for review and comment, as there is a high pressure natural gas pipeline proposed (i.e. King's North Connection) east of the Subject Lands. The Owner must satisfy the requirements of TCPL.

Financial Impact

Not Applicable.

Broader Regional Impacts/Considerations

The Applications have been circulated to the York Region Community Planning and Development Services Department for review and comment. The Regional Transportation and Infrastructure Planning Branch has reviewed the reports and studies submitted with the Applications and provided technical comments for the Owner to address in a resubmission.

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, together with comments from the public and Vaughan Council expressed

at the Public Hearing or in writing, and will be addressed in a comprehensive report to a future Committee of the Whole meeting.

For more information, please contact: Letizia D'Addario, Planner, Development Planning Department, ext.8213.

Attachments

1. Context Location Map
2. Location Map
3. Draft Plan of Subdivision – File 19T-18V011
4. Proposed Zoning and Site Plan
5. Building Elevations – Building '1'
6. Building Elevations – Building '2'
7. Draft Block 59 Plan

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