

Committee of the Whole (1) Report

DATE: Tuesday, March 03, 2020

WARD(S): 3

**TITLE: OFFICIAL PLAN AMENDMENT FILE OP.19.004
ZONING BY-LAW AMENDMENT FILE Z.19.012
PLAYCOR HOLDINGS LTD.
VICINITY OF WESTON ROAD AND CHRISLEA ROAD**

FROM:

Bill Kiru, Acting Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Official Plan Amendment and Zoning By-law Amendment Files OP.19.004 and Z.19.012 for the Subject Lands shown on Attachment 1, to permit a business or professional office, including a regulated health professional and an accessory medical clinic, and office and stationary supply, sales, service and rental uses in the existing one-storey building, as shown on Attachment 2.

Report Highlights

- The Owner proposes to permit a business or professional office, including a regulated health professional and an accessory medical clinic, and office and stationary supply, sales, service and rental uses in the existing one-storey building.
- An amendment to Vaughan Official Plan 2010 and Zoning By-law 1-88 is required to permit the proposal.
- The Development Planning Department supports the approval of the Official Plan Amendment and Zoning By-law Amendment Applications as the proposal implements Provincial and Regional Official Plan policies and is considered to be compatible with the surrounding existing and planned land uses.

Recommendations

1. THAT Official Plan Amendment File OP.19.004 (Playcor Holdings Ltd.), BE APPROVED, to amend Vaughan Official Plan 2010, specifically the “General Employment” designation to permit office uses, including regulated health professional uses, that are not accessory or directly associated with an industrial use and are not to exceed 49% of the total gross floor area on the Subject Lands.
2. THAT Zoning By-law Amendment File Z.19.012 (Playcor Holdings Ltd.), BE APPROVED, to amend Zoning By-law 1-88, specifically the “EM3 Retail Warehouse Employment Area Zone” subject to Exception 9(950), to permit the site-specific zoning exceptions identified in Table 1 of this report.

Background

The Subject Lands (the ‘Subject Lands’) shown on Attachment 1 are located east of Weston Road on the north side of Chrislea Road and are municipally known as 156 Chrislea Road. The Subject Lands are developed with an existing one-storey building which contains carpet, kitchen and sofa retail warehouse uses. No modifications are proposed to the site layout and therefore a Site Development Application is not required. The surrounding land uses are shown on Attachment 1.

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

The Owner has submitted the following Applications (the ‘Applications’) to permit the following uses (the ‘Proposal’) in the existing one-storey, 2,146 m² employment building with 97 parking spaces:

1. Official Plan Amendment File OP.19.004 to amend Vaughan Official Plan 2010 (‘VOP 2010’), specifically the “General Employment” designation to add an office use as a permitted use, whereas an office use is only permitted accessory to and directly associated with industrial uses in accordance with Section 9.2.2.10 of VOP 2010.
2. Zoning By-law Amendment File Z.19.012 to amend the “EM3 Retail Warehouse Employment Area Zone” subject to Exception 9(950), to add a business or professional office use, including a regulated health professional and an accessory medical clinic, and office and stationary supply, sales, service and rental uses. The Owner also requested an office building use, however, the “EM3 Retail Warehouse Employment Zone” permits all uses permitted in the “EM1 Prestige Employment Area Zone”, which includes an office building use.

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

On September 13, 2019, a Notice of a Public Hearing was circulated to all property owners within 150 m of the Subject Lands. A copy of the Notice of Public Hearing was also posted on the City's web-site at www.vaughan.ca and Notice Signs were installed on the Subject Lands in accordance with the City's Notice Signs Procedures and Protocols.

A Committee of the Whole (Public Hearing) was held on October 7, 2019, to receive comments from the public and the Committee of the Whole. The recommendation of the Committee of the Whole to receive the Public Hearing report of October 7, 2019, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council on October 23, 2019. No written submissions regarding the Applications were received by the Development Planning Department, and no individuals made deputations regarding the Applications at the Public Hearing on October 7, 2019.

Official Plan Amendment and Zoning By-law Amendment applications to add retail and service commercial uses were previously submitted

The Owner and the adjacent landowner of 15 Jevlan Drive (FDF Investments Ltd.) previously submitted Official Plan and Zoning By-law Amendment Files OP.16.011 and Z.16.048 (FDF Investments Ltd. and Playcor Holdings Ltd.) on the Subject Lands and 15 Jevlan Drive.

Official Plan and Zoning Amendment Files OP.16.011 and Z.16.045 propose to redesignate the Subject Lands and 15 Jevlan Drive from "General Employment" to "Employment Commercial Mixed-Use", to add retail and service commercial uses and to amend the EM3 Zone to add retail and service commercial uses including: an automotive retail store; bank and financial institution; patio; eating establishment, convenience with a drive-through and and outdoor patio; eating establishment take out with an outdoor patio; pharmacy and a retail store.

On May 26, 2017, York Region advised that these applications were deemed to be a conversion of employment lands to non-employment lands, and would require a Municipal Comprehensive Review ('MCR') of the York Region Official Plan. These applications remain open, but inactive at this time, as the Owner is seeking an amendment to the Official Plan through the York Region MCR.

In August 2019, as part of the MCR consultation process, York Region held meeting sessions where applicants/landowners requesting an employment land use conversion were given the opportunity to present their position to York Region, including File OP.16.011. York Region is currently undertaking a MCR, where it is expected that a draft York Region Official Plan document will be released in 2020. The Owner is proceeding with the Applications for the Subject Lands at this time in the interim pending the outcome of the MCR. These Applications do not conflict with Official Plan

and Zoning Amendment Files OP.16.011 and Z.16.045 (FDF Investments Ltd. and Playcor Holdings Ltd.).

Previous Reports/Authority

[Committee of the Whole \(Public Hearing\) Report – October 7, 2019](#)

Analysis and Options

The Proposal is consistent with the Provincial Policy Statement 2014

The Provincial Policy Statement 2014 ('PPS') provides policy direction on matters of provincial interest related to land use planning and development. The PPS is applied province-wide and provides for appropriate development while ensuring that public health and safety, and the quality of the natural and built environment are protected. In accordance with Section 3(5) of the *Planning Act*, all land use decisions in Ontario "shall be consistent with" the PPS.

The Proposal is consistent with the PPS, specifically: Section 1.3.1 which encourages planning authorities to promote economic development and competitiveness by providing for an appropriate mix and range of employment and institutional uses to meet long-term needs; providing opportunities for a diversified economic base; and Section 1.7.1 which encourages long-term economic prosperity by promoting opportunities for economic development and community investment-readiness.

The Subject Lands contain an existing one-storey employment building. The Proposal will promote economic development and competitiveness on an underutilized site within the employment area and is compatible with the existing uses within the surrounding employment area. In consideration of the above, the Proposal is consistent with the PPS.

The Proposal conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019

A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019 ('Growth Plan') is intended to guide decision making on the development of land and includes encouraging compact built form, transit supportive communities, diverse land uses, and flexibility to capitalize on new economic and employment opportunities while providing certainty for traditional industries.

The Growth Plan encourages the concentration of population and employment growth within settlement areas and promotes the development of complete communities that offers a mix of jobs, local stores, services and housing types. In accordance with

Section 3(5) of the *Planning Act*, Vaughan Council's planning decisions shall conform to the Growth Plan.

Section 2.2.5.1 - "Employment" of the Growth Plan directs that economic development and competitiveness in the Greater Golden Horseshoe be promoted by making more efficient use of underutilized employment lands and increasing employment densities. The Subject Lands are located within an "Employment Area" on Schedule 1 - Urban Structure of VOP 2010. The Proposal makes more efficient use of an existing and underutilized site within an employment area. In consideration of the above, the Proposal conforms to the Growth Plan.

The Proposal conforms to the York Region Official Plan 2010

The York Region Official Plan 2010 ('YROP 2010') guides economic, environmental and community building decision making across York Region, and describes how York Region will accommodate future growth and development while meeting the needs of existing residents and businesses.

The Subject Lands are located within the "Urban Area" on Map 1 - Regional Structure of YROP 2010, which permits a range of residential, commercial, employment and institutional uses, subject to additional policy criteria. The Subject Lands are in proximity to a "Regional Rapid Transit Corridor" (Regional Road 7) on Map 11 - Transit Network of YROP 2010.

Section 4.3 of YROP 2010 seeks to protect employment lands that are designated in local municipal official plans. The Proposal meets the objectives of Policy 4.3.5 of YROP 2010 as it provides for enhancing the long-term viability of the employment lands with a range of land uses. The Proposal is located in proximity to an existing 400-series highway (Highway 400) and is transit accessible, with transit on Chrislea Road/Portage Parkway, Regional Road 7 and Weston Road in support of Policy 4.3.15 of YROP 2010. In consideration of the above, the Proposal conforms to YROP 2010.

Amendments to the "General Employment" policies of VOP 2010 are required to permit the Proposal

The Subject Lands are located within an "Employment Area" on Schedule 1 - Urban Structure of VOP 2010 and are not located within an "Intensification Area". The Subject Lands are designated "General Employment" on Schedule 13 - Land Use of VOP 2010, which permits the following uses:

- i) 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; and

- ii) office and/or retail uses accessory to and directly associated with any of the industrial uses.

VOP 2010 encourages non-accessory office uses to be located within an “Intensification Area”, and within the “Prestige Employment” and “Employment Commercial Mixed-Use” designations where there is better access to transit and highways. In addition, Section 9.2.2.10 of VOP 2010 only permits office uses that are accessory to and directly associated with industrial uses in the “General Employment” designation. The Proposal is not permitted in the “General Employment” designation of VOP 2010. Accordingly, an application to amend VOP 2010 has been submitted.

Section 2.2.4.7 - Employment Areas of VOP 2010 permits limited retail uses within the employment area to serve the day-to-day needs of the surrounding business and their needs. Section 5.1.2 - Directing Economic Activity of VOP 2010 encourages the employment area to provide a range of ancillary uses that primarily support business and employees in the employment area. The Proposal supports these policy initiatives of VOP 2010.

The planned function for the employment area is not negatively impacted by the Proposal and further benefits in having the flexibility to attract a variety of businesses. Further, the 2,146 m² gross floor area (‘GFA’) of the existing building is under 10,000 m² and not deemed to be a major office or retail use and therefore would not destabilize the planned function of the employment area in support of Section 2.2.4 of VOP 2010.

Section 9.2.2.10.b. of VOP 2010 will be amended to permit office uses, including regulated health professional uses, that are not accessory or directly associated with an industrial use. The office use cannot exceed 49% of the total GFA devoted to the primary industrial use for the combination of non-accessory and accessory office and retail uses. This limit is consistent with the policies of the “General Employment” designation of VOP 2010.

Summary of Planning Policy

In consideration of the applicable Provincial policies and Regional and City Official Plan policies outlined in this report, the Proposal will provide uses that will meet the needs of the existing businesses and provide a range of ancillary uses that primarily support business and employees in the employment area. The Proposal also makes more efficient use of an existing and underutilized site within an employment area. The Development Planning Department is of the opinion that the Proposal is consistent with the policies of the PPS, conforms to the Growth Plan and the YROP, and maintains the intent of VOP 2010.

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

The Subject Lands are zoned “EM3 Retail Warehouse Employment Area Zone” (‘EM3 Zone’) by Zoning By-law 1-88 and subject to Exception 9(950) as shown on Attachment 1. The EM3 Zone permits a wide range of employment uses. The Owner is proposing to

maintain the EM3 Zone and to add office uses that are not permitted by the EM3 Zone. The following site-specific zoning exceptions are required to facilitate the Proposal:

Table 1:

	By-law Standard	“EM3 Retail Warehouse Area Zone” subject to site-specific Exception 9(950) Requirement	Proposed Exceptions to the “EM3 Retail Warehouse Area Zone” subject to site-specific Exception 9(950)
a.	Permitted Uses	<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 - Bowling Alley - Business and Professional Offices, not including a Regulated Health Professional - Club, Health Centre - Convention Centre, Hotel, Motel - Funeral Home in a Single Unit Building - Car Brokerage - Office Building - Recreational Uses, including a golf driving range and miniature golf course - Service and Repair Shop - Public Garage, legally existing by By-law 80-95 - Building Supply Outlet - Catalogue Sales - Convention Centre - Retail Nursery 	<p>Additional uses:</p> <ul style="list-style-type: none"> - Business and Professional Offices, including Regulated Health Professional - Office and Stationary Supply, Sales, Service and Rental

	By-law Standard	“EM3 Retail Warehouse Area Zone” subject to site-specific Exception 9(950) Requirement	Proposed Exceptions to the “EM3 Retail Warehouse Area Zone” subject to site-specific Exception 9(950)
		<ul style="list-style-type: none"> - Swimming Pool, Recreational Vehicles Leasing/Rental/Sales - Limited outdoor display of merchandise, goods or materials shall be permitted - Retail Warehouse, limited to a maximum 1,506 m² GFA with 640 m² GFA for employment use/storage 	
b.	Minimum Parking Spaces	97 Parking Spaces	<p>4.5 Parking Spaces/100 m² of GFA for a Retail Warehouse Use</p> <p>All other uses will comply with the parking requirements of Zoning By-law 1-88</p>

The proposed exception to the minimum parking spaces is required to provide parking spaces to the permitted and proposed uses for the Subject Lands. The Parking Justification Letter (‘PJL’) prepared by Crozier Consulting Engineers and dated July 4, 2019 states that the existing parking supply of 97 parking spaces can support the Proposal and the existing retail warehouse use. This is based on a proposed parking rate of 4.5 parking spaces/100 m² for a Retail Warehouse Use, and any other permitted use on the Subject Lands being in compliance with the parking standards in Zoning By-law 1-88.

The submitted PJL concludes that the parking supply of 97 parking spaces is sufficient for the Proposal’s specific requirements based on the following studies:

- A detailed parking survey conducted at the existing facility; and

- The *Review of Parking Standards Contained within the City of Vaughan's Comprehensive Zoning By-law* prepared by the IBI Group and dated March 2010.

The existing parking supply of 97 parking spaces is found to be adequate based on the supporting analysis provided in the P.J.L. The DE Department agrees with the conclusions reached in the P.J.L. and have no objection with the proposed parking supply.

The Development Planning Department can support the exceptions identified in Table 1 as they facilitate the Proposal in accordance with the applicable Provincial policies and Regional and City Official Plan policies outlined in this report.

The Subject Lands are cleared of any concern for archaeological resources

The Subject Lands do not contain any elements identified as archaeological resources, and therefore are cleared of any concern for archaeological resources.

The Development Engineering Department has no objection to the Proposal

The DE Department does not object to the Proposal since the additional uses will not require modifications to municipal infrastructure.

The Parks Development Department has no objection to the Proposal

The Parks Development Department has no objection to the Proposal and advises that cash-in-lieu of the dedication of parkland is not required.

The various utilities have no objection to the Proposal

Hydro One, Enbridge Gas, Alectra Utilities Corporation, Bell Canada, Rogers Communications and Canada Post have no objections to the Proposal.

Financial Impact

Not Applicable

Broader Regional Impacts/Considerations

The Owner has submitted a request for exemption from York Regional approval for Official Plan Amendment File OP.19.004. York Region has reviewed this request and finds that the proposed Official Plan Amendment is a routine matter of local significance and in accordance with YROP 2010 Policy 8.3.8, the proposed Amendment does not adversely affect Regional planning policies or interests and advises that the Official Plan is exempt from Regional approval. York Region also have no comments on the proposed Zoning By-law Amendment as it is considered a matter of local significance.

Conclusion

Official Plan and Zoning By-law Amendment Files OP.19.004 and Z.19.012 have been reviewed in consideration of the applicable Provincial policies, the policies of YROP 2010 and VOP 2010, the requirements of Zoning By-law 1-88, comments from City

Departments and external public agencies and the surrounding area context. The Proposal shown on Attachment 2 is consistent with Provincial policy, conforms to the Growth Plan and YROP 2010, and maintains the intent of VOP 2010. The Development Planning Department is satisfied that the Proposal is appropriate and compatible with the existing and permitted uses in the surrounding area.

Accordingly, the Development Planning Department supports the approval of Official Plan and Zoning By-law Amendment Files OP.19.004 and Z.19.012 subject to the Recommendations of this report.

For more information, please contact: Judy Jeffers, Planner, at extension 8645.

Attachments

1. Context and Location Map
2. Existing Site Plan

Prepared by

Judy Jeffers, Planner, ext. 8645

Mark Antoine, Senior Planner, ext. 8212

Carmela Marrelli, Senior Manager of Development Planning, ext. 8791

Christian Bruce, Acting Director of Development Planning, ext. 8231