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COMMUNICATION – C86
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

October 28, 2020

BY EMAIL clerks@vaughan.ca **& REGULAR MAIL**

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive,
Vaughan, Ontario
L6A1T1

Attn: Mr. T. Coles, City Clerk

Re: Royal Group, Inc.
City of Vaughan – Comprehensive Zoning By-law Review ('CZBR')
131 & 155 Regalcrest Court, et al.
Parts of Lots 4 & 5, Concession 8, & Part of Blocks 2, 3 & 4, Plan 65M-3033, et al.
City of Vaughan, Region of York
Our File 1711

We are the Planners of Record writing on behalf of Royal Group, Inc., regarding their above noted Employment Area properties. Royal Group, Inc. is a well-established manufacturer of building and infrastructure products contributing to environmental sustainability, job creation and a strong municipal tax base within the City of Vaughan and the Region of York.

> *'With operations throughout North America, Royal Group, Inc. Building Products offers the renovation, remodeling and new construction industries a broad range of innovative vinyl products including siding, mouldings, deck, window profiles and patio doors. NAPCO - Royal Building Products also manufactures pipe and fittings for the electrical, municipal, irrigation, plumbing and industrial construction industries.' Source: Royal Building Products.*

Over the past thirty years, Royal Group, Inc. has successfully operated its manufacturing business at 131 and 155 Regalcrest Court, which it owns, and 101 Regalcrest Court, which it leases, as further supported by abutting lands, also leased from Hydro One Networks Inc. ('HONI'), providing product storage areas prior to distribution. Collectively, the Royal Group, Inc. land or property interests, in this location, total about 11.95 ha. (29.5 acres) in land area. Please refer to Aerial Image 1.

OVERVIEW & PROPERTY CONTEXT ROYAL GROUP, INC. MANUFACTURING OPERATION

The Royal Group, Inc. manufacturing operation is located within the 'The Royal Plastics Corporate Park', as part of the Vaughan Enterprise Zone ('VEZ'), providing versatile access to distribute its products within regional markets. While Royal Group, Inc. 131 and 155 Regalcrest Court property is proximate to the Highway 7 'Regional Intensification Corridor', located to the immediate north, this property does not directly front onto, or gain access via Highway 7. Royal Group, Inc. business operations obtain access through four driveway locations via Regalcrest Court.

Aerial Image 1 describes the broader context of the Royal Group, Inc. Employment Area land interests, with the distribution of uses described as follows:

TABLE 1: 'Royal Group, Inc.' - PROPERTIES IN THE 'ROYAL PLASTICS CORPORATE PARK'

Municipal Address	Tenure	Product: Municipal & Building Products: Pipes & Fittings	Block or Land Area	Building GFA*
131 Regalcrest Court	Owned	**Manufacturing/ Office/Distribution**	2.19 ha.	8,627 sq. m
155 Regalcrest Court	Owned	**Manufacturing/ Office/Distribution**	2.05 ha.	10,897 sq. m
101 Regalcrest Court	Leased	**Manufacturing/ Accessory Storage**	1.72 ha.	3,908 sq. m.
Northern Open Storage Block (Hydro One Networks Inc.)	Leased	**Outdoor and/or Outside Storage**	3.30 ha.	N/A
Southern Open Storage Block (Hydro One Networks Inc.)	Leased	**Outdoor and/or Outside Storage**	2.69 ha.	N/A
	Total		**11.95 ha.**	**23,432 sq. m**

* approximate

Please note, 131 and 155 Regalcrest Court function as one property, comprised of two industrial buildings, providing enclosed manufacturing space, offices and staff areas, with site inclusive landscaped areas, parking spaces, driveway access aisles, material storage silos, inclusive of areas to support the distribution and staging activities.

VAUGHAN OFFICIAL PLAN ('VOP 2010') APPEAL NO. 70)

Royal Group, Inc. is in the process of settling its appeal (no. 70) of the Vaughan Official Pan 2010 (VOP 2010) to provide certainty and clarity to the manufacturing business operations located at 131 and 155 Regalcrest Court.

PURPOSE OF ROYAL GROUP, INC. PARTICIPATION IN THE CITY'S 'CZBR' PROGRAM

Royal Group, Inc. is pleased to provide comments as part of the City's 'Comprehensive Zoning By- law Review' or ('CZBR') program – '3rd Draft', publicly released September 2020.

Please note, Royal Group, Inc. is on the municipal record, having filed an August 2019 written submission concerning the 'CZBR' program - '1st Draft', to ensure the new CZB complies with VOP 2010, as finalized after appeal no. 70 is finalized, and the following other matters, as set out below:

- Zoning By-law Amendment Application Z.10.029 ('ZBA'), currently held in abeyance. Zoning By-law Amendment Application Z.10.029 ('ZBA') was filed on September 2, 2010 at the City of Vaughan with the purpose of implementing approved Official Plan Amendment No. 450, titled *'Employment Area and Growth Management Plan'* ('OPA 450'), in advance of Council adoption of VOP 2010 which occurred on September 7, 2010;

- To inform regarding existing Zoning By-law 1-88, as amended, Zoning By-law Exceptions, per Royal Group, Inc. property interests;

- To reconcile the definitions and characteristics of 'Outdoor Storage', 'Outside Storage', 'Open Storage' and 'On-Site Storage' land uses per planning documents such as the Parkway Belt West Plan, OPA 450, VOP 2010, Zoning By-law 1-88, as amended, per new Zoning By-law definitions, planned function, development standards and regulations;

- To reconcile the zoning status of Parkway Belt West Plan ('PBWP') Amendment No. 201 (MAH FILE 19-PBA-028-201) lands, deleted from the PBWP Area, and Royal Group, Inc. Zoning By-law Amendment Application Z.08.023 ('ZBA'), held in abeyance;

- To reconcile zoning for a driveway access link, zoned 'PB2' under Zoning By-law 1-88, as amended, but not located within the PBWP Area, per PBWP Amendment No. 8;

- To clarify and reconcile the proposed 'CZBR' Schedules or Mapping;
- And, to address other related zoning matters as the CZBR evolves.

PROPOSED 'CZBR' SCHEDULE 'A' MAPPING PER ROYAL GROUP, INC. PROPERTY INTERESTS

Upon completion of VOP 2010 Appeal No. 70 settlement process, it will be necessary to consider the CZBR, to ensure zoning conformity with VOP 2010, as amended. In the interim we provide the following comments for consideration, in view of the attached Figures 1 and 2 providing context and close-up perspectives of the proposed CZBR Schedule 'A' mapping as it relates to Royal Group, Inc. property interests at this time.

131 & 155 Regalcrest Court is depicted with two zoning designations, described as primarily the 'Employment Commercial Mixed Use Zone' 'EMU-151' and partially, the 'General Employment Zone' 'EM2-396', which is only located along at the southern edge of this property.

As part of the CZBR process, it will be necessary to reconcile the site-specific zoning identified with the 'EMU-151' portion, as the Royal Group, Inc. property shares this Exception with an abutting property to the north, known as 5875 Highway owned by a different landowner. There is no longer a zoning relationship between these properties, notwithstanding the currently in force Zoning By-law 1-88, Exception 291. See attached Appendix 'A'.

Our expectation is that the settlement of VOP 2010 Appeal No. 70 with site specific policies, exception 291 will become redundant as it relates to the 131 & 155 Regalcrest Court property. Parking ratios, among other development standards, will also need to be considered in terms of compliance requirements.

- **101 Regalcrest Court** is depicted as the 'General Employment Zone' 'EM2-396'. This zone allows for a maximum building height of 15m, which includes storage silos. It is important that the height of the existing storage silos are recognized and in compliance with in the new Zoning By-law, among other development standards. As well, existing access easements as approved should continue to run with the property.

- **Hydro One Networks Inc. ('HONI') leased lands** were removed from the Parkway Belt West Plan ('PBWP') by Amendment No. 201 (MAH File 19-PBA-028-201), as approved by the Province of Ontario on April 23, 2012, further to the Royal Group, Inc. application, with Hydro One Networks Inc. ('Hydro One') authorization. PBWP No. 201 therefore removed 11.7 hectares (28.2 acres) of land area from the PBWP.

These lands remain as 'Parkway Belt West Public Use Zone' 'PB1' and 'PB1-606', and 'Parkway Belt West Complementary Use Zone' 'PB2' per the CZBR.

Notwithstanding, VOP 2010, as amended, conforms with PBWP Amendment No. 201, as these lands are identified as "Infrastructure and Utilities". The VOP 2010 acknowledges the lands as *"Infrastructure and Utilities"* which permits *"secondary uses such as ..., outdoor storage that are accessory to adjacent land uses subject to the review/approval of the utility provider."*

In summary, it would be appropriate under the CZBR to change the zoning for these lands in keeping with VOP 2010, as finalized after appeal no. 70 is resolved, and provincial land use policies.

In addition, Figure 2 depicts a small triangular block of land providing driveway access to Royal Group, Inc. 'outside storage' and/or 'open storage' blocks. This triangular block was removed from the PBWP by Amendment No. 8 on January 24, 1985. Similarly, this block also does not form part of the PBWP, requiring resolution through the CZBR.

The '606' Exception applies to the northern block which allows for the private use of public lands for outside storage, and that the stacking of pipes and storage of pipes to a maximum height of 4.9m is permitted. In addition, the property must be enclosed by a fence of at least 2 m. in height. It is important to recognize the southern block of HONI lands in a similar context, as per Royal Group, Inc. Zoning By-law Amendment Application Z.08.023 ('ZBA') held in abeyance, pending resolution via the CZBR.

CONCLUSION & RECOMMENDATION

In conclusion, this letter sets out principles and issues which the CZB needs to address appropriately. We would suggest a meeting to discuss the specific manner in which the By-law can do that once appeal no. 70 is resolved and VOP 2010 is finalized as it applies to the Royal Group, Inc. properties, as part of the City's 'CZBR' program in support of the following principles:

> ***'Principle #1:*** *Ensure Conformity with the Official Plan';*
>
> ***'Principle #2:*** *Minimizing Legal Non-Conforming Uses and Non-Complying Structures';*
>
> ***'Principle #3:*** *Maintaining Permission's where Possible',* and;
>
> ***'Principle #4:*** *Creating a User-Friendly By-law'.*

We would also appreciate our firm being placed on the City's mailing list regarding any future public notices, updates, reports, Committee and Council Agenda related Items, and any Council decision or actions on the above captioned matter.

Thank-you in advance for your co-operation.

Yours truly,
Pound & Stewart Associates Limited

Philip Stewart
la/1711_ltr.Royal.Oct.28.20

Attachments: As noted herein

cc. Mr. B. Correia, Project Manager, Comprehensive Zoning By-law Review, City of Vaughan
cc. Mr. D. Marcucci, MCIP, RPP, Planning & Building Department, City of Vaughan
cc. Miller Thomson
cc. Client

IMAGE 1
NAPCO-ROYAL BUILDING PRODUCTS, CITY OF VAUGHAN

1711_Image1_Oct.26.20

Legend

- Royal 131 & 155 Regalcrest Court (Owned)
- Royal 101 Regalcrest Court (Leased)
- Royal's Northern & Southern Outside Storage blocks (Leased)
- Royal's Access Route
- Parkway Belt West Plan Area

NAPCO ROYAL PIPE & FITTINGS

ROYAL Building Products A Westlake Company

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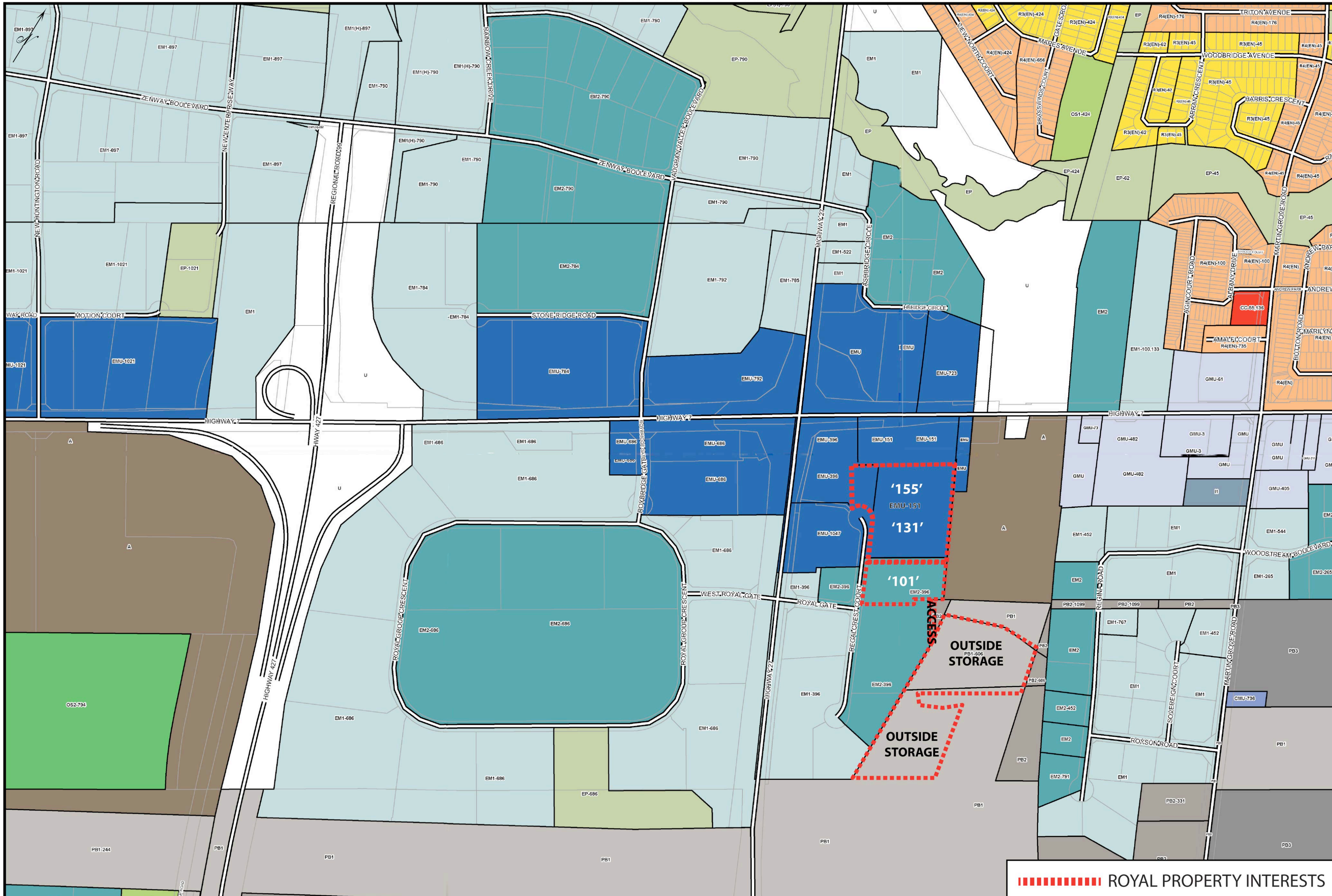
FIGURE 1: CITY OF VAUGHAN COMPREHENSIVE ZONING BY-LAW REVIEW - 3RD DRAFT ZONING BY-LAW MAPPING - 'SCHEDULE A' - COMPILATION OF MAPS 22 - 24 AND 42 - 44
131 & 155 REGALCREST COURT 'ET AL' - CITY OF VAUGHAN



LEGEND

MIXED-USE ZONES
- LMU (Low-Rise Mixed-Use Zone)
- MMU (Mid-Rise Mixed-Use Zone)
- HMU (High-Rise Mixed-Use Zone)
- GMU (General Mixed-Use Zone)
- CMU (Community Commercial Mixed-Use Zone)
- EMU (Employment Commercial Mixed-Use Zone)
- KMS (Main Street Mixed-Use - Kleinburg Zone)
- MMS (Main Street Mixed-Use - Maple Zone)
- WMS (Main Street Mixed Use - Woodbridge Zone)

EMPLOYMENT ZONES
- EM1 (Prestige Employment Zone)
- EM2 (General Employment Zone)
- EM3 (Mineral Aggregate Operation Zone)

COMMERCIAL ZONES
- GC (General Commercial Zone)
- NC (Neighbourhood Commercial Zone)
- CC (Convenience Commercial Zone)
- SC (Service Commercial Zone)

RESIDENTIAL ZONES
- R1 (First Residential Zone)
- R2 (Second Residential Zone)
- R3 (Third Residential Zone)
- R4 (Fourth Residential Zone)
- R5 (Fifth Residential Zone)
- RT (Townhouse Zone)
- RM1 (Multiple Residential Zone 1)
- RM2 (Multiple Residential Zone 2)
- RE (Estate Residential Zone)

CONSERVATION, OPEN SPACE & AGRICULTURAL ZONES
- A (Agriculture Zone)
- OS1 (Public Open Space Zone)
- OS2 (Private Open Space Zone)
- EP (Environmental Protection Zone)

OTHER ZONES
- I1 (General Institutional Zone)
- I2 (Major Institutional Zone)
- U (Utility Zone)
- FD (Future Development Zone)
- PB1 (Parkway Belt Public Use Zone)
- PB2 (Parkway Belt Complementary Use Zone)
- PB3 (Parkway Belt West Recreational Zone)

1711_Figure1_Zoning_Phase3_Oct.26.20

VAUGHAN

NAPCO
ROYAL PIPE & FITTINGS

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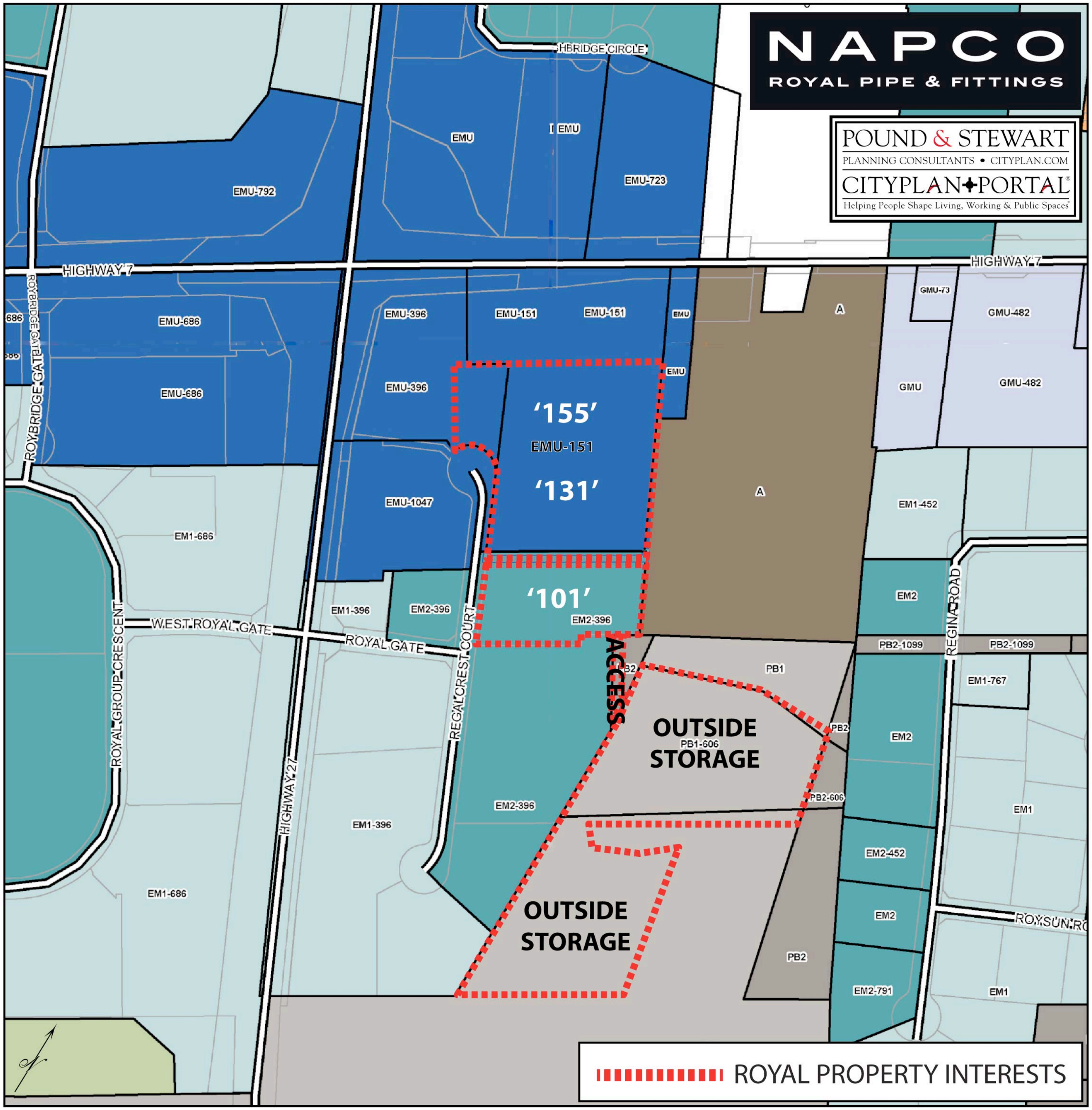
FIGURE 2: CLOSE-UP - CITY OF VAUGHAN COMPREHENSIVE ZONING BY-LAW REVIEW
3RD DRAFT ZONING BY-LAW MAPPING - 'SCHEDULE A'
131 & 155 REGALCREST COURT 'ET AL' - CITY OF VAUGHAN



LEGEND

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- **LMU** (Low-Rise Mixed-Use Zone)
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- **HMU** (High-Rise Mixed-Use Zone)
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EMPLOYMENT ZONES
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- **PB2** (Parkway Belt Complementary Use Zone)
- **PB3** (Parkway Belt West Recreational Zone)

1711_Figure2_Zoning_Phase3_Oct.23.20

291) The lands shown as Subject Lands on Schedule E-296 attached hereto shall be subject to the following provisions:

a) Notwithstanding the provisions of Subsection 6.2.1 regarding uses permitted in the EM1 Prestige Employment Area Zone, the following additional uses shall be permitted on the Subject Lands:

i) a eating establishment which may include a banquet hall, provided that the combined floor area shall not exceed nine hundred & thirty (930) square metres and the maximum seating capacity of the restaurant is five hundred (500);

ii) a retail commercial showroom for the merchandising of home improvement, hardware, recreation, automotive and similar equipment, but without outside storage;

iii) a dry-cleaning business;

iv) places of entertainment.

b) The maximum combined Gross Floor Area devoted to offices, retail showroom, and restaurant and/or banquet hall shall not exceed thirty-five percent (35%) of the total Gross Floor Area of the development of the Subject Lands.

c) Notwithstanding the provisions of Subsection 3.8 regarding parking requirements, the following provision shall apply to the Subject Lands:

minimum number of parking spaces to be provided 600