

Committee of the Whole (2) Report

DATE: Tuesday, April 13, 2021

WARD: 2

TITLE: HUNTER-FIFTY INVESTMENTS LIMITED / LINE DRIVE EAST
INVESTMENTS LIMITED
ZONING BY-LAW AMENDMENT FILE Z.21.001
6100 LANGSTAFF ROAD
VICINITY OF LANGSTAFF ROAD AND HIGHWAY 27

FROM:

Jim Harnum, City Manager

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Zoning By-law Amendment File Z.21.001 to rezone the subject lands shown on Attachment 1 from “A Agricultural Zone” to “EM1 Prestige Employment Area Zone” in the manner shown on Attachment 2, together with the site-specific exceptions identified in Table 1 of this report. The Owner also proposes to delete the proposed east/west primary street (“Street L”) in the Council approved Block 59 Block Plan, as shown on Attachment 3.

Report Highlights

- The Owner proposes to rezone the subject lands from “A Agricultural Zone” to “EM1 Prestige Employment Area Zone”.
- The Owner proposes to delete an east/west primary street (“Street L”) located on the subject lands, as shown on the Council approved Block 59 Block Plan (Attachment 3).
- The Development Planning Department supports the proposed rezoning as it is consistent with and conforms to Provincial Policy, the York Region Official Plan, and Vaughan Official Plan 2010, maintains the intent of the Block 59 Block Plan, and is compatible with the surrounding existing and planned land uses.

Recommendations

1. THAT Zoning By-law Amendment File Z.21.001 (Hunter-Fifty Investments Limited / Line Drive East Investments Limited) BE APPROVED, to amend Zoning By-law 1-88, to rezone the Subject Lands shown on Attachment 1 from “A Agricultural Zone” to “EM1 Prestige Employment Area Zone” in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in Table 1 of this report;
2. THAT the Owner be permitted to apply for a Minor Variance application(s) to the Vaughan Committee of Adjustment before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands came into effect, to permit minor adjustments to the implementing Zoning By-law, if required; and
3. THAT the deletion of “Street L” in the Block 59 Block Plan, as shown on Attachment 3, BE APPROVED, and that the final Block 59 Block Plan be modified to delete “Street L”.

Background

Location: The subject lands (the ‘Subject Lands’) consist of two parcels. One parcel is municipally known as 6100 Langstaff Road while the other parcel has no municipal address (Part of Lot 11, Concession 9), and both parcels are located at the northwest corner of Langstaff Road and Highway 27. The Subject Lands and surrounding land uses are shown on Attachment 1.

The Subject Lands are located in the Council approved Block 59 Block Plan Vaughan Council on June 29, 2020 approved the Block 59 Block Plan (‘Block 59 Plan’) shown on Attachment 3, as modified on September 3, 2020. The Block 59 Plan identifies the Subject Lands as “Prestige Employment” with an east/west Primary Street identified as “Street L”. The Owner is identified as a non-participating landowner within the Block 59 Plan.

Most of the conditions of approval identified in the June 29, 2020, technical report for the Block 59 Plan have been satisfied. Should the Application be approved, the Owner shall confirm they are in good standing with the Block 59 Landowners Group, if required, at the Site Development Application stage.

A Zoning By-law Amendment Application has been submitted to rezone the Subject Lands

Hunter-Fifty Investments Limited / Line Drive East Investments Limited (the ‘Owner’) has submitted Zoning By-law Amendment File Z.21.001 (the ‘Application’) to rezone the Subject Lands from “A Agricultural Zone” to “EM1 Prestige Employment Area Zone”, in the manner shown on Attachment 2 (the ‘Proposal’), together with the site-specific exceptions identified in Table 1. The Application would permit future employment uses in accordance with Vaughan Official Plan 2010 (‘VOP 2010’), Volume 2, Section 11.9 - the West Vaughan Employment Area (‘WVEA’) Secondary

Plan, and the approved Block 59 Plan. The Owner also proposes to amend the Council approved Block 59 Plan to delete “Street L”, as shown on Attachment 3.

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

The City on January 8, 2021, circulated a Notice of Public Meeting (the ‘Notice’) for the Application to all property owners within 150 m of the Subject Lands and to the West Woodbridge Homeowners Association. A copy of the Notice was also posted on the City’s website at www.vaughan.ca and Notice Signs were installed on the Highway 27, Langstaff Road and Line Drive frontages in accordance with the City’s Notice Signs Procedures and Protocols.

A Committee of the Whole (Public Meeting) was held on February 2, 2021, to receive comments from the public and the Committee of the Whole. Vaughan Council on February 17, 2021, ratified the recommendations of the Committee of the Whole (Public Meeting) to receive the Public Meeting Report and to forward a comprehensive technical report to a future Committee of the Whole Meeting.

One (1) written communication was received by Vaughan Council at its February 17, 2021 meeting by Roslyn Houser of Goodmans LLP, representing Costco Wholesale Corporation Ltd., the owner of the property immediately north of the Subject Lands. The following is a summary of comments provided in the written correspondence received:

- Concern regarding the deletion of “Street L” shown on the approved Block 59 Plan, intended to serve the southeastern portion of the WVEA
- The lack of concept plans identifying the proposed building layout, parking, loading and access arrangements for the Subject Lands
- Concern regarding the conclusions made by the Owner’s traffic consultant regarding the deletion of “Street L”

The above comments are primarily addressed in the Development Engineering section of this report. On April 10, 2021, a notice of this Committee of the Whole meeting was sent to the individual who provided written correspondence to the City regarding the Application.

Previous Reports/Authority

The following are links to previous reports regarding the Subject Lands:

[June 6, 2020 Committee of the Whole, Report No. 5, Item No. 10](#) [February 2, 2021 Committee of the Whole \(Public Meeting\) Report No.5 Item No.3](#)

Analysis and Options

The Proposal is consistent with the Provincial Policy Statement, 2020

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario "shall be consistent" with the Provincial Policy Statement, 2020 ('PPS'). The PPS provides policy direction on matters of provincial interest related to land use planning and development. Key policy objectives include: building strong, healthy communities; the wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important.

The Proposal is consistent with the following policies of the PPS:

- Section 1.1.3 - focusing growth and development within defined Settlement Areas
- Section 1.3.1 - providing for an appropriate mix of employment to meet long-term needs and opportunities for a diversified economic base
- Section 1.6.6 - promoting the efficient use and optimization of existing municipal sewage and water services, and ensuring appropriate stormwater management
- Section 1.7 - promoting opportunities for economic development
- Section 4.6 - the Official Plan being the most important vehicle for implementation of the PPS

The Subject Lands are located within a defined Settlement Area appropriate for growth and development (Section 1.1.3). The Application to rezone the Subject Lands will meet the long-term economic needs of the City (Sections 1.3.1 and 1.7) and conforms to the "Prestige Employment" designation identified in VOP 2010 and the approved Block 59 Plan (Section 4.6). On this basis, the Proposal is consistent with the PPS.

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

The Provincial Growth Plan: A Place to Grow - Growth Plan for the Greater Golden Horseshoe, 2019, as amended ('Growth Plan'), is intended to guide decisions on a wide range of issues, including economic development, land-use planning, urban form, and housing.

The Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe, including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. Vaughan Council's planning decisions are required by the *Planning Act* to conform, or not conflict with, the Growth Plan.

The Proposal is consistent with the policy framework of the Growth Plan, specifically with the following policies:

- Section 2.2.1 - directing growth to Settlement Areas with a Delineated Built Boundary and existing municipal water and wastewater systems
- Section 2.2.5 - making more efficient use of employment areas and vacant employment lands to increase employment density
- Section 3.2.6(2) - optimize existing municipal water and wastewater systems

The Subject Lands are located within a Settlement Area and the Delineated Built Boundary, and form part of the City's Employment Area as shown on Schedule 1 "Urban Structure" of VOP 2010 (Section 2.2.1). The Development will optimize existing municipal water and wastewater systems, make more efficient use of an underutilized and vacant employment lot, and increase employment density on the Subject Lands (Sections 2.2.5 and 3.2.6(2)). On this basis, 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 decisions across York Region. The Subject Lands are designated "Urban Area" by the YROP 2010, which permits a wide range of residential, commercial, industrial, and institutional uses. The Proposal conforms to YROP 2010, specifically with the following policies:

- Section 4.3.18 - require flexible and adaptable employment lands that include a building design and siting that allows for redevelopment and intensification
- Section 5.3 - encouraging employment uses to occur within the "Built-up Area" as defined by the Built-Up Area Boundary in the Growth Plan

The Subject Lands are located within a "Built-up Area" as identified by the Growth Plan, an "Urban Area" by YROP 2010 and a defined "Employment Area" by Vaughan Official Plan 2010 ('VOP 2010') and are suitable for employment development. The Application, if approved, would permit a range of employment uses on the Subject Lands, and meet the intent of the "Urban Area" designation in YROP 2010. On this basis, the Proposal conforms to YROP 2010.

The Proposal conforms to VOP 2010

VOP 2010 sets out the municipality's general planning goals and policies that guide future land use. The Subject Lands are designated "Employment Area" on Schedule 1 "Urban Structure" of VOP 2010 and are designated "Prestige Employment" with an east/west "Primary Street" by Schedule 3 "Land Use" of the WVEA Secondary Plan. The permitted uses for the "Prestige Employment" designation identified in Section 9.2.2.11 of VOP 2010 applies to the WVEA Secondary Plan. The proposed land uses identified in Table 1 of this report conform with the "Prestige Employment" designation of the WVEA Secondary Plan.

As part of the Application, the Owner proposes to delete “Street L” on the Council approved Block 59 Plan, as shown on Attachment 3. “Street L” is identified as a Minor Collector Primary Street on Schedule 1 “Transportation” of the WVEA Secondary Plan. VOP 2010 requires a comprehensive transportation study be submitted for review by the City and York Region, in accordance with Section 2.2.8 of the WVEA Secondary Plan, to delete a road identified in the Secondary Plan. The Owner has submitted a Transportation Impact Review Brief (‘Transportation Brief’) prepared by TMIG Group Ltd., dated March 2021, in support of the Application. The Transportation Brief provides an assessment of the proposed deletion of “Street L” on the surrounding local and regional road network, as well as the potential impacts on the function of the Subject Lands and surrounding lands.

The surrounding road network is expected to continue to provide acceptable levels of service in the absence of “Street L”, as further described in the DE section of this report. York Region has no objections to the Application as further described in the York Region section of this report.

The Proposal maintains the land use of the Block 59 Plan, and seeks to delete “Street L”

The Council approved Block 59 Plan shown on Attachment 3 identifies the Subject Lands as “Prestige Employment” with an east/west Primary Street identified as “Street L”. The Proposal conforms to the “Prestige Employment” designation identified on the Block 59 Plan. Should the deletion of “Street L” from the Subject Lands be approved, the final Block 59 Plan will reflect the new street pattern.

Vaughan Council’s June 29, 2020, approval of the Block 59 Plan was subject to the fulfillment of Block Plan conditions of approval. Two of the nine recommendations contained in the June 16, 2020, Committee of the Whole report recognized, through the fulfillment of the Block Plan conditions, the final Block Plan may require updating. These recommendations included the following:

- the Block 59 Plan be modified, as required through the resolution of the Block Plan conditions
- any changes resulting from the fulfillment of the Block Plan conditions be made prior to any future draft approval of a Zoning By-law Amendment, Draft Plan(s) of Subdivision or Site Development

Most of the Block 59 Plan conditions of approval have been satisfied. In addition, the Subject Lands can be independently serviced by municipal infrastructure located outside of the Block 59 Plan area, and do not benefit from the proposed Block 59 Plan

road network. On this basis, the outstanding Block 59 Plan conditions can be appropriately addressed as part of the required Site Development Application(s) for the Subject Lands.

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

The Subject Lands are zoned “A Agricultural Zone” by Zoning By-law 1-88, as shown on Attachment 1. The Owner seeks to rezone the Subject Lands to “EM1 Prestige Employment Area Zone” (‘EM1 Zone’) in the manner shown on Attachment 2, together with the following site-specific zoning exceptions:

Table 1:

	Zoning By-law 1-88 Standard	EM1 Prestige Employment Area Zone Requirements	Proposed Exceptions to the EM1 Prestige Employment Area Zone Requirements
a.	Permitted Uses	<ul style="list-style-type: none"> • Employment Use • Accessory Retail Sales and Office Uses to an Employment Use • Banquet Hall • Bowling Alley • Business and Professional Office, not including a regulated health professional • Club, Health Centre • Convention Centre, Hotel, Motel • Day Nursery • Technical School • Funeral Home • Car Brokerage • Recreational Use • Office Building • Eating Establishment, with a maximum gross floor area (‘GFA’) (GFA) of 185m² • Personal Service Shop, with a maximum GFAGFA of 185 m² 	Permit only the following uses: <ul style="list-style-type: none"> • Employment Use • Accessory Retail Sales and Office Uses to an Employment Use • Day Nursery • Business and Professional Office, not including a regulated health professional • Office Building • Eating Establishment, with a maximum GFA of 185 m² • Personal Service Shop, with a maximum GFA of 185m² • Recreational Uses • Vertical Farm

	Zoning By-law 1-88 Standard	EM1 Prestige Employment Area Zone Requirements	Proposed Exceptions to the EM1 Prestige Employment Area Zone Requirements
		<ul style="list-style-type: none"> • Correctional or Crises Care Home • Wayside Pit and Quarry 	
b.	Definition of “Vertical Farm”	Not defined in Zoning By-law 1-88	Means premises used for the indoor production, harvesting, processing, storage, and distribution of agricultural crops for commercial purposes

The Development Planning Department can support the proposed “EM1 Zone” and site-specific uses as they conform to the permitted uses identified in the “Prestige Employment” designation of the WVEA Secondary Plan. The proposed rezoning also maintains the intent of the “Prestige Employment” designation identified on the Block 59 Plan.

The proposed definition of a “Vertical Farm” meets the intent of a Manufacturing and Warehousing Use in VOP 2010, and is a permitted use, as defined, in the proposed City of Vaughan Comprehensive Zoning By-law under the “EM1 Prestige Employment Zone”. The proposed “EM1 Prestige Employment Zone” is intended to implement the “Prestige Employment” designation in VOP 2010.

The Planning Act permits Vaughan Council to pass a resolution to permit a landowner to apply for a future Minor Variance application(s), within 2 years of a Zoning By-law coming into full force and effect

Section 45(1.3) of the *Planning Act* restricts a landowner from applying for a Minor Variance application(s) to the Committee of Adjustment within two (2) years of the day on which a Zoning By-law was amended. The *Planning Act* also permits Council to pass a resolution to allow an Owner to apply for Minor Variance applications within two (2) years of the passing of a by-law amendment.

Should Council approve the Application, a recommendation is included to permit the Owner to apply for a Minor Variance application(s), if required, prior to the two-year moratorium in order to address minor zoning deficiencies that may arise through the finalization and construction of future development on the Subject Lands.

The DE Department has no objection to the Proposal

The DE Department has reviewed the Proposal and provides the following comments:

Site Servicing and Stormwater Management

The Owner has submitted a Functional Servicing Brief ('Servicing Brief') prepared by Urban Ecosystems Limited, dated January 6, 2021. The Servicing Brief concludes that municipal servicing infrastructure currently exists to accommodate future development on the Subject Lands. Stormwater for the Subject Lands is planned to ultimately discharge to the proposed Stormwater Management ('SWM') Pond "E1" located at the northwest corner of Line Drive and Langstaff Road, as shown on Attachment 3. An interim SWM system for the future development of the Subject Lands, in the absence of SWM Pond "E1", includes outletting stormwater south to Innovation Drive and utilizing on-site detention measures.

The DE Department agrees with the findings of the Servicing Brief. Should the Application be approved, the Owner is required to submit a detailed Functional Servicing and Stormwater Management Report at the Site Development Application stage to confirm conformity to the Block 59 Master Environmental Servicing Plan.

Transportation and Road Network

Transportation Engineering has reviewed the Transportation Brief submitted in support of the Application. The Proposal is expected to introduce an acceptable impact on the surrounding road network.

Conceptual accesses are shown on Attachments 4 and 5. Attachment 4 identifies a temporary and future permanent right-in/right-out ('RIRO') access on Highway 27 for passenger vehicles only, and one shared RIRO access to Langstaff Road. Attachment 5 identifies one shared RIRO access to Langstaff Road and a full moves access to Line Drive. Subject to the approval of York Region, these accesses would adequately service the Subject Lands. If York Region does not approve the proposed access(es) to regional roads, the Transportation Brief identifies an acceptable scenario where access is only provided to Line Drive. The location of final accesses will be determined at the Site Development Application(s) stage.

The Owner is not requesting any exceptions to the parking requirements in Zoning By-law 1-88 as part of the Proposal. Sidewalks and cycling facilities within the Subject Lands and along boundary roads, as well as Transportation Demand Management ('TDM') measures, will be reviewed at the Site Development Application(s) stage.

As a part of the Proposal, the Owner is requesting the deletion “Street L”, as shown on Attachment 3, to provide a more optimal layout and functionality for future development on the Subject Lands. The Transportation Brief identifies minor traffic impacts associated with the deletion of “Street L”, as it is not expected to considerably alter the future levels of service at the intersections located in proximity to the Subject Lands.

Aside from the traffic impacts, the DE Department is of the opinion that the deletion of “Street L” could eliminate additional traffic routing options, redirect employment traffic and emergency services to access the site from Line Drive. In addition, the deletion of “Street L” could negate a direct pedestrian and cyclist connection between Highway 27 and the lots located north of the Subject Lands, identified as parcels 10, 11, 18 and 19 on Attachment 3. Therefore, maintaining “Street L” provides for increased mobility and connectivity. Nonetheless, in the absence of “Street L”, Line Drive, which is a signalized intersection at Langstaff Road, is expected to continue to provide acceptable levels of service.

Environmental Engineering

The Environmental Engineering division of the DE Department has reviewed the following Environmental Site Assessment (‘ESA’) documentation:

- Arcadis Canada Inc. (‘Arcadis’) report entitled “Phase One Environmental Site Assessment, 6100 Langstaff Road, Vaughan, ON”, dated April 12, 2017
- Arcadis report entitled “Phase Two Environmental Site Assessment, 6100 Langstaff Road, Vaughan, ON”, dated April 12, 2017
- Briggs Canada Limited letter report entitled “Updated Due Diligence Phase I Environmental Site Assessment, 6100 Langstaff Road, Vaughan, Ontario”, dated September 2019
- Briggs Canada Limited Letter of Reliance, dated March 30, 2021

Phase One and Two ESA reports were prepared covering portions of the Subject Lands and reviewed by the DE Department. The findings of the ESA reports did not identify any issues of potential environmental concern on the Subject Lands. The DE Department is satisfied with the findings of the ESA reports.

A Site Development Application(s) is required for the Subject Lands, and must conform to the Block 59 Urban Design and Architectural Guidelines

The Owner has submitted conceptual site plans for the Subject Lands to permit two one-storey employment buildings, as shown on Attachments 4 and 5. Should the Application be approved, the Owner is required to submit a Site Development Application(s) for the Subject Lands. The Site Development Application(s) shall conform to the Block 59 Urban Design and Architectural Guidelines.

There are no Cultural Heritage concerns for the Proposal

The Owner has submitted a Stage 1 and 2 Archeological Assessment prepared by This Land Archaeology Inc., dated November 19, 2020. The Archeological Assessment was entered into the Ministry of Heritage, Sport, Tourism, and Culture Industries database on January 12, 2021. The Cultural Heritage Division of the Development Planning Department has reviewed the Archeological Assessment and has no concerns with the Proposal. Should the Application be approved, standard archaeological clauses will be included as part of the Site Development Application(s).

A Tree Protection Agreement for tree removals on the Subject Lands will be required at the Site Development Application(s) stage

The Owner has submitted a Tree Inventory and Arborist Report prepared by The Urban Arborist, dated June 23, 2020 ('Arborist Report'). The Arborist Report identifies a linear north/south hedgerow containing 182 trees bisecting the Subject Lands. Eighty-two (82) of the 182 trees measure over 20 cm Diameter at Breast Height ('DBH') and would be subject to compensation in accordance with the City's Tree Protection Protocol. At the Site Development Application(s) stage, the Owner shall enter into a Tree Protection Agreement and provide compensation for any tree removals over 20 cm DBH.

The Owner is advised that tree removals are not permitted until such time that a Site Development Application(s) is approved for the Subject Lands. In addition, the Owner shall make an attempt to retain healthy trees on the Subject Lands for incorporation into future landscape design.

The Toronto and Region Conservation Authority has no objections to the Application

A 0.21 ha low functioning wetland is located on the northeast corner of the Subject Lands. The Owner has submitted a Wetland Assessment prepared by Beacon Environmental, dated February 22, 2021. The Toronto and Region Conservation Authority ('TRCA'), in consultation with the PPES Department, have reviewed the Wetland Assessment and is satisfied the wetland feature on the Subject Lands is a small, low functioning, isolated feature that can be considered a candidate for future compensation. Further details regarding the development of a suitable compensation proposal for the wetland feature will be addressed as part of the Site Development Application process. On this basis, the TRCA has no objection to the Proposal.

The Subject Lands are located outside of the Ministry of Transportation Permit Control Area

The Ministry of Transportation ('MTO') has confirmed the Subject Lands are located outside of the MTO Permit Control Area, and as such, MTO permits will not be required for the Proposal.

Other external agencies and various utilities have no objection to the Development

Alectra Utilities and Enbridge Gas have no objection to the Application. Canada Post has no objection to the Application and have advised that any development on the Subject Lands will be serviced by a centralized community mailbox.

Financial Impact

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

Broader Regional Impacts/Considerations

The York Region Community Planning and Development Services Department has deemed the Application a matter of local significance and has no objection to the Proposal.

The northeast corner of the Subject Lands includes a 0.47 ha temporary easement in favour of York Region for construction of the West Vaughan Sewage Servicing Project, as shown on Attachment 4 ('Easement Lands'). The proposed West Vaughan Sewage Servicing works are expected to be completed in 2028. Upon completion of the servicing works by York Region, the Owner intends to utilize the Easement Lands for a future expansion of the proposed employment building together with the requisite parking area and future access driveways.

Conclusion

The Application has been reviewed in consideration of the policies of the PPS, Growth Plan, YROP 2010, VOP 2010, the Block 59 Plan, the requirements of Zoning By-law 1-88, comments from City Departments, external public agencies, and the area context.

The Development Planning Department is satisfied that the Proposal is consistent with the PPS, conforms with the Growth Plan, YROP 2010 and VOP 2010, maintains the proposed land use of the Block 59 Plan and is appropriate for the development of the Subject Lands. Accordingly, the Development Planning Department can support approval of the Application, subject to the recommendations in this report.

For more information, please contact Mark Antoine, Senior Planner, Development Planning Department, ext. 8212.

Attachments

1. Context and Location Map
2. Proposed Zoning
3. Council Approved Block 59 Block Plan, as modified September 3, 2020
4. Conceptual Site Plan - Part of Lot 11, Concession 9
5. Conceptual Site Plan - 6100 Langstaff Road

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