

## Committee of the Whole (1) Report

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**DATE:** Tuesday, June 1, 2021

**WARD(S):** 2

**TITLE:** 2485097 ONTARIO INC.

**OFFICIAL PLAN AMENDMENT FILE OP.20.009**

**ZONING BY-LAW AMENDMENT FILE Z.20.022**

**7896 HUNTINGTON ROAD**

**VICINITY OF HUNTINGTON ROAD AND HIGHWAY 7**

**FROM:**

Haiqing Xu, Deputy City Manager Planning and Growth Management

**ACTION:** DECISION

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### **Purpose**

To seek approval from the Committee of the Whole for Official Plan and Zoning By-law Amendment Files OP.20.009 and Z.20.022 to redesignate and rezone the subject lands shown on Attachment 1 from “Prestige Employment” to “General Employment” and from “EM1 - Prestige Employment Area Zone” to “EM2 - General Employment Area Zone”. The proposal would permit a 3,154 m<sup>2</sup> accessory outside storage area (30% of the lot area) for equipment, trucks, trailers and materials (lumber and steel), as shown on Attachment 3.

### **Report Highlights**

- The Owner proposes to permit outside storage for an employment building under construction
- An amendment to Vaughan Official Plan 2010 and Zoning By-law 1-88 is required to permit the proposed amendments to the Official Plan and Zoning By-law
- The Development Planning Department supports the approval of the applications as they are consistent and conform with Provincial policy, conform to the York Region Official Plan 2010, and are compatible with the surrounding existing and planned land uses

## **Recommendations**

1. THAT Official Plan Amendment File OP.20.009 (2485097 Ontario Inc.), BE APPROVED, to amend Vaughan Official Plan 2010 to redesignate the subject lands from “Prestige Employment” to “General Employment”.
2. THAT Zoning By-law Amendment File Z.20.022 (2485097 Ontario Inc.), BE APPROVED, to amend Zoning By-law 1-88, specifically to rezone the subject lands from “EM1 - Prestige Employment Area Zone” to “EM2 - General Employment Area Zone” together with the site-specific exception identified in this report.
3. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, 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.
4. THAT the revised Block 57/58 Plan - Huntington Business Park BE APPROVED to show the subject lands as “General Employment”, as shown on Attachment 7.

## **Background**

The Subject Lands (the ‘Subject Lands’) are municipally known as 7896 Huntington Road and are located in the vicinity of Huntington Road and Highway 7. The Subject Lands and surrounding land uses are shown on Attachment 1.

### ***The Owner has submitted a Building Permit Application for the Employment Building***

The Owner, on April 28, 2020, submitted a Building Permit Application (File 20.611) seeking to construct a 3,203 m<sup>2</sup> warehouse and office building with 40 parking spaces on the Subject Lands, as shown on Attachments 3 to 6. The Applications are consistent with the warehouse and office building under construction. The Building Permit was issued on November 17, 2020 and the building is expected to be completed in Spring 2021. Site Plan Control By-law 123-2013 is not applicable to the Subject Lands as they are located in an Employment Area abutting a local road. The Owner submitted Applications to amend the Official Plan and the Zoning By-law to permit accessory outside storage on the Subject Lands.

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

The City on November 6, 2020, circulated a Notice of a Public Meeting to all property owners within 150 m of the Subject Lands. A copy of the Notice of Public Meeting was also posted on the City’s website at [www.vaughan.ca](http://www.vaughan.ca) and a Notice Sign was installed on the Subject Lands along Huntington Road in accordance with the City’s Notice Signs Procedures and Protocols.

Vaughan Council on December 15, 2020 ratified the recommendation of the Committee of the Whole to receive the Public Meeting report of December 1, 2020, and to forward a comprehensive report to a future Committee of the Whole meeting.

At the Public Meeting, members of the Committee of the Whole provided comments respecting the provision of appropriate screening for the accessory outside storage area, which is addressed later in this report. No written submissions regarding the applications were received by the Development Planning Department, and no individuals made deputations regarding the applications at the December 1, 2020, Public Meeting.

### **Previous Reports/Authority**

The following is a link to the previous report regarding the Subject Lands:

[December 1, 2020 Committee of the Whole \(Public Meeting\) \(Item1, Report 58\)](#)

### **Analysis and Options**

***Official Plan and Zoning By-law Amendment Applications have been submitted to redesignate and rezone the Subject Lands, and to permit accessory outside storage***

2485097 Ontario Inc. (the 'Owner') has submitted the following Applications (the 'Applications') to permit the following uses (the 'Proposal') on the Subject Lands located at 7896 Huntington Road:

1. Official Plan Amendment File OP.20.009 to amend Vaughan Official Plan 2010 ('VOP 2010'), Volume 2, Policy 12.12 Huntington Business Park, to redesignate the Subject Lands from "Prestige Employment" to "General Employment" and to permit a 3,154 m<sup>2</sup> (30% of the lot area) accessory outside storage area for equipment, trucks, trailers and materials (lumber and steel).
2. Zoning By-law Amendment File Z.20.022 to amend Zoning By-law 1-88, to rezone the Subject Lands from "EM1 - Prestige Employment Area Zone" to "EM2 - General Employment Area Zone" in Zoning By-law 1-88 together with the site-specific zoning exception identified in this report. The amendment would permit accessory outside storage on the Subject Lands.

### ***The Proposal is consistent with the Provincial Policy Statement 2020***

In accordance with 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. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include building strong, healthy communities; the wise use and management of resources; and protecting public health and safety.

The PPS recognizes the importance of the local context and character. Policies are outcome oriented, and some policies provide flexibility in their implementation provided

Provincial interests are upheld. The *Planning Act* requires that Council's planning decisions be consistent with the PPS.

The Proposal is consistent with the PPS, specifically the following:

- Policy 1.1.3 - settlement areas being the focus of development based on densities and land uses which efficiently use land
- Policy 1.3.1 a) - providing for an appropriate mix and range of employment uses to meet long-term needs
- Policy 1.3.1 b) - providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses
- Policy 1.3.2.1 - protecting and preserving employment areas for current and future uses and ensure that the necessary infrastructure is provided to support current and projected needs
- Policy 1.7.1 a) - supporting long-term economic prosperity by promoting opportunities for economic development and community investment-readiness

The Proposal is to redesignate the Subject Lands to "General Employment" to permit accessory outside storage to the permitted employment use located within a settlement area. The proposed "General Employment" designation forms part of the City's "Employment Area" land supply in accordance with the PPS. The Proposal maintains the intent of the employment businesses and industries in the surrounding area. In consideration of the above, the Proposal is consistent with the PPS.

### ***The Proposal conforms to the Growth Plan***

The 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.

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:

- Policy 2.2.1.a) - the vast majority of growth will be directed to settlement areas that have a delineated built boundary and existing or planned municipal water and wastewater systems
- Policy 2.2.5.1 - economic development and competitiveness will be promoted by:
  - a) making more efficient use of existing employment areas; and
  - b) ensuring the availability of sufficient land, in appropriate locations, for a variety of employment to accommodate forecasted employment growth to the horizon of this Plan
- Policy 2.2.5.5 - Municipalities should designate and preserve lands within settlement areas located adjacent to or near major goods movement facilities and

corridors, including major highway interchanges, as areas for manufacturing, warehousing and logistics, and appropriate associated uses and ancillary facilities.

The Subject Lands are located within an “Employment Area” on Schedule 1 - Urban Structure of VOP 2010. The Proposal maintains the intent of the VOP 2010 “Employment Area” policies, supports and encourages the concentration of employment growth within settlement areas and provides additional land use options for the Subject Lands. In consideration of the above, the Proposal conforms to the Growth Plan.

***The Proposal conforms to YROP 2010***

The 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. The Urban Area 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” (Highway 7) on Map 11 - Transit Network of YROP 2010.

Policy 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 enhances the long-term viability of the employment lands with a greater range of land uses. The Proposal is located in proximity to an existing 400-series highway and proposed extension (Highway 427) and is transit accessible, with transit on Highway 7 to the south, in support of Policy 4.3.15 of YROP 2010. In consideration of the above, the Proposal conforms to YROP 2010.

***An amendment to VOP 2010 is required to permit the Proposal***

The Subject Lands are located within an “Employment Area” in Schedule 1 - Urban Structure of VOP 2010 and are not located within an “Intensification Area”. Huntington Road is identified as a “Local Road” on Schedule 9 - Future Transportation Network of VOP 2010.

The Subject Lands are designated “Prestige Employment” by VOP 2010, Volume 2, Map 12.12.A Huntington Business Park - Land Use, as shown on Attachment 2. Policy 9.2.2.11 c) of VOP 2010 permits the following uses in the “Prestige Employment” designation (in part):

- “i) 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.”

The warehouse and office building currently under construction on the Subject Lands is permitted in both the “Prestige Employment” and “General Employment” designations of VOP 2010. However, the “Prestige Employment” designation of VOP 2010 does not

permit the proposed accessory outside storage use. Accordingly, an Official Plan Amendment application has been submitted to redesignate the Subject Lands from “Prestige Employment” to “General Employment”.

Policy 9.1.2.10 f) of VOP 2010 requires outside storage areas for new development in the “Employment Area” to be buffered and screened through the use of setbacks, landscaping, and fencing. The accessory outside storage area is proposed to be screened, as shown on Attachments 4 and 5, as follows:

- Huntington Road (east) - a 2.4 m concrete wall with screen panels and a mix of deciduous trees and deciduous and coniferous shrubs
- North property line - a proposed 2.1 m high concrete retaining wall
- West property line - an existing 2.1 m high concrete retaining wall along a portion and a proposed 2.1 m high chain link fence with nylon fabric screening along a portion
- South property line - a proposed 2.1 m high chain link fence with nylon fabric screening and the warehouse and office building under construction

Policy 9.2.2.10 of VOP 2010 states no lot designated “General Employment” shall be used for the sole purpose of outside storage and where outside storage is proposed on a lot, a building must be provided in accordance with the provisions of the City’s Zoning By-law. The Proposal conforms with Policy 9.2.2.10 as the Subject Lands will be developed with a warehouse building, which are currently under construction and as shown on Attachment 3. The warehouse building is not part of the Proposal and not subject to a Site Development Application in accordance with Site Plan Control By-law 123-2013.

Council approval is required to amend VOP 2010 to redesignate the Subject Lands to “General Employment” to conform to Policies 9.1.2.10 f) and 9.2.2.10 of VOP 2010.

#### Summary of Planning Policy

In consideration of the applicable Provincial policies and the YROP 2010 and VOP 2010 policies outlined in this report, the Proposal would provide support to an employment use to meet the needs of the warehouse building under construction on the Subject Lands. The Proposal also enhances the long-term viability of the employment lands with a greater range of land uses, utilizes the Subject Lands more efficiently and is in proximity to an existing 400-series highway. The outside storage is accessory to an employment building under construction and is appropriately screened, in accordance with VOP 2010. 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 the employment policies of VOP 2010.

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

The Subject Lands are zoned “EM1 Prestige Employment Area Zone” by Zoning By-law 1-88, as shown on Attachment 1. The Owner is proposing to rezone the Subject Lands to “EM2 General Employment Area Zone” to permit the Proposal, together with the following site-specific zoning exception:

- To permit a minimum setback of 16 m to a Street Line (Huntington Road) for Accessory Outside Storage; whereas Zoning By-law 1-88 requires 20 m.

The Development Planning Department can support the proposed zoning exception identified in Table 1 as the Proposal would implement the intent of the “General Employment” designation. In addition, the Proposal is compatible with the surrounding area, is consistent with the policies of the PPS, conforms to the Growth Plan and YROP 2010 and maintains the intent of VOP 2010.

***The 30% accessory outside storage area is to be delineated and appropriately screened from Huntington Road and abutting properties***

The Owner is proposing 30% (3,154 m<sup>2</sup>) accessory outside storage as a permitted use on the Subject Lands, in accordance with the accessory outside storage provisions of the “EM2 - General Employment Area Zone”. The 30% accessory outside storage area is delineated by a concrete pad and enclosed within a fence on the Subject Lands to the satisfaction of the Building Standards Department, as shown on Attachments 3 and 4. Should the Proposal be approved, the implementing zoning by-law will identify the limits of the 30% accessory outside storage area.

The accessory outside storage area is screened from Huntington Road with a 2.4 m high concrete wall with screening panels and a mix of deciduous trees and deciduous and coniferous shrubs along Huntington Road, as shown on Attachments 4 and 5. Further, a 2.1 m high concrete retaining wall around the north and west property lines screens the accessory outside storage area from the adjacent lands. The Owner will provide the screening and landscaping as part of the Building Permit Application process for the accessory outside storage area.

***The Planning Act enables a municipality to pass a resolution to permit the Owner to apply for a future Minor Variance application(s), if required, within 2 years of a Zoning By-law coming into full force and effect***

Policy 45(1.3) of the *Planning Act* does not permit the Owner to apply to the Vaughan Committee of Adjustment for a Minor Variance application(s) before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands came into effect. A condition is included in the Recommendation section of this report to permit the Owner to apply for a minor variance from the provisions of the by-law in respect of the land, building or structure before the second anniversary of the day on which the by-law was amended, should it be necessary.

***An amendment is required to the Block 57/58 Plan - Huntington Business Park to identify the Subject Lands as “General Employment” instead of “Prestige Employment”***

Vaughan Council on June 25, 2013, approved the Block 57/58 Plan - Huntington Business Park (‘Block 57/58 Plan’). The Block 57/58 Plan provides the basis for the land uses, environmental protection, servicing infrastructure, transportation (road) network, public transit, urban design, and phasing for Block 57/58 in order to manage growth.

The current Block 57/58 Plan showed the Subject Lands as “Prestige Employment”. Should the Proposal be approved, the Subject Lands will be shown as “General Employment” as shown on Attachment 7. Accordingly, a recommendation is included in this report for Council to approve the revised Block 57/58 Plan should the Proposal be approved.

***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.

***Development Engineering Department comments shall be addressed at the Building Permit stage***

The Development Engineering (‘DE’) Department provided comments respecting site servicing, grading, stormwater management, an existing municipal watermain easement, Huntington Road urbanization and cost sharing obligations, active transportation, and fees. All comments from the DE Department must be addressed at the Building Permit Application stage for the outside storage use.

The Owner submitted an Environmental Noise Report prepared by Valcoustics Canada Ltd. and dated April 9, 2021 in support of the Proposal (‘Noise Report’). Noise impacts from the Proposal were assessed on the following neighbouring properties as shown on Attachment 1:

- the existing one-storey Vaughan Inn motel located at 6700 Highway 7, located southeast of the Subject Lands
- the six-storey Avid Hotel under construction located at 8700 Highway 7, located south of the Subject Lands

The Noise Report reviewed the Proposal against the applicable Ministry of the Environment, Conservation and Parks (‘MECP’) guideline limits and determined no noise mitigation measures are required. The DE Department agrees with the conclusions of the Noise Report.

***Cash-in-lieu of parkland dedication in accordance with the City’s Cash-in-Lieu of Parkland and Policy and the Planning Act is not required for the Proposal***

The Parks Development and Real Estate Departments have no objection to the Proposal and the provision of cash-in-lieu of parkland dedication in accordance with the City’s Cash-in-Lieu of Parkland and Policy and the *Planning Act* is not required.

***The various utilities have no objection to the Proposal***

Alectra Utilities Corporation, Canada Post and Rogers Communications have no objections to the Proposal.

**Financial Impact**

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



## **Broader Regional Impacts/Considerations**

The Owner submitted a request for exemption from York Regional approval for Official Plan Amendment ('OPA') File OP.20.009. York Region, in their letter dated November 20, 2020 advised that the OPA is considered a routine matter of local significance, and in accordance with YROP 2010 Policy 8.3.8, the OPA does not adversely affect Regional planning policies or interests. Accordingly, OPA File OP.20.009 is exempted from Regional approval. York Region also have no comments on Zoning By-law Amendment File Z.20.022 as it is considered a matter of local significance.

## **Conclusion**

The Applications 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 3 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.20.009 and Z.20.022 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. Vaughan Official Plan 2010 - Huntington Business Park Map 12.12A Land Use
3. Proposed Zoning and Site Plan
4. Landscape Plan
5. Huntington Road and Landscape/Screening Perspective
6. Building Elevations (Building Permit No. 20.611)
7. Revised Block 57/58 Plan

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