

## Committee of the Whole (Public Meeting) Report

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

**WARD:** 1

**TITLE:** ROYAL KING VALLEY HOLDINGS INC.  
ZONING BY-LAW AMENDMENT FILE Z.21.004  
TEMPORARY USE  
3230 KING VAUGHAN ROAD  
VICINITY OF KING VAUGHAN ROAD AND HIGHWAY 400

**FROM:**

Haiqing Xu, Deputy City Manager Planning and Growth Management

**ACTION:** DECISION

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**Purpose**

To receive comments from the public and the Committee of the Whole on an application to amend the Zoning By-law to permit a temporary use for a maximum period of three years. The Owner proposes a temporary Contractors Yard with the outdoor storage of construction equipment and materials, and a 1,507.8 m<sup>2</sup> prefabricated storage building with an accessory office use, as shown on Attachments 2 to 4.

**Report Highlights**

- The Owner has submitted a Zoning By-law Amendment application to permit a temporary Contractors Yard with outdoor storage of construction equipment and materials for a maximum period of three years
- Zoning By-law Amendment and Site Development Applications are required to permit the proposed use and development
- The Subject Lands are located within the Ministry of Transportation, Ontario Greater Toronto Area West Corridor Protection Area
- This report identifies preliminary issues to be considered in a comprehensive report to be prepared by the Development Planning Department at a future Committee of the Whole meeting

## **Recommendations**

1. THAT the Public Meeting report for Zoning By-law Amendment File Z.21.004 (Royal King Valley Holdings Inc.) 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**

Location: 3230 King Vaughan Road (the 'Subject Lands'). The Subject Lands and the surrounding land uses are shown on Attachment 1.

Date of Pre-Application Consultation Meeting: December 3, 2019

Date application was deemed complete: March 15, 2021

### ***A Notice of Violation has been issued by By-law and Compliance, Licensing and Permit Services***

City of Vaughan By-law and Compliance, Licensing and Permit Services Department on May 19, 2020, issued a Notice of Violation (the 'Violation') to Royal King Valley Holdings Inc. The Violation cited the contravention of City of Vaughan Zoning By-law 1-88 as it relates to the storing of any equipment, vehicles and materials outside and operating a commercial business/office on the Subject Lands. Continued non-compliance has resulted in formal zoning charges being initiated by the City in 2020. Legal proceedings have been delayed due to the lengthy closure of the Provincial Courts in 2020, and the mounting backlog of charges to be processed by the Courts, as a result of the Covid-19 pandemic.

Two companies currently operate on the Subject Lands. Both companies utilize the existing prefabricated storage building, the accessory office uses, and have outdoor storage areas.

### ***A Zoning By-law Amendment application has been submitted to permit the proposed development***

Royal King Valley Holdings Inc. (the 'Owner') has submitted the following application (the 'Application') for the Subject Lands shown on Attachment 1 to permit the development (the 'Development') shown on Attachments 2 to 4:m

1. Zoning By-law Amendment File Z.21.004 to allow a temporary Contractors Yard with the outdoor storage of construction equipment and materials for a maximum period of three (3) years in an "A Agricultural Zone" subject to site-specific Exception 9(670), as shown on Attachment 2, together with the site-specific zoning exceptions identified in Table 1 of this Report.

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

- a) Date the Notice of Public Meeting was circulated: May 7, 2021.

The Notice of Public Meeting was also posted on the City's web-site at [www.vaughan.ca](http://www.vaughan.ca) and a Notice Sign was installed along King-Vaughan Road in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: To all property owners within an expanded polling area as shown on Attachment 1, and to anyone on file with the Office of the City Clerk having requested notice.
- c) No comments have been received as of May 18, 2021, by the Development Planning Department.

Any additional 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 and be reviewed and addressed by the Development Planning Department in a future comprehensive report to the Committee of the Whole.

### **Previous Reports/Authority**

There are no previous reports.

### **Analysis and Options**

***The proposed temporary use and Development conforms with Vaughan Official Plan 2010***

Official Plan Designation:

- "Community Area" on Schedule 1 – Urban Structure by Vaughan Official Plan 2010 ('VOP 2010')
- "Prestige Area" and "General Employment" in the Highway 400 North Employment Lands Secondary Plan ('HNELSP') - VOP 2010, Volume 2
- The Subject Lands are located within the Greater Toronto Area West Transportation Corridor Protection Area
- The front portion of the Subject Lands abutting King-Vaughan Road, including the area containing the prefabricated storage and accessory office uses are designated "Prestige Area". This designation permits industrial and accessory office uses in accordance with VOP 2010- Policy 9.2.2.11.
- The rear portion of the Subject Lands are designated "General Employment Area" and allow accessory outside storage to permitted uses, provided there is a building on site
- The HNELSP proposes an east west road which will divide the Subject Lands creating the "Prestige Area" designation with frontage on King-Vaughan Road, and the "General Employment Area" designation with frontage on the new local road. The location of the proposed roads in the HNELSP will be determined through the Block Plan process.

### ***Vaughan Official Plan 2010 permits Temporary Uses***

The *Planning Act* allows municipal Councils to establish the temporary use of land, buildings or structures for any purpose otherwise not permitted by the parent zoning by-law. A temporary use by-law must define the area to which it applies and specify the

time in which it would be in force, which shall not exceed 3 years from the day of the passing of the By-law. Policy 10.1.2.4 of VOP 2010 includes policies to permit the temporary use of land, buildings or structures provided the temporary use meets the following conditions:

- a. Is consistent with the general intent of the Plan
- b. Is compatible with adjacent land-uses
- c. Is temporary in nature and can be easily terminated when the temporary zoning by-law expires
- d. Sufficient servicing and transportation capacity exists for the temporary use
- e. Maintains the long-term viability of the land for the uses permitted in the Plan

The Application will be reviewed in consideration of the Temporary Use policies of VOP 2010.

***Amendments to Zoning By-law 1-88 are required to permit the Development Zoning:***

- “A - Agricultural Zone” by Zoning By-law 1-88, subject to site-specific Exception 9(670)
- This Zone does not permit the proposed Contractors Yard with outdoor storage of construction equipment and materials indoor and outdoor with accessory office uses
- Site-specific Exception 9(670) permits a bus maintenance and storage facility and ancillary office uses, a licensed garage for the purposes of servicing and certifying school buses stored on the Subject Lands, including the provision of fuel, and parking for a maximum of 200 school buses

The Owner proposes also proposes the following site-specific zoning exceptions to permit the Development shown on Attachments 2 to 4:

Table 1:

	<b>Zoning By-law 1-88 Standard</b>	<b>A - Agricultural Zone Requirements, Site-Specific Exception 9(670)</b>	<b>Proposed Exceptions to the A - Agricultural Zone Requirements</b>
a.	Definition of a “Contractors Yard”	Not defined	Means premises used for a trade, contractor or construction company for the storage and maintenance of equipment and materials, and may include an accessory office
b.	Permitted Uses	Uses Permitted by Site-Specific Exception 9(670): <ul style="list-style-type: none"> <li>- A bus maintenance and storage facility</li> <li>- Ancillary office uses</li> </ul>	Permit the following uses: <ul style="list-style-type: none"> <li>- Employment Uses</li> <li>- Office Uses</li> <li>- Open storage</li> <li>- Outside storage</li> </ul>

	<b>Zoning By-law 1-88 Standard</b>	<b>A - Agricultural Zone Requirements, Site-Specific Exception 9(670)</b>	<b>Proposed Exceptions to the A - Agricultural Zone Requirements</b>
		<ul style="list-style-type: none"> <li>- A licensed garage for the purposes of serving and certifying the parking of school buses stored on the Subject Lands</li> <li>- Parking for a maximum of 200 school buses</li> <li>- The provision of fuel for the school buses to be parked and dispatched from the Subject Lands</li> </ul>	<ul style="list-style-type: none"> <li>- Contractors Yard</li> </ul>
c.	Minimum Parking Requirements	Minimum parking spaces for employees and visitors shall be 50 parking spaces	Minimum parking spaces for employees and visitors shall be 41 parking spaces
d.	Surface Area Parking Requirements	Surfaces be paved with hot-mix asphalt or concrete	Surfaces shall be paved with hot-mix asphalt and concrete or gravel
d.	Maximum Driveway Width	8 m	9.5 m

Additional zoning exceptions may be identified through the detailed review of the Application and will be considered in a comprehensive report to a future Committee of the Whole Meeting.

***Following a preliminary review of the Application, the Development Planning Department has identified the following matters to be reviewed in greater detail***

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
a.	Conformity and Consistency with Provincial Policies, York Region and City Official Plan Policies	<ul style="list-style-type: none"> <li>▪ The Applications will be reviewed for consistency and conformity with the Provincial Policy Statement, 2020 (the 'PPS'), A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (the 'Growth Plan') and the policies of the York Region Official Plan, 2010 ('YROP'), VOP 2010, and the Highway 400 North Employment Lands Secondary Plan</li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
b.	Appropriateness of Amendments to Zoning By-law	<ul style="list-style-type: none"> <li>The appropriateness of the Development, by way of a Temporary Use By-law for a maximum period of three years, will be reviewed in consideration of the existing and planned surrounding land uses</li> </ul>
c.	Studies and Reports	<ul style="list-style-type: none"> <li>The Owner submitted studies and reports in support of the Applications which are available on the city's website at <a href="https://maps.vaughan.ca/planit/">https://maps.vaughan.ca/planit/</a> (PLANit Viewer) and must be approved to the satisfaction of the City or respective approval authority. Additional studies and/or reports may be required as part of the application review process</li> </ul>
d.	Site Servicing	<ul style="list-style-type: none"> <li>The appropriateness of permitting the Development on private services will be reviewed</li> </ul>
e.	Urban Design Guidelines	<ul style="list-style-type: none"> <li>The Development will be reviewed in consideration of the City of Vaughan City-wide Urban Design Guidelines</li> </ul>
f.	Public Agency/Municipal Review	<ul style="list-style-type: none"> <li>The Applications must be reviewed by York Region, the Toronto and Region Conservation Authority, the Ministry of Transportation and external public agencies and utilities</li> </ul>
g.	Sustainable Development	<ul style="list-style-type: none"> <li>The Application will be reviewed in consideration of the City of Vaughan's Policies and Sustainability Metrics Program. The Development achieves a minimum Bronze score of 31</li> </ul>
h.	Parkland Dedication	<ul style="list-style-type: none"> <li>The Application will be reviewed in consideration of the requirements of the <i>Planning Act</i> and the City of Vaughan's Parkland Dedication Policy</li> </ul>
i.	Related Site Development Application	<ul style="list-style-type: none"> <li>The Owner has submitted related Site Development File DA.21.006 to be reviewed with the Application in a future technical report</li> </ul>
j.	Ministry of Transportation Greater Toronto Area ('GTA') West Corridor Protection Area	<ul style="list-style-type: none"> <li>The Subject Lands are within the Ministry of Transportation ('MTO') GTA West Corridor Protection Area. The MTO has advised that they cannot permit or give final approval on any application within this area until the Environmental Assessment process and alignment is further determined to have no impact to the Subject Lands</li> </ul>
k.	Toronto and Region Conservation Authority ('TRCA')	<ul style="list-style-type: none"> <li>The Subject Lands are located within the TRCA's Regulated Area pursuant to Ontario Regulation 166/06. The Owner will be required to obtain a TRCA permit for any development or site alteration</li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
	and Environment Impact Study	<ul style="list-style-type: none"> <li>▪ The Owner will be required to satisfy the requirements of the TRCA including but not limited to, an updated environmental impact study, stormwater management report, and erosion and sediment control plan</li> <li>▪ The updated environmental impact study must address any site alteration impacts associated with the significant woodland feature located in the northwest corner of the Subject Lands</li> </ul>
I.	Ministry of Environment Conservation and Parks ('MECP') and Reliance Letters	<ul style="list-style-type: none"> <li>▪ The Owner will be required to meet the MECP noise guidelines and submit Phase One and Phase Two ESA reliance letters to the City of Vaughan</li> </ul>
m.	King Vaughan Road	<ul style="list-style-type: none"> <li>▪ King Vaughan Road is a York Region Road. York Region is protecting a 36-metre right-of-way for this section of King-Vaughan Road; therefore, a conveyance of land will be required. Approval from York Region is required for access onto King Vaughan Road and for all site works within the Regional right-of-way</li> </ul>

### **Financial Impact**

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

### **Broader Regional Impacts/Considerations**

The Application has been circulated to the York Region Community Planning and Development Services Department for review and comment. Any issues will be addressed when the technical report is considered.

### **Conclusion**

The preliminary issues identified in this report and any other issues identified through the processing of the Application will be considered in the technical review of the Application. Comments from the public and Vaughan Council expressed at the Public Meeting or in writing will be addressed in a comprehensive report to a future Committee of the Whole meeting.

**For more information**, please contact: Carol Birch, Planner, Development Planning Department, ext. 8485.

**Attachments**

1. Context and Location Map
2. Site Plan
3. Landscape Plan
4. Prefabricated Storage Building Elevations

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