

## Committee of the Whole (Public Meeting) Report

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**DATE:** Tuesday, October 5, 2021

**WARD(S):** 2

**TITLE:** BETHPAGE PROPERTIES WEST INC.  
OFFICIAL PLAN AMENDMENT FILE OP.21.013  
ZONING BY-LAW AMENDMENT FILE Z.21.023  
9001 REGIONAL ROAD 50  
VICINITY OF REGIONAL ROAD 50 AND RUTHERFORD ROAD

**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 Official Plan and Zoning By-law Amendment applications to permit two employment buildings with a combined gross floor area of 65,275 m<sup>2</sup> for warehouse and distribution facility uses with accessory outside storage for trucks and trailers, having access onto Regional Road 50, Rutherford Road and Hunter Valley's Road, as shown on Attachments 4 to 6. In addition, the deletion of a future 26 m wide collector road from Hunter Valley's Road to Rutherford Road is being requested.

**Report Highlights**

- The Owner proposes to redesignate and rezone the subject lands to permit two employment buildings with a combined gross floor area of 65,275 m<sup>2</sup> for warehouse and distribution facility uses with accessory outside storage for trucks and trailers having access onto Regional Road 50, Rutherford Road and Hunter Valley's Road and to eliminate a future 26 m wide collector road from Hunter Valley's Road to Rutherford Road
- 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 Official Plan and Zoning By-law Amendment Files OP.21.013 and Z.21.023 (Bethpage Properties West 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: The subject lands are municipally known as 9001 Regional Road 50 (the 'Subject Lands') and are located east of Regional Road 50, south of Rutherford Road. and are 21.44 ha in size. Development of the Subject Lands would consist of 15.68 ha for employment lands and 5.76 ha for open space lands. The Subject Lands and the surrounding land uses are shown on Attachment 1.

Date of Pre-Application Consultation Meeting: June 25, 2021

Date Applications were deemed complete: February 25, 2021

### ***Zoning By-law Amendment and Draft Plan of Subdivision Applications were previously submitted for the Subject Lands***

The previous owner of the Subject Lands (Boca East Investments Ltd.) submitted Zoning By-law Amendment and Draft Plan of Subdivision Applications (Files Z.06.071 and 19T-06V13) to permit employment uses, for the lands shown on Attachment 7. Council, on June 25, 2007, ratified the June 18, 2007 Committee of the Whole recommendation to approve the applications consistent with the June 26, 2006 Council approved Block 64 Plan. The Committee of the Whole report identified the Subject Lands as Block 1 for "EM3 Retail Warehouse Employment Zone", Part of Block 3 for "EM2 General Employment Zone" and Block 13 as "OS1 Open Space Conservation Zone" (Attachment 7).

Draft Plan of Subdivision File 19T-06V13, which excludes the Subject Lands, was registered on May 17, 2012 as Plan 65M-4318. The conditions of approval for this subdivision file lapsed and therefore Subject Lands were not registered as a block within Draft Plan of Subdivision File 19T-06V13.

### ***Official Plan and Zoning By-law Amendment and Site Development Applications resulted in the modification of the Council approved June 26, 2002 Block 64 Plan***

Boca East Investments Ltd. submitted Official Plan and Zoning By-law Amendment and Site Development Applications (Files OP.12.001, Z.12.002 and DA.12.013) to permit a warehouse and distribution facility with accessory outside storage for the lands shown on Attachment 7. Council, on April 17, 2012, ratified the April 3, 2012 Committee of the Whole recommendation to approve the applications. In addition to the approval of these applications, the elimination of a ring road was supported resulting in modifications to the Block 64 Plan.

***Official Plan and Zoning By-law Amendment Applications have been submitted to permit the proposed development***

The Owner has submitted the following applications (the 'Applications') for the Subject Lands to permit two employment buildings with a combined gross floor area (GFA) of 65,275 m<sup>2</sup> for warehouse and distribution facility uses with accessory outside storage for trucks and trailers (the 'Development'), as shown on Attachments 4 to 6:

1. Official Plan Amendment File OP.21.013 to:
  - a) redesignate the Subject Lands from "Employment Commercial Mixed-Use" with a maximum building height of 4-storeys and a maximum floor space index (FSI) of 1.5 times the area of the lot, "General Employment", "Prestige Employment" and "Natural Areas", as shown on Attachment 2, to "Employment Commercial Mixed-Use" with a maximum building height of 4-storeys and a maximum FSI of 1.5 times the area of the lot and "Natural Areas";
  - b) amend Schedule 9, Future Transportation Network of Vaughan Official Plan 2010 (VOP 2010) to delete the "Major Collector (26 m) Proposed New Road Link" (extension of Hunter Valley's Road);
  - c) permit accessory outside storage for trucks and trailers within the "Employment Commercial Mixed-Use" designation abutting an arterial road; and
  - d) permit accessory outside storage for trucks and trailers on a corner lot.
2. Zoning By-law Amendment File Z.21.023 to rezone the Subject Lands from "EM1 Prestige Employment Area Zone", "EM2 General Employment Area Zone", "EM3 Retail Warehouse Employment Area Zone" and "OS1 Open Space Conservation Zone" shown on Attachment 1 to "EM3 Retail Warehouse Employment Area Zone" and "OS1 Open Space Conservation Zone" in the manner shown on Attachment 4, 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: September 10, 2021.

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 along Regional Road 50, Rutherford Road and Hunter Valley's Road in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: To all property owners within 150 m of the Subject Lands and to the West Woodbridge Homeowners' Association and Kleinburg and Area

Ratepayers' Association and to anyone on file with the Office of the City Clerk having requested notice.

- c) No comments have been received as of September 3, 2021 by the Development Planning Department.

Any 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 technical report to the Committee of the Whole.

### **Previous Reports/Authority**

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

[June 19, 2006 Committee of the Whole Meeting \(Item 72, Report 37\)](#)

[June 18, 2007 Committee of the Whole Meeting \(Item 73, Report 34\)](#)

[April 3, 2012 Committee of the Whole Meeting \(Item 11, Report 12\)](#)

### **Analysis and Options**

***An amendment to Vaughan Official Plan 2010 is required to permit the Development***

**Official Plan Designation:**

- "Employment Area" on Schedule 1 - Urban Structure by VOP 2010
- Designated "Employment Commercial Mixed-Use" with a maximum building height of 4-storeys and a maximum FSI of 1.5 times the area of the lot, "General Employment", "Prestige Employment" and "Natural Areas" by Schedule 13 - Land Use by VOP 2010
- "Major Collector (26 m) Proposed New Road Link" identified on Schedule 9 - Future Transportation Network of VOP 2010
- The "Employment Commercial Mixed-Use" designation permits the proposed warehouse and distribution facility uses
- The "Employment Commercial Mixed-Use" does not permit accessory outside storage for trucks and trailers on a corner lot
- An amendment to VOP 2010 is required to redesignate the Subject Lands to "Employment Commercial Mixed-Use" to permit accessory outside storage for trucks and trailers on a corner lot
- An amendment to VOP 2010 is also required to delete the proposed collector road extending from the existing Hunter Valley's Road terminus to Rutherford Road

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

**Zoning:**

- "EM1 Prestige Employment Area Zone", "EM2 General Employment Area Zone", "EM3 Retail Warehouse Employment Area Zone" and "OS1 Open Space Conservation Zone" by Zoning By-law 1-88, subject to site-specific Exception 9(1013)
- These zones do not permit the Development

- The Owner proposes to rezone the Subject Lands to “EM3 Retail Warehouse Employment Area Zone” and “OS1 Open Space Conservation Zone” together with the following site-specific zoning exceptions to permit the Development

Table 1:

	<b>Zoning By-law 1-88 Standard</b>	<b>EM3 Retail Warehouse Employment Area Zone Requirement</b>	<b>Proposed Exceptions to the EM3 Retail Warehouse Employment Area Zone Requirement</b>
a.	Permitted Uses	Accessory outside storage for trucks and trailers is not permitted	<p>Permit accessory outside storage for trucks and trailers to a permitted use in accordance with the following provisions:</p> <ul style="list-style-type: none"> <li>- accessory outside storage to a permitted use may exceed 30% of the lot area</li> <li>- accessory outside storage to a permitted use is not permitted on any lot or block unless there is an existing building with a minimum 550 m<sup>2</sup> of GFA</li> <li>- accessory outside storage may be permitted in any front yard, exterior side yard or between any main building and a street line and may be located closer than 20 m to the street line</li> <li>- accessory outside storage may be completely enclosed by a stone or masonry wall or chain link fence and no enclosure shall be less than 4.2 m in height</li> <li>- accessory outside storage may be permitted on a corner lot</li> <li>- the accessory outside storage area shall not abut an Open Space Zone</li> </ul>

	<b>Zoning By-law 1-88 Standard</b>	<b>EM3 Retail Warehouse Employment Area Zone Requirement</b>	<b>Proposed Exceptions to the EM3 Retail Warehouse Employment Area Zone Requirement</b>
			- accessory outside storage shall not exceed a maximum height of 4.2 m
b.	Minimum Rear Yard	12 m	11.23 m (Building "B")
c.	Minimum Landscape Strip Abutting an Arterial Road	9 m	7.5 m (Regional Road 50)
d.	Minimum Landscape Strip Abutting an Open Space Zone	7.5 m	0 m
e.	Loading Space Requirements	Loading and unloading shall not be permitted between a building and a street	Loading and unloading may be permitted between a building (Building "A") and a street (Rutherford Road)
f.	Minimum Parking Requirements	<p>Employment Use (Greater Than 3,77 m<sup>2</sup>) 1.5 spaces / 100 m<sup>2</sup> of GFA x 24,797.13 m<sup>2</sup> (Building B) = 372 spaces</p> <p>Warehousing (Single Use) 1 space / 100 m<sup>2</sup> X 40,478.44 m<sup>2</sup> (Building "A") = 405 spaces</p> <p>Total Parking Required = 777 spaces</p>	<p>Employment Use (Greater Than 3,77 m<sup>2</sup>) 1.375 spaces / 100 m<sup>2</sup> of GFA x 24,797.13 m<sup>2</sup> (Building B) = 341 spaces</p> <p>Warehousing (Single Use) 0.923 space / 100 m<sup>2</sup> X 40,478.44 m<sup>2</sup> (Building "A") = 374 spaces</p> <p>Total Parking Proposed = 715 spaces</p>

Additional zoning exceptions may be identified through the detailed review of the Applications and will be considered in a technical report to a future Committee of the Whole meeting.

***Following a preliminary review of the Applications, 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, and 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') and VOP 2010</li> </ul>
b.	Appropriateness of Amendments to the VOP 2010 and Zoning By-law	<ul style="list-style-type: none"> <li>▪ The appropriateness of the amendments to the VOP 2010 will be reviewed in consideration of the proposed land use designation for accessory outside storage and the deletion of "Major Collector (26 m) Proposed New Road Link" (Schedule 9, Future Transportation Network of VOP 2010) as shown on Attachment 3</li> <li>▪ The appropriateness of the rezoning and site-specific exceptions including proposing accessory outside storage exceeding 30% of the lot area and no screening, will be reviewed in consideration of the existing and planned surrounding land uses</li> </ul>
c.	Block 64 Plan/Road Network	<ul style="list-style-type: none"> <li>▪ The approved Block 64 Plan (Attachment 8) identifies a collector road extending south from Hunter Valley's Road and traversing north through the Subject Lands to intersect with Rutherford Road, consistent with VOP 2010 as shown on Attachment 3</li> <li>▪ The proposed collector road is part of the grid road network established in the approved Block 64 Plan to contribute to the distribution of traffic and to provide additional routing options and relief to surrounding major roads and intersections</li> <li>▪ The Development Engineering ('DE') Department reviewed the Development and does not support deleting the proposed collector road (extension of Hunter Valley's Road) as it will impact routing options to the surrounding major roads that may significantly impact transit, pedestrian, and cyclist movement</li> <li>▪ Council approval is required for any amendment to the Block 64 Plan respecting the deletion of the collector road</li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
d.	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>
e.	Allocation and Servicing	<ul style="list-style-type: none"> <li>▪ A watermain was intended within the proposed collector road (extension Hunter Valley's Road) right-of-way to service the Development and surrounding lands</li> <li>▪ The elimination of the collector road (extension of Hunter Valley's Road) requires the realignment of the existing watermain located within the existing portion of Hunter Valley's Road to align with the proposed location of the watermain within the east driveway aisle on the Subject Lands</li> <li>▪ The DE Department has concerns with the proposed watermain crossing at the northeast corner of the Subject Lands with respect to the existing municipal watermain crossing and proposed retaining wall</li> <li>▪ The proposed location of the watermain within the east driveway aisle of the Subject Lands will require a 4 m easement in favour of the City to access the watermain throughout the entirety of the drive aisle for maintenance purposes</li> <li>▪ The Owner shall confirm the water servicing strategy for the Development</li> </ul>
f.	Urban Design Guidelines/Landscape Master Plan	<ul style="list-style-type: none"> <li>▪ The Development will be reviewed in consideration of the City of Vaughan City-wide Urban Design Guidelines, Huntington Glen (Block 64) Employment Area/Commercial Area Urban Design Guidelines and the Block 64 Huntington Glen Business Park Landscape Master Plan</li> </ul>
g.	Top-of-the-Bank/Open Space Buffers	<ul style="list-style-type: none"> <li>▪ The Owner shall confirm the stable top-of-the bank and provide the appropriate buffers/vegetation protection zone and requisite plantings for naturalizing these areas to the satisfaction of the Toronto and Region Conservation Authority (TRCA)</li> </ul>



	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
h.	Public Agency/Municipal Review	<ul style="list-style-type: none"> <li>The Applications must be reviewed by York Region, Peel Region, the Toronto and Region Conservation Authority and external public agencies and utilities, and municipalities</li> </ul>
i.	Sustainable Development	<ul style="list-style-type: none"> <li>The Development shall achieve a minimum Bronze overall application score of 31</li> </ul>
j.	Cash-in-lieu of the Dedication of Parkland	<ul style="list-style-type: none"> <li>The Owner shall pay cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the Subject Lands, in accordance with Section 51 of the <i>Planning Act</i> and City of Vaughan Policy</li> </ul>
k.	Required Applications	<ul style="list-style-type: none"> <li>The Owner is required to submit a Site Development Application(s)</li> </ul>

### **Financial Impact**

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

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

The Applications have been circulated to the York Region Community Planning and Development Services Department for review and comment. The Owner applied for a Regional exemption from approval of the Official Plan Amendment. 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 Applications will be considered in the technical review of the Applications. 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: Judy Jeffers, Planner, Development Planning Department, ext. 8645.

## **Attachments**

1. Context and Location Map
2. Schedule 13 - Land Use Vaughan Official Plan 2010
3. Schedule 9 - Future Transportation Network Vaughan Official Plan 2010
4. Proposed Zoning and Preliminary Site Plan
5. Master Landscape Plan
6. Preliminary Building "A" Elevation
7. June 25, 2007 Council Red-lined Draft Approved Plan of Subdivision  
File 19T-06V13
8. Approved Block 64 Plan, April 19, 2012

## **Prepared by**

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