

Committee of the Whole (1) Report

DATE: Tuesday, March 1, 2022

WARD: 2

TITLE: WOODBRIDGE TRANSMISSIONS LIMITED HWY. # 27 AUTO
COLLISION LTD.
ZONING BY-LAW AMENDMENT FILE Z.19.026
SITE DEVELOPMENT APPLICATION DA.19.079
VICINITY OF REGIONAL ROAD 27 AND INNOVATION DRIVE

FROM:

Haiping Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for applications to amend Zoning By-law 1-88 and for site plan approval on the subject lands shown on Attachment 2, to permit 3, 1-storey commercial buildings with a total gross floor area ('GFA') of 1,642 m² and 86 parking spaces, as shown on Attachments 4 to 8.

Report Highlights

- The Owner seeks approval to amend Zoning By-law 1-88 and for site plan approval to permit 3, 1-storey commercial buildings.
- Zoning By-law Amendment and Site Development Applications are required to permit the development.
- The Development Planning Department supports the approval of the applications as they are consistent with the Provincial Policy Statement, 2020, conform to the Growth Plan for the Greater Golden Horseshoe, 2019, as amended, the York Region Official Plan 2010, and Vaughan Official Plan 2010, and are compatible with the existing and planned land uses in the surrounding area.

Recommendations

1. That Zoning By-law Amendment File Z.19.026 (Woodbridge Transmissions Limited Hwy. # 27 Auto Collision Ltd.) BE APPROVED, to amend Zoning By-law 1-88 to rezone the subject lands from the “A Agricultural Zone” to the “C7 Service Commercial Zone”, as shown on Attachment 3, 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 City of 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; and
3. That Site Development File DA.19.079 (Woodbridge Transmissions Limited Hwy. # 27 Auto Collision Ltd.) BE DRAFT APPROVED SUBJECT TO THE CONDITIONS of Site Plan Approval included in Attachment 1, to the satisfaction of the Development Planning Department, to permit 3, 1-storey commercial buildings with a total GFA of 1,642 m² and 86 parking spaces.

Background

The subject lands (the ‘Subject Lands’) are located on the west side of Highway 27, south of Innovation Drive. The Subject Lands are 0.91 ha in area and consist of the illegal storage of vehicles and trailers. The Subject Lands and surrounding land uses are shown on Attachment 2.

Zoning By-law Amendment and Site Development Applications have been submitted to permit 3, 1-storey commercial buildings

Woodbridge Transmissions Limited Hwy. # 27 Auto Collision Ltd. (the ‘Owner’) has submitted the following applications (the ‘Applications’) to permit 3, 1-storey commercial buildings with a total GFA of 1,642 m² and 86 parking spaces (the ‘Development’), as shown on Attachments 4 to 8:

1. Zoning By-law Amendment File Z.19.026 to rezone the Subject Lands from the “A Agricultural Zone” (‘A Zone’) to the “C7 Service Commercial Zone” (‘C7 Zone’) in the manner shown on Attachment 4, together with the site-specific zoning exceptions identified in Table 1 of this report.
2. Site Development File DA.19.079 to facilitate the Development.

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

On February 7, 2020, the City circulated a Notice of Public Meeting (the 'Notice') 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 a notice sign was installed on the Subject Lands along Highway 27 in accordance with the City's Notice Signs Procedures and Protocols.

Vaughan Council on March 11, 2020, ratified the recommendation of the Committee of the Whole to receive the Public Meeting report of March 3, 2020, and to forward a comprehensive technical report to a future Committee of the Whole meeting. The following speakers provided comments at the Public Meeting:

- Adam Santos, Evans Planning Inc., representing the Owner
- Nick Pinto, West Woodbridge Homeowners Association

The following is a summary of the comments provided by the speakers at the Public Meeting of March 3, 2020, which are addressed throughout the report:

Site Plan Layout – Parking, Snow and Garbage Storage

- Concern with the location of parking spaces being close to the southern access point
- Where will snow and garbage storage be located?

Illegal Open Storage

- There is currently illegal open storage of vehicles and trailers occurring on the Subject Lands, which is causing adverse visual and noise impacts to nearby properties

The Development Planning Department on February 22, 2022, emailed a non-statutory courtesy notice of this Committee of the Whole meeting to those individuals requesting notice of further consideration of the Applications.

The Development has been revised from the proposal presented at the Public Meeting

At the time of the March 3, 2020 Public Meeting, the Development consisted of 2, 1-storey commercial buildings, including one, 279.2 m² eating establishment with drive-through and outdoor patio (Building A), and one, 1,625.7 m² multi-unit building with a daycare and accessory outdoor play area (Building B), as shown on Attachment 3. Building B has since been reduced in size and separated into two buildings (Buildings B

and C), while being setback farther from Highway 27, as shown on Attachment 4. Building A remains the same size and proposed use. The proposed parking area was also redesigned to locate parking spaces closer to the entrances of each building.

Previous Reports/Authority

Previous reports relating to the Subject Lands and the Applications are available at the following link:

Woodbridge Transmissions Limited Hwy 27. # Auto Collision Ltd. Public Meeting Report:

[March 3, 2020 Committee of the Whole \(Public Meeting\) Report, Item 2, Report No. 9, ratified by Council on March 11, 2020](#)

Analysis and Options

The Applications are consistent with the Provincial Policy Statement, 2020

Section 3 of the *Planning Act* requires that all land use decisions in Ontario “shall be consistent” with the Provincial Policy Statement, 2020 (the ‘PPS’). The PPS provides policy direction on matters of provincial interest related to land use planning and development. The PPS is applied province-wide and provides direction to support strong communities, a strong economy, and a clean and healthy environment.

The Applications are consistent with the PPS, specifically Sections 1.1.3.1 to 1.1.3.4, 1.2.1 a), 1.3.1 a) and 1.6.6.2 regarding: focusing development to settlement areas; efficient land use patterns; transit supportive development; coordination of infrastructure; providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs; and promoting redevelopment which optimizes the use of existing municipal services.

The Subject Lands are located within a Settlement Area as defined by the PPS and are serviced by York Region Transit (‘YRT’) Route 7 bus stops located approximately 115 m from the Subject Lands at the intersection of Highway 27 and Innovation Drive. The Development is consistent with the policies of the PPS as it makes more efficient use of the Subject Lands by minimizing land consumption, utilizing existing services and permitting a range and mix of commercial and institutional uses that will service the community. The Applications are consistent with the PPS.

The Applications conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019, as amended

A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019 (‘Growth Plan’), as amended, guides decision making on a wide range of issues, including economic

development, land-use planning, urban form, and housing. Council's planning decisions are required by the *Planning Act* to conform, or not conflict with, the Growth Plan.

The Applications conform to the policy framework of the Growth Plan as the built form would efficiently utilize the Subject Lands. The Applications provide a range of commercial uses supportive of the Growth Plan objectives, specifically Sections 1.2.1, 2.2.1(2)(d) and 2.2.1(4)(a) regarding the achievement of complete communities, directing a majority of growth to settlement areas, and providing a diverse mix of land uses.

The Subject Lands are located within a Settlement Area and adjacent to a Delineated Built-up Area as defined by the Growth Plan, where intensification, the establishment of complete communities and a mix of land uses is encouraged. The Applications conform to the Growth Plan.

The Applications conform to the York Region Official Plan 2010

The York Region Official Plan 2010 ('YROP') guides economic, environmental and community building decisions across York Region. The Subject Lands are designated "Urban Area" on Map 1 – Regional Structure by the YROP, which permits a range of residential, industrial, commercial, and institutional uses. Section 4.4 of the YROP encourages retail facilities to be designed and located to serve the needs of the community.

The Subject Lands abut Highway 27 which has a planned 43 metre right-of-way and is identified as a "Regional Transit Priority Network" on Schedule 10 – Major Transit Network by Vaughan Official Plan 2010 ('VOP 2010') and on Map 11 – Transit Network of the YROP and are serviced by the YRT. The Development will facilitate a greater mix of commercial and institutional uses along a "Regional Transit Priority Network", which supports nearby employment and residential areas.

York Region on January 16, 2020, deemed the Applications a matter of local significance and provided technical comments respecting York Region requirements and the Highway 27 right-of-way ('ROW'), including the conveyance of a 5 m by 5 m daylight triangle at both proposed access points to the Subject Lands, and provisions of various road improvements.

The Applications conform to VOP 2010

The Subject Lands are located within the "Employment Areas" on Schedule 1 – Urban Structure on VOP 2010 and are designated "Employment Commercial Mixed-Use" on Schedule 13 – Land Use by VOP 2010 with a maximum permitted building height of 10-

storeys and a maximum floor space index ('FSI') of 3 times the area of the lot. This designation permits office, cultural, entertainment, limited retail and gas station uses. As the Subject Lands are not identified within an "Intensification Area" on Schedule 1, retail uses are permitted provided no retail unit exceeds a GFA of 3,500 m². No outside storage is permitted within this designation.

The Development will support a range of uses permitted in the C7 Zone, including various forms of office, retail, personal service, restaurant, institutional and automobile related uses, with no outside storage, which are permitted by the "Employment Commercial Mixed-Use" designation. The Development consists of 3, 1-storey single-unit and multi-unit commercial buildings, with no retail unit exceeding 3,500 m², which are permitted built forms by the "Employment Commercial Mixed-Use" designation outside of an "Intensification Area". The Applications conform to the policies of VOP 2010.

Council enacted By-law 001-2021 as the new Vaughan Comprehensive Zoning By-law

On October 20, 2021, Council enacted By-law 001-2021 as the new Vaughan Comprehensive Zoning By-law. A notice of the passing of By-law 001-2021 was circulated on October 25, 2021 in accordance with the *Planning Act*. The last date for filing an appeal to the OLT in respect of By-law 001-2021 was November 15, 2021. By-law 001-2021 is currently under appeal and, when in force, will replace Zoning By-law 1-88, as amended. Until such time as By-law 001-2021 is in force, the Owner will be required to demonstrate conformity with both By-law 001-2021 and Zoning By-law 1-88, as amended, unless a transition provision under By-law 001-2021 applies.

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

The Subject Lands are zoned A Zone as shown on Attachment 2, which permits agricultural, single detached residential, institutional, recreational and limited commercial uses. The Owner is proposing to rezone the Subject Lands to the C7 Zone to permit the Development, together with the following site-specific exceptions:

Table 1:

	Zoning By-law 1-88 Standards	C7 Zone Requirements	Proposed Exceptions to the C7 Zone Requirements
a.	Minimum Lot Area	8,000 m ²	7,800 m ²
b.	Minimum Yard Setbacks	<u>Building B</u> Rear Yard = 22 m <u>Building C</u> Front Yard (Highway 27) = 14 m Interior Side Yard (North) = 15 m	<u>Building B</u> Rear Yard = 15.3 m <u>Building C</u> Front Yard (Highway 27) = 7.9 m Interior Side Yard (North) = 3.9 m
c.	Minimum Parking Requirements	6 spaces / 100 m ² (104 spaces)	4.9 spaces / 100 m ² (86 spaces)

Minor modifications may be made to the zoning exceptions identified in Table 1 prior to the enactment of an implementing Zoning By-law, as required through the final review of Site Development File DA.19.079, should the Applications be approved.

The Development Planning Department can support rezoning the Subject Lands to the C7 Zone and the site-specific zoning exceptions in Table 1 for the following reasons:

- The proposed uses in the C7 Zone are permitted by the “Employment Commercial Mixed-Use” designation in VOP 2010, for lands located outside of an Intensification Area, and provide for a range and mix of commercial and institutional uses that will service the community
- The proposed minimum lot area and yard setbacks appropriately facilitate the Development which will provide safe pedestrian and vehicle circulation and the required landscaped areas
- The Owner submitted a Traffic Impact and Parking Study (‘TIPS’) prepared by Trans-Plan dated October 30, 2019, and addendum dated September 24, 2021, in support of the proposed parking supply of 86 spaces (at a rate of 4.9 spaces per 100

m²), which has been reviewed by the Transportation Division of the Development Engineering ('DE') Department and is considered acceptable for the Development

The Planning Act permits Vaughan Council to pass a resolution to permit the Owner to apply for a Minor Variance application, if required, 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 to the Committee of Adjustment within two 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 a Minor Variance application(s) within 2 years of the passing of the zoning by-law amendment.

Should Council approve Zoning By-law Amendment File Z.19.026, the Development Planning Department has included a Recommendation to permit the Owner to apply for Minor Variance application(s), if required, in advance of the two-year moratorium in order to address minor zoning deficiencies that may arise through the finalization and construction of the Development.

The Development Planning Department has no objection to the Development, subject to the Conditions of Site Plan Approval in Attachment 1

The Development consists of 3, 1-storey commercial buildings with a total GFA of 1,642 m² and 86 parking spaces. Building A is 278 m² in GFA and will contain an eating establishment (Burger King) with an outdoor patio and drive-through. Building B is 1,045 m² in GFA and will contain 8 units for various uses permitted by the C7 Zone. Building C is 319 m² in GFA and will contain 1 unit with an outdoor patio, with the specific use not identified at this time; however, it will also contain uses permitted by the C7 Zone. The Development includes 86 commercial parking spaces, inclusive of 6 accessible parking spaces, and 3 bicycle racks with 6 bicycle parking spaces to service all three buildings. The Transportation Division of the DE Department has reviewed the orientation of all parking spaces for the Development and considers them acceptable for the functions of the Development.

Waste Storage/Pick-Up and Snow Storage

Waste storage will be located internal to each building in designated rooms, which are accessed from garage doors at the rears to be rolled up during pick-up on collection days. Snow storage is located to the south-east, south-west and north-west landscaped areas, as shown on Attachment 4. The Owner shall provide, complete and maintain the approved Waste Collection Design Standards. Standard conditions to this effect are included in the Site Plan Letter of Undertaking.

Landscape Plan

The proposed landscape plan is shown on Attachment 5. The Development Planning Department has reviewed the landscape plan and is satisfied that the proposed landscaping is appropriate for the Development, which includes the planting of deciduous and coniferous trees and shrubs concentrated along Highway 27 and the rear property line.

Arborist Report and Tree Protection

The Owner has submitted an Arborist Report and Tree Inventory, prepared by The Urban Arborist dated November 16, 2021, which recommends the removal of 4 York Region and 2 City owned trees, with a total replacement value of 11 trees to be planted on the Subject Lands and within the Highway 27 right-of-way. A Tree Protection Agreement is not required as no private trees are being removed.

Building Elevations

The proposed building elevations are shown on Attachments 6 to 8. The Development Planning Department has reviewed the building elevations and is satisfied that the proposed design, materials and signage are appropriate for the Development.

Sustainability Performance Metrics

The Development achieves an overall Sustainability Performance Metrics application score of 42 points (bronze level) which meets the City's threshold requirement. The Development includes the following sustainable features:

- All pedestrian entrances are universally accessible and connected by internal walkways leading to the sidewalk on Highway 27
- Bicycle parking is provided in surplus of 0.15 visitor spaces per 100 m² of GFA (3 spaces required, while 6 are provided)
- LED lighting is incorporated throughout the Development
- The Subject Lands are within 400 m of YRT Route 7 bus stops at the intersection of Highway 27 and Innovation Drive
- The Subject Lands are within 400 m of a grocery store, pharmacy, bank and other supportive commercial uses to the north, west and south

Prior to the execution of the Letter of Undertaking, the Development Planning Department shall approve the final site plan, landscape plan, landscape details and cost estimate and building elevations. The Owner shall also show the full 8 car drive-through lane stacking requirement on the final site plan drawing. A condition to this effect is included in Attachment 1.

The DE Department supports the Applications, subject to the Conditions of Site Plan Approval in Attachment 1

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

Sanitary Servicing and Water Distribution

The Subject Lands are located within Pressure District 5. The Owner proposes to service the Development with an Industrial-Commercial-Institutional water connection as per City standards via a connection to an existing private watermain within the adjacent property (8336 Highway 27) through the creation and registration of municipal servicing easements. Sanitary servicing is proposed for the Subject Lands via a connection to an existing maintenance hole within 8336 Highway 27, also through the creation and registration of municipal servicing easements. The configuration of the proposed watermain and sanitary connections comply with City Standards, and the DE Department is satisfied that the Development can be adequately supplied with the proposed water and sanitary service connection.

Stormwater Servicing

Stormwater servicing to the Subject Lands is proposed via internal storm sewers, catch basins and maintenance easements to drain stormwater from the Subject Lands towards an existing stormwater maintenance hole within 8336 Highway 27 through the creation and registration of municipal servicing easements. A storm detention chamber, infiltration gallery and stormwater quality treatment unit are proposed for the Development to satisfy stormwater quantity and quality requirements on the Subject Lands.

The Owner proposes to implement orifice controls via a proposed flow regulator within the Subject Lands and proposes the ultimate site outlet to connect to York Region infrastructure via the Highway 27 storm sewer system. All proposed stormwater controls and connections to York Region infrastructure shall be reviewed and approved by York Region. The DE Department is satisfied that the stormwater outflow can be adequately accommodated by the stormwater quality treatment units as identified.

Municipal Servicing Easements

The Owner has obtained consent from 8336 Highway 27 to grant the City a permanent easement for the maintenance and access of the required services for the Development, which cross 8336 Highway 27. As a condition of Site Plan Approval, the Owner is required to obtain approval of a Consent Application from the Committee of Adjustment to facilitate the creation of servicing and maintenance easements which encompass the entirety of the proposed service connections within 8336 Highway 27 to

service the Subject Lands in favour of the City, and that reference plans shall be prepared and registered at the Owner's expense for said easements. A condition to this effect is included in Attachment 1.

Site Grading and Erosion and Sediment Control

The DE Department has reviewed the Site Grading Plan and confirms the proposed grading design does not affect existing conditions on the Subject Lands and the pre-post grading requirements have been met.

Erosion and sediment control mitigation measures are to be implemented during construction to minimize silt laden runoff from the Subject Lands in accordance with the *Erosion & Sediment Control Guidelines for Urban Construction (December 2006)*.

Road Network

The Development will have access onto Highway 27 via one full moves access and one right-in/right-out access. The Owner has submitted a TIPS prepared by Trans-Plan dated October 30, 2019 and addendum dated September 24, 2021 in support of the Development. The Transportation Division of the DE Department concurs with the findings of the TIPS that the Development will introduce an acceptable traffic impact that can be accommodated by the existing road network.

Environmental

Phase 1 and 2 Environmental Site Assessment ('ESA') investigations were undertaken for the Subject Lands which identified areas of potential environmental concern and assessed the soil and groundwater. The findings did not indicate any impacts exceeding the applicable Ministry of the Environment, Conservation, and Parks ('MECP') standards. The Owner filed a MECP Record of Site Condition on January 12, 2021 confirming that the lands are suitable for the Development. The DE Department is satisfied with the submitted ESA related documentation.

Noise Impact Feasibility Study

The DE Department has reviewed, and are satisfied with, the submitted Noise Impact Feasibility Study, prepared by J.E. Coulter Associates Limited, dated October 29, 2019, in support of the Development. The MECP noise guidelines will be achieved using standard mechanical ventilation units and the surrounding residential areas and/or noise sensitive uses will not be impacted by the Development.

Prior to the execution of the Letter of Undertaking, all comments provided by the DE Department shall be addressed, and the final site servicing, grading, erosion, and sediment control drawings shall be approved to the satisfaction of the DE Department.

The Owner shall also provide proof of final York Region approval prior to final DE Department approval. Conditions to this effect are included in Attachment 1.

The Financial Planning and Development Finance Department have no objection to the Development, subject to development charges being paid

The Financial Planning and Development Finance Department have no objection to the Development, subject to the Owner paying any applicable Development Charges in accordance with the Development Charges By-law of the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Boards, prior to the issuance of a building permit. A standard condition to this effect will be included in the Letter of Undertaking, as identified on Attachment 1.

Vaughan Fire and Rescue Services has no objection to the Development

Vaughan Fire and Rescue Services has no objection to the Development subject to the Owner satisfying all Building Code requirements and providing a minimum level of fire safety and protection at the building construction stage of development.

The Parks Planning Department and Office of Infrastructure Development Real Estate Services have no objection to the Development, subject to cash-in-lieu of parkland being satisfied

The Parks Planning Department and the Office of Infrastructure Development, Real Estate Services have no objection to the Development, provided the Owner pay to Vaughan by way of a certified cheque(s), cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the Subject Lands, prior to issuance of a Building Permit, in accordance with Section 42 of the *Planning Act*. The Owner shall submit an appraisal of the Subject Lands prepared by an accredited appraiser for approval by the Vaughan Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment. A condition to this effect will be included in the Letter of Undertaking, as identified on Attachment 1.

Canada Post has no objection to the Development, subject to satisfying the conditions for mail delivery

Canada Post has no objection to the Development, subject to the Owner satisfying their requirements for mail delivery. Conditions to this effect are included in Attachment 1.

The utility providers have no objection to the Development

The utility providers including HydroOne, Bell Canada, Rogers Communication Inc., Enbridge Gas Distribution and Alectra Utilities Corporation have no objection to the Development, subject to the Owner providing any easements for the Development at no

cost to the utility provider, if required. A condition to this will be included in the Letter of Undertaking, as identified in Attachment 1.

Financial Impact

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

Broader Regional Impacts/Considerations

The Subject Lands front onto Highway 27, which is under the jurisdiction of York Region. York Region on January 16, 2020, deemed the Applications a matter of local significance.

The proposed full moves and right-in/right-out accesses onto Highway 27 are considered acceptable for the Development. Technical comments were provided by the York Region Community Planning and Development Services Division on January 28, 2022 respecting electrical requirements, cost estimates for proposed works within York Region's right-of-way, details of road modifications and financial requirements. The Owner is required to address all comments provided by York Region and obtain final approval prior to the execution of the Letter of Undertaking. A condition to this effect is included in Attachment 1.

Conclusion

The Development Planning Department is satisfied that the Applications are consistent with the PPS, conforms to the Growth Plan, the YROP and VOP 2010. The proposed amendments to Zoning By-law 1-88 and the Development are appropriate for the Subject Lands. The Applications introduce a range of commercial and institutional uses on the Subject Lands that support the surrounding area, and do not adversely impact the surrounding land uses.

On this basis, the Development Planning Department can support the approval of the Applications, subject to the Recommendations of this report and Conditions of Site Plan Approval identified in Attachment 1.

For more information, please contact: Chris Cosentino, Senior Planner, at extension 8215.

Attachments

1. Conditions of Site Plan Approval.
2. Context & Location Map.
3. Previous Site Plan from the March 3, 2020 Public Meeting.
4. Site Plan and Proposed Zoning.
5. Landscape Plan.
6. Building 'A' Elevations.
7. Building 'B' Elevations.
8. Building 'C' Elevations.

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