

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 5, 2017**

Item 13, Report No. 21, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 5, 2017.

**13**

**SITE DEVELOPMENT FILE DA.17.006  
GLEN-HUNTINGTON BUSINESS PARK LIMITED  
WARD 2 - VICINITY OF HIGHWAY 407 AND REGIONAL ROAD 50**

**The Committee of the Whole recommends:**

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning & Growth Management, Director of Development Planning, and Senior Manager of Development Planning, dated May 23, 2017, be approved; and**
- 2) That the coloured elevation drawing submitted by the applicant be received.**

**Recommendation**

The Deputy City Manager, Planning & Growth Management, Director of Development Planning, and Senior Manager of Development Planning recommend:

1. THAT Site Development File DA.17.006 (Glen-Huntington Business Park Limited) BE APPROVED, to permit the development of the subject lands, as shown on Attachments #1 and #2, with a one-storey, 7,400.42 m<sup>2</sup> multi-tenant employment building including an ancillary one-storey, 827.65 m<sup>2</sup> office component, a rear loading area, and with 118 surface parking spaces, as shown on Attachments #3 to #5 inclusive, subject to the following conditions:
  - a) that prior to the execution of the Site Plan Letter of Undertaking:
    - i) the Development Planning Department shall approve the final site plan, building elevations, landscape plan, landscape cost estimate, illumination plan, and signage;
    - ii) the Development Engineering and Infrastructure Planning Department shall approve the final site plan, site grading and servicing plan, and stormwater management report;
    - iii) the Owner shall satisfy all requirements of the Vaughan Environmental Services Department, Solid Waste Management Division;
    - iv) the Owner shall successfully obtain approval of a Minor Variance Application for the required zoning exception to Zoning By-law 1-88, as identified in this report, from the Vaughan Committee of Adjustment, and the Committee's decision shall be final and binding and the Owner shall satisfy any conditions of approval imposed by the Committee; and
    - v) the Owner shall satisfy all requirements of the Ministry of Transportation Ontario;
  - b) that the Site Plan Letter of Undertaking include the following provisions:
    - i) Upon execution of this undertaking, the Owner agrees to convey a Blanket Easement in favour of the City on the subject lands until the following are completed for the public trail/walkway: a reference plan



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showing the location; an easement registered on title; and, the completed construction of works to the satisfaction of the City. Upon the occurrence of the items noted above, the City shall register a Transfer, Release, and Abandonment of the Blanket Easement;

- ii) No paving, parking, or snow storage is permitted on the TransCanada pipeline right-of-way;
- iii) Written consent must be obtained from TransCanada PipeLines Limited prior to undertaking the following activities:
  - constructing or installing a facility across, on, along or under a TransCanada pipeline right-of-way. A facility may include, but is not limited to: driveways, roads, access ramps, trails, pathways, utilities, berms, fences/fence posts;
  - conducting a ground disturbance (excavation or digging) on TransCanada's pipeline right-of-way or within 30 m of centreline of TransCanada's pipe (the "Prescribed Area");
  - driving a vehicle, mobile equipment or machinery across a TransCanada pipeline right-of-way outside the travelled portion of a highway or public road; and
  - using any explosives within 300 m of TransCanada's pipeline right-of-way;
- iv) In addition to the written consent noted above, a locate request must be made to the local one-call notification centre ("One-Call Centre") a minimum of three business days in advance of the construction, ground disturbance, or vehicle or mobile equipment crossing. The One-Call Centre will notify TransCanada to send a representative to mark the facilities, explain the significance of the markings and provide a copy of the locate report. TransCanada requests a minimum of five business days notice for any work involving explosives;
- v) During construction of the site, temporary fencing must be erected and maintained along the limits of the right-of-way by the owner(s) to prevent unauthorised access by heavy machinery. The fence erected must meet TransCanada's specifications concerning type, height and location. The Owner is responsible for ensuring proper maintenance of the temporary fencing for the duration of construction;
- vi) Storage of materials and/or equipment on TransCanada's right-of-way is not permitted;
- vii) Landscaping of TransCanada's right-of-way is to be approved in writing by TransCanada and completed in accordance with TransCanada's Landscaping Guidelines:
  - TransCanada's right-of-way is to be seeded with Canada #1 seed;



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- Grantee shall ensure a 5 m continuous access way in the right-of-way is provided for the TransCanada repair crews;
  - No portion of trees or shrubs shall be permitted to encroach within 5 m of the edge of the TransCanada pipeline within the right-of-way;
  - No trees or shrubs that will reach a height greater than 4 m shall be planted within the right-of-way. Tree roots must not interfere with the pipeline; and
  - A minimum of 5 m between all groups of trees/shrubs will be established. A group is defined as being 3 to 5 trees/shrubs;
- viii) Original depth of cover over the pipeline within TransCanada's right-of-way shall be restored after construction of the Grantee's Facility. This depth of cover over the pipeline shall not be compromised over the life of the Grantee's Facility due to rutting, erosion or other means;
- ix) Grantee's Facility shall be constructed to ensure drainage is directed away from the TransCanada pipeline right-of-way so that erosion that would adversely affect the depth of cover over the pipeline does not occur;
- x) Any large scale excavation adjacent to the right-of-way, which is deeper than the bottom of the pipe, must maintain a slope of 3:1 away from the edge of the TransCanada pipeline right-of-way;
- xi) The Owner shall ensure through all contracts entered into, that all contractors and subcontractors are aware of and observe the foregoing terms and conditions from TransCanada PipeLines Limited;
- xii) Should archaeological resources be found on the property during construction activities, all work must cease and the Ontario Ministry of Tourism, Culture and Sport and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division shall be notified immediately;
- xiii) In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner, and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services; and
- c) that prior to the issuance of a Building Permit:
- i) The Owner shall pay to the City of Vaughan applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, York Region, York Region District School Board and the York Catholic District School Board.

**Contribution to Sustainability**

The application implements the following Goals and Objectives of Green Directions Vaughan:



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Goal 2: To ensure sustainable development and redevelopment

- Objective 2.1: To achieve sustainable growth and development by completing and implementing Vaughan Tomorrow, the City's Consolidated Growth Management Strategy - 2031, and by ensuring that the strategy is subject to periodic review and renewal

Goal 4: To create a vibrant community where citizens, business and visitors thrive

- Objective 4.2: Ensure that the City of Vaughan attracts businesses and investment that will result in well-paying jobs for Vaughan citizens, a sustainable tax base and continuing prosperity into the 21<sup>st</sup> Century

In accordance with the goals and objectives identified above, the Owner has advised that the following, but not limited to, sustainable site and building features will be included in the proposed development:

- Light Pollution Reduction - outdoor lighting will be designed for safety and comfort
- Erosion and Sedimentation Control measures are implemented
- Recycled Content Materials - recycled concrete material will be used for the stone base in the parking lot pavement construction
- Bicycle racks will be provided on the site
- Indoor Water Use Reduction - plumbing fixtures which reduce water requirements will be used
- Utilize roofing materials which have a Solar Reflectance Index (i.e. white roof)
- Utilize low VOC (volatile organic compounds) adhesives and sealants, paints and coatings
- Landscape materials are incorporated which minimize water usage

#### **Economic Impact**

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

#### **Communications Plan**

N/A

#### **Purpose**

To seek approval from the Committee of the Whole for Site Development File DA.17.006 for the subject lands shown on Attachments #1 and #2, to permit the development of a one-storey, 7,400.42 m<sup>2</sup> multi-tenant employment building including an ancillary one-storey, 827.65 m<sup>2</sup> office component, a rear loading area, and 118 surface parking spaces, as shown on Attachments #3 to #5.

#### **Background - Analysis and Options**

*Synopsis:*

*The Owner is proposing the development of a one-storey, 7,400.42 m<sup>2</sup> multi-tenant employment building including an ancillary one-storey, 827.65 m<sup>2</sup> office component, a rear loading area, and with 118 surface parking spaces. The Development Planning Department supports the approval of the proposed development as the proposal conforms to Vaughan Official Plan 2010, is a permitted use by Zoning By-law 1-88, and is compatible and appropriate for the development of the site with the existing and planned land uses within the surrounding area.*



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##### Location

The subject lands shown on Attachments #1 and #2 are located on the south side of Gibraltar Road, north of Highway 407 and east of Regional Road 50. The subject lands are currently vacant, and have a total lot area of 2.01 ha. The surrounding land uses are shown on Attachment #2.

##### Vaughan Official Plan 2010

The subject lands are identified as “Employment Areas” within the Urban Structure of the City of Vaughan Official Plan 2010 (VOP 2010).

The subject lands are designated “Prestige Employment” by VOP 2010, specifically Volume 2, Area Specific Policy 12.12 – Huntington Business Park. Section 10.2.1.6 of Volume 1 of VOP 2010 states that for the purposes of delineating between the “Prestige Employment” and “General Employment” designations, the land use abutting an arterial street or Provincial highway shall be interpreted to extend one lot depth in from the arterial street or Provincial highway resulting in the entirety of the subject lands being designated “Prestige Employment”.

The “Prestige Employment” designation permits a wide range of employment uses including manufacturing, warehousing, processing and distribution uses, located wholly within enclosed buildings, with no outside storage. Accessory office and retail uses directly associated with any of the permitted uses are allowed on the same lot, provided that the combination of accessory office and retail uses does not exceed 49% of the total gross floor area devoted to the primary use. Accessory retail is further restricted to no more than 10% of the total gross floor area devoted to the primary use. The proposed 7,400.42 m<sup>2</sup> multi-tenant employment building includes 827.65 m<sup>2</sup> of accessory office uses representing approximately 11% of the total gross floor area of the building, thereby conforming to this policy. Additionally, there is no outside storage.

Based on the above, the proposed employment building conforms to the “Prestige Employment” designation policies of VOP 2010.

##### Zoning By-law 1-88

The subject lands are zoned EM1 Prestige Employment Area Zone by Zoning By-law 1-88 as shown on Attachment #2. The proposed employment building is a permitted use in the EM1 Zone, however an exception to Zoning By-law 1-88 is required to permit the proposed loading space area to be located between a building and a street (Highway 407). The proposal complies with Zoning By-law 1-88 in all other respects.

##### Committee of Adjustment – Minor Variance Application

The Owner is required to submit a Minor Variance application to the Vaughan Committee of Adjustment for a zoning exception to Zoning By-law 1-88 to permit loading spaces to be located between a building and a street (Highway 407), and successfully obtain the Committee's approval. The Committee's decision shall be final and binding, and the Owner shall satisfy all conditions of the Committee prior to the execution of the Letter of Undertaking. A condition to this effect is included in the recommendation of this report.

##### Loading Spaces

The proposed loading spaces are located between the employment building and Highway 407, as shown on Attachment #3. The Development Planning Department can support the location of the



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loading spaces on the south side of the building, as the proposed 14 m buffer strip along the south property line (outside of the TransCanada pipeline easement) will be well landscaped to appropriately screen the loading spaces. Development Planning staff will be requiring additional landscaping along the south property line as a condition of site plan approval.

#### Site Plan Review

The subject lands are currently vacant. The proposed site plan is shown on Attachment #3 and includes a one-storey, 7,400.42 m<sup>2</sup> multi-tenant employment building with an ancillary one-storey, 827.65 m<sup>2</sup> office component, and 118 surface parking spaces. Access to the site is proposed via two driveways from Gibraltar Road. The proposed building elevations and architectural details of the proposed development are consistent with the Huntington Corporate Business Park – Urban Design Guidelines.

Also, given the visibility of the site from Highway 407, additional landscaping is necessary along the south edge of the property line (outside of the TransCanada Pipeline easement) to screen the rear loading area, to the satisfaction of the Vaughan Development Planning Department.

A total of 118 parking spaces, including 5 accessible spaces, are provided along the north and south sides of the building and the loading area is located at the rear of the building along the south elevation, as shown on Attachments #3 to #5. The 118 parking spaces that are proposed for the development comply with the minimum parking requirements of Zoning By-law 1-88 and the requirements of the *Accessibility for Ontarians with Disabilities Act* (AODA).

The Development Planning Department is generally satisfied with the proposed site plan, building elevations, landscape plan (including the landscape cost estimate) as shown on Attachments #3 to #5, subject to the recommendations outlined in this report, and will continue to work with the Owner to finalize the details. The Development Planning Department must approve the final site plan, building elevations, landscape plan, landscape cost estimate, and signage, prior to the execution of the Site Plan Letter of Undertaking. A condition to this effect is included in the recommendation of this report.

#### Development Planning Department, Urban Design and Cultural Heritage Division

Cultural Heritage staff have reviewed the application and have advised there are no built heritage concerns respecting the subject lands. However, the subject lands are located in an area that has been identified as having high archaeological potential. As such, the following conditions will be included in the Site Plan Letter of Undertaking:

- a) Should archaeological resources be found on the property during construction activities, all work must cease and the Ontario Ministry of Tourism, Culture and Sport and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division shall be notified immediately.
- b) In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services.

A condition to this effect is included in the recommendation of this report.

#### Policy Planning and Environmental Sustainability Department

The application has been reviewed by the Policy Planning and Environmental Sustainability



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Department, and they have advised that there are no natural heritage features identified on this site, in consideration of the City of Vaughan's Natural Heritage Network mapping. However, all applications regardless of location are required to abide by the *Endangered Species Act (2007)* as regulated by the Ministry of Natural Resources and Forestry (MNRF). As such, the Owner is advised to contact the MNRF Aurora District Office for confirmation of any potential Species at Risk on this site.

A Sustainability Metric Score has been submitted for review by the Policy Planning and Environmental Sustainability Department. Bird Safe Treatment/Application is a metric in the Sustainability Performance Metrics. The elevation drawings provided identify some glass windows in front of the building. The use of Bird Safe (Friendly) treatments is recommended to minimize the risk of bird window collisions.

#### Development Engineering and Infrastructure Planning (DEIP) Department

The DEIP Department must approve the final site plan, site grading and servicing plan, and stormwater management report submitted in support of this application prior to the execution of the Site Plan Letter of Undertaking. A condition to this effect is included in the recommendation of this report.

#### Financial Planning and Development Finance Department

The Financial Planning and Development Finance Department has advised that the City of Vaughan, York Region, and both Boards of Education Development Charges are applicable. A standard clause will be included in the Site Plan Letter of Undertaking to this effect.

#### Environmental Services Department, Solid Waste Management Division

The Environmental Services Department, Solid Waste Management Division has reviewed the application and advises that the proposal does not meet the requirements of the Waste Collection Design Standards Policy. The final waste management site plan, floor plan, and waste collection design standards submission must be approved to the satisfaction of the Environmental Services Department, Solid Waste Management Division. A condition to this effect is included in the recommendation of this report.

#### Office of the City Solicitor, Real Estate Department

The Real Estate Department has confirmed that the cash-in-lieu of the dedication of parkland equivalent of 2% of the value of the subject lands has been previously satisfied under the approval of Draft Plan of Subdivision File 19T-04V06.

#### Parks Development Department

The Parks Development Department has reviewed the application and have advised that they will require an easement on the subject lands in favour of the City for a future trail system. Exhibit 6-2 of the Vaughan Transportation Master Plan 2012 (TMP 2012) identifies a Class 1 Community Multi-Use Recreational Pathway crossing the subject lands (shown conceptually on Attachment #2). As such, the following condition will be included in the Site Plan Letter of Undertaking:

“Upon execution of this undertaking, The Owner agrees to convey a Blanket Easement in favour of the City on the subject lands until the following are completed for the public trail/walkway: a reference plan showing the location; an easement registered on title; and the completed construction of works to the satisfaction of the City. Upon the occurrence of the items noted above, the City shall register a Transfer, Release, and Abandonment of the Blanket Easement”.



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A condition to this effect is included in the recommendation of this report.

#### **Ministry of Transportation Ontario (MTO)**

The MTO Highway Corridor Management has reviewed the subject application and have determined that the subject lands are located within the MTO Permit Control Area. As a result, an MTO Building and Land Use Permit is required prior to the commencement of any site construction/works. If any signs are proposed on the subject lands, that are located within 400 m of the Provincial Highway property line and/or Controlled-Access Highway designation and which are visible from the Provincial Highway property line and/or Controlled-Access Highway designation, a permit will be required from MTO.

The Owner must satisfy the requirements of MTO prior to final approval. A condition to this effect is included in the recommendation of this report.

#### **TransCanada PipeLines Limited**

The Site Development Application was circulated to TransCanada PipeLines Limited for review and comment, as there is a high pressure natural gas pipeline crossing the southern portion of the subject lands. TransCanada Pipelines Ltd. has requested that a number of conditions, included in the recommendation of this report, form part of Site Plan approval and be included in the Site Plan Letter of Undertaking.

#### **Relationship to Term of Council Service Excellence Strategy Map (2014-2018)**

This report supports the following priority set forth in the Term of Council Service Excellence Strategy Map (2014-2018):

- Invest, renew and manage infrastructure and assets
- Attract investment and create jobs
- Continue to cultivate an environmentally sustainable City

#### **Regional Implications**

The York Region Community Planning and Development Services Department has reviewed the proposal and has no objection to the Site Development Application.

#### **Conclusion**

The Development Planning Department has reviewed Site Development File DA.17.006 in accordance with the policies of VOP 2010, the requirements of Zoning By-law 1-88, comments received from City Departments and external public agencies, and the surrounding area context. The Development Planning Department is satisfied that the proposed development of the subject lands for an employment building conforms to VOP 2010, is permitted by Zoning By-law 1-88, and is appropriate and compatible with the existing and permitted uses in the surrounding area. Accordingly, the Development Planning Department can support the approval of Site Development File DA.17.006, subject to the recommendations in this report.

#### **Attachments**

1. Context Location Map
2. Location Map
3. Site Plan
4. Building Elevations
5. Landscape Plan



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**Report prepared by:**

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(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)