

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 24, 2014

Item 12, Report No. 30, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 24, 2014.

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**ZONING BY-LAW AMENDMENT FILE Z.14.018
SITE DEVELOPMENT FILE DA.14.002
SOBEYS CAPITAL INCORPORATED
WARD 2 - VICINITY OF LANGSTAFF ROAD AND NEW HUNTINGTON ROAD**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, Interim Director of Planning/Director of Development Planning, and Manager of Development Planning, dated June 17, 2014, be approved; and**
- 2) That the coloured elevation drawings submitted by the applicant be received.**

Recommendation

The Commissioner of Planning, Interim Director of Planning/Director of Development Planning and Manager of Development Planning recommend:

1. That Zoning By-law Amendment File Z.14.018 (Sobeys Capital Incorporated) BE APPROVED, to remove the Holding Symbol "(H)" from a portion of the subject lands as shown on Attachment #2, thereby effectively zoning these lands EM1 Prestige Employment Area Zone and OS1 Open Space Conservation Zone, subject to Exception 9(1254).
2. That Site Development File DA.14.002 (Sobeys Capital Incorporated) BE APPROVED, to permit the Phase 2 development of the subject lands shown on Attachments #1 and #2, with a one-storey, industrial building expansion comprised of a warehouse facility and office and minor exterior modifications to Phase 1, as shown on Attachments #3 to #5, subject to the following conditions:
 - a) that prior to the execution of the Site Plan Letter of Undertaking:
 - i. the Vaughan Planning Department shall approve the final site plan, building elevations, landscape plan and signage plan;
 - ii. the Vaughan Development/Transportation Engineering Department shall approve the final site servicing and grading plan, and stormwater management report;
 - iii. the owner shall satisfy all conditions and requirements of the Toronto and Region Conservation Authority (TRCA) and the Ministry of Transportation (MTO);
 - iv. the owner shall have applied and successfully obtained approval from the Vaughan Committee of Adjustment for a Minor Variance Application for the required site-specific exceptions to Zoning By-law 1-88 as identified in Table 1 of this report, and if approved, the Committee's decision shall be final and binding;
 - v. the owner shall amend the approved Site Plan Agreement for Phase 1, to include the proposed modifications, consisting of new sidewalk, new curbing, and revised parking stall layout, to the satisfaction of the City of Vaughan;

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- vi. the owner shall provide confirmation that the proposed development continues to conform to the Block 57/58 West MESP;
 - vii. the Zoning By-law to remove the “H” Holding Symbol on the subject lands shall be in full force and effect;
 - viii. the owner shall, if applicable, pay all required Development Charges, and Special Service Area Development Charges to the satisfaction of the Vaughan Development Finance and Investments Department.
- b) that the implementing Site Plan Letter of Undertaking include the following provisions:
- i. the owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands for the Phase 2 area, in accordance with Section 51 of the Planning Act and City of Vaughan Policy. The owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approval shall form the basis of the cash-in-lieu payment; and
 - ii. the cash-in-lieu payment in accordance with Section 42 of the Planning Act will not be required as long as the Vaughan Council Policy waiving such payment remains in effect for industrial land.

Contribution to Sustainability

The applications implement the following Goals and Objectives of Green Directions Vaughan:

Goal 2: To ensure sustainable development and redevelopment.

- Objective 2.2: To develop Vaughan as a City with a maximum greenspace and an urban form that supports our expected population growth.

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

- Objective 4.2: Ensure that the City of Vaughan attracts business and investment that will result in well-paying jobs for Vaughan Citizens, a sustainable tax base and continuing prosperity into the 21st 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:

- reduced light pollution and outdoor lighting designed for safety and comfort
- a white roof will be used to minimize the heat island effect
- the use of recycled and regionally sourced materials
- the use of low volatile organic compounds (VOC) (i.e. paints sealants adhesives)
- the use of low flow plumbing fixtures
- drought resistant plants
- high insulation values (R25 to R45)

Economic Impact

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

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Communications Plan

N/A

Purpose

To seek approval from the Committee of the Whole for:

1. Zoning By-law Amendment File Z.14.018 to remove the Holding Symbol “(H)” from a portion of the subject lands zoned EM1(H) and OS1(H) as shown on Attachment #2, thereby effectively zoning these lands EM1 Prestige Employment Area Zone and OS1 Open Space Conservation Zone.
2. Site Development File DA.14.002 to permit the construction of a 26,405.2 m² single storey expansion (Phase 2) to the existing 47,349.6 m² Sobeys Distribution Centre and minor site plan modifications to Phase 1. The new building will be comprised of a warehouse facility and an office component, served by 801 parking spaces, including car, trailer and tractor parking and loading spaces as shown on Attachments #3 to 5 inclusive.

Background - Analysis and Options

Location

The subject lands are located on the east side of New Huntington Road, south of Langstaff Road and north of New Enterprise Way, municipally known as 8265 New Huntington Road, City of Vaughan. Approximately 7.73 ha is developed with a 47,349.6 m² industrial building (Sobeys Distribution Centre). The proposed expansion (Phase 2) consists of a 26,405.2 m² warehouse/office building, and would occupy approximately an additional 5.7 ha. The surrounding land uses are shown on Attachment #2.

Official Plan and Zoning

The subject lands are designated "Prestige Employment", "General Employment" and "Natural Areas" by the new City of Vaughan Official Plan 2010 (VOP 2010), which permits the proposed industrial building expansion to the Sobeys Distribution Centre comprised of a warehouse facility and office components as shown on Attachment #3 to 5 inclusive.

The subject lands are zoned EM1 Prestige Employment Area Zone, EM2 General Employment Area Zone, EM1(H) Prestige Employment Area Zone with Holding Symbol “(H)”, OS1 Open Space Conservation Zone and OS1 Open Space Conservation Zone with Holding Symbol “(H)” by Zoning By-law 1-88, subject to Exception 9(1254). In order to implement the proposed site plan (Attachment #3), the following site-specific zoning exceptions are required:

Table 1:

	By-law Standard	By-law 1-88, EM1 and EM2 Zone Exception 9(1254) Requirements	Proposed Exceptions to the EM1 and EM2 Zone, Exception 9(1254) Requirements
a.	Minimum Parking Requirements	73,754.6 m ² @ 1 space/100 m ² = 738 parking spaces (over Phases 1 and 2)	73,754.6 m ² @ 0.6 space/100 m ² = 413 parking spaces (over Phases 1 and 2)

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b.	Maximum Driveway/Aisle width For Truck Movement from Loading Space	13.5 m	21.5 m
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The owner needs to apply and successfully obtain approval from the Vaughan Committee of Adjustment for a Minor Variance application for the above noted zoning exceptions to implement the proposed Phase 2 addition. The maximum driveway/aisle width increase from 13.5 m to 21.5m is consistent with the development standards used in Phase 1, and is required to maintain a consistent aisle width over the entire site for truck maneuvering. The owner is proposing 413 parking spaces to serve the existing Phase 1 and proposed Phase 2 development, whereas Zoning By-law 1-88 requires a minimum of 738 spaces. The owner has submitted a Parking Demand Study, which includes an assessment of driveway and internal roadway widths prepared by GHD and dated April 24, 2014, in support of the proposed parking supply and driveway width. The Vaughan Development/Transportation Engineering Department has since approved the Parking Study.

A portion of the subject lands at the northeast corner of the subject lands is currently zoned EM1(H) Prestige Employment Area Zone and OS1(H) Open Space Conservation Zone, both with the Holding Symbol "(H)". The removal of the Holding Symbol is subject to two conditions: the lands be combined with other part blocks in the adjacent subdivision to form full developable blocks; and, upon the determination of the final alignment of the Highway 427 extension and cross-over, to the satisfaction of the Ministry of Transportation Ontario (MTO).

The applicant has confirmed that the subject lands have been combined to create one large parcel to be developed in phases as registered under Property Identification Number (PIN) 03317-0670 (LT). The MTO has advised that the final alignment of Highway 427 has been determined and that they have no concern with the removal of the Holding Symbol "(H)" on the portion of the lands shown on Attachment #2. The MTO has also indicated that the remainder of the lands within the Highway 427 right-of-way and the required 14 m setback, continue to be zoned EM1(H) and OS1(H). The owner has submitted the subject Zoning By-law Amendment application to remove the Holding Symbol "(H)" from a portion of the subject lands as shown on Attachment #2. Prior to the execution of the Site Plan Letter of Undertaking, the implementing Zoning By-law to remove the (H) Holding Symbol shall be in full force and effect. Should Vaughan Council approve this application, a By-law to remove the Holding Symbol "(H)" will be forwarded to the June 24, 2014, Vaughan Council meeting for enactment.

Site Plan Review

The proposed site plan on Attachment #3 illustrates the existing Phase 1 development, comprised of a 47,349.6 m² building, and the proposed Phase 2 portion of the Sobey's Distribution Centre, consisting of a new 26,405 m² one-storey building expansion. Minor modifications to Phase 1 are also proposed, which consist of new curbing and sidewalks and parking stall layouts. Phase 2 will include a warehouse facility and an office component, served by an overall (Phases 1 and 2) 801 parking spaces, including car (413 spaces), trailer and tractor parking and loading spaces, as shown on Attachment #3.

The buildings are connected by the main entrance on the south side, which would serve both buildings. A central court area comprised of a parking area for both employee and visitors, with a landscaped turnaround/drop-off feature, are served by a main driveway access from New Enterprise Way and shared by both buildings. The easterly limit of the overall subject lands would remain vacant at this time, and is shown as Phase 3 on Attachment #3.

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The proposed building elevations are shown on Attachments #5 and #6. The east elevation at the south corner proposes an illuminated green corporate Sobeys signage.

The proposed landscape plan for the Phase 2 portion of the site plan is shown on Attachment #4, and consists of a mix of seeding, sod, deciduous and coniferous trees and shrubs. The landscaping for this phase is limited to the main entrance from New Enterprise Way and the court area between the existing building and new expansion as shown on Attachment #4.

The Vaughan Planning Department is satisfied with the proposed site plan, building elevations and landscape plan and will continue to work with the owner to finalize the details.

Vaughan Development /Transportation Engineering Department

The Vaughan Development/Transportation Engineering Department has reviewed the first submission plans and reports received on February 14, 2014, and provide the following comments:

a) Development Services

The Engineering Development Services Staff has reviewed the latest submission for Phase 2 and the minor site plan works for Phase 1 and have no comment.

b) Environmental

No further environmental site assessment reports are required at this time in order for the development application to proceed to a technical report to the Committee of the Whole.

c) Transportation

The Parking Study prepared by GHD and dated April 24, 2014 supports the reduction of the parking supply from 738 spaces to 413 spaces to serve the warehouse expansion and concludes that the proposed parking supply of 413 spaces would be sufficient for the development's specific requirements. The conclusion was substantiated by parking utilization study/survey conducted by the Traffic consultant on the existing facility. The proposed parking is also appropriate based on the preliminary findings of the City of Vaughan's Draft Parking Standards completed by IBI Group.

In consideration of the above, the Transportation Engineering section has no objection with the reduction of the parking supply and increased driveway/aisle width as recommended in the study.

A Traffic Impact Study prepared by GHD and dated January 2014, supports the proposed expansion and concluded that the traffic volumes generated by the proposed development is anticipated to have modest impact on the adjacent intersections. The site generated traffic can be accommodated without substantially impacting traffic operations at adjacent intersections and therefore, the Department concurs with the overall study and methodology and accepts its conclusions and recommendations.

d) Sustainable Transportation Comments - Sustainable Transportation Section

Walking and Accessibility

1. To ensure adequate accessibility, the pedestrian walkways are recommended to have a minimum clear width of 1.5m where possible.

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2. A sidewalk connection is recommended for pedestrians between the existing sidewalk on the east side of New Enterprise Way and the main entrance. The primary access for employees and visitors will be from New Enterprise Way. As such, a sidewalk connection is required to provide safe and convenient access for pedestrians and people arriving by transit (closest bus stop is at the intersection of Zenway Boulevard and New Enterprise Way).
3. Several clearly marked pedestrian crossings with depressed curbs are recommended in the employee parking area to provide a convenient connection for pedestrians to the main entrance.
4. For all uncontrolled courtesy crossings in the parking lot area, pavement markings are not recommended if they are too similar to markings used for typical controlled crossings (e.g. ladder crosswalk markings), which would create a false sense of security on the part of pedestrians. Instead, these crossings should be enhanced through, for example, sidewalk extensions, textured pavement, or thermoplastic markings.
5. All pedestrian crossings in the parking lot area should be barrier-free (i.e. through the use of dropped curbs). The extent of all dropped curbs should be marked on the site plan.

Cycle Parking

6. The City's Draft Parking Standards does not have a bicycle parking standard for industrial land uses. Therefore, the City recommends the same standard as the City of Toronto, which requires bicycle parking spaces equal to 5% of the number of required parking spaces. As such, the City recommends 21 bicycle parking spaces for this development.

GFA (sqm)	Recommended Bicycle Parking Rate	Required Parking Spaces	Recommended Bicycle Parking Spaces
24,397.2	5% of the number of required parking spaces	413 spaces approved	21

7. Short term parking spaces are recommended and should be shown on the Site Plan and Landscape Plan. The proposed rack/stand type should be identified in the Landscape Details. Cycle parking should consist of bike stands, preferably sheltered. Bike stands should be easily accessible (no more than 15m from a building entrance), and highly visible. Medium-high security stands are recommended with in-ground mount, which permits the bicycle frame and both wheels to be locked to the stand (e.g. inverted 'U' stand).

Vaughan Public Works Department

The Vaughan Public Works Department has reviewed the development application and has indicated that the Waste Management Division has no issue with how waste is presently being managed as well as future waste generated from the new expansion and therefore has no further comments for Site Development File DA.14.002.

Vaughan Legal Services Department - Real Estate Division

The Vaughan Legal Services Department - Real Estate Division has indicated that the owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of

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parkland equivalent to 2% of the value of the subject lands for the Phase 2 area, in accordance with Section 51 of the Planning Act and City of Vaughan Policy. The owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.

The cash-in-lieu payment in accordance with Section 42 of the Planning Act will not be required as long as the Council Policy waiving such payment remains in effect for industrial land.

Vaughan Development Finance and Investments Department

The Vaughan Development Finance and Investments Department has reviewed the development application and has indicated that Development Charges and Special Service Area Development Charges shall be paid to the City of Vaughan in accordance with the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board Development Charge By-laws. Development Charges are payable on the date a Building Permit is issued at the rate in effect at that time, however, Special Service Area Development Charges, if applicable, shall be paid immediately upon entering into a Site Plan Agreement/Site Plan Letter of Undertaking.

Ministry of Transportation Ontario

The Ministry of Transportation provides the following comments:

1. The owner will need to apply for and pay the applicable fees for the Ministry Building and Land Use Permit prior to any construction or site servicing taking place.
2. The Ministry will require that the site plan clearly show the 14 m setback from the Highway 427 extension right-of-way and the future expansion.
3. The Ministry requires a stormwater management report for review/comment and approval.
4. The Ministry has also indicated that they have no objection to the removal of the Holding Symbol “(H)” on a portion of the lands but will require the remainder which is comprised of the Highway 427 right-of-way expansion and 14m setback as shown on Attachment #2, to continue to be zoned with the Holding Symbol (H)

TransCanada Pipeline

TransCanada Pipeline is proposing to construct and operate a new natural gas transmission pipeline in the City of Vaughan, which will connect TransCanada's existing pipeline to new facilities proposed by Enbridge Gas Distribution. The most easterly portion of the subject lands fall within the proposed pipeline route, but it does not impact the development proposal and the proposed Phase 2 Expansion as shown on Attachment #3. The pipeline runs along side of the proposed 427 Highway extension, which is located east of the Phase 2 area.

Toronto and Region Conservation Authority (TRCA)

The TRCA has reviewed the latest submission and has indicated that they have no objection to the approval of Site Development File DA.14.002, subject to the following conditions being required in the Site Plan Letter of Undertaking:

1. That the owner successfully obtain a permit under Ontario Regulation 166/06 (Development Interference with Wetlands and Alterations to Shorelines and Watercourses) for site grading/development on the subject property.

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2. That the owner provides a complete technical re-submission package satisfactorily addressing all outstanding TRCA technical comments as noted in TRCA's letter of May 22, 2014.
3. That the site plan be subject to red-lined revisions, in order to meet requirements of Condition #2 above, if necessary.

Relationship to Vaughan Vision 2020/Strategic Plan

This staff report is consistent with the following initiatives set forth in the Vaughan Vision 2020/Strategic Plan:

i) Lead and Promote Environmental Sustainability

The Owner will be incorporating the sustainable site and building features identified in this report.

The proposed development includes indoor plumbing fixtures that reduce water requirements, bicycle racks, and low VOC adhesive, sealants, paints and coatings. The proposed landscape plan includes drought tolerant plant material to encourage water conservation.

ii) Manage Growth and Economic Well Being

The proposed development implements the City's current Official Plan and the Growth Management Strategy as set in Vaughan Official Plan 2010.

Regional Implications

The York Region Transportation and Community Planning Department has reviewed the subject application and advises that it has no objection or comment.

Conclusion

The Vaughan Planning Department has reviewed Zoning By-law Amendment File Z.14.018 and Site Development File DA.14.002 in accordance with VOP 2010, Zoning By-law 1-88, the comments from City Departments and external public agencies, and the area context. The proposed development consisting of a one-storey addition to an existing industrial building (Sobeys Distribution Centre) conforms with the Official Plan, and is appropriate and compatible with the existing and permitted uses in the surrounding area. Accordingly, the Planning Department can support the approval of the proposed applications, subject to the conditions contained in this report.

Attachments

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

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.)