

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF OCTOBER 19, 2016

Item 10, Report No. 34, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on October 19, 2016.

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**SITE DEVELOPMENT FILE DA.12.042
SMITH FARM PROPERTY HOLDINGS INC.
WARD 2 - VICINITY OF STEELES AVENUE WEST AND REGIONAL ROAD 27**

The Committee of the Whole recommends approval of 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 October 5, 2016:

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.12.042 (Smith Farm Property Holdings Inc.) BE APPROVED, to permit the development of the subject lands, as shown on Attachments #1 and #2, with a 20,855.73 m² employment building comprised of a one-storey, 19,277.91 m² warehouse with a two-storey, 1,577.82 m² office component, having 323 surface parking spaces, and 35 loading spaces and 1 drive-in door, as shown on Attachments #3 to #6 inclusive, subject to the following conditions:
 - a) that prior to the execution of the Site Plan Agreement:
 - i) the Vaughan Development Planning Department shall approve the final site plan, building elevations, and landscape plan, including the provision of additional landscaping along the north property line and 2 additional accessible parking spaces;
 - ii) the Vaughan Development Engineering and Infrastructure Planning Department shall approve the final site servicing and grading plan, Steeles Avenue Site Works Plan, stormwater management, illumination plan, and Traffic Impact Study;
 - 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 exceptions to Zoning By-law 1-88, as identified in Table 1 of 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;
 - v) the Owner agrees, if required, to convey an easement or provide a dedicated connection to a portion of the lands in proximity to the Ministry of Transportation transitway to facilitate the Multi-use Recreational Pathway to the satisfaction of the Vaughan Parks Development Department;
 - vi) the Owner shall satisfy all requirements of the Ministry of Transportation;
 - vii) the Owner shall satisfy all requirements of the Region of York;

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- viii) the Owner shall satisfy all requirements of the City of Toronto;
 - ix) the Owner will grant to Bell Canada any easements that may be required, which may include a blanket easement, for communication/telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.
- b) that the Site Plan Agreement include the following provisions:
- i) that prior to the issuance of a Building Permit:
 - 1. 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, Region of York, York Region District School Board and York Catholic District School Board.
 - 2. 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, in accordance with Section 42 of the *Planning Act* and the City's Cash-in-Lieu Policy. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Vaughan Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment.
 - ii) 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.
 - iii) 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.
2. a) THAT York Region and the City of Toronto be advised that the City of Vaughan consents to the provision of water service connections from the existing City of Toronto 300 mm diameter watermain on Steeles Avenue West, and the existing storm and sanitary sewer connections from the adjacent eastern property to the proposed development (Smith Farm Property Holdings Inc.) located on the north side of Steeles Avenue West, between Regional Road 27 and Martin Grove Road.
- b) THAT the Mayor and Clerk be authorized to execute the necessary agreements among York Region, the City of Toronto and the City of Vaughan such that the necessary water and sanitary service connections can be constructed and implemented including the water meter and billing mechanism.

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 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:

- Vegetation – native plant species will be used in order for them to adapt to the local growing condition, including climate, soil, and insects. Coniferous trees will be used to shade the building and streetscapes, act as windbreakers and be drought tolerant.
- Permeable Pavers – permeable pavers will be used in selected areas. The potential benefits for using permeable pavers are:
 - Removal of contaminants by filtration, allowing absorption, microbiological breakdown and settlement, and attenuation of runoff.

Economic Impact

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

Communications Plan

N/A

Purpose

The purpose of this report is to seek approval from the Committee of the Whole for Site Development File DA.12.042 for the subject lands shown on Attachments #1 and #2, to permit the development of a 20,855.73 m² employment building with 323 surface parking spaces as shown on Attachment #3.

Background - Analysis and Options

Synopsis:

The Owner is proposing the development of a 20,855.73 m² employment building comprised of a one-storey, 19,277.91 m² warehouse with a two-storey, 1,577.82 m² office component, having 323 surface parking spaces, 35 loading spaces and 1 drive-in door. The zoning of the subject lands permits the warehouse and office uses. To facilitate the proposal, the submission of a Minor Variance Application and approval from the Vaughan Committee of Adjustment is required to permit an increase in driveway width for the easterly access, a reduction in driveway width for the westerly access, and to permit loading spaces to be located between a building and a street (Highway 407). The Vaughan Development Planning Department supports the proposed development and variances to Zoning By-law 1-88, as the proposal conforms to the Official Plan and is compatible and appropriate for the development of the site with the existing and planned land uses.

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Location

The subject lands shown on Attachments #1 and #2 are located on the north side of Steeles Avenue West, east of Regional Road 27, and south of Highway 407. The subject lands are currently vacant, and have a total lot area of 4.82 ha. The surrounding land uses are shown on Attachment #2.

The subject lands previously included the abutting 1.32 ha parcel of land to the north, which was recently acquired by the Ministry of Transportation (MTO) for the construction of the future Highway 407 transitway corridor, and are not part of the subject site development application. These lands are zoned PB1(S) Parkway Belt Linear Facilities Zone.

The subject lands were previously part of the Provincial Parkway Belt West Plan (PBWP), which was originally implemented in 1978 to create a multi-purpose land use corridor for utility, buffering, and open space uses. On January 24, 1985, Amendment No. 7 to the PBWP was passed to remove certain lands, including the subject lands, from the PBWP.

Official Plan and Zoning

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. The “Prestige Employment” designation permits a wide range of industrial, office, and ancillary retail uses, with no outside storage. The proposed development conforms to the policies in VOP 2010.

The subject lands are zoned EM1 Prestige Employment Area Zone, subject to site-specific Exception 9(555) by Zoning By-law 1-88. In addition to the permitted EM1 Zone uses, Exception 9(555) permits a golf driving range and buildings and structures accessory thereto, including a clubhouse. The following Minor Variances to the EM1 Zone standards for an employment use are required to facilitate the proposed industrial development:

Table 1			
	By-law Standard	By-law 1-88 Requirement of the EM1 Zone subject to Exception 9(555)	Proposed Exceptions to the EM1 Zone subject to Exception 9(555)
a.	Maximum width of a driveway and/or aisle which serves the movement of trucks to and from a loading space (for easterly driveway access)	13.5 m	14.5 m
b.	Width of a joint ingress/egress driveway	7.5 m	6 m
c.	Location of Loading Spaces	Loading spaces are not permitted between a building and a street	To permit loading spaces between a building and a street (Highway 407)

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a) Driveway/Aisle Widths

The proposed easterly access from Steeles Avenue West has a driveway width of 14.5 m, which serves the movement of trucks to and from the loading space area on the north side of the proposed employment building. The Vaughan Development Planning Department has no concerns with the increased driveway width because it provides better flexibility for the movement of trucks entering and exiting the site.

The proposed westerly access from Steeles Avenue West has a driveway width of 6 m, which serves the movement of passenger vehicles in and out of the subject site. The Development Planning Department has no concern with the decreased driveway width because it will not adversely impact the movement of cars entering and exiting the site.

b) Loading Spaces

The loading spaces are proposed between the employment building and Highway 407. The Development Planning Department can support the proposed location of the loading spaces on the north side of the building, as the proposed 11 m buffer strip along the north edge of the subject lands will be well landscaped to appropriately screen the loading spaces. Development Planning staff will be requiring additional landscaping along the north property line as a condition of site plan approval.

c) Future Minor Variance Application

The Owner is required to submit a Minor Variance application to the Vaughan Committee of Adjustment for the required zoning exceptions to Zoning By-law 1-88, as identified in Table 1 of this report, 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 finalization of the Site Plan Agreement. A condition to this effect is included in the recommendation of this report.

Site Plan Review

The subject lands are currently vacant. The site plan shown on Attachment #3 proposes a 20,855.73 m² employment building comprised of a one-storey, 19,277.91 m² warehouse with a two-storey, 1,577.82 m² office component, having 323 surface parking spaces, and 35 loading spaces and 1 drive-in door.

The main entrance of the proposed building is located at the southwest corner of the site, which faces both Regional Road 27 and Steeles Avenue West, as shown on Attachments #3, #4, and #6. A 9 m wide landscape strip is being proposed along both Steeles Avenue West and Regional Road 27. An 11 m MTO setback (landscaped buffer strip) is also being provided along the north edge of the subject lands, as shown on Attachments #3 and #5.

There are 35 loading spaces and one drive-in door currently proposed within recessed areas along the north side of the building, whereas loading spaces between a building and a street (Highway 407) are not permitted by By-law 1-88, as mentioned previously in this report.

A total of 323 parking spaces, including 9 accessible spaces, will be provided mostly around the perimeter of the site. The proposed parking supply exceeds the minimum by-law requirement of 321 spaces. The new accessibility parking standards, approved and adopted by the Province of Ontario, require a minimum of 11 accessible spaces, of which 5 are required to be Type "A" spaces and 6 are required to be "Type B" spaces. The site plan must be updated to reflect these standards.

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Two access points on Steeles Avenue West are proposed to serve the site. The westerly access is proposed as a right-in and right-out only access for passenger vehicles, with a centre median being proposed on Steeles Avenue West. The easterly access is proposed to be a full-moves access for both passenger vehicles and trucks. The Vaughan Building Standards Department has advised that the westerly access is required to maintain a width of 7.5 m, whereas 6 m is proposed, and the easterly access is required to maintain a maximum width of 13.5 m, whereas 14.5 m is proposed. Relief from By-law 1-88 is required for the driveway widths that are being proposed. Therefore, the Owner is required to submit a Minor Variance Application as described earlier in this report. A condition to this effect is included in the recommendation of this report.

The City of Toronto must approve the location of the proposed access driveways, and the municipal services and hydro connections within the Steeles Avenue West right-of-way.

The Vaughan Development Planning Department is generally satisfied with the proposed site plan, building elevations, and landscape plan 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 Vaughan Development Planning Department must approve the final site plan, building elevations, and landscape plan, prior to the execution of the Site Plan Agreement. A condition to this effect is included in the recommendation of this report.

Vaughan Development Planning Department, Urban Design and Cultural Heritage Division

Urban Design:

The Urban Design and Cultural Heritage Division has reviewed the proposed site plan, building elevations, landscape plan, and building rendering as shown on Attachments #3, #4, #5 and #6 respectively. Development Planning and Urban Design staff have been working with the applicant to enhance the overall building design to provide more glass and greater architectural detail along the façades facing Steeles Avenue West and Regional Road 27, due to the site's high visibility from both of these streets. Development Planning and Urban Design staff are generally satisfied with the improvements made by the applicant to the building elevations and renderings, as shown on Attachments #5 and #6. The City will continue to work with the applicant to finalize the details.

Cultural Heritage:

The Urban Design and Cultural Heritage Division has 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 are recommended for inclusion in the Site Plan Agreement:

- 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.

Vaughan Development Engineering and Infrastructure Planning Department

The Vaughan Development Engineering and Infrastructure Planning (DEIP) Department has provided the following comments for the subject application:

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1. Environmental

The Vaughan DEIP Department has reviewed the Phase 1 Environmental Site Assessment, submitted in support of the application, and have advised there are no concerns. As such, they have provided environmental clearance for this development.

2. Water Servicing

The subject development proposes a water connection to the existing City of Toronto 300 mm diameter watermain on Steeles Avenue West. The Owner is required to obtain all necessary approvals from the City of Toronto for this proposed connection, and shall provide all documentation to the City of Vaughan, accordingly.

Ministry of the Environment compliance and operation of the water system for the City of Vaughan is to be provided by the Vaughan Environmental Services Department.

Additional comments may be forthcoming upon receipt of comments from the City of Toronto.

3. Storm and Sanitary Servicing

The subject development proposes Storm and Sanitary connections to the adjacent eastern property which has an existing 750 mm diameter storm sewer and 250 mm diameter sanitary sewer. An easement will be required.

The Owner shall provide a copy of the deposited 65R-Plan (Reference Plan) showing the proposed easement, and/or a copy of the mutual access/servicing agreement for the shared municipal servicing requirements to the satisfaction of the DEIP Department.

The Owner is required to obtain all necessary approvals from the City of Toronto and the Region of York.

4. Transportation

Transportation staff from the DEIP Department have advised that the Owner is required to submit an updated Traffic Impact Study that addresses their comments from July 30, 2012. Additionally, they have also advised the proposed access locations on Steeles Avenue West will require review and approval by the Region of York and City of Toronto, and that accessible parking spaces must be provided in accordance with the *Accessibility for Ontarians with Disabilities Act, 2005* and should be verified by the Vaughan Building Standards Department.

Modifications to the site plan are required to address signage and on-site pedestrian connections.

The Owner is proposing to construct a sidewalk that is located in the public right-of-way along Steeles Avenue West. Since Steeles Avenue West is under the jurisdiction of the City of Toronto, confirmation from the City of Toronto is required.

5. Ministry of Transportation

The Owner is required to obtain all necessary approvals from the Ministry of Transportation (MTO), City of Toronto, and the Region of York.

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Vaughan Financial Planning and Development Finance Department

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

Vaughan Environmental Services Department, Solid Waste Management Division

The Vaughan Environmental Services Department, Solid Waste Management Division has reviewed the application and advises that the proposal meets the Waste Collection Design Standards Policy. The final waste management plan and waste collection design standards submission must be approved to the satisfaction of the Vaughan Environmental Services Department, Solid Waste Management Division. A condition to this effect is included in the recommendation of this report.

Vaughan Office of the City Solicitor, Real Estate Department

The Real Estate Department has advised that the Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent of 2% of the value of the subject lands prior to the issuance of the Building Permit, in accordance with Section 42 of the *Planning Act* and the City's Cash-in-Lieu Policy. The Owner is required to submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment. This provision will be included in the implementing Site Plan Agreement, if the application is approved. A condition to this effect is included in the recommendation of this report.

Vaughan Parks Development Department

The Vaughan Parks Development Department has no objection to the proposed development, however, they have advised that the City of Vaughan Pedestrian and Bicycle Master Plan identifies a Class 1 Community Multi-use Recreational Pathway in the immediate vicinity of the subject lands. Accordingly, the Vaughan Parks Development Department requests as a condition of site plan approval, that the Owner agree, if required, to convey an easement or provide a dedicated connection to a portion of the lands in proximity to the MTO transitway to facilitate the Multi-use Recreational Pathway to the satisfaction of the Vaughan Parks Development Department. The Vaughan Parks Development Department has also requested the site plan be revised to show a potential dedicated connection to facilitate a recreational pathway, as per the Pedestrian and Bicycle Master Plan.

Staff will continue to work with the applicant to finalize the details. A condition to this effect is included in the recommendation of this report.

Ministry of Transportation

The Site Development Application was circulated to the Ministry of Transportation (MTO) for review and comment. The MTO has advised that the subject lands are located within the MTO Permit Control Area, as a result, a MTO Building and Land Use Permit is required prior to the commencement of any on-site construction/works. MTO sign permits may also be required. The MTO has advised the following:

- For the north portion of the property, an 11 m setback from the Controlled-Access Highway designation limit is required and for the west portion of the property, a 9 m setback from the Provincial Highway property line and Controlled-Access Highway

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designation is required. No features which are essential to the overall viability of the site are permitted within the MTO setback area. Essential features include, but are not limited to, buildings/structures (above or below grade), required parking, utilities, stormwater management features, fire routes, driveways, loading spaces, waste areas, snow storage, etc.

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

Toronto and Region Conservation Authority

The Site Development Application was circulated to the Toronto and Region Conservation Authority (TRCA) as a courtesy, as the subject lands are located in close proximity to the TRCA's Regulated Area. TRCA staff have no objection to the approval of this application and have deferred the review of the stormwater management design to City of Vaughan staff.

City of Toronto

The City of Toronto has received the application material and are currently reviewing it. Toronto staff anticipate submitting new comments shortly. Similar to other developments approved by the City of Vaughan along the Steeles Avenue West corridor, Vaughan Development Planning staff anticipate the City of Toronto will acknowledge the need for the servicing agreement. As such, the City of Toronto, York Region, the Owner and the City of Vaughan will continue to work towards executing the required servicing agreement.

Bell Canada

Bell Canada has advised that the Site Plan Agreement shall indicate in words satisfactory to Bell Canada, that it will grant to Bell Canada any easements that may be required, which may include a blanket easement, for communication/telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements. A condition to this effect has been included in the recommendation of this report.

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

This report supports the following priority set forth in 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 subject lands are designated "Urban Area" by the York Region Official Plan, which permits a wide range of residential, commercial, industrial and institutional uses.

The subject lands front onto Steeles Avenue West, which is under the jurisdiction of the City of Toronto.

The Region has no objection to the Site Development Application, subject to the applicant confirming that a tri-party cross-servicing agreement has been executed. Once this has been done, York Region will issue their approval letter.

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York Region has been working diligently with the City of Toronto, the Owner, and the City of Vaughan in executing a tri-party servicing agreement that would allow for servicing of the subject lands from the City of Toronto's water and wastewater system.

Conclusion

The Vaughan Development Planning Department has reviewed Site Development File DA.12.042 in accordance with the policies of VOP 2010, Zoning By-law 1-88, comments from City Departments and external public agencies, and the area context. The Vaughan Development Planning Department is satisfied that the proposed development of the subject lands for an employment use building is appropriate and compatible with the existing and permitted uses in the surrounding area, and conforms to the Official Plan. Accordingly, the Vaughan Development Planning Department can support the approval of Site Development File DA.12.042, subject to the conditions in this report. The Owner will be required to successfully obtain minor variances from the Vaughan Committee of Adjustment, prior to the execution of the implementing site plan agreement.

Attachments

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

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.)