

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 13, 2016

14

The Committee of the Whole recommends:

- ## Recommendation

1. THAT Site Development File DA.15.063 (Highway 27 Langstaff GP Limited) BE APPROVED, to facilitate the re-location of the John Lawrie Heritage Dwelling on the subject lands shown on Attachments #1 and #2, in conjunction with the construction of a future stormwater management pond facility that will serve the Costco Distribution Centre on the abutting lands, as shown on Attachments #3 to #7, subject to the following conditions:

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Contribution to Sustainability

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

Goal 1: To significantly reduce our use of natural resources and the amount of waste we generate

- Objective 1.3: To support enhanced standards of stormwater management at the City and work with others to care for Vaughan's watersheds

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

- an erosion and sediment control plan will be implemented
- a stormwater management design approach that provides for water quantity and water quality treatment while reducing run-off volumes and potential erosion risks in an effort to maintain water balance on a site with a high level of impervious surface

Economic Impact

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

Communications Plan

On November 25, 2016, the Vaughan Development Planning Department mailed a courtesy notice of the subject Committee of the Whole meeting to the West Woodbridge Homeowners' Association and to those individuals that requested notice of the related Zoning By-law Amendment Application (File Number Z.14.019) and Site Development Application (File DA.14.088) that were associated with the Costco Distribution Centre facility on the abutting lands.

Purpose

The purpose of this report is to seek approval from the Committee of the Whole for Site Development File DA.15.063 in order to facilitate the re-location of the John Lawrie Heritage Dwelling (in the vicinity of its current location) in conjunction with the construction of a future stormwater management pond facility (that will serve the Costco Distribution Centre), tree preservation and other site plan matters as shown on Attachments #3 to #7.

Background - Analysis and Options

Synopsis:

The application involves the re-location of the John Lawrie Heritage Dwelling in conjunction with the construction of a future stormwater management pond facility that will serve the Costco Distribution Centre, tree preservation and other site plan matters. The Vaughan Development Planning Department recommends that Vaughan Council approve Site Development File DA.15.063, subject to conditions.

Location

The subject lands comprise 1.9 ha and are located on the west side of Regional Road 27, north of Langstaff Road, as shown on Attachments #1 and #2.

Planning Considerations

City of Vaughan Official Plan 2010 (VOP 2010)

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The subject lands are designated “Natural Areas” by VOP 2010, Volume 2, Section 11.9, West Vaughan Employment Area Plan. The Owner appealed certain policies in VOP 2010 to the Ontario Municipal Board (OMB). On September 10, 2015, the OMB considered a settlement between the Owner and the City to resolve the appeals. On March 31, 2016, the OMB issued its Final Decision to redesignate the property. The proposal conforms with the policies of the Official Plan.

Zoning

The subject lands are zoned OS1 Open Space Conservation Zone by Zoning By-law 1-88, subject to Exception 9(1425), which permits the heritage building on the lands. On October 20, 2016, the Committee of Adjustment approved an application for a Minor Variance that permits a 0 m interior side yard setback, whereas 15 m is typically required. The 0 m setback is based on the current location of the John Lawrie Heritage Dwelling. The Development Planning Department had no objection to the proposed variance, which is minor in nature and assists in protecting a building with heritage value. It is noted that the current site plan that is to be finalized to relocate the structure includes a 5.8 m interior side yard setback, and the approved variance of 0m will capture the ultimate setback of 5.8 m without the need for a further variance. On October 20, 2016, the Committee of Adjustment also approved a Consent application to facilitate the severance of the stormwater block from the remainder of the lands. The Committee's decision on both the variance and consent applications shall be final and binding, and the Owner shall satisfy all conditions, if any, 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.

The John Lawrie Heritage Dwelling is currently vacant and the future use of the building is still to be determined. It is noted that further by-law relief may be required at a future date when the proposed use of the building is determined.

Site Plan Review

On October 20, 2015, Vaughan Council approved Site Development File DA.14.088 to facilitate the approval of the Costco Distribution Centre. The subject Site Development Application pertains to lands that were identified for a future stormwater management pond to service the Costco site, as part of consideration of the previous application. The stormwater management pond block must remain in private ownership because it is required to service the abutting Costco site.

The relocation of the heritage dwelling involves the removal of wood and brick additions to the structure that preserve the heritage value of the structure. The review of the subject application is meant to ensure that the stormwater management pond remains in private ownership while properly servicing the warehouse facility, and that the John Lawrie Heritage Dwelling is protected to the satisfaction of the City of Vaughan. As such, the necessary arrangements will need to be in place to ensure that the private stormwater management pond servicing the subject lands is maintained in perpetuity.

Vaughan Development Engineering and Infrastructure Planning Department (DEIP)

a) Environmental

The subject lands do not require environmental approvals because they were cleared from an environmental perspective as part of Site Development File DA 14.088 for the Costco site. The clearance included the requirement to obtain a Record of Site Condition (RSC), which is filed on the Environmental Site Registry and acknowledged by the Ministry of the Environment and Climate Change (MOECC).

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b) Services

The DEIP Department has reviewed the submission material in support of this Site Development Application and has identified the following comments and conditions of approval:

i) Stormwater Management and Site Drainage:

An Easement Agreement is required between “Costco” (Costco Wholesale Canada Ltd.) and the “Owner” (Highway 27 Langstaff GP Limited) as the ownership of the stormwater management pond will remain with Highway 27 Langstaff GP Limited although it will service the abutting Costco site. The Easement Agreement is to be registered on title prior to the issuance of the site plan agreement to ensure the costs of all future maintenance and/or repairs of the stormwater management (SWM) pond are secured. A condition to this effect is included in the recommendation of this report.

The applicant shall provide a cost-estimate for the SWM pond, that includes the construction costs, as well as any future maintenance and/or repair costs for the SWM pond in order to determine the value of the Letter of Credit (LC), which is to be secured by the City prior to the execution of the Site Plan Agreement. It is noted that a Letter of Credit in the amount of \$544,350.00 was secured as part of the approval of the Costco Distribution Centre (File DA.14.088). This Letter of Credit will be returned to the Owner of the Costco Distribution Centre lands upon the finalization of the Site Plan Agreement related to File DA.15.063 and the posting of a new Letter of Credit for the subject application.

The final approved plans must demonstrate that all drainage areas will remain unchanged and the current run-off will remain the same given the relocation of the heritage dwelling.

ii) Sanitary Servicing:

The ultimate servicing scheme will connect to a future sanitary sub-trunk sewer (525 mm diameter sewer) on Regional Road 27. A temporary connection is proposed from a single 150 mm diameter PVC sanitary connection along the west boulevard of Regional Road 27.

On an interim basis, the subject lands will outlet to an existing manhole on Sanremo Court, which outlets to an existing 200 mm diameter sanitary sewer on Martin Grove Road. In support of the same interim connection for the Costco Distribution Centre, the consultant (Cole Engineering) completed an analysis of the Martin Grove sanitary sewer system based on proposed expected flows from both the northeast and southeast quadrants and limited flow monitoring data. The analysis was accepted by the City subject to conditions specified in the Development Agreement. The applicant and the consultant will be required to update the flow monitoring data as necessary as financial securities were procured in conjunction with the Costco Development Agreement for the decommissioning/flow diversion of the temporary sanitary connection to Sanremo Court.

iii) Access:

The Region of York shall review and approve the relocation of the existing heritage house driveway as the driveway has access onto Regional Road 27.

Toronto and Region Conservation Authority (TRCA)

The application was circulated to the TRCA for review and comment. On September 1, 2016, the TRCA advised that in principle, they have no objection to the approval of the site plan, subject to the following conditions:

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1. That the City is satisfied with the arrangements between Highway 27 Langstaff GP Limited and Costco Wholesale Canada Ltd. to ensure the long-term monitoring and maintenance of the stormwater management pond and stormwater management system as a whole, given the pond will be in one ownership and the lands that the pond services will be in a different ownership.
2. That the Owner obtains all necessary permits from the TRCA pursuant to the Development, Interference with Wetlands and Alteration to Shorelines and Watercourse Regulation (Ontario Regulation 166/06), for all development, including site grading.

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

Vaughan Development Planning Department, Urban Design and Cultural Heritage Division, and Heritage Vaughan Committee Approval

The property located at 8682 Regional Road 27 (John Lawrie House) as shown on Attachments #1 and #2 is registered under Section 27 of the *Ontario Heritage Act* and is identified as a Cultural Heritage Landscape in the Vaughan Heritage Inventory.

The Owner has submitted a Cultural Heritage Impact Assessment that recommends the dwelling be relocated within the same general location that also includes the area proposed for the future stormwater management block. The proposal received approval from the Heritage Vaughan Committee on May 13, 2015. The Owner has also submitted other reports and drawings related to the technical aspects involved in physically moving the structure. It is noted that the final location of the building may be approved at the discretion of the Vaughan Development Planning Department, Urban Design and Cultural Heritage Division and will remain in general proximity of the original location.

Staff is generally satisfied with the Elevations, Landscape and Tree Preservation Plans submitted in support of the proposal and will work with the applicant to finalize same prior to the execution of the Site Plan Agreement. A condition to this effect is included in the recommendation of the report.

Future Development Applications

The Owner will be filing an application to sever the stormwater management pond block from the remainder of the site. The stormwater management pond block must remain in private ownership because it is required to service the Costco Distribution Centre. As previously discussed, a condition of the site plan approval requires that the necessary legal arrangements will need to be put in place to ensure that the private stormwater management pond servicing the subject lands is maintained in perpetuity.

Vaughan Financial Planning and Development Finance Department

The Vaughan Financial Planning and Development Finance Department has reviewed the proposal and has advised that the Owner will be required to pay applicable development charges should a zoning by-law amendment be required to convert the use of the heritage building.

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):

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- Re-establish the urban tree canopy
- Continue to cultivate and environmentally sustainable City
- Support and promote arts, culture, heritage and sports in the community

Regional Implications

York Region has informed it has no objection to the Site Development Application. York Region is generally satisfied with proposed location of the driveway access. York Region is also protecting for a possible future sanitary easement for the staging of construction equipment within the subject lands. The Owner is required to satisfy all conditions of York Region prior to the execution of the Site Plan Letter of Undertaking. A condition to this effect is included in the recommendation of this report.

Conclusion

The Vaughan Development Planning Department has reviewed Site Development File DA.15.063 in accordance with the policies of VOP 2010, the requirements of Zoning By-law 1-88, the comments received from City Departments, external public agencies, and the surrounding planned and existing area context. The proposed relocation of the heritage dwelling conforms to VOP 2010 and is permitted by Zoning By-law 1-88, subject to the Vaughan Committee of Adjustment's approval of the variance and consent applications being final and binding, and the Vaughan Development Planning Department is satisfied with the proposal. On this basis, the Vaughan Development Planning Department can support the approval of the Site Development Application, subject to the conditions contained in this report.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Landscape Plan
5. East & South Elevations
6. North & West Elevations
7. Original Elevations

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.)