

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017

Item 3, Report No. 44, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on December 11, 2017.

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SITE DEVELOPMENT FILE DA.17.056
GIBRALTAR INDUSTRIAL PROJECT LIMITED PARTNERSHIP
WARD 2 - VICINITY OF HIGHWAY 427 AND HIGHWAY 407

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Director of Development Planning and Senior Manager of Development Planning, dated December 5, 2017, be approved; and**
- 2) That the coloured elevations submitted by the applicant be received.**

Recommendation

The Director of Development Planning and Senior Manager of Development Planning recommend:

1. THAT Site Development File DA.17.056 (Gibraltar Industrial Project Limited Partnership) BE APPROVED, to permit the development of the subject lands, as shown on Attachments #1 and #2, with a one-storey, 8,924.58 m² multi-unit employment building with a rear loading area, and 162 parking spaces, as shown on Attachments #3 to #7 inclusive, subject to the following conditions:
 - a) that prior to the execution of the Site Plan Agreement:
 - i) the Development Planning Department shall approve the final site plan, building elevations (including an enhanced north elevation), landscape plan (including additional landscaping abutting the TransCanada Pipeline easement), landscape cost estimate, illumination plan, and signage;
 - ii) the Development Engineering Department shall approve the final site plan, site grading and servicing plan, Stormwater Management Report, Functional Servicing Report, Traffic Impact Study and Parking Study;
 - iii) the Owner shall satisfy all requirements of the Vaughan Environmental Services Department, Solid Waste Management Division;
 - iv) the Owner shall satisfy all requirements of the Parks Development Department, including the submission of a complete inventory and analysis report of existing vegetation, prepared by an ISA Certified Arborist for all existing trees within and adjacent to the proposed work;
 - v) 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; and
 - vi) the Owner shall satisfy all requirements of the Ministry of Transportation Ontario (MTO);

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- b) that the Site Plan Agreement include the following clauses:
- i) "Prior to the execution of the Site Plan Agreement, the Owner agrees to convey a Blanket Easement in favour of the City to remain in place on the subject lands until the public trail/walkway is complete. The Blanket Easement shall remain on the subject lands until the following are completed to the satisfaction of the City: a reference plan showing the location of the public trail/walkway and associated structures, which shall be prepared by the City and deposited on title, the completed construction of the public/trail or walkway, and an easement for the public trail/walkway to be registered on title. Upon occurrence of the items, the City shall register a Transfer, Release and Abandonment of the Blanket Easement.
 - ii) "No paving, parking, storage of materials, equipment or snow 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 and landscaping;
 - Conducting a ground disturbance (excavation or digging) on TransCanada's pipeline right-of-way or within 30 meters of centreline from 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 meters 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) "Landscaping of TransCanada's right-of-way is to be approved in writing by TransCanada and completed in accordance with TransCanada's Landscaping Guidelines:

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- TransCanada's right-of-way is to be seeded with Canada #1 seed;
 - The Grantee shall ensure there is a 5 m continuous access way in the right-of-way provided for TransCanada repair crews;
 - Shrubs maturing at more than 1.5 m tall and trees including fruit, nut-bearing and Christmas tree farms shall not be permitted within the right-of-way;
 - Shrubs maturing at less than 1.5 m tall shall maintain a separation of 5 m from the edge of the pipeline; and
 - A minimum of 5 m between all groups of trees/shrubs will be established. A group is defined as 3-5 trees/shrubs."
- vii) "The original depth of cover over the pipeline within TransCanada's right-of-way shall be restored after construction of the Owner's Facility. This depth of cover over the pipeline shall not be compromised over the life of the Owner's Facility due to rutting, erosion or other means."
- viii) "The Owner'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."
- ix) "In the event that TransCanada's pipelines suffer contact damage or other damage as a result of the Owner's operation, the Owner shall stop work immediately and notify TransCanada at once."
- x) "The Owner shall ensure through all contracts entered into, that all contractors and subcontractors are aware of and observe the terms and conditions identified as vi) to ix) inclusive above."
- xi) "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;" and
- xii) "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 Government and Consumer Services."

Contribution to Sustainability

The application implements the following Goal and Objective of Green Directions Vaughan:

Goal 4: To create a vibrant community where citizens, businesses 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

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In accordance with the goal and objective 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:

- Use of thermally efficient and weather-tight building materials
- Enhanced stormwater management
- Enhanced landscape materials to reduce water usage
- Reduced light pollution including down light, wall-mounted light fixtures
- Use of recycled content materials (i.e. recycled concrete for paved parking lot, and the re-use of excavated soil for new berms)
- Use of low volatile organic compound (VOC) adhesives, sealants, paints and coatings
- Provide areas of collection and storage for waste and recyclable materials

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.17.056 (Gibraltar Industrial Project Limited Partnership) for the subject lands to permit the development of a one-storey, 8,924.58 m² multi-unit employment building, with a rear loading area, and 162 parking spaces (inclusive of 7 accessible parking spaces), as shown on Attachments #3 to #7.

Background - Analysis and Options

Synopsis:

The Owner is proposing to construct a one-storey, 8,924.58 m² multi-unit employment building, with a rear loading area, and 162 surface parking spaces. The Development Planning Department supports the approval of the proposed development as it conforms to the Official Plan, is a permitted use by Zoning By-law 1-88, and the proposal is compatible and appropriate with the surrounding land uses.

Location

The subject lands are located south of Gibraltar Road, west of Highway 427, as shown on Attachments #1 and #2. The surrounding land uses are shown on Attachment #2. The subject lands are vacant and have a total land area of 2.84 ha.

Official Plan and Zoning

The subject lands are designated “Prestige Employment” and identified as an Employment Area by Volume 2, Area Specific Policy 12.12 - Huntington Business Park of Vaughan Official Plan (VOP 2010).

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 accessory retail uses directly associated

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with any of the permitted uses are allowed, 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. The proposed 8,924.58 m² multi-unit employment building includes approximately 803.2 m² of accessory office uses representing 9% of the total gross floor area of the building, thereby conforming to this policy. No outside storage is being proposed. The proposed development conforms to the policies of VOP 2010.

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. The following exceptions to Zoning By-law 1-88 are required to permit the development:

Table 1

	Zoning By-law 1-88 Standard	EM1 Prestige Employment Zone Requirements	Proposed Exceptions to the EM1 Prestige Employment Zone Requirements
a.	Loading and Unloading between a Building and a Highway (Highway 407)	Loading and unloading shall not be permitted between a building and a Highway.	Permit a loading area located between a building (in the rear yard) and Highway 407.
b.	Minimum Number of Parking Spaces	Employment Uses in Multi-Unit Buildings: 8,924.58 m ² @ 2 parking spaces/100 m ² = 179 parking spaces	8,924.58 m ² @ 1.82 parking spaces/100 m ² = 162 parking spaces
c.	Minimum Landscape Strip Width (abutting Gibraltar Road)	3 m	1.7 m

The Development Planning Department can support the proposed zoning exceptions, which are required to implement the site plan for the following reasons:

a) Loading and Unloading Between a Building and a Highway

The location of the loading area is screened from Highway 407 by a 14 m wide landscaped strip proposed outside of the TransCanada pipeline easement and abutting Highway 407, as shown on Attachment #4. The building has also been designed with angled loading spaces in order to minimize their visual presence from the east and the west. The Development Planning Department requires additional landscaping along the south property line as a condition of site plan approval, which will assist in mitigating the visual impact of the loading area.

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b) Minimum Number of Parking Spaces

The Owner has submitted a Traffic Impact and Parking Study which has been reviewed by the Development Engineering Department. The proposed site plan illustrates 162 parking spaces, which includes 7 accessible parking spaces. The Parking Study recommends that 148 parking spaces (at 1.65 parking spaces/100 m²) be provided for the proposed development. The Parking Study concludes that the proposed 162 parking spaces (1.83 parking spaces/100 m²) are adequate to meet the anticipated parking demand. The Development Planning Department has no objection to the variance.

c) Minimum Landscape Strip Width

A minimum 3 m wide landscape strip is proposed along the majority of the Gibraltar Road frontage, save and except for a minor pinch point where it will be narrowed to 1.7 m. This pinch point is located at the east driveway that intersects with the slight curvature of Gibraltar Road. It is also located in the area of the proposed pylon sign, where additional planting/landscaping is proposed.

The Development Planning Department has no objection to the requested variances. The Owner shall successfully obtain approval of a Minor Variance application for the required site-specific exceptions to Zoning By-law 1-88, as identified in Table 1 of this report, from the Vaughan Committee of Adjustment. The Committee's decision regarding the Minor Variance application shall be final and binding. The Owner shall satisfy any conditions of approval imposed by the Committee, prior to the execution of the implementing Site Plan Agreement, should the Site Development application be approved. A condition to this effect is included in the recommendation of this report.

Site Plan Review

The subject lands are currently vacant. The proposed site plan is shown on Attachment #3 and includes a one-storey, 8,924.58 m² multi-unit employment building with an accessory 803.2 m² office component and 162 surface parking spaces. The proposed building design would permit future mezzanines within each unit, however none are currently proposed. Access to the site is proposed via two driveways from Gibraltar Road.

The proposed building elevations and architectural details are consistent with the Huntington Corporate Business Park - Urban Design Guidelines. The Urban Design and Cultural Heritage Division recommends that the north elevation be enhanced to include a variety in building materials (i.e. additional cladding, or various brick colours). The Owner has agreed to provide additional glazing, brick, and cladding to reduce the amount of pre-cast concrete and visually break up the long facade.

In consideration of the visibility of the building and the site from Highway 407, additional landscaping is recommended along the south property line (outside of the TransCanada Pipeline easement) to screen the rear loading area. The final landscape plan shall be approved to the satisfaction of the Development Planning Department. A 1.5 m high black chain link fence with an appropriate applique will be recommended for screening purposes should a future trail connection be established, to the satisfaction of the Urban Design and Cultural Heritage Division.

Pylon signage, as shown on Attachment #7, is proposed at each access driveway. Standard corporate signage is proposed above each individual unit entrance, as shown on Attachment #5. All rooftop mechanical equipment will be appropriately screened with perforated metal panels.

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A total of 162 parking spaces are provided on site. Seven (7) accessible parking spaces are provided along the north side of the proposed building, with the loading areas located at the rear of the building along the south elevation, as shown on Attachments #3 and #4.

The Development Planning Department is generally satisfied with the development proposal and must approve the final site plan, building elevations, landscape plan, landscape cost estimate, lighting plans, 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 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 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; and
- 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 Government and Consumer.

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

Development Engineering Department

The Development Engineering Department has no objection to the proposal in-principle. The Development Engineering Department must approve the final site plan, site grading and servicing plan, and Stormwater Management Report, Functional Servicing Report, Traffic Impact Study and Parking Study submitted in support of this application prior to the execution of the Site Plan Agreement.

Environmental Services Department, Solid Waste Management Division

The Owner has submitted a Waste Collection Design Standards Submission form which is being reviewed by the City. The Environmental Services Department, Solid Waste Management Division shall approve the final waste management site plan, floor plan, and waste collection design standards submission. 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 Agreement.

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.

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Parks Development Department

The Parks Development Department has reviewed the proposed development and have advised that they will require an easement on the subject lands in favour of the City for a future trail system. The following condition will be included in the Site Plan Agreement:

“Prior to the execution of the Site Plan Agreement, the Owner agrees to convey a Blanket Easement in favour of the City to remain in place on the subject lands until the public trail/walkway is completed. The Blanket Easement shall remain on the subject lands until the following are completed to the satisfaction of the City: a reference plan showing the location of the public trail/walkway and associated structures, which shall be prepared by the City and deposited on title, the completed construction of the public/trail or walkway, and an easement for the public trail/walkway to be registered on title. Upon occurrence of the items, the City shall register a Transfer, Release and Abandonment of the Blanket Easement.”

Prior to the execution of the Site Plan Agreement, the Owner must also provide a complete inventory and analysis report of existing vegetation, prepared by an ISA Certified Arborist for all existing trees within and adjacent to the proposed work area to the satisfaction of the Parks Development Department. A condition to this effect is included in the recommendation of this report.

Ministry of Transportation Ontario (MTO)

The MTO Highway Corridor Management has advised that the subject lands are located within the MTO Permit Control Area and therefore, 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 that traverses the south and east portions of the subject lands, as shown on Attachments #3 and #4. TransCanada PipeLines Limited has requested that a number of clauses, included in the recommendation of this report, form part of Site Plan approval and be included in the Site Plan Agreement.

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):

- 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.

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Conclusion

The Development Planning Department has reviewed Site Development File DA.17.056 in consideration of the policies of VOP 2010, the requirements of Zoning By-law 1-88, comments received from City Departments and external public agencies, and the area context. The Development Planning Department is satisfied that the proposed multi-unit employment building conforms to VOP 2010, is a permitted use 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.17.056, subject to the recommendations in this report.

Attachments

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

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.)