

Committee of the Whole (1) Report

DATE: Tuesday, October 3, 2023

WARD: 2

TITLE: HIGHWAY 50 NOMINEE INC.: ZONING BY-LAW AMENDMENT
FILE Z.21.054, SITE DEVELOPMENT APPLICATION FILE
DA.21.063 – 30 LABOURER’S WAY, VICINITY OF HIGHWAY 50
AND LANGSTAFF ROAD

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole on an application to rezone the subject lands and for draft approval of the related Site Development Application to permit the second phase of an industrial development, consisting of one industrial building with a Gross Floor Area of 17,881.10 m² as shown on Attachments 2 to 7.

Report Highlights

- The Owner proposes one industrial building with a Gross Floor Area of 17,881.10 m².
- Zoning By-law Amendment and Site Development Applications are required to permit the development.
- The Development Planning Department supports the proposed development, subject to conditions as outlined in this report.

Recommendations

1. THAT Zoning By-law Amendment File Z.21.054 (Highway 50 Nominee Inc.) BE APPROVED to amend Zoning By-law 001-2021, to rezone part of the Subject Lands shown on Attachment 1, from “EM2 General Employment Zone” to “EM1 Prestige Employment Zone” in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 1 of this report;

2. THAT Site Development File DA.21.063 BE DRAFT APPROVED AND SUBJECT TO THE CONDITIONS included in Attachment 9 to the satisfaction of the Development Planning Department, to permit the second phase of an industrial development on the Subject Lands, identified as Building 'B' on Attachments 2 to 7; and
3. THAT the removal of the municipal road (cul-de-sac) shown on the subject lands in the Block 64 Block Plan, as shown on Attachment 8, BE APPROVED, and that the final Block 64 Block Plan be modified to reflect these changes.

Background

Location: 30 Labourer's Way (the 'Subject Lands'). The Subject Lands and the surrounding land uses are shown on Attachment 1.

Previous Development Applications were approved on the Subject Lands

Zoning By-law Amendment and Draft Plan of Subdivision Files Z.11.018 and 19T-11V004 were previously approved for the Subject Lands by Council on April 17, 2012. Zoning By-law Amendment File Z.11.018 rezoned the Subject Lands from the "A Agricultural Zone" to "EM1 Prestige Employment Zone", "EM2 General Employment Zone" and "C7 Service Commercial Zone". The conditions of approval for Draft Plan of Subdivision File 19T-11V004 were not satisfied, and the draft plan approval lapsed on May 28, 2021. The Owner also submitted a letter requesting the Draft Plan of Subdivision file be closed on May 28, 2021.

Site Development Application File DA.21.028 was approved on the Subject Lands on July 27, 2023, to permit the first phase of the industrial development as shown on Attachment 2. The first phase consists of one industrial building with a Gross Floor Area ('GFA') of 20,908.79 m² on the eastern portion of the lands and it is currently under construction.

Zoning By-law Amendment and Site Development Applications have been submitted to permit the proposed development

The Owner has submitted Zoning By-law Amendment and Site Development Applications Z.21.054 and DA.21.063, (the 'Applications') for the Subject Lands to permit the second phase of an industrial development, consisting of one industrial building with a GFA of 17,881.10 m² (the 'Development') as shown on Attachments 2 to 7.

Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol

- *Date of Notice (Circulated 150 m from Subject Lands as shown on Attachment 1): March 11, 2022*
- *Location of Notice Sign: Highway 50*
- *Date of Public Meeting: April 5, 2022, date ratified by Council April 26, 2022*
- *Date of Committee of the Whole Courtesy Notice sent to those requested to be notified: September 27, 2023*

Previous Reports/Authority

Previous reports related to the applications and Subject Lands can be found at the following links:

2130400 Ontario Inc., Committee of the Whole Report
[April 3, 2012 Committee of the Whole Report \(Item 10, Report No. 12\)](#)

Highway 50 Nominee Inc. Public Meeting Report
[April 5, 2022 Committee of the Whole \(Public Meeting\) \(Item 2, Report No. 17\)](#)

Analysis and Options

The Development is consistent with the Provincial Policy Statement and conforms to the Growth Plan, YROP 2010 and YROP 2022, and VOP 2010

Provincial Policy Statement, 2020 ('PPS')

Section 1.3.1 of the PPS requires that Planning authorities shall promote economic development and competitiveness by providing for: an appropriate mix and range of employment, and broader mixed uses to meet long-term needs [1.3.1 a)]; and opportunities for a diversified economic base including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses [1.3.1. b)].

The Applications propose to maintain the existing Employment Area land use designation and will facilitate the second phase of an industrial development on the Subject Lands. Staff are satisfied that the Development is consistent with the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (the 'Growth Plan')

Section 2.2.5 of the Growth Plan sets out the policies for Employment. Section 2.2.5.1 states that economic development and competitiveness in the Greater Golden Horseshoe will be promoted by: making efficient use of existing employment areas and vacant and underutilized employment lands; and ensuring the availability of sufficient land, in appropriate locations, for a variety of employment to accommodate forecasted employment growth.

The Application implements the "Employment Areas" land use designation in Vaughan Official Plan 2010 and will facilitate the second phase of industrial development, intensifying the employment uses on the Subject Lands and in an appropriate location for such uses. The Application conforms to the Growth Plan.

York Region Official Plan 2010 ('YROP 2010') and York Region Official Plan 2022 ('YROP 2022')

The YROP 2010 designates the Subject Lands "Urban Area", which permits a wide range of residential, commercial, industrial, and institutional uses. The Subject Lands are located within an area identified as "Strategic Employment Lands - Conceptual" by Figure 2 – "York Region Strategic Employment Lands". Strategic employment lands shall be protected and appropriately designated for employment land uses in local municipal official plans.

The YROP 2022 designates the Subject Lands "Urban Area" on Map 1 – "Regional Structure" and "Employment Area" on Map 1A – "Land Use Designations". Section 4.3 states that "Employment Areas" are strategic and vital to the Regional economy, are major drivers of economic activity in York Region and are to be maintained and protected to meet York Regions' forecast and land need requirements and shall be appropriately designated for employment uses in local municipal official plans.

The YROP 2022 replaces the YROP 2010 with respect to applications not deemed to be complete as of the YROP 2022 date of approval (Transition Policy 7.4.13). As the Applications were deemed complete prior to the approval of YROP 2022, the YROP 2010 remains as the in-force Regional Official Plan against which conformity of the Applications is measured; however, the Development conforms to YROP 2022 as outlined above.

The Development, which conforms to the YROP 2010 and YROP 2022, provides for the second phase of an industrial development on the Subject Lands, in an area designated for employment land uses.

Vaughan Official Plan 2010 ('VOP 2010')

VOP 2010 sets out the municipality's general planning goals and policies that guide future land use. The Subject Lands are identified in VOP 2010 as follows:

- "Employment Areas" on Schedule 1 – "Urban Structure" of VOP 2010
- "Prestige Employment" and "General Employment" on Schedule 13 – Land Use of VOP 2010

The Subject Lands are located within the "Prestige Employment" designation, which permits industrial uses including manufacturing, warehousing (but not a retail warehouse), processing, and distribution uses located within wholly enclosed buildings, with no outside storage permitted. The Zoning By-law Amendment Application proposes to rezone the Subject Lands to the appropriate zoning category to facilitate the Development which consists of prestige employment uses in accordance with this land use designation.

On this basis, the Development conforms to VOP 2010.

The Development conforms to the final Block Plan, as amended, for the Block 64 South Area

The Subject Lands are located within the Block 64 Block Plan ('Block 64 Plan') area, which was originally approved by Council in June 2006. In May 2012, the Block 64 Plan was amended to accommodate a warehouse and distribution facility and remove the local roads in the northeast corner of the block. In December 2020, the Block 64 South Landowners Group submitted a proposed amendment to the approved Block 64 Plan (File BL.64S.2020) to remove the cul-de-sac roads, seek access on to Regional roads, and provide an alternative, and phased, servicing strategy in the southern portion of the block.

The Block 64 Plan shown on Attachment 8 identifies a municipal road (cul-de-sac) requirement on the Subject Lands that is proposed to be removed. Through the review of the Applications and in consultation with Development Engineering and the Infrastructure Development Department, the cul-de-sac is no longer required to serve the Block 64 Plan and is proposed to be deleted from the Block 64 Plan on the Subject Lands.

In consideration of the above, the Applications conform to the approved Block 64 Plan, as amended. The Owner is required, as a condition of the Site Development Application, to submit a revised Block 64 Plan and a letter from the Trustee for Block 64 South indicating that the Owner has fulfilled all cost sharing and other obligations of the Block 64 South Developers Group Agreement. Conditions to this effect have been included in Attachment 9.

Amendments to Zoning By-law 001-2021 are required to permit the Development
Zoning:

- "EM1 Prestige Employment Zone" and "EM2 General Employment Zone" by Zoning By-law 001-2021, subject to site-specific Exception 14.1005.
- These Zones do not permit the Development.
- The Owner proposes to rezone part of the Subject Lands to "EM1 Prestige Employment Zone" and amend the site-specific Exception 14.1005 to include the following additional site-specific zoning exception:

Table 1:

	Zoning By-law 001-2021 Standard	EM1 Prestige Employment Zone Requirement	Proposed Exceptions to the EM1 Prestige Employment Zone Requirement
a.	Short-term Bicycle Parking Space setbacks	3 m from a parking area	2 m from a parking area

The Development Planning Department can support the zoning exception identified in Table 1 on the basis that the proposed site-specific zoning standards would facilitate a development that is consistent with the policies of the PPS and conforms to the Growth Plan, YROP 2010 and YROP 2022, and VOP 2010. The site-specific development

standards will enable the further development of employment uses on the Subject Lands with an appropriate size and form for the employment area.

Minor modifications may be made to the zoning exception identified in Table 1 prior to the enactment of an implementing Zoning By-law, as required, should the Applications be approved.

The Development Planning Department supports the Site Development Application, subject to the conditions in Attachment 9

The Development Planning Department recommends approval of the Development as shown on Attachments 2 to 7, subject to the recommendations contained in this Report and the conditions in Attachment 9. The Owner must satisfy all outstanding comments prior to the execution of the Site Plan Agreement and the Development Planning Department must approve the final site plan, building elevations, landscape plan and details, sustainability metrics and landscape cost estimate.

Site Design

The Development is the second phase of an industrial development on the Subject Lands, consisting of a single-storey building with a GFA of 17,881.10 m² (Building 'B') abutting Highway 50, and fronting on the future Street 'A' (future segment of Labourer's Way) as shown on Attachments 2 to 7. A total of 296 parking spaces, including six (6) carpool parking spaces, would serve Building 'A' (that is under construction) and the Development. Loading areas are proposed internal to the Subject Lands along the east side of Building 'B'.

Pedestrian connections are provided to the intersection of Highway 50 and future Street 'A' (future segment of Labourer's Way) that will provide pedestrian connectivity to existing sidewalks along Highway 50, and future sidewalks along Labourer's Way.

Building Elevations

The proposed building elevations and rendering are shown on Attachments 5 to 7. Architectural materials for the Development include a combination of spandrel glazing, reflective tinted thermal glazing, metal panels and bands, and precast concrete.

Landscape Plan

The Landscape Plan, shown on Attachment 4, consists of at-grade deciduous and coniferous tree plantings, and shrub plantings within landscape buffers abutting Highway 50 and future Street 'A' (future segment of Labourer's Way). Rockery stones, beach stones and benches are also proposed throughout the Development. A landscape feature is proposed at the intersection of Highway 50 and future Street 'A' (future segment of Labourer's Way) consisting of tree and shrub plantings, feature walls and pillars, curb detail and the pedestrian connection from the intersection to the Subject Lands. The Owner will be required to enter into a Tree Protection Agreement with the City and a condition to this effect has been included in Attachment 9.

Lighting

The Lighting and Photometric Plan for the Development consists of predominantly wall fixtures on each building face, with additional lighting proposed at the principal entrance to the building, and one pole-mounted light fixture at the driveway entrance from future Street 'A' (future segment of Labourer's Way).

Cultural Heritage

Stage 1 and 2 Archeological Assessments were submitted for the Subject Lands under Site Development Application File DA.21.028. The Stage 2 Archeological Assessment concluded that no archeological sites were documented, and no further assessment of land is required. The Ministry of Tourism and Culture (now the Ministry of Tourism, Culture and Sport) concurred and accepted the recommendations of the Stage 2 Archeological Assessment and is satisfied that concerns for archeological sites have been met for the area of Development.

The Development achieves a Bronze Sustainability Threshold Score

The Development achieves an overall Sustainability Performance Metrics (SPM) application score of 32 (bronze level). This score meets minimum threshold requirements of the 2018 Sustainability Metrics Program and council approved threshold scores.

Financial Impact

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

Operational Impact

The Policy Planning and Environmental Sustainability Department supports the Development

The Policy Planning and Environmental Sustainability Department has advised that there are no natural heritage features on the Subject Lands and therefore, has no further concerns respecting these Applications.

The Owner has been advised that the City of Vaughan has Species at Risk within its jurisdiction which are protected under the *Endangered Species Act*, 2007, S.O. 2007. The Owner is required to comply with Ministry of Natural Resources and Forestry (the 'MNRF') regulations and guidelines to protect these species at risk and their habitat. The onus is on the Owner to complete an information request form and submit it to the MNRF for confirmation of any potential Species at Risk on the Subject Lands. The Owner will be required to acknowledge that, notwithstanding any approvals made or provided by Vaughan in respect to the Lands, the Owner must comply with the provisions of the *Endangered Species Act*, 2007, and a condition to this effect will be included in the Site Plan Agreement as indicated in Attachment 9.

The Development Engineering ('DE') Department supports the Development, subject to the conditions in this report

The DE Department has provided the following comments:

Municipal Servicing – Water

The Subject Lands are situated within Pressure District 6 (PD6) of the York Water Supply System. There exists one local watermain within the Hunter's Valley Road and Street 'B' (existing segment of Labourer's Way) intersection connected to the PD6 system. The Subject Lands are proposed to be serviced via a proposed connection to a proposed municipal watermain extension within future Street 'A' (future segment of Labourer's Way) to be constructed as part of Phase 1 Block 64 South Spine Servicing Works.

The DE Department requires the Owner to satisfy the conditions in Attachment 9 to support a complete approval of the proposed water servicing strategy.

Municipal Servicing – Sanitary

Municipal sanitary sewers exist within the Hunter's Valley Road and Street 'B' (existing segment of Labourer's Way), ultimately discharging to the Huntington Road municipal sanitary trunk sewer. The Subject Lands will be serviced via a proposed sanitary service connection to a proposed municipal sanitary sewer extension within future Street 'A' (future segment of Labourer's Way) to be constructed as part of Phase 1 Block 64 South Spine Servicing Works.

The DE Department requires the Owner to satisfy the conditions in Attachment 9 to support a complete approval of the proposed sanitary servicing strategy.

Municipal Servicing – Storm

Municipal stormwater sewers exist within the Hunter's Valley Road and Street 'B' (existing segment of Labourer's Way), ultimately conveying flows to the existing stormwater management pond within the south-west development block of Block 64 South. The Subject Lands will be serviced via a proposed stormwater service connection to a proposed municipal stormwater sewer extension within future Street 'A' (future segment of Labourer's Way) to be constructed as part of Phase 1 Block 64 South Spine Servicing Works. Furthermore, the Subject Lands currently conveys existing external drainage from the north through existing drainage patterns within Block 64 South lands which will be captured and conveyed as part of a future municipal storm sewer within the Subject Lands via a future municipal easement.

The DE Department requires the Owner to satisfy the conditions in Attachment 9 to support a complete approval of the proposed sanitary servicing strategy.

Lot Grading

Grading design drawings were submitted in support of the Subject Lands and should reflect all the special structures and property required necessary to service the Subject Lands. The Owner shall inform the City of any operation and maintenance obligations for future municipal or private infrastructure including retaining walls, soil stability requirements or other proposed structures necessary to facilitate the development of the Subject Lands. A detailed evaluation of the erosion and sediment control measures will be conducted when an erosion and sediment control plan is submitted for the City's review.

The DE Department requires the Owner to satisfy the conditions in Attachment 9 to support a complete approval of the proposed lot grading strategy.

Noise Assessment

The Owner submitted an Environmental Noise and Vibration Impact Study ('Noise Study') to investigate the potential environmental noise impact on the Subject Lands from road traffic and surrounding land uses. The Noise Study recommended upgraded building interior/exterior components and operational recommendations to ensure noise is mitigated in accordance with Ministry of Environmental, Conservation and Parks ('MECP') Guidelines. The final Noise Study must be approved to the satisfaction of the DE Department.

The DE Department requires the Owner to satisfy the conditions in Attachment 9 to support an approval of the proposed noise mitigation strategy.

Environmental Engineering

The Owner has submitted Phase One and Two Environmental Site Assessment ('ESA') Reports which have been reviewed to the satisfaction of the Environmental Engineering Division. The ESA reports indicate that the Development meets the applicable MECP Standards and is suitable for ICI uses.

Transportation

The Transportation Engineering division of the DE Department ('Transportation Engineering') has reviewed the Transportation Impact Study (TIS) and subsequent Traffic Addendum Letter provided in support of the Applications. On an interim basis, the Development will take primary access from Hunter's Valley Road and upon completion of Labourer's Way and its interconnection with Highway 50, have access to both Labourer's Way and Hunter's Valley Road.

Transportation Engineering requires the Owner to satisfy outstanding comments which have been included as conditions within Attachment 9.

Cash-in-Lieu of the dedication of parkland is required

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 the *Planning Act* and the City of Vaughan Parkland Dedication By-law. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Vaughan Real Estate Department, and the approved appraisal shall form the basis of calculation of the cash-in-lieu payment. For valuation purposes, the appraisal may consider the Subject Lands to be unserved.

Other external agencies and various utilities have no objection to the Development

The Development Finance Department, Parks Infrastructure Planning and Development Department, Alectra, Bell, Canada Post, and Enbridge have no objections to the Development, subject to the conditions included in Attachment 9.

The By-law & Compliance, Licensing & Permit Services Department, Emergency Planning, Forestry division, Fire & Rescue Services, Infrastructure Planning and Corporate Asset Management Department, Hydro One, and Rogers have no objections to the Development.

Broader Regional Impacts/Considerations

Regional Municipality of Peel

The Owner will be required to convey lands to satisfy Highway 50 road widening requirements, and a condition to this effect has been included in Attachment 9.

Regional Municipality of York

York Region has no objection to the approval of Zoning By-law Amendment File Z.21.054 as Community Planning Staff consider this Application to be a local matter.

York Region, on July 28, 2023, provided conditions of approval for Site Development Application DA.21.063, which have been included in Attachment 9.

The Toronto and Region Conservation Authority (TRCA) has no objections to the approval of the Applications

The subject property is not located within TRCA's Regulated Area of the Humber River watershed. As such, a TRCA permit pursuant to Ontario Regulation 166/06 will not be required for any development or site alteration on the property.

The TRCA has no objections to the approval of the Applications, and all of their comments have been addressed through the application review process.

Conclusion

The Development Planning Department is satisfied the Applications are consistent with the PPS, conforms with the Growth Plan, YROP 2010 and YROP 2022 and VOP 2010, and is appropriate for the development of the Subject Lands. The Development is considered appropriate and compatible with existing and planned surrounding land uses. Accordingly, the Development Planning Department can recommend approval of the Applications, subject to the recommendations in this report and Conditions of Approval in Attachment 9.

For more information, please contact Casandra Krysko, Senior Planner, at extension 8003.

Attachments

1. Context and Location Map
2. Overall Site Plan
3. Proposed Zoning and Site Plan
4. Landscape Plan
5. Building Elevations – West and South
6. Building Elevations – -East and North

7. Building Rendering
8. Approved Block 64 Plan April 19, 2012
9. Conditions of Site Development Application File DA.21.063

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