

Committee of the Whole (1) Report

DATE: Tuesday, February 04, 2020

WARD: 3

**TITLE: AGADIN INVESTMENTS INC.
SITE DEVELOPMENT APPLICATION DA.18.058
VICINITY OF STEELES AVENUE WEST AND HIGHWAY 400**

FROM:

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Site Development File DA.18.058 for the subject lands shown on Attachment 2, to permit the development of a one-storey employment building (warehouse) with accessory office uses having a total gross floor area of 30,036.11 m² which will be constructed in two phases, as shown on Attachments 3 to 6.

Report Highlights

- The Owner seeks approval for a one-storey employment building (warehouse) with accessory office uses.
- The Development Planning Department supports the approval of the development, subject to the recommendations in this report, as it is consistent with the Provincial Policy Statement 2014, conforms to the Growth Plan 2019, York Region Official Plan and Vaughan Official Plan 2010, complies with Zoning By-law 1-88, and is compatible with the existing and planned uses in the surrounding area.

Recommendations

1. THAT Site Development File DA.18.058 (Agadin Investments Inc.) BE APPROVED SUBJECT TO THE CONDITIONS on Attachment 1, to the satisfaction of the Development Planning Department, to permit the development of an employment building (warehouse) with accessory office uses, having a total gross floor area of 30,036.11 m², as shown on Attachments 3 to 6.

Background

The 6.25 ha subject lands (the 'Subject Lands') are municipally known as 27 Director Court and are located north of Steeles Avenue West, west of Highway 400, and south of a Canadian National Railway ('CN') owned and operated rail corridor, as shown on Attachment 2. The Subject Lands were formerly used as a golf driving range and developed with an associated two-storey clubhouse building having a total gross floor area ('GFA') of 518.54 m² which has since been demolished.

A Site Development application has been submitted to permit the development of an employment building with accessory office uses

Agadin Investments Inc. (the 'Owner') has submitted Site Development File DA.18.058 (the 'Application') to permit an employment building (warehouse) with accessory office uses having a total GFA of 30,036.11 m² and 462 parking spaces (the 'Development'), as shown on Attachments 3 to 6. The Development will be constructed in two phases, with Phase 1 consisting of 20,073.65 m² in GFA and Phase 2 consisting of 9,962.46 m² in GFA.

A Consent Application was approved by the Committee of Adjustment to create the Subject Lands

The Committee of Adjustment on February 7, 2019, approved Consent Application B025/18, which severed the Subject Lands from the overall 7.85 ha property (55 Director Court) that spanned from Weston Road to the west to the Highway 400 on-ramp to the east. Should the Application be approved, the Owner shall satisfy all conditions of Consent Application B025/18 approved by the Committee of Adjustment and obtain the Certificate of Official from the Office of the City Clerk prior to the execution of the Site Plan Agreement. A condition to this effect is included in Attachment 1 to this report.

Previous Reports/Authority

N/A

Analysis and Options

The Development is consistent with the Provincial Policy Statement 2014

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario shall be consistent with the Provincial Policy Statement 2014 (the 'PPS'). The PPS provides policy direction on matters of provincial interest related to land use planning and development. The PPS recognizes that local context and character is important.

The Development is consistent with the PPS, specifically Sections 1.1.3.1 to 1.1.3.3, 1.3.1 and 1.7.1 e). regarding development in settlement areas, promoting economic development and redevelopment of brownfield sites.

The Subject Lands are located within a Settlement Area as defined by the PPS. The Development is consistent with the policies of the PPS as it: makes more efficient use of the Subject Lands through its redevelopment into an employment use that is compatible with existing and planned uses in the surrounding area; utilizes the proximity of the Subject Lands to Highway 400 to the east and Highway 407 to the north; and contributes to the City's long-term employment needs.

The Development conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019

A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019 (the 'Growth Plan') is intended to guide decisions on a wide range of issues, including economic development, land-use planning, urban form, and housing. Council's planning decisions are required by the *Planning Act* to conform, or not conflict with, the Growth Plan.

The Development is consistent with the policy framework of the Growth Plan, specifically Sections 2.2.1.2, 2.2.5.1 and 2.2.5.5 regarding development in settlement areas, promoting economic development and competitiveness, and preservation of lands adjacent to major goods movement facilities and corridors for employment uses.

The Subject Lands are located within a settlement area and a delineated built-up area that efficiently utilizes existing municipal water and wastewater systems. The Subject Lands are also located in proximity to Highway 400 to the east and Highway 407 to the north, and will preserve designated employment lands for an appropriate employment use.

The Development conforms to the York Region Official Plan 2010

The York Region Official Plan 2010 ('YROP') guides economic, environmental and community building decisions across York Region.

The Subject Lands are designated "Urban Area" on Map 1 – "Regional Structure" of the YROP. The Urban Area designation permits a range of residential, industrial, commercial and institutional uses, subject to additional policy criteria. The YROP encourages maintaining the economic viability of employment lands, which is contingent upon their long-term protection, effective planning and design, and a shift toward increasingly sustainable and innovative industrial processes.

The Subject Lands are located within an employment area and will be efficiently utilized through their redevelopment into an employment use (warehousing) which maintains the planned employment use for the area. The Development conforms to the YROP.

The Development conforms to the Vaughan Official Plan 2010

The Subject Lands are located within an “Employment Area” as shown on Schedule 1 - “Urban Structure”, and are designated “Prestige Employment” on Schedule 13 - “Land Use” of Vaughan Official Plan 2010 (‘VOP 2010’).

The Prestige Employment designation permits manufacturing, warehousing, processing and distribution uses within wholly enclosed buildings with no outside storage. Accessory office and/or retail uses directly associated with the primary use that do not exceed 49% of the total GFA, and stand-alone office uses not accessory to an employment use are also permitted.

The proposed warehousing use is permitted by the “Prestige Employment” designation of VOP 2010, with the accessory office component representing 7.3% (2,204.95 m²) of the total combined GFA of Phase 1 and 2. The Development conforms to VOP 2010.

The Development complies with Zoning By-law 1-88

The Subject Lands are zoned “EM1 Prestige Employment Area Zone” (‘EM1 Zone’) by Zoning By-law 1-88, which permits the Development. No exceptions to Zoning By-law 1-88 are required to facilitate the Development. The Development complies with Zoning By-law 1-88

The Development Planning Department supports the Development, subject to the Recommendations in Attachment 1

Site Plan

The Development consists of an employment building (warehouse) with accessory office uses having a total GFA of 30,036.11 m² and 462 parking spaces, inclusive of 12 barrier-free parking spaces, as shown on Attachments 3 to 6. The Development will be constructed in two phases, with Phase 1 consisting of 20,073.65 m² in GFA and Phase 2 consisting of 9,962.46 m² in GFA. The area of Phase 2 will be sodded in the interim until Phase 2 is constructed. The Subject Lands have frontage onto Director Court where the primary entrance for the Development will be located. Loading areas are located on the north side of the building abutting the CN rail corridor, and will not be visible from Director Court.

Landscape Plan

The landscape plan shown on Attachment 4 includes a 3.5 m landscape strip along Director Court containing a variety deciduous and coniferous trees and shrubbery, a

14 m landscape buffer area abutting Highway 400 which is required by the Ministry of Transportation Ontario ('MTO') and a retaining wall along the CN rail corridor. A pedestrian connection is provided to the front entrance from the existing sidewalk on Director Court and a proposed crosswalk over the internal driveway aisle.

Building Elevations

The building elevations shown on Attachments 5 and 6 include aluminum composite metal panels, ribbed and flat precast concrete, poured concrete, clear glazed aluminum frame curtain wall, clear glazed windows with bird-friendly treatments and spandrel panels. The treatment of the east elevation during Phase 1 will consist of precast panels uniform with the elevations around the building. The east elevation will be re-cladded to accommodate Phase 2. The elevation materials will be consistent for both Phases 1 and 2.

The Subject Lands have been cleared of cultural heritage concerns

The Subject Lands are not designated under the *Ontario Heritage Act*, and are not included in the Register of Property of Cultural Heritage Value or identified as a property of interest in the City's Heritage Inventory. Therefore, there are no cultural heritage concerns regarding the Subject Lands.

The Subject Lands are not located in an area identified as being of high archaeological potential in the City's database of archaeological resources; however, the Owner is advised that the following standard archaeological clauses 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 both the Ontario Ministry of Tourism, Culture and Sport and the City's Development Planning Department 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 and shall contact the York Regional Police Department, the Regional Coroner and the Registrar of Cemeteries at the Ministry of Consumer Services.

Cash-in-Lieu of the Dedication of Parkland is required

The Real Estate and Parks Development Department have confirmed that Cash-in-Lieu of the Dedication of Parkland equivalent to 2% of the value of the Subject Lands is

required in accordance with Section 51 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 Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment. A standard condition to this effect is included in the Site Plan Agreement.

The Environmental Services Department, Solid Waste Management Division has no objection to the Development

The Environmental Services Department has no objection to the Development. The proposed waste storage area is located internal to the building and designed in accordance with the City of Vaughan Waste Collection Design Standards.

The Development Engineering Department has no objection to the Development

The Development Engineering ('DE') Department has no objection to the Development subject to the Owner obtaining final approval from the MTO.

Prior to the execution of the Site Plan Agreement, the Owner shall provide the DE Department with a copy of the Ministry of the Environment, Conservation and Parks ('MECP') Record of Site Condition ('RSC') acknowledged and filed on the Environmental Site Registry for the Subject Lands. The RSC shall be accompanied with all Environmental Site Assessment ('ESA') reports relied upon for the filing of the RSC along with reliance from the consultant to the City. A condition to this effect is included on Attachment 1 to this report.

The DE Department shall approve the final grading, servicing and erosion and sediment control plans, and hydrogeological investigation. Conditions to this effect are included in Attachment 1 to this report.

Development Charges are applicable to the Development

The Owner is required to pay all applicable development charges, in accordance with the Development Charges By-laws of the City of Vaughan, York Region, York District School Board and York Catholic District School Board. A standard condition to this effect is included in the Site Plan Agreement.

MTO permits are required for the Development

The Subject Lands abut a Highway 400 on-ramp to the east and are located within the MTO Permit Control Area. As such, an MTO Building and Land Use Permit is required prior to the commencement of any on-site construction or works. An MTO Sign Permit may also be required for any proposed signage, as determined by the MTO. A condition to this effect will be included in the Site Plan Agreement as identified on Attachment 1.

Prior to the execution of the Site Plan Agreement and the Owner applying for any MTO permits, all outstanding comments provided by the MTO must be addressed to their satisfaction, including but not limited to the following:

- a) The highway security fence is required to be upgraded in accordance with MTO standards and specifications;
- b) MTO must sign off on the submitted Traffic Impact Study ('TIS'); and
- c) The Photometric Lighting Plan must be revised to show illumination level (in lux) up to the property line.

A condition to this effect is included in Attachment 1 of this report.

CN has no objection to the Development

The Subject Lands abut a CN owned and operated rail corridor to the north. CN has no objection the Development. The Owner is required to contact CN prior to any on-site construction or works to confirm if a CN permit is required. A condition to this effect will be included in the Site Plan Agreement.

The various utilities have no objection to the Development

Hydro One, Enbridge Gas, Alectra Utilities Corporation, Bell Canada and Rogers Communications Inc. have no objection to the Development, subject to the Owner coordinating servicing, connections, easements and locates with the above noted utilities prior to the commencement of any site works. A condition to this effect will be included in the Site Plan Agreement as identified on Attachment 1.

Financial Impact

N/A

Broader Regional Impacts/Considerations

The York Region Community Planning and Development Services Department have no objection to the Development.

Conclusion

The Development Planning Department has reviewed Site Development File DA.18.058 in consideration of the applicable Provincial Policies, York Region and City Official Plan policies, the requirements of Zoning By-law 1-88, the comments received from City Departments and external public agencies, and the surrounding area context.

The Development is consistent with the PPS, conforms to the Growth Plan, the YROP and VOP 2010, complies with Zoning By-law 1-88, and is compatible with the surrounding area context. On this basis, the Development Planning Department can support the approval of the Application, subject to the conditions of Site Plan Approval shown on Attachment 1.

For more information, please contact: Chris Cosentino, Planner at extension 8215.

Attachments

1. Conditions of Site Plan Approval (City of Vaughan)
2. Location Map
3. Site Plan
4. Landscape Plan
5. Building Elevations (South and East)
6. Building Elevations (North and West)

Prepared by

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