

Committee of the Whole (1) Report

DATE: Tuesday, December 01, 2020

WARD: 2

**TITLE: ANATOLIA CAPITAL CORP.
ZONING BY-LAW AMENDMENT FILE Z.18.025
SITE DEVELOPMENT FILE DA.18.065
8811 HUNTINGTON ROAD
VICINITY OF HUNTINGTON ROAD AND LANGSTAFF ROAD**

FROM:

Nick Spensieri, Deputy City Manager, Infrastructure Development

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Zoning By-law Amendment and Site Development Files Z.18.025 and DA.18.065 (Anatolia Capital Corp.) for the Subject Lands shown on Attachment 2. The Owner proposes to rezone the Subject Lands from “A Agricultural Zone” to “EM1 Prestige Employment Area Zone”, “EM1(H) Prestige Employment Area Zone” with the Holding Symbol “(H)”, “EM2(H) General Employment Area Zone” with the Holding Symbol “(H)”, and “OS1 Open Space Conservation Zone” together with site-specific zoning Exceptions to permit the development of an employment building, as shown on Attachments 3 to 5.

Report Highlights

- The Owner proposes to rezone and develop the Subject Lands with one employment building accessed from Huntington Road
- Zoning By-law Amendment and Site Development Applications are required to permit the development
- The report provides an update on the status of the Block 59 Block Plan conditions of approval
- The Development Planning Department supports the approval of the Applications as they will permit a development consistent with the Provincial Policy Statement, conforms to the Growth Plan, York Region Official Plan and the Vaughan Official Plan 2010 and is compatible with the existing and planned land uses in the surrounding area

Recommendations

1. THAT Zoning By-law Amendment File Z.18.025 (Anatolia Capital Corp.) BE APPROVED to amend Zoning By-law 1-88, to rezone the Subject Lands from “Agricultural Zone” to “EM1 Prestige Employment Area Zone”, “EM1(H) Prestige Employment Area Zone” with the Holding Symbol “(H)”, “EM2(H) General Employment Area Zone” with the Holding Symbol “(H)”, and “OS1 Open Space Conservation Zone”, in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 1 of this report.
2. THAT the Owner, (Anatolia Capital Corp.), enter into an agreement with the City of Vaughan to provide securities and commit to undertaking works based on the preliminary design for the provision of external municipal services including municipal storm sewers and stormwater outlet to Rainbow Creek (via future John Lawrie Street as shown on Attachment 6) complete with appropriate easements to facilitate the development of the Subject Lands, all to the satisfaction of the City and the Toronto and Region Conservation Authority. This agreement shall be executed prior to enactment of the Zoning By-law unless alternative arrangements are made to the satisfaction of the City.
3. THAT the Holding Symbol “(H)” shall not be removed from the Subject Lands or any portion thereof, until the following conditions are satisfied:
 - a) Draft Plan of Subdivision File 19T- 18V009 is approved by Vaughan Council;
 - b) All remaining Block 59 conditions of Block Plan approval as shown on Attachment 8;
 - c) For the lands zoned EM1(H) Prestige Employment Area Zone with the Holding Symbol “(H)” and EM2(H) General Employment Area Zone with the Holding Symbol “(H)” as shown on Attachment 3 lot consolidation is required for the portion of each lot located on the abutting property to the south;
4. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands comes into effect, to permit minor adjustments to the implementing Zoning By-law, if required.
5. THAT Site Development File DA.18.065 BE DRAFT APPROVED AND SUBJECT TO THE CONDITIONS included in Attachment 1 to the satisfaction of the Development Planning Department, to permit one employment building on the Subject Lands, identified as “Building 1” on Attachments 3 to 5:

Background

The subject lands (the 'Subject Lands') shown on Attachment 2 are located on the east side of Huntington Road, between Rutherford Road and Langstaff Road, and are known municipally as 8811 Huntington Road. Rainbow Creek also traverses the Subject Lands. The Subject Lands and the surrounding land uses are shown on Attachment 2.

The Owner owns other lands in Block 59, subject to concurrent Zoning

By-law Amendment, Draft Plan of Subdivision and Site Development applications
The Owner has submitted Zoning By-law Amendment and Site Development Applications on two additional properties within the Block 59 area, shown on Attachment 2. These applications are being reviewed concurrently and form part of the December 8, 2020, Committee of the Whole agenda. The related Draft Plan of Subdivision Application as shown on Attachment 9 will be considered in a technical report at a future Committee of the Whole meeting.

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

The City on January 11, 2019 circulated a Notice of Public Meeting to all property owners within 150 m of the Subject Lands shown on Attachment 2 and to the West Woodbridge Homeowners' Association, the Kleinburg and Area Ratepayers' Association, and the Greater Woodbridge Ratepayers' Association. A copy of the Notice of Public Meeting was also posted on the City's website at www.vaughan.ca and a Notice Sign was installed on the Huntington Road street frontage, in accordance with the City's Notice Signs Procedures and Protocols.

A Committee of the Whole (Public Meeting) was held on February 5, 2019 to receive comments from the public and Committee of the Whole. Vaughan Council on February 12, 2019 ratified the recommendation of the Committee of the Whole to receive the Public Meeting report of February 5, 2019 and to forward a comprehensive report to a future Committee of the Whole meeting.

No written submissions regarding the Applications were received by the Development Planning Department. Mr. Mark Yarranton, KLM Planning Partners Inc., Jardin Drive, Vaughan, made a deputation on behalf of the Owner, at the Public Meeting regarding the Applications.

Previous Reports/Authority

The following are links to previous report regarding the Subject Lands:

Block 59 Committee of the Whole Report:

[June 16, 2020, Committee of the Whole \(Item 10 Report No. 25, Recommendations 1 to 9, adopted as amended by Vaughan Council on June 29, 2020\)](#)

Public Meeting (Applications) Report:

[February 5, 2019, Committee of the Whole \(Public Meeting\) \(Item 5, Report No.8, Recommendation 1\)](#)

Block 59 Block Plan Application (File BL.59.2014) Public Meeting Report:

[June 17, 2014, Committee of the Whole \(Public Meeting\) \(Item 5, Report No. 32, Recommendations 1 to 3, adopted as amended by Vaughan Council on June 24, 2014\)](#)

Analysis and Options

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

Anatolia Capital Corp. (the 'Owner') has submitted the following applications (the 'Applications') to facilitate the development shown on Attachments 3 to 5. Three buildings are proposed on the entirety of the Subject Lands, however, only Building 1 (the 'Development') as identified in Attachment 3, is being considered at this time.

1. Zoning By-law Amendment File Z.18.025 to amend Zoning By-law 1-88, specifically to rezone the Subject Lands from "A Agricultural Zone" to "EM1 Prestige Employment Area Zone", "EM1(H) Prestige Employment Area Zone" with the Holding Symbol "(H)", "EM2(H) General Employment Area Zone" with the Holding Symbol "(H)", and "OS1 Open Space Conservation Zone", in the manner shown on Attachment 3, and to permit site-specific zoning exceptions identified in Table 1 of this report.
2. Site Development File DA.18.065, as shown on Attachments 3 to 5, to permit the development of one employment building identified as "Building 1" in Attachment 3.

The Development is consistent with the Provincial Policy Statement, 2020 (the 'PPS')

The PPS provides policy direction on matters of provincial interest related to land use planning and development. The PPS is applied province-wide and provides for appropriate development while ensuring public health and safety, and the quality of the natural and built environment are protected. In accordance with Section 3(5) of the *Planning Act*, all land use decisions in Ontario "shall be consistent with" the PPS.

The employment policies in Section 1.3.1 of the PPS states (in part), "Planning authorities shall promote economic development and competitiveness by:

- providing for an appropriate mix and range of employment and institutional uses to meet long-term needs
- providing 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, and take into account the needs of existing and future businesses
- ensuring the necessary infrastructure is provided to support current and projected needs

The Development utilizes an undeveloped site within the Block 59 Employment Area and will support employment uses. The Development complements and is compatible with the planned uses within the West Vaughan Employment Area and would provide diversified employment opportunities to meet the City's long-term employment needs. The Subject Lands are located in an area where servicing and infrastructure is available for the Development.

Section 2.6 Cultural Heritage and Archaeology of the PPS speaks to the conservation of significant built heritage resources. The Owner has demonstrated the heritage attribute, being the Henry Burton House as shown on Attachment 3, will be preserved and has obtained approval from the Heritage Vaughan Committee and Vaughan Council for the proposed preservation, relocation and rehabilitation of the structure.

In consideration of the above, the Development is consistent with the PPS.

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

The Growth Plan is intended to guide decision-making on the development of land by encouraging compact built form, transit supportive communities, diverse land uses, and flexibility to capitalize on new economic and employment opportunities while providing certainty for traditional industries. The Growth Plan encourages the concentration of population and employment growth within Settlement Areas and promotes the development of complete communities offering a mix of jobs, amenities, services and housing types. In accordance with Section 3(5) of the *Planning Act*, Vaughan Council's planning decisions shall conform to the Growth Plan.

The Employment policies of Section 2.2.5.1 directs that economic development and competitiveness in the Greater Golden Horseshoe be promoted by:

- making more efficient use of existing employment areas and vacant and underutilized employment lands and increasing employment densities
- integrating and aligning land use planning and economic development goals and strategies to retain and attract investment and employment

Schedule 1 - Urban Structure of VOP 2010 identifies the Subject Lands as being located within "Employment Areas". The Development implements an employment use within a Settlement Area where municipal water and wastewater services are available and will contribute towards the development of employment lands in Block 59. Therefore, the Development conforms to the Growth Plan.

The Development conforms to the York Region Official Plan, 2010 ('YROP')

The YROP guides economic, environmental and community building decision making across York Region, and describes how York Region will accommodate future growth and development while meeting the needs of existing residents and businesses.

The Subject Lands are identified as "Urban Area" on Map 1: Regional Structure of the YROP, and permits a range of residential, commercial, employment and institutional uses, subject to additional policy criteria, and are identified as being within the "Strategic Employment Lands - Conceptual" by Figure 2: York Region Strategic Employment Lands of the YROP.

Section 4.3 contains policies with respect to Planning for Employment Lands to recognize employment lands are strategic and vital to the Regional economy and are major drivers of economic activity in the Region. As such, require local municipalities (i.e. Vaughan) to designate and protect employment lands in local municipal official plans and protect, maintain and enhance the long-term viability of all employment lands designated in local municipal official plans for employment land uses.

Policy 4.3.6 states, "It is the policy of Council to protect strategic employment lands, including lands identified in Figure 2. These lands are identified based on their proximity to existing or planned 400-series highways and shall be designated for employment land uses in local municipal official plans".

Policy 4.3.14 also requires that local municipalities, in consultation with York Region, prepare comprehensive secondary plans for new employment lands.

The Development would facilitate employment uses where employment lands have been identified and designated in the Vaughan Official Plan, 2010 ('VOP 2010'). The Subject Lands form part of the VOP 2010, Volume 2, Section 11.9 – the West Vaughan Employment Area Secondary Plan as required for new employment lands. The Development conforms to the policies of the YROP.

The Development conforms to the Vaughan Official Plan 2010 ('VOP 2010')

The Subject Lands are designated "Prestige Employment" (west of the valley), "General Employment" (east of the valley) and "Natural Areas" (valley and Rainbow Creek) by VOP 2010, Volume 2, Section 11.9 - the West Vaughan Employment Area Secondary

Plan ('WVEASP'). Schedule 1 of VOP 2010 also identifies the Subject Lands as an "Employment Area" and "Natural Area and Countryside".

The "Prestige Employment" designation permits industrial uses including manufacturing, warehousing (but not a retail warehouse), processing, and distribution uses located within wholly enclosed buildings and which do not require outside storage. Outside storage is not permitted within the "Prestige Employment" designation. Office uses, limited retail uses, and gas stations are also permitted in the "Prestige Employment" designation, subject to meeting certain criteria outlined in VOP 2010. Employment Industrial Buildings are also a permitted building type within the "Prestige Employment" designation.

Section 2.7 Site Specific Policies of the WVEASP indicates the area used for the placing or parking of transitory vehicles, trucks, tractors and trailers used for the conveyance of goods and materials to and from the distribution warehouse use on the lot shall not be considered to be outside storage for lands identified on Schedule 3 "Land Use" of the WVEASP.

The "General Employment" designation permits a full range of industrial uses including manufacturing, warehousing (but not a retail warehouse), processing, transportation, distribution, any of which may or may not include outdoor storage, but not used for the sole purpose of outside storage. Accessory office and/or retail uses, and gas stations are also permitted in the "General Employment" designation, subject to meeting certain criteria outlined in VOP 2010. Employment Industrial Buildings are also a permitted building type within the "General Employment" designation.

The manufacturing and/or warehousing uses are proposed within wholly enclosed employment/industrial buildings in the "Prestige Employment" and "General Employment" designations with the exception of transitory vehicles, trucks and trailers associated with distribution warehouse uses.

The "Natural Areas" designation identifies those portions of the City being part of the Natural Heritage Network. The policies of VOP 2010 require the Natural Heritage Network be protected and enhanced, as an interconnected system of natural features and the functions they perform. The "Natural Areas" designation on the Subject Lands are specifically identified as a "Core Feature" by VOP 2010. The location of Rainbow Creek coincides with the "Natural Areas" designation on the Subject Lands, and will be incorporated into the valley blocks together with the environmental buffer blocks in the related Draft Plan of Subdivision application.

The policies of VOP 2010 require Core Features and their minimum vegetation protection zones be dedicated to an appropriate public agency (e.g. the City or the Toronto and Region Conservation Authority - "TRCA") at no public expense, through the development approval process. The conveyance of these lands will be secured through

the related Draft Plan of Subdivision File 19T-18V009 to ensure the integrity of the ecological systems on or within direct proximity to the Subject Lands will be maintained. The development limits of the Subject Lands, including all the natural heritage features and hazards, have been determined through the Block Plan process in accordance with the policies of VOP 2010 and the WVEASP.

The Development is permitted by the “Prestige Employment”, “General Employment” and “Natural Areas” land use designations.

The Development (Building 1) shown on Attachment 3 to 5 respects the following design criteria in accordance with Section 9.1.2.10 a) through h) of VOP 2010 (in part):

“That in Employment Areas, new development will be designed to:

- a. allow for a variety of lot sizes and building sizes to accommodate a wide range of employment uses as permitted through Section 9.2 of this Plan;
- b. provide safe and direct access to buildings for pedestrians, cyclists and transit users;
- c. maximize the placement of buildings along the frontage of lots facing public streets and have regard for appropriate landscaping;
- d. limit surface parking between the front face of a building and the public street or sidewalk;
- e. provide safe and direct pedestrian walkways from the public street and parking areas to main building entrances;
- f. buffering and screening any surface parking areas from all property lines through the use of setbacks and landscaping;
- g. buffering and screening any outdoor storage areas, where permitted, through the use of setbacks, landscaping and fencing; and
- h. provide appropriate parks and open spaces as set out in Section 7.3.”

The Development shown on Attachments 3 to 5 respects the design criteria above by providing a building to accommodate a range of employment uses, providing safe and direct access to buildings for a variety of transportation modes, providing appropriate built form, landscaping and setbacks. The proposed uses and the Development conform to the policies of VOP 2010.

The Development conforms to the final Block Plan, Urban Design Guidelines, Architectural Design Guidelines, and Landscape Master Plan for the Block 59 Area

Section 10.1.1 of VOP 2010, Volume 1 states that a Block Plan is required for all Secondary Plans. Vaughan Council on June 17, 2014, considered the draft Block 59 Plan at a Public Meeting (File BL.59.2014). Council on June 29, 2020 considered and approved the application for the Block Plan, and the Block 59 Plan dated December 10, 2019, subject to the fulfillment of Block Plan conditions of approval. Two of the 9

recommendations contained in the June 16, 2020 report recognized that through the fulfillment of the Block Plan conditions, the final Block Plan may require updating:

- The Block 59 Plan be modified as required through the resolution of conditions identified in Attachment 1 of the Block Plan report
- Any changes resulting from the fulfillment of the conditions be made prior to any future approval of a Zoning By-law Amendment application or draft approval of a Draft Plan of Subdivision or Site Development application

Condition 1 of Block Plan approval also recognizes the final Block Plan shall relate to the draft Block 59 Plan dated December 10, 2019. Two changes have been reflected in the final Block 59 Block Plan, dated September 3, 2020 as shown on Attachment 6. The Land Use Distribution has also been updated to reflect these changes as shown in Attachment 7.

The final Block 59 Block Plan identifies the Subject Lands as “Prestige Employment”, “General Employment”, “Natural Heritage Feature” and “10 m Buffer”. Street “F” and the extension of John Lawrie Street are also identified and will be future development on the Subject Lands.

The final Block 59 Plan shown on Attachment 6 is generally consistent with the Block Plan dated December 10, 2019 and reflects the following modifications for areas outside of the Subject Lands:

- The area of the “Prestige Employment” designation has been reduced in the southwest quadrant of the Block (part of Parcel #17 on the final Block Plan). This modification accurately reflects the extent of the “Prestige Employment” designation and reflects the “General Employment” designation as shown in the WVEA Secondary Plan. In doing so, the extent of land uses designation shown through the current development applications, are consistent with the final Block Plan for the southwest quadrant of Block 59.
- Street ‘L’ connecting Line Drive to Highway 27 in the southeast quadrant of Block 59 as shown on Attachment 6, was previously shown as “proposed” and is now being shown as part of the Block Plan. This change reflects the Traffic and Transportation Study update (October 2020) which includes Street ‘L’ as part of the transportation network and has been approved to the satisfaction of York Region and the City of Vaughan.

A number of Block 59 Block Plan conditions of approval have been satisfied as shown on Attachment 8. The Policy Planning and Environmental Sustainability Department (‘PPES’) and the Development Engineering (‘DE’) Department have reviewed the outstanding conditions and are satisfied they can be appropriately addressed in advance of consideration of the related Draft Plan of Subdivision application and lifting

of the Holding Symbol “(H)” from the Subject Land, and/or become a condition of the related Draft Plan of Subdivision approval.

The proposed development conforms to the approved Block 59 Plan.

Amendments to Zoning By-law 1-88 are required to permit the Development

The Subject Lands are zoned “A Agricultural Zone” by Zoning By-law 1-88 as shown on Attachment 2. The “A Agricultural Zone” does not permit the Development. The Owner proposes to amend Zoning By-law 1-88, to rezone the Subject Lands to “EM1 Prestige Employment Area Zone”, “EM1(H) Prestige Employment Area Zone” with the Holding Symbol “(H)”, “EM2(H) General Employment Area Zone” with the Holding Symbol “(H)”, and “OS1 Open Space Conservation Zone” together with the following site-specific zoning exceptions to the EM1 and EM2 Zone Standards:

Table 1

| | Zoning By-law 1-88 Standard | ‘EM1 Prestige Employment Area Zone’ Requirements | Proposed Exceptions to the ‘EM1 Prestige Employment Area Zone’ Requirements |
|----|--|--|--|
| a. | Minimum Landscape Strip Abutting an OS1 Zone | 7.5 m | 1.5 m (Building 1) |
| b. | Definition of a Lot Line, Front | Means the street line, provided that in the case of a corner lot, the shorter street line is deemed to be the front lot line | Huntington Road shall be deemed to be the Front Lot Line for Building 1 |
| | Zoning By-law 1-88 Standard | ‘EM2 General Employment Area Zone’ Requirements | Proposed Exceptions to the ‘EM2 General Employment Area Zone’ Requirements |
| c. | Minimum Landscape Strip Abutting an OS1 Zone | 7.5 m | 3 m (Buildings 2 and 3) |
| d. | Minimum Rear Yard Setback | 12 m | 9 m (Buildings 2 and 3) |

| | Zoning By-law 1-88 Standard | 'EM1 and EM2 Zone' Requirements | Proposed Exceptions to the 'EM1 and EM2 Zone' Requirements |
|----|------------------------------------|---|--|
| e. | Minimum Required Parking | Warehousing: 1 parking space/100 m ² GFA <u>Building 1</u> 12,904.09 m ² x 1 space/100 m ² = 130 spaces <u>Building 2</u> 39,616.69 m ² x 1 space/100 m ² = 397 spaces <u>Building 3</u> 49,709.75 m ² x 1 space/100 m ² = 498 spaces Employment Uses other than Warehousing (greater than 3700 m ² GFA): 1.5 parking spaces / 100m ² . GFA plus 2 parking spaces per 100m ² . GFA devoted to ancillary office use, plus the requirements for any other use, or 3.5 parking spaces per unit, whichever is greater | Warehousing: 0.7 parking spaces/100 m ² GFA <u>Building 1</u> 12,904.09 m ² x 0.7 spaces/100 m ² = 91 spaces <u>Building 2</u> 39616.69 m ² x 0.7 spaces/100 m ² = 278 spaces <u>Building 3</u> 49,709.75 m ² x 0.7 spaces/100 m ² = 348 spaces Employment Uses other than Warehousing: 0.7 parking spaces/100 m ² GFA |
| | Zoning By-law 1-88 Standard | 'EM1 and EM2 Zone' Requirements | Proposed Exceptions to the 'EM1 and EM2 Zone' Requirements |
| | | Employment Uses other than Warehousing (equal or less than 3700m ² GFA): 2 parking spaces / 100m ² . GFA or 3.5 parking spaces per unit, whichever is greater | |

| | | | |
|----|---|--|--|
| f. | Outside Storage of Trucks and Trailers, Accessory to a Distribution Warehouse Use | Not permitted in an EM1 Prestige Employment Area Zone | Trucks and trailers accessory to a distribution warehouse use shall not be considered outside storage in an EM1 Prestige Employment Area Zone |
| g. | Location of Loading Spaces | Loading spaces are not permitted between a building and a street | Permit loading spaces to be located between a building and a street if a portion(s) of the building is located closer to the street than the loading space |

The Development Planning Department can support the zoning exceptions in Table 1 on the following basis:

The proposed Employment Zones implement the policies of VOP 2010 for the Subject Lands and are therefore considered appropriate. The Holding Symbol “(H)’ is proposed for the lands located east of the valley to be lifted upon a number of conditions being satisfied, including approval of the related Draft Plan of Subdivision Application (File 19T-18V009) for the Blocks.

The requested zoning exceptions in Table 1 are consistent with exceptions for other employment development in the area. The exception for outside storage conforms with Section 2.7 Site Specific Policies of the WVEASP which permits the placing of trucks and trailers accessory to a distribution warehouse and shall not be considered outside storage. Notwithstanding the statement above, solid screening in the form of a combination of landscaping and fencing shall be required along the lot line abutting any Open Space Zone to screen the future trail and open space from any vehicles and equipment associated with the distribution and warehouse uses. A provision to this effect will be included in the implementing Zoning by-law.

In consideration of the above, the Development Planning Department can support the proposed zoning exceptions.

The Planning Act permits Vaughan Council to pass a resolution to permit the Owner to apply for a Minor Variance application, if required, within 2 years of a Zoning By-law coming into full force and effect

Section 45(1.3) of the *Planning Act* restricts a landowner from applying to the Committee of Adjustment for a Minor Variance application within two years of the day on which a Zoning By-law was amended. The *Planning Act* also permits Council to pass a resolution to allow a landowner to apply for a Minor Variance application(s) within 2 years of the passing of the zoning by-law amendment.

Should Council approve Zoning By-law File Z.18.027, the Development Planning Department has included a Recommendation to permit the Owner to apply for a Minor Variance application(s) if required, prior to the two-year moratorium in order to address minor zoning deficiencies that may arise through the finalization and construction of the Development. A condition to this effect is included in the Recommendation of this report.

The Development Planning Department supports the Site Development Application, subject to the Recommendations of this report

Site Plan

The Owner seeks approval for “Building 1” abutting Huntington Road as shown on Attachments 3 to 5 as part of this approval for Site Development Files DA.18.065. The remaining Development identified as “Future Development” on Attachment 3 will be considered in a future technical report for Council’s consideration.

Building 1 consists of 2 Phases as shown on Attachment 3 as is oriented parallel to Huntington Road. Pedestrian connections are proposed throughout the parking areas and will interconnect to the proposed sidewalk/multi-use path along Huntington Road and provide safe pedestrian permeability into the site. Parking is located along the front of the building and truck loading occurs on the east elevation. The final site plan including the design for the boulevards and entry features shall be to the satisfaction of Development Planning.

Building Elevations

The proposed one-storey employment building elevations shown on Attachment 5 include a combination of glazing, precast concrete and composite metal panels. Staff recommends additional design elements such as building recesses, protrusions, and materiality be used to enhance and articulate the facades of the building facing Huntington Road and a combination of an architectural wall and/or landscaping be provided to screen the truck loading area. The final building elevations shall be to the satisfaction of the Development Planning Department.

Lighting

Light spillage needs to be minimized to 0.0lux to the property line towards the valley while 5.0 lux is achieved along barrier-free pathways and 2.0 lux on all other pedestrian areas.

Landscape Plan

The proposed landscape plan is shown on Attachment 4 and consists of a variety of deciduous and coniferous trees and shrubs and ornamental grasses. Staff recommend additional landscaping be provided along Future Street “1” as identified in Attachment 4. The primary gateway feature and secondary entry feature needs to be fully designed,

including the treatment in the sight triangle to be compatible and compliment the one already installed across the street on Trade Valley. The traffic islands should include sufficient salt tolerant trees species and soil volume to provide appropriate landscaping. The Owner is required to provide the updated information as requested and the final Landscape Plan and cost estimates should be to the satisfaction of the Development Planning Department.

Sustainability Performance Metrics

The Owner has submitted a Sustainability Performance Metric scoring tool. A revised Sustainability Performance Metric scoring tool and cover letter must be submitted to demonstrate how the development achieves the minimum Sustainability Performance Metric ('SPM') application score of 31 points for Bronze level.

Cultural Heritage

The Subject Lands include an existing 2-storey dwelling known as the Henry Burton House generally located as shown on Attachment 3. The main block of the Henry Burton House will be relocated on the Subject Lands and restored for another yet to be determined compatible use. Vaughan Council on September 29, 2020 approved the recommendation of Heritage Vaughan to approve the proposed preservation, relocation and rehabilitation of the Henry Burton House.

Prior to the execution of the Site Plan Agreement the Owner shall provide registered confirmation of clearance of Archaeological Assessment conditions and requirements for the entire area affected by the proposed development from the Ontario Ministry of Heritage, Sport, Tourism, Culture Industries. A Condition to this effect is included in Attachment 1.

Arborist Report and Tree Preservation Plan

An Arborist Report and a Tree Inventory and Preservation Plan prepared by Baker Turner Inc. was submitted with the Applications to identify the number, species, condition, and size (diameter) of the existing private trees proposed to be preserved or removed from the Subject Lands. A total of 35 privately-owned trees are proposed to be removed from the Subject Lands. Any trees that are proposed to be preserved must be protected with tree protection fencing during construction.

The Owner will be required to enter into a Tree Protection Agreement with the City for this Development to address the privately-owned trees and the municipal trees proposed to be removed or preserved and the proposed replacement trees.

The Development Planning Department, Urban Design and Cultural Heritage Division, and the Parks Operations and Forestry Department have reviewed the Arborist Report and Tree Inventory and Preservation Plan submitted with the Applications and require more details on the proposed tree protection zones and removals. The proposed tree replacements and the proposed compensation ('cash-in-lieu') amount of \$19,250.00

required to be paid in accordance with the City's Council adopted Tree Protection Protocol and Tree Protection By-law 052-2018.

In instances where it has been determined by the City more replacement trees are required than can reasonably be accommodated on the Subject Lands, a 'cash-in-lieu' payment may be made to the Tree Replacement Reserve Fund to fund tree planting on City-owned properties in the same community. The 'cash-in-lieu' payments can only be made if all the required replacement trees cannot be planted on the Subject Lands, in accordance with an approved Master Landscape Plan. As such the following condition will be included in the Site Plan Agreement in accordance with the Recommendations of this report:

"Prior to the registration of this Agreement, the Owner shall provide compensation to Vaughan for removal of 35 existing trees located within the Subject Lands and cannot be re-accommodated on-site, in the amount of \$19,250.00 payable by certified cheque in accordance with and to the satisfaction of Vaughan's Replacement Tree Requirements pursuant to Vaughan Council enacted tree By-law 052-2018 and the Vaughan Tree Protection Protocol".

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, landscape plan and details, landscape cost estimate, arborist report, tree preservation plan and building elevations. A condition to this effect is included in Attachment 1. The Development Planning Department is satisfied with the Development, as shown on Attachments 3 to 5, subject to the above-noted condition included in the Recommendations of this report.

The Development Engineering Department supports the Development, subject to the Conditions of Approval

The Development Engineering ('DE') Department has provided the following comments regarding the Development:

Transportation Engineering

The Owner has submitted a Transportation Impact Study (including a parking assessment) completed by NexTrans dated June 2020. Currently, the Development is only for Building 1 in advance of the construction of future roads internal to Block 59 and subsequent developments. The proposed Development includes two (2) access points on Huntington Road with 91 parking spaces for Building 1. The Transportation Impact Study also included a parking assessment in support of 0.7 spaces/100m². The parking assessment prepared by NexTrans concludes the proposed parking supply would be sufficient for the Development's specific requirements since the proposed parking rates are justified based on the proxy site survey and the "Review City of Vaughan's Parking Standard" completed by IBI Group for the City.

The DE Department is generally satisfied with the overall findings of the Transportation Impact Study. However, the Owner shall submit an addendum to the Transportation Impact Study addressing Building 1 with exclusive access from Huntington Road, prior to final Site Plan approval.

Huntington Road Urbanization

The City of Vaughan completed a Schedule 'C' Municipal Class Environmental Assessment (EA) Study for road improvements along Huntington Road to accommodate population and employment growth in western Vaughan.

The Huntington Road Urbanization project through the City's Infrastructure Delivery Department has scheduled the work to be completed in three (3) separate phases, with Phase 1 (Langstaff to Rutherford) tentatively scheduled for construction between 2023 & 2024.

The proposed improvements include widening to accommodate a 26m urbanized right-of-way (ROW) complete with a total of four lanes, intersection improvements, street lighting, 3m multi-use trail, boulevard, and landscaping on the east side of Huntington Road, 1.5m sidewalk, boulevard, and landscaping on the west side of Huntington Road, and various utility upgrades.

To accommodate the Huntington Road Urbanization project, the Owner of the Subject Lands shall convey the required lands fronting Huntington Road to the City at no cost and free of charge and encumbrances.

Noise

A Noise Impact Study ('NIS'), prepared by Valcoustics Canada Ltd., dated May 22, 2020, was submitted in support of the Applications. It concluded:

The noise source with potential for impact at the proposed Development is road traffic on Huntington Road and the future Highway 427 extension. The main noise sources associated with the proposed Development with the potential to create significant noise impact at the neighbouring receptors are the truck and forklift movements on Subject Lands, activities at the loading docks, and the rooftop mechanical units. The indoor noise criteria at the proposed Development are predicted to be met using exterior wall and window construction meeting the minimum non-acoustical requirements of the Ontario Building Code ('OBC'). The analysis shows the sound emissions from the proposed industrial Development are predicted to meet the stationary noise guideline limits without any additional noise mitigation measures.

There is an existing dwelling to the north of the Subject Lands where the noise guideline limits are predicted to be exceeded. The dwelling will likely be demolished as part of the

future redevelopment for an employment use. It is also understood the dwelling will be permanently vacated before the proposed warehouses are operating. The dwelling has therefore not been included as a noise sensitive receptor as part of the NIS. The Owner shall update the NIS to include the existing dwelling as a noise sensitive receptor in the event the dwelling will continue to be used as a residential dwelling when the warehouses are operational.

The tenants for the warehouses are currently not known. The analysis was completed using operating information provided by Anatolia Capital Corp. for similar facilities they have developed. The analysis should be updated if the proposed operations are significantly different than those described and assessed herein.

Municipal Servicing

A Functional Servicing & Stormwater Management Report ('FSR/SWM'), prepared by Schaeffers Consulting Engineers, dated June 2020, was submitted in support of the Applications:

a) Water Supply

The Subject Lands are currently situated within Pressure District 6 (PD6) of the York Water Supply System according to the Master Environmental Servicing Plan (MESP) for Block 59 and current City mapping.

The Development of Building 1 is proposed to be serviced by a 200mm diameter water service connection via tapping tee and valve directly from the existing 400mm diameter watermain within Huntington Road and complete with a proposed City Standard W-111 Backflow Chamber.

b) Sanitary Servicing

Pursuant to Block 59 MESP, Building 1 is proposed to be serviced by a sanitary sewer service connection, control maintenance hole and internal drop structure discharging to the existing 1500mm diameter maintenance hole within Huntington Road and conveying flows through the existing 750mm diameter trunk sewer.

c) Storm Drainage

Building 1 is proposed to be serviced by a 750mm diameter concrete storm service connection complete with a control maintenance hole and jellyfish filter unit for quality control prior to discharge to future John Lawrie Street and Rainbow Creek and is subject to review and approval from the Toronto and Region Conservation Authority ('TRCA'). On-site stormwater storage will be available within the Development through stormwater storage tanks/infiltration chambers, surface ponding and oversized pipes with the use of orifice tubes to control stormwater flow rates upstream of future John Lawrie Street and Rainbow Creek.

The Owner has committed to providing securities at an estimated cost of \$47,533.64 according to a certified cost estimate and preliminary plan provided by WSP Canada Inc. ('WSP'), and to enter into any required future agreement(s) with the City, and any external landowners and agencies, to construct and convey lands for the required municipal storm sewers and stormwater outlet to Rainbow Creek required to service the Subject Lands.

The Owner shall undertake any required studies and provide detailed design drawings, applicable documents and supporting reports that shall be submitted in support of constructing the municipal storm sewers and stormwater outlet within future John Lawrie Street at this time, to the satisfaction of the City.

Environmental Site Assessment ('ESA')

The Environmental Engineering Department has reviewed Phase 1 and 2 Environmental Site Assessments prepared by WSP and are satisfied with the submitted ESA documentation and have no objection to the Development.

Grading Design/Erosion and Sediment Control

The existing topography indicates a grade differential from Huntington Road east towards Rainbow Creek requiring the Development to implement grading measures such as 2m high retaining walls and sloping towards Rainbow Creek and is subject to review and approval from Toronto Region and Conservation Authority ('TRCA').

The *Erosion & Sediment Control Guidelines for Urban Construction (December 2006)* Guideline was created as a consolidated document that best suits jurisdictions within the Greater Golden Horseshoe Area Conservation Authorities for common usage in land development, construction and water management.

Erosion and sediment control mitigation measures are to be implemented during construction to minimize silt laden runoff discharge from the Subject Lands in accordance with the aforementioned document.

Block 59 Developer's Group Agreement

Prior to development of subsequent phases of the Subject Lands, the Owner and/or Block 59 Landowners Group shall enter into any agreement(s) with the City necessary to construct Stormwater Management Pond W2, storm sewers, sanitary sewers, temporary sanitary pumping station ('TSPS'), watermains, future roads internal to Block 59 and associated works to provide connections to the Development, including necessary securities, conveyance of lands both internal and external (unless alternative arrangements are made), all to the satisfaction of the City.

The Financial Planning and Development Finance Department advises Development Charges ('DCs') are applicable for the Development

The Financial Planning and Development Finance Department requires the Owner pay to the City 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.

Cash-in-lieu of the dedication of parkland is not required

The Office of Infrastructure Development Department, Real Estate Services advises cash-in-lieu of the dedication of parkland payment in accordance with Section 42 of the *Planning Act* will not be required as long as the Council Policy waiving such payment remains in effect for industrial land.

The Parks Planning Department has no objection to the Development, subject to the Conditions of Approval

The Parks Planning Department has no objection to the Development subject to warning clauses to be placed within all Offers of Agreement of Purchase and Sale or Lease for all lots butting the Open Space Zones. Conditions to this effect are included in Attachment 1.

Parks Planning staff are seeking the provision of an off-road multi-use recreational trail within the Subject Lands, specifically within the open space/valleyland to connect into the local trail network and into the overall pedestrian and bicycle network in the City. As the final location and alignment of the trail has yet to be determined, a blanket easement on the entire open space/valleyland system and buffer blocks on the subject property will be required as part of the related Draft Plan of Subdivision File 19T-18V009 for the purposes of constructing and maintain a publicly accessible trail in the valley system.

The Forestry Operations Division has no objection to the Applications, subject to Conditions of Approval

A Private Property Tree Removal and Protection Permit is required. The Forestry Operations Division of the Parks, Forestry and Horticulture Operations Department has no objection to the Development subject to the Owner informing the Forestry Operations Division once tree protection measures have been installed for inspection and approval according to City specifications. Conditions to this effect are included in Attachment 1.

The Policy Planning and Environmental Sustainability ('PPES') Department has no objection to the Development, subject to Conditions of Approval

The final grading and retaining walls shall meet City and TRCA requirements and fencing shall be provided along the property limits abutting the natural heritage system to the satisfaction of the City.

The Block Plan Environmental Impact Study ('EIS'), identified Species at Risk nesting habitat for Barn Swallow on the Subject Lands. Further, the woodlands are candidate bat maternity colonies and Species at Risk Bat Habitat. The Owner should confirm Species at Risk requirements for the Subject Lands and the need for an Overall Benefit Permit. The Ministry of Environment, Conservation and Parks ('MECP') should be contacted in this regard. Conditions to this effect are included in Attachment 1.

The Toronto and Region Conservation Authority ('TRCA') has advised in principle of no objection to the Zoning By-law and the Site Development Application

Portions of the Subject Lands are located within the TRCA's regulated area. The "Natural Areas" designation recognizes Rainbow Creek is located on the Subject Lands.

By way of correspondence dated November 10, 2020 the TRCA advised in principle, it has no objection to the Applications. The Owner has entered into an understanding with the TRCA, recognizing that changes to the site plan may result from the technical review of a required Erosion Impact Assessment ('EIA'). The TRCA will provide final conditions of Site Plan Approval (as required) upon the satisfactory review of the EIA and all other technical reports. A condition is included in Attachment 1 requiring the Owner to satisfy all requirements of the TRCA.

Prior to the TRCA's final approval of the site plan, the following is required:

1. A continuous simulation erosion impact assessment ('EIA') conducted based on the findings of the Rainbow Creek Master Plan Update Study (2013) with the updated site constraints outlined in the Functional Servicing Reports related to on-site retention, and a new stormwater management strategy for erosion control that does not exceed the erosive targets as set out in the Master Plan Update Study. Further, the study areas will need to show, conceptually, the ability to meet the targets as outlined in the updated stormwater management strategy determined through the continuous simulation modelling, prepared to the satisfaction of the TRCA.
2. The Owner shall submit a detailed engineering report(s) and plans to the satisfaction of TRCA in accordance with the approved Master Environmental Servicing Plan by *Cole Engineering* as may be amended in the future to the satisfaction of TRCA and the City of Vaughan. This submission shall include:
 - a) a description of the storm drainage system (quantity and quality) for the proposed Development;
 - b) plans illustrating how this drainage system will tie into surrounding drainage systems, i.e., identifying if it is part of an overall drainage scheme, how external flows will be accommodated, the design capacity of the receiving system;

- c) appropriate stormwater management techniques which may be required to control minor and major flows;
 - d) appropriate Stormwater Management Practices ('SWMPs') to be used to treat stormwater, to mitigate the impacts of development on the quality and quantity of ground and surface water resources as it relates to the natural system, both aquatic and terrestrial, including any outfalls to the natural heritage system;
 - e) that best efforts be provided to maintain pre-development recharge in accordance with the REC-1 Policy of the Credit Valley, Toronto and Region and Central Lake Ontario ('CTC') Source Protection Plan including Low Impact Development ('LID') measures to promote infiltration, reduce run-off and maintain water balance for the plan area;
 - f) detailed plans and calculations for the proposed lot-level, conveyance, and end-of-pipe controls to be implemented on the site;
 - g) proposed measures to maintain feature-based water balance and to mitigate impacts to those natural features that have been assessed to be likely impacted by the Development;
 - h) an evaluation to address the need for groundwater dewatering during construction, including but not limited to details for its disposal, potential impacts to natural features due to groundwater withdrawal, mitigation and any permitting requirements;
 - i) grading plans for the Subject Lands;
 - j) an erosion and sediment control report and plans for the Subject Lands including proposed measures for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction;
 - k) the location and description of all outlets and other facilities or works which may require permits from TRCA pursuant to the *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation* (Ontario Regulation 166/06), as may be amended; and
 - l) a response indicating how TRCA's detailed comments on the Site Plan Application have been addressed and incorporated into the detailed engineering report (or reports) and plans.
3. That a geotechnical engineer confirms the long-term stability of the proposed grading with a minimum factor of safety of 1.5. The geotechnical engineer is required to provide a supplementary geotechnical report / letter for the geotechnical and stability review of the grading plan and all sections.

4. As per the letter by Schaeffer (dated September 11, 2020), it is understood the design will be revised to reduce the ponding areas so that they do not have impact on the retaining walls. Such revised design needs to be developed and implemented to reduce the ponding areas behind the retaining walls (to minimize any impacts to the retaining walls).
5. At the detailed design stage, the engineer-stamped drawings for the retaining walls as per the design of the retaining walls must be provided by a civil / structural engineer; *Given that the retaining walls are behind the 10m setback, the review of the structural design of the retaining walls can be deferred to the municipality.*
6. That this site plan be subject to red-line revision(s) in order to meet the requirements of TRCA's conditions of site plan approval, if necessary, to the satisfaction of TRCA.
7. That buffer restoration plans, and compensation planting plans (as outlined in the MESP) will be designed to the satisfaction of TRCA.
8. That all proposed road crossings will be designed in conformance with TRCA's Crossing Guidelines for Valley and Stream Corridors, 2015 to the satisfaction of TRCA.
9. That prior to the final approval of this site plan or any phase thereof, the Owner obtain all necessary permits from TRCA pursuant to the *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation* (Ontario Regulation 166/06), as may be amended, to the satisfaction of TRCA.

The lands proposed to be zoned "OS1 Open Space Conservation Zone" should be dedicated to either the TRCA and/or the City of Vaughan, to the satisfaction of the TRCA.

The Ministry of Transportation of Ontario ('MTO') has no objection to the Development

MTO has confirmed the Subject Lands are located outside of the MTO Permit Control Area, and as such, MTO permits will not be required for the Subject Lands. MTO has no objection to the Development.

TC Energy ('TC') has no objection to this Development, subject to conditions

TC Energy has one high pressure natural gas pipeline abutting a portion of the east limit of the Subject Lands as shown on Attachment 3. TC's pipelines and related facilities are subject to the jurisdiction of the Canada Energy Regulator ('CER'). As such, certain activities must comply with the *Canadian Energy Regulator Act* and the National Energy Board Damage Prevention Regulations. TC has requested the implementing

Zoning By-law include the appropriate provisions to ensure no permanent building or structure may be located within 7m of the TransCanada Pipeline right-of-way and accessory structures shall have a minimum setback of at least 3m from the pipeline right-of-way. The requested setbacks will be included in the implementing Zoning By-law. TC has no objection to the Development and may provide further comments and/or conditions in the related Draft Plan of Subdivision application.

Hydro One Networks Inc. ('HONI') has no objection to the Development, subject to Conditions of Approval

The Subject Lands abut a HONI high voltage transmission corridor ('transmission corridor') to the east. As such, HONI advises that the transmission corridor lands affected by the Development are subject to a statutory right in favour of HONI pursuant to Section 114.5(1) of *The Electricity Act, 1998*, as amended. The owner of these lands is Her Majesty, The Queen in Right of Ontario, as represented by The Minister of Infrastructure ('MOI'). Ontario Infrastructure and Lands Corporation ('OILC') as agent for the Province, must review and approve all secondary land uses such as roads proposed on the Subject Lands. HONI is currently acting as a service provider to OILC and undertakes this review on their behalf.

HONI also advises the Owner the transmission lines abutting the Subject Lands operate at either 500,000, 230,000 or 115,000 volts. Section 188 of Regulation 213/91 pursuant to the *Occupational Health and Safety Act* ('OHSA'), requires no object be brought closer than 6 metres (20 feet) to an energized 500 kV conductor. The distance for 230 kV conductors is 4.5 metres (15 feet), and for 115 kV conductors it is 3 metres (10 feet). It is the Owner's responsibility to be aware, and to make all personnel on site aware, all equipment and personnel must come no closer than the distance specified in the OHSA. HONI also advises the Owner that the conductors can raise and lower without warning, depending on the electrical demand placed on the line.

HONI has requested clauses regarding development adjacent to the hydro right-of-way be included in the Site Plan Agreement. These conditions are included in Attachment 1.

Bell Canada has no objection to the Development, subject to the following Condition of Approval

Bell Canada advises the Owner to contact Bell Canada during detailed design to confirm the provision of communication/telecommunication infrastructure needed to service the Development and prior to commencing any work, the Owner must confirm there is sufficient wire-line communication/telecommunication infrastructure available. In the event such infrastructure is unavailable; the Owner shall be required to pay for the connection to and/or extension of the existing communication/ telecommunication infrastructure.

Bell Canada requests that the following be included in the conditions of approval:

“The Owner shall grant to Bell Canada, in words satisfactory 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”.

Canada Post has no objection to the Development

Canada Post has no objection to the Development and will install mailboxes and pads as the need arises.

Canadian Pacific Railway has no objection to the Development

Canadian Pacific Railway has reviewed the submission and has no objection to the Development.

The various utility companies have no objection to the Development, subject to the Conditions of Approval

Enbridge Gas and Alectra Utilities have no objection to the Applications, subject to the Owner coordinating servicing, connections, easements with the above noted utilities prior to the commencement of any site works. Conditions to this effect are included in Attachment 1.

Financial Impact

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

Broader Regional Impacts/Considerations

York Region Community Planning and Development Services has no objection to the Development

York Region has indicated that they have no objections to the Development.

Conclusion

The Development Planning Department has reviewed Zoning By-law Amendment File Z.18.025 and Site Development File DA.18.065 in consideration of the policies of the Provincial Policy Statement, the Growth Plan, the York Region Official Plan and Vaughan Official Plan 2010 policies, the requirements of Zoning By-law 1-88, Heritage Vaughan's recommendations, comments from City Departments, external public agencies, and the surrounding area context. The Development is consistent with the policies of the PPS, conforms to the Growth Plan and the York Region Official Plan, and implements the West Vaughan Employment Area Secondary Plan policies.

The Development Planning Department is satisfied that the Development shown on Attachments 3 to 5, is compatible with the existing and permitted uses in the surrounding area. Accordingly, the Development Planning Department supports the approval of the Applications, subject to the Recommendations in this report and the Conditions of Approval included in Attachment 1.

For more information, please contact: Jennifer Kim, Planner, Development Planning Department, ext. 8592.

Attachments

1. Conditions of Site Plan Approval
2. Context and Location Map
3. Proposed Zoning and Site Plan
4. Landscape Plan
5. Building 1 Elevations
6. Final Block 59 Block Plan, dated September 3, 2020
7. Block 59 Plan Land Use Distribution
8. Status of Block Plan Conditions of Approval
9. Related Draft Plan of Subdivision File 19T-18V009

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Approved by

A handwritten signature in black ink, appearing to read 'Nick Spensieri'.

Nick Spensieri, Deputy City
Manager, Infrastructure
Development

Reviewed by

A handwritten signature in black ink, appearing to read 'Jim Harnum'.

Jim Harnum, City Manager