

Committee of the Whole (2) Report

DATE: Monday, March 8, 2021

WARD: 2

**TITLE: ROYBRIDGE HOLDINGS LIMITED
ZONING BY-LAW AMENDMENT FILE Z.20.036
SITE DEVELOPMENT FILE DA.18.085
101 MILANI BOULEVARD
VICINITY OF HIGHWAY 27 AND MILANI BOULEVARD**

FROM:

Jim Harnum, City Manager

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Zoning By-law Amendment and Site Development Files Z.20.036 and DA.18.085 for the subject lands shown on Attachment 2. The Owner proposes to rezone a portion of the subject lands from “OS1(H) Open Space Conservation Zone” with the Holding Symbol “(H)” to “EM1 Prestige Employment Area Zone”, and to remove the Holding Symbol “(H)” from the remaining lands, in the manner shown on Attachment 3. The proposed rezoning would permit an 18,832 m² employment building ranging in height from one-to-three storeys and a future phase for employment uses, as shown on Attachments 3 to 7.

Report Highlights

- The Owner proposes to rezone a portion of the subject lands to permit an 18,585 m² employment building ranging in height from one-to-three storeys and a future phase for employment uses.
- Zoning By-law Amendment and Site Development Applications are required to permit the proposed development.
- The Development Planning Department supports the proposed development as it is consistent with and conforms to Provincial Policy, the York Region Official Plan, and Vaughan Official Plan 2010, and is compatible with the surrounding existing and planned land uses.

Recommendations

1. THAT Zoning By-law Amendment File Z.20.036 (Roybridge Holdings Limited) BE APPROVED, to amend Zoning By-law 1-88, to rezone a portion of the subject lands shown on Attachment 2 from “OS1(H) Open Space Conservation Zone” with the Holding Symbol “(H)” and subject to site-specific Exception 9(1134), to “EM1 Prestige Employment Area Zone”, and to remove the Holding Symbol “(H)” from the remaining lands zoned “OS1(H) Open Space Conservation Zone” with the Holding Symbol “(H)”, in the manner shown on Attachment 3;
2. THAT prior to the enactment of the implementing Zoning By-law, the Owner shall satisfy the following conditions to the satisfaction of the Development Engineering Department:
 - a) Submission of Environmental Site Assessment Reports and Reliance Letters to the City’s satisfaction;
 - b) Submission of a Risk Evaluation Report and Risk Management Plan prepared by a Qualified Person (Risk Assessment), in conformity and meeting the intent of Ontario Regulation 153/04;
 - c) The Risk Evaluation report and Risk Management Plan identified in Condition 2 b) shall be peer reviewed, with costs paid for by the Owner;
 - d) Submission of a Methane Monitoring Investigation Report in accordance with the Ministry of Environment, Conservation and Parks (‘MECP’) Guideline D-4 “Land Use on or near Landfills and Dumps” and Procedure D-4-1 “Assessing Methane Hazards from Landfill Sites”;
 - e) Submission of a Methane Gas Mitigation, Control and Monitoring System Plan prepared by a qualified engineering consultant;
 - f) Submission of a copy of an approved MECP Environmental Compliance Approval (ECA) for the Methane Gas Mitigation, Control and Monitoring System, if applicable;
 - g) Confirmation from MECP that the Section 46 Approval of the former landfill site located on the subject lands no longer applies; and
 - h) The Owner enter into an Indemnity Agreement protecting the City from any potential adverse effects from the proposed development;
3. THAT the Owner be permitted to apply for a Minor Variance application(s) to the Vaughan Committee of Adjustment before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands came into effect, to permit minor adjustments to the implementing Zoning By-law, if required; and
4. THAT Site Development File DA.18.085 (Roybridge Holdings Limited) BE DRAFT APPROVED AND SUBJECT TO THE CONDITIONS identified in

Attachment 1, to the satisfaction of the Development Planning Department, to permit an 18,832 m² employment building ranging in height from one-to-three storeys, as shown on Attachments 3 to 7.

Background

The subject lands (the 'Subject Lands') are municipally known as 101 Milani Boulevard and located west of Highway 27, on the south side of Milani Boulevard. The Subject Lands and surrounding land uses are shown on Attachment 2.

The east portion of the Subject Lands are currently developed with privately operated soccer fields and a basketball court, as shown on Attachment 3.

Date applications deemed complete: September 18, 2018 (File DA.18.085) and
February 3, 2021 (File Z.20.036)

The Committee of Adjustment approved a Consent application to create the Subject Lands together with easements for access and servicing

The Committee of Adjustment on January 14, 2010, approved Consent File B007/10 to create easements for servicing with the lands located north of the Subject Lands (133 Milani Blvd).

The Committee of Adjustment, on October 7, 2010, approved Consent File B060/10 and Minor Variance File No. A249/10 to permit the severance of the Subject Lands (Part of Block 41, and Blocks 2, 3, and 4 on Registered Plan 65M-3627) from the lands to the east (8100 Highway 27) which are developed with a four-storey office building (Adidas Office Building). Consent File B060/10 also created easements for access to the Subject Lands from 8100 Highway 27, and servicing easements on the Subject Lands in favour of 8100 Hwy 27. Minor Variance File A249/10 permitted shared access, parking, and driveway aisles between the Subject Lands and 8100 Highway 27.

Zoning By-Law Amendment and Site Development applications have been submitted to permit the proposed development

The Owner has submitted the following applications (the 'Applications') for the Subject Lands to permit the development of an 18,832 m² employment building having a building height ranging from one-to-three storeys, with 602 parking spaces and a 290 m² amenity area (the 'Development') and a future phase for employment uses, as shown on Attachments 3 to 7:

1. Zoning By-law Amendment File Z.20.036 (Roybridge Holdings Limited) to rezone the Subject Lands from “OS1(H) Open Space Conservation Zone” with the Holding Symbol “(H)” and subject to site-specific Exception 9(1134), to “EM1 Prestige Employment Area Zone”, and to remove the Holding Symbol “(H)” from the remaining lands, in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 1 of this report.
2. Site Development File DA.18.085 (Roybridge Holdings Limited) to permit the Development.

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

The City, on December 23, 2020, mailed a Notice of Public Meeting (the ‘Notice’) to all property owners within 150 m of the Subject Lands. The Notice was also sent to the West Woodbridge Homeowners Ratepayers’ Association. A copy of the Notice was also posted on the City’s website at www.vaughan.ca and notice signs were installed on the Subject Lands along Highway 27, in accordance with the City’s Notice Signs Procedures and Protocols.

Vaughan Council, on January 26, 2021, ratified the recommendation of the Committee of the Whole to receive the Public Meeting report of January 19, 2021, and to forward a comprehensive technical report to a future Committee of the Whole meeting. No written submissions regarding the Applications were received by the Development Planning Department.

Previous Reports/Authority

The following links relate to previous reports regarding the Subject Lands:

[May 20, 2008, Committee of the Whole \(Item No. 30, Report No.27\)](#)

[January 19, 2021 Committee of the Whole \(Public Meeting\) \(Item No. 4, Report No. 2\)](#)

Analysis and Options

The Development is consistent with the Provincial Policy Statement, 2020

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario "shall be consistent" with the Provincial Policy Statement, 2020 (‘PPS’). The PPS provides policy direction on matters of provincial interest related to land use planning and development. Key policy objectives include: building strong, healthy communities; the wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important.

The Development is consistent with the following policies of the PPS:

- Section 1.1.3 - focusing growth and development within defined Settlement Areas
- Section 1.3.1 - providing for an appropriate mix of employment to meet long-term needs; opportunities for a diversified economic base
- Section 1.5.1 - providing for recreational open space areas, including trails and linkages
- Section 1.6.6 - promoting the efficient use and optimization of existing municipal sewage and water services, and ensuring appropriate stormwater management
- Section 1.7 - promoting opportunities for economic development
- Section 2.1 - protecting natural heritage features for the long term
- Section 4.6 - the Official Plan being the most important vehicle for implementation of the PPS

The Subject Lands are located within a defined Settlement Area appropriate for growth and development (Section 1.1.3). The Development will meet the long-term economic needs of the City (Sections 1.3.1 and 1.7) with potential connections to the Vaughan Super Trail (Section 1.5.1). Natural heritage features will be protected through an appropriate zone category and Vegetation Protection Zone ('VPZ') (Section 2.1).

The Development conforms to the "Prestige Employment" and "Natural Areas" designations of Vaughan Official Plan 2010 ('VOP 2010') (Section 4.6). On this basis, the Development is consistent with the PPS.

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

The Provincial Growth Plan: A Place to Grow - Growth Plan for the Greater Golden Horseshoe, 2019, as amended ('Growth Plan'), is intended to guide decisions on a wide range of issues, including economic development, land-use planning, urban form, and housing.

The Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe, including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. Vaughan 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 with the following policies:

- Section 2.2.1 - directing growth to Settlement Areas with a Delineated Built Boundary and existing municipal water and wastewater systems
- Section 2.2.5 - making more efficient use of employment areas and vacant employment lands to increase employment density
- Section 3.2.6(2) - optimize existing municipal water and wastewater systems

The Subject Lands are located within a Settlement Area and the Delineated Built Boundary, and form part of the City's Employment Area as shown on Schedule 1 "Urban Structure" of VOP 2010 (Section 2.2.1). The Development will optimize existing municipal water and wastewater systems, make more efficient use of an underutilized and vacant employment lot, and increase employment density on the Subject Lands (Sections 2.2.5 and 3.2.6(2)). On this basis, the Development conforms to the Growth Plan.

The Development conforms to the York Region Official Plan 2010

The York Region Official Plan 2010 ('YROP 2010') guides economic, environmental and community building decisions across York Region. The Subject Lands are designated "Urban Area" by the YROP 2010, which permits a wide range of residential, commercial, industrial and institutional uses. The Development conforms to YROP 2010, specifically with the following policies:

- Section 4.3.18 - require flexible and adaptable employment lands that include a building design and siting that allows for redevelopment and intensification
- Section 5.3 - encouraging employment uses to occur within the "Built-up Area" as defined by the Built-Up Area Boundary in the Growth Plan

The Subject Lands are located within a "Built-up Area" as identified by the Growth Plan, an "Urban Area" by YROP 2010 and a defined "Employment Area" by Vaughan Official Plan 2010 ('VOP 2010') and are suitable for employment development. The Applications, if approved, would permit the Development and future employment uses on the Subject Lands, thereby allowing future employment intensification and meeting the intent of the "Urban Area" designation in YROP 2010. On this basis, the Development conforms to YROP 2010.

The Development conforms to VOP 2010

VOP 2010 sets out the municipality's general planning goals and policies that guide future land use. The Subject Lands are designated "Employment Area" on Schedule 1 "Urban Structure" of VOP 2010 and "Prestige Employment" (Part of Block 41 on Attachment 3) and "Natural Areas" (Blocks 2, 3, and 4 on Attachment 3) on Schedule 13 "Land Use" of VOP 2010. The portion of the Subject Lands containing the proposed building are designated "Prestige Employment", and permits the Development. The

area of the Subject Lands designated “Natural Areas” and subject to Zoning By-law Amendment File Z.20.036 does not permit any development or site-alteration and is subject to the “Core Features” policies in Section 3.2 of VOP 2010.

Section 3.2.3.11 of VOP 2010 permits modifications to the boundaries of the “Natural Areas” designation without an amendment to VOP 2010, subject to the submission of appropriate environmental studies and measures to maintain overall habitat area and enhanced ecosystems. The Owner has submitted an Environmental Impact Study (‘EIS’) prepared by Beacon Environmental, dated December 15, 2020, to confirm the modification of the “Natural Areas” designation boundary. The Owner, in consultation with the Toronto and Region Conservation Authority (‘TRCA’) and the City, staked the top-of-bank and dripline limit of the Subject Lands on August 13, 2020. A majority of the Subject Lands zoned “OS1(H) Open Space Conservation Zone” with the Holding Symbol “(H)” were previously used as a landfill.

The staked development limits and associated Vegetation Protection Zone (‘VPZ’) for the Subject Lands are shown on Attachment 3. The Policy Planning and Environmental Sustainability (‘PPES’) Department and the TRCA agree with the findings of the EIS, as the Development will generally maintain a 10 m VPZ from the staked limit of the feature, as shown on Attachment 3, with the exception of the following:

- A 308 m² area of natural feature encroachment at the south west corner of the Subject Lands
- VPZ encroachments totaling 1,011 m² in several areas on the Subject Lands
- Total encroachment = 1,319 m²

According to the EIS, the 308 m² area of natural feature encroachment is a small cultural woodland community and is considered to have low quality ecological function. The disturbed area also has little understory, sparse groundcover and non-native species dominating the canopy. The remaining 1,011 m² VPZ encroachments are located in historically disturbed areas around an existing soccer field. In order to compensate for the proposed encroachments, the following compensation areas are proposed, as shown on Attachment 3:

- A 938 m² restoration area within the valley corridor
- A 1,405 m² of additional habitat area outside of the existing VPZ
- Total compensation = 2,343 m²
- Net compensation benefit (2,343 m² of compensation - 1,319 m² of encroachment) = 1,024 m²

In consideration of the low ecological function of the encroachment areas and the proposed compensation to maintain and enhance ecosystem function via a net benefit of 1,024 m², the Development meets the intent of Section 3.2.3.11 of VOP 2010. In addition, the natural heritage system located below the staked limit will remain in a protective zoning category (“OS1 Open Space Conservation Zone”), as shown on Attachment 3. On this basis, the Development conforms to VOP 2010.

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

The Subject Lands are zoned “EM1 Prestige Employment Area Zone” (‘EM1 Zone’) (Part of Block 41) and “OS1(H) Open Space Conservation Zone” with the Holding Symbol “(H)” (‘OS1(H) Zone’) (Blocks 2, 3 and 4), and subject to site-specific Exception 9(1134), as shown on Attachment 2.

Council, on January 28, 2002, approved By-law 37-2002 to rezone the Subject Lands and 8100 Highway 27 to “EM1 Zone” and “OS1(H) Zone.” The Holding Symbol “(H)” was added to the portion of the Subject Lands zoned “OS1(H) Zone” to include a condition requiring Council, in consultation with the Ministry of the Environment Conservation and Parks (‘MECP’), to approve the Site Development application, as this portion of the Subject Lands were previously used as a landfill.

The portion of the Subject Lands shown as Part of Block 41 on Attachment 2 are zoned “EM1 Zone.” The proposed employment building footprint shown on Attachment 3 is located entirely within Part of Block 41 and is permitted as-of-right in the “EM1 Zone.” The Owner is proposing to rezone the portion of the Subject Lands shown as Blocks 2, 3 and 4 from “OS1(H) Zone” to “EM1 Zone” to permit the Development and a future phase for employment uses. The proposed rezoning would also remove the Holding Symbol “(H)” from the remaining lands zoned “OS1(H) Zone” in the manner shown on Attachment 3. The following site-specific zoning exceptions are required for the Development:

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.	Permitted Uses	<ul style="list-style-type: none"> • Employment Use • Accessory Retail Sales and Office Uses to an Employment Use • Banquet Hall 	Permit only the following uses: <ul style="list-style-type: none"> • Employment Use • Accessory Retail Sales and Office Uses

	Zoning By-law 1-88 Standard	EM1 Prestige Employment Area Zone Requirements	Proposed Exceptions to the EM1 Prestige Employment Area Zone Requirements
		<ul style="list-style-type: none"> • Bowling Alley • Business and Professional Office, not including a regulated health professional • Club, Health Centre • Convention Centre, Hotel, Motel • Day Nursery • Technical School • Funeral Home • Car Brokerage • Recreational Use • Office Building • Eating Establishment, with a maximum gross floor area of 185 m² • Personal Service Shop, with a maximum gross floor area of 185m² • Correctional or Crises Care Home • Wayside Pit and Quarry 	<p>to an Employment Use</p> <ul style="list-style-type: none"> • Day Nursery • Business and Professional Office, not including a regulated health professional • Office Building • Eating Establishment, with a maximum gross floor area of 185 m² • Personal Service Shop, with a maximum gross floor area of 185 m² • Recreational Uses
b.	Maximum Driveway/Aisle Width to and from a Loading Space	13.5 m	15 m
c.	Minimum Landscape Strip from the "OS1 Open Space Conservation Zone"	5 m	0 m

The Development Planning Department supports the proposed zoning exceptions in Table 1 for the following reasons:

- The proposed uses conform to the “Prestige Employment” designation in VOP 2010 and are appropriate for the Subject Lands
- The proposed increase in the maximum driveway aisle width to 15 m is minor in nature and located behind the proposed building
- The proposed 0 m landscape strip is only located within portions of the west and south lot lines, with the remaining areas consisting of a landscape strip width varying in size from 2 m to 8 m. In addition, the proposed VPZ is supported by the PPES Department and the TRCA, and will provide an appropriate buffer to natural heritage features

The Planning Act permits Vaughan Council to pass a resolution to permit a landowner to apply for a future Minor Variance application(s), 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 for a Minor Variance application(s) to the Committee of Adjustment within two (2) years of the day on which a Zoning By-law was amended. The *Planning Act* also permits Council to pass a resolution to allow an Owner to apply for Minor Variance applications within two (2) years of the passing of a by-law amendment.

Should Council approve Zoning By-law Amendment File Z.20.036, a recommendation is included 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.

The Owner is required to consolidate and register the Subject Lands as one lot

The Subject Lands consist of four separate parcels of land described as Part of Block 41 and Blocks 2, 3, and 4 on Registered Plan 65M-3627. Prior to the execution of the Site Plan Letter of Undertaking, the Owner is required to consolidate and register the Subject Lands as one lot in order to comply with Zoning By-law 1-88 and permit the issuance of a Building Permit. A condition to this effect is included in Attachment 1.

An Exemption from Part Lot Control application is required to adjust the eastern lot line to permit the Development without any encroachments

To facilitate the Development, the Owner is proposing to shift the existing east lot line farther east to ensure the proposed building does not encroach onto the abutting lands (8100 Highway 27). The new east lot line will incorporate an existing row of parking located on 8100 Highway 27. The existing and proposed east lot line are shown on Attachment 3.

In addition, a portion of the existing parking area on the Subject Lands located west of Highway 27 is proposed to be conveyed to 8100 Highway 27, as shown on Attachment

3. The proposed lot line adjustments will not affect zoning compliance regarding lot area, lot frontage and parking requirements of Zoning By-law 1-88 for the Subject Lands and 8100 Highway 27.

Prior to the execution of the Site Plan Letter of Undertaking, the Owner is required to submit an Exemption from Part Lot Control application to facilitate the proposed lot line adjustments. The Exemption from Part Lot Control application shall be approved by Council and the Owner shall confirm the lot line adjustments through the submission of a reference plan, to the satisfaction of the Development Planning Department. A condition to this effect is included in Attachment 1.

Access and stormwater servicing easements on the Subject Lands and 8100 Highway 27 are required

The Owner is required to submit a Consent application to the Committee of Adjustment to create the following easements:

- an access easement on the Subject Lands in favour of 8100 Highway 27, as shown on Attachment 3. The access easement would permit truck access on the Subject Lands for the continued use of the existing loading area located on the southwest corner of the Adidas office building
- a stormwater servicing easement on 8100 Highway 27 in favour of the Subject Lands. The stormwater servicing easement would permit storm sewers flows to an existing outlet at 8100 Highway 27 and for overland flow routes

Prior to the execution of the Site Plan Letter of Undertaking, the Consent application must be approved by the Committee of Adjustment and the Owner is required to satisfy all conditions of approval. In addition, the Owner shall confirm all existing servicing easements between the Subject Lands and 8100 Highway 27 remain applicable given the proposed shift of the east lot line, as identified in the Part Lot Control Application section of this report. Confirmation of existing servicing easements shall be provided to the City prior to the execution of the Site Plan Letter of Undertaking. Conditions to this effect are included in Attachment 1.

The Development Planning Department supports the Development, subject to conditions

Site Design

The site plan shown on Attachments 3 and 4 consists of an 18,832 m² employment building ranging in height from one-to-three storeys. The building consists of a 13,943 m² warehouse located on the ground floor and 4,675 m² of office space over three floors located on the southeast portion of the building. The remaining 214 m² of floor area is dedicated to mechanical and refuse rooms. Outdoor amenity areas totaling

290 m² are located on the ground floor and second floor on the south side of the building. A separate outdoor amenity area is also proposed on the south side of the Subject Lands, as shown on Attachments 3 and 4.

Access to the Development is from an existing driveway located at 8100 Highway 27 from Milani Boulevard, via existing easements approved through File B060/10. A total of 602 parking spaces, inclusive of four (4) barrier-free spaces and 18 carpool spaces, are proposed. Five (5) loading areas are proposed on the west side of the building. Twenty-four (24) stalls of bicycle parking are located on the south side of the building in proximity to the front entrance. A 1.2 m wide pedestrian pathway is proposed from Milani Boulevard to the front entrance of the building and extends south toward the proposed outdoor amenity area. The pedestrian pathway shall be increased to 1.5 m to meet City standards.

Landscape Design

The landscape plan shown on Attachment 5 consists of a mix of deciduous and coniferous trees, shrubs, perennials, and grasses. The final landscape plan shall include additional landscaped parking islands with shrubs and grasses, multi-stem trees and larger caliper deciduous trees to further enhance the landscaping within the parking area. In addition, Low Impact Development ('LID') measures should be considered along the edges of the Development abutting the natural heritage features.

Building Elevation

The proposed building elevations are shown on Attachments 6 and 7. The three-storey office shown on the south, east and west elevations consists primarily of clear and spandrel glass with dark grey metal composite panels. The front entrance of the building is located on the south building elevation and utilizes a black metal composite canopy.

The one-storey warehouse portion of the building consists primarily of white and grey smooth and aggregate architectural precast panels, with clear glass punchout windows. Five (5) loading areas and two (2) roll up doors are proposed on the west elevation. The final building elevations shall address the northeast corner of the building to Milani Boulevard with greater articulation.

The Development Planning Department is satisfied with the Development. The final site plan, building elevations, landscape plan, landscape cost estimate and lighting plan must be approved by the Development Planning Department prior to the execution of the Site Plan Letter of Undertaking. A condition to this effect is included in Attachment 1.

A Site Development application(s) is required for a future phase of development on the Subject Lands

Zoning By-law Amendment File Z.20.036 includes additional land outside of the scope of the Development proposed to be rezoned “EM1 Zone” for future employment uses (to be phased), as shown on Attachment 3. Should Zoning By-law Amendment File Z.20.036 be approved, the Owner is required to submit a Site Development application(s) in accordance with Site Plan Control By-law 123-2013 for any future phase of development on the Subject Lands.

The Policy Planning and Environmental Sustainability (PPES) Department has no objection to the Development, subject to conditions

The PPES Department has no objection to the proposed staked development limit, VPZ and compensation areas, as described in the Official Plan section of this report. Prior to the execution of the Site Plan Letter of Undertaking, the Owner is required to satisfy the following conditions to the satisfaction of the PPES Department:

- A detailed planting and restoration plan consisting of native, non-invasive species for the proposed VPZ
- Relocate the proposed 938 m² restoration area, as shown on Attachment 3, further west to fill in the gap between the existing forest and wetland areas

The Development is required to abide by the *Endangered Species Act (2007)* regulated by the Ministry of Natural Resources and Forestry (‘MNRF’). The Owner is required to complete an information request form and submit it to the MNRF for confirmation of any potential Species at Risk on the Subject Lands. Conditions to this effect are included in Attachment 1.

The Development achieves the Bronze Sustainability Threshold Score

The Owner has submitted a completed Sustainability Scoring Tool dated February 2, 2021, in support of the Development. The Sustainability Scoring Tool demonstrates an Overall Application Score of 31 and an Overall Community Score of 37, meeting the minimum Bronze Sustainability Threshold Score of 31 points with the following highlights:

- 75% of healthy mature trees, greater than 20 cm diameter at breast height (‘DBH’), are being preserved across the Subject Lands
- A bicycle parking rate of 0.13 spaces / 100 m² of gross floor area (‘GFA’) for employee use
- 80% of total suspended solids (‘TSS’) from all stormwater runoff leaving the Subject Lands will be removed during a rainfall event

There are no Cultural Heritage concerns for the Development

The Cultural Heritage Division of the Development Planning Department has no concerns with the Development, subject to standard archaeological clauses in the Site Plan Letter of Undertaking. A condition to this effect is included in Attachment 1.

The Development Engineering Department has no objection to the Development, subject to conditions

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

Servicing, Lot Grading and Stormwater Management

The Development will be serviced by existing water and sanitary connections located on Milani Boulevard. The water service connection shall be updated to reflect the City's design criteria, and ensure proper backflow preventers and water meters are installed.

Stormwater for the Development is proposed to outlet through a control manhole located on the southeast corner of the Subject Lands, which ties into a previously approved outlet location at 8100 Highway 27 and into the existing tributary located south of the Subject Lands.

The proposed parking lot and stormwater infrastructure is proposed to be constructed within the previous landfill portion of the Subject Lands. Prior to the execution of the Site Plan Letter of Undertaking, the Owner shall submit a Geotechnical Report prepared by a Professional Engineer with recommendations for excavation works and disposal, backfill, compaction, materials, and construction of the proposed parking lot and stormwater infrastructure. A condition to this effect is included in Attachment 1.

The Owner is required to obtain easements in favour of the Subject Lands to 8100 Highway 27 for outlet and overland stormwater flow, as discussed in the easement section of this report. In addition, confirmation of existing servicing easements shall be provided to the City prior to the execution of the Site Plan Letter of Undertaking. Conditions to this effect are included in Attachment 1.

Lot Grading and Erosion and Sediment Control

Existing grades surrounding the Subject Lands have been maintained and kept to existing conditions. Erosion and sediment control mitigation measures must be implemented during construction to minimize silt laden runoff discharge from the Subject Lands in accordance with the Erosion & Sediment Control Guidelines for Urban Construction (2006).

Traffic Considerations

The Owner has submitted a Trip Generation Memorandum prepared by TMIG and dated December 7, 2020. The Development is projected to generate 53 trips during the AM peak hour, 64 trips during the PM peak hour and 69 trips during the Saturday peak hour. The final Trip General Memorandum must be updated to include the final GFA of the Development, and must be approved to the satisfaction of the DE Department. A condition to this effect is included in Attachment 1.

The Applications identify a number of Traffic Demand Management ('TDM') measures including on-site pedestrian pathways, bicycle parking, and carpool parking. Prior to the execution of the Site Plan Letter of Undertaking, a TDM Plan is required to outline and summarize TDM measures, to the satisfaction of the DE Department. The Owner is encouraged to refer to the York Region Mobility Plan Guidelines for non-residential TDM measures. A condition to this effect is included in Attachment 1.

Lighting

Illumination values for the Development must be measured at 0 lux along the property lines. The final lighting plan must be approved by the DE Department prior to the execution of the Site Plan Letter of Undertaking. A Condition to this effect is included in Attachment 1.

Environmental Engineering

The Environmental Engineering division of the DE Department has reviewed the following Environmental Site Assessment ('ESA') documentation:

- Briggs Canada Limited ('Briggs') report entitled "Phase 2 Environmental Site Assessment, Municipal Address 101 Milani Boulevard, Parts of Blocks 2, 3 and 41, Plan 65M-3627, Vaughan, Ontario" dated December February 16, 2021
- Briggs Reliance Letter dated February 22, 2021
- Briggs Response Letter dated February 25, 2021

The ESA reports prepared for the Subject Lands identify elevated soil, groundwater and methane gas concentrations associated with buried refuse from the historic use of the Subject Lands as an illegal waste disposal site. Further ESA and methane studies are required to assess environmental risks associated with the Development and for future users of the Subject Lands.

The noted impacts present considerable environmental concerns and the requirement for special design features (i.e., Methane Gas Mitigation, Control, and Monitoring System). On this basis, the Owner is required to satisfy the following requirements to

the satisfaction of the DE Department prior to the enactment of the implementing Zoning By-law by Council:

- a) Submission of Environmental Site Assessment Reports and Reliance Letters to the City's satisfaction;
- b) Submission of a Risk Evaluation Report and Risk Management Plan prepared by a Qualified Person (Risk Assessment), in conformity and meeting the intent of Ontario Regulation 153/04;
- c) The Risk Evaluation report and Risk Management Plan identified in Condition b) shall be peer reviewed, with costs paid for by the Owner;
- d) Submission of a Methane Monitoring Investigation Report in accordance with the Ministry of Environment, Conservation and Parks ('MECP') Guideline D-4 "Land Use on or near Landfills and Dumps" and Procedure D-4-1 "Assessing Methane Hazards from Landfill Sites";
- e) Submission of a Methane Gas Mitigation, Control and Monitoring System Plan prepared by a qualified engineering consultant; and
- f) The Owner enter into an Indemnity Agreement protecting the City from any potential adverse effects from the proposed development.

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

In addition to the conditions above, the Owner is required to satisfy the following requirements prior to the Execution of the Site Plan Letter of Undertaking:

- a) Submission of a Certification Letter from a qualified engineer confirming that all structures, foundations, and footings will not interfere or compromise the waste landfill; will not promote infiltration; and will not permit the release or migration of landfill contaminants (i.e., gas and leachate migration) or that landfill contaminants be managed appropriately; and
- b) Submission of a certification letter to the satisfaction of the City from a qualified professional engineer confirming recommended methane venting systems, mitigation and monitoring measures have been incorporated into the proposed design in accordance with the future Methane Assessment reports.

Conditions to this effect are included in Attachment 1.

The Owner is required to satisfy the requirements of the MECP

Section 46 of the *Environmental Protection Act* (EPA) requires the MECP's approval for use of lands previously used for the disposal of waste in order to protect the health and welfare of the general public from potential hazards relating to those lands. Section 46 of the EPA states "no use shall be made of land or land covered by water which has

been used for the disposal of waste within a period of twenty-five years from the year in which such land ceased to be so used unless the approval of the Minister for the proposed use has been given.”

A Section 46 approval exists on the portion of the Subject Lands zoned “OS1(H) Zone” as of August 11, 1997, with a Certificate of Prohibition issued on September 25, 1997. Prior to the enactment of the implementing Zoning By-law by Council, the Owner is required to obtain confirmation from the MECP for the following:

- a) that the Section 46 Approval no longer applies to the Subject Lands, and confirm the removal of the associated Certificate of Prohibition that is registered on title; and
- b) Submission of a copy of an approved Ministry of the MECP Environmental Compliance Approval for the Methane Gas Mitigation, Control and Monitoring System, if applicable.

Conditions to this effect are included in the Recommendation section of this report.

The TRCA has no objection to the Applications, subject to conditions

The Subject Lands are located adjacent to Rainbow Creek, a tributary of the Humber River Watershed. Block 4 and a portion of Block 3, as shown on Attachment 3, are located within TRCA’s Regulated Area and are subject to O. Reg. 166/06, as amended, and the TRCA’s Living City Policies.

The TRCA supports the conclusions of the EIS and has no objection to the proposed staked development limit, VPZ and compensation areas, as described in the Official Plan section of this report. On this basis, the TRCA has no objection to Zoning By-law Amendment File Z.20.036. Prior to the execution of the Site Plan Letter of Undertaking, the Owner is required to satisfy all technical requirements of the TRCA. In addition, a permit will be required from TRCA prior to any works commencing within the Regulated Area of the Subject Lands. A condition to this effect is included in Attachment 1.

The portion of the natural heritage system proposed to be zoned “OS1 Open Space Conservation Zone” (‘OS1 Zone’), as shown on Attachment 3, formed part of the lands used previously as a landfill. The TRCA owns the adjacent valleyland to the south of the Subject Lands. Upon submission of final Phase 1 and Phase 2 Environmental Site Assessments (‘ESA’) for the Subject Lands, the TRCA will determine the appropriateness of conveying the lands proposed to be zoned “OS1 Zone” to ensure the long-term protection of natural features. The conveyance of lands zoned “OS1 Zone” will be determined by the TRCA prior to the execution of the Site Plan Letter of Undertaking. A condition to this effect is included in Attachment 1.

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

Cash-in-lieu of the dedication of parkland was previously paid for the Subject Lands through the previous Draft Plan of Subdivision applications (File Nos. 19T-89058 and 19T-99V07). Therefore, cash-in-lieu of the dedication of parkland is not required for the Applications.

Development Charges are Applicable to the Development

The Owner shall 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. Standard conditions to this effect is included in the Site Plan Letter of Undertaking.

The Owner is required to satisfy all requirements of the Environmental Services Department, Solid Waste Management Division

The Site Plan shown on Attachment 3 identifies a 44 m² enclosed waste storage room located on the west side of the building to store refuse and recycling. Prior to the execution of the Site Plan Letter of Undertaking, the Owner is required to satisfy all requirements of the Environmental Services Department, Solid Waste Management Division. A condition to this effect is included in Attachment 1.

The Parks Infrastructure Planning and Development Department has no objection to the Development, subject to conditions of approval

The Parks Infrastructure Planning and Development ('PIPD') Department has no objection to the Applications.

The Vaughan Pedestrian and Cycling Master Plan (2020) identifies a comprehensive open space multi-use recreational trail system generally located in the southern area of the Subject Lands (Block 4 on Attachment 3). This trail system will extend into adjacent Planning Blocks including Block 57 to the south and Block 59 to the north and is intended to integrate into the larger Vaughan Super Trail. Council approved the Vaughan Super Trail, in principle, through the Pedestrian and Cycling Master Plan (2020).

As a condition of the Site Plan Letter of undertaking, the Owner is required to submit a Trail Feasibility Study to conduct an analysis of potential trail alignments on the Subject Lands, assessing potential impacts on any natural features (e.g., slope, vegetation) and determining overall trail feasibility. If the Trail Feasibility Study determines that a trail is appropriate for the Subject Lands, recommendations for a final alignment of a trail design within Block 4, as shown on Attachment 3, or as a permanent easement on the southern area of the Subject Lands shall be included. The Owner shall submit a

\$40,000 Letter of Credit in a form satisfactory to the City to ensure completion of the Trail Feasibility Study. A condition to this effect is included in Attachment 1.

The Owner is required to satisfy all requirements of Canada Post

The Development will be serviced by a community mailbox. Prior to the execution of the Site Plan Letter of Undertaking, the Owner shall satisfy all requirements of Canada Post. A condition to this effect is included in Attachment 1.

The Owner is required to satisfy all requirements from various utilities

The Owner is required to satisfy all requirements of Alectra Utilities, Enbridge Gas and Hydro One for the Development. A condition to this effect is included in Attachment 1.

Financial Impact

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

Broader Regional Impacts/Considerations

The York Region Community Planning and Development Services Department has deemed the Applications a matter of local significance and has no objections to the Development.

Conclusion

The Applications have been reviewed in consideration of the policies of the PPS, Growth Plan, YROP 2010, VOP 2010, the requirements of Zoning By-law 1-88, comments from City Departments, external public agencies, and the area context.

The Development Planning Department is satisfied that the proposed amendments to Zoning By-law 1-88 to permit the Development is consistent with the PPS, conforms with the Growth Plan, YROP 2010 and VOP 2010, and is appropriate for the development of the Subject Lands. Accordingly, the Development Planning Department can support approval of the Applications, subject to the recommendations in this report and Conditions of Approval contained in Attachment 1.

For more information, please contact: Mark Antoine, Senior Planner, Development Planning Department, at ext. 8212.

Attachments

1. Conditions of Approval
2. Context and Location Map
3. Overall Site Plan and Proposed Zoning
4. Site Plan - File DA.18.085
5. Landscape Plan
6. North and South Building Elevations
7. East and West Building Elevations

Prepared by

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Bill Kiru, Acting Director of Development Planning, ext. 8633

Approved by

A handwritten signature in black ink, appearing to read "Mauro Peverini".

Mauro Peverini, Acting Chief Planning Official

Reviewed by

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

Jim Harnum, City Manager