



Staff Report for Council Meeting

Date of Meeting: March 23, 2022

Report Number: SRPI.22.030

Department: Planning and Infrastructure

Division: Development Planning

Subject: **SRPI.22.030 – Request for Direction – Site Plan Application – Urbacon Properties Limited – City File D06-19010**

Agent and Owner:

Urbacon Properties Limited
750 Lake Shore Boulevard East
Toronto, ON M4M 3M3

Location:

Legal Description: Block 8 and Part of Block 6, Registered Plan 65M-4114
Municipal Address: 10 Sofia Court

Purpose:

The purpose of this report is to request direction from Council with respect to a Site Plan Application that has been appealed to the Ontario Land Tribunal (OLT).

Recommendations:

- a) That Staff Report SRPI.22.030 be received for information purposes;
- b) That the Ontario Land Tribunal (OLT) be advised that Council supports the proposed development as illustrated on Maps 2, 3 and 4 of Staff Report SRPI.22.030; and,
- c) That appropriate City staff be directed to appear at the Ontario Land Tribunal as necessary in support of Council's position concerning the subject Site Plan application.

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Contact Person:

Sarah Mowder, Acting Planner II – Site Plans, phone number 905-771-5475 and/or
Deborah Giannetta, Manager of Development, Site Plans, phone number 905-771-5542

Report Approval:

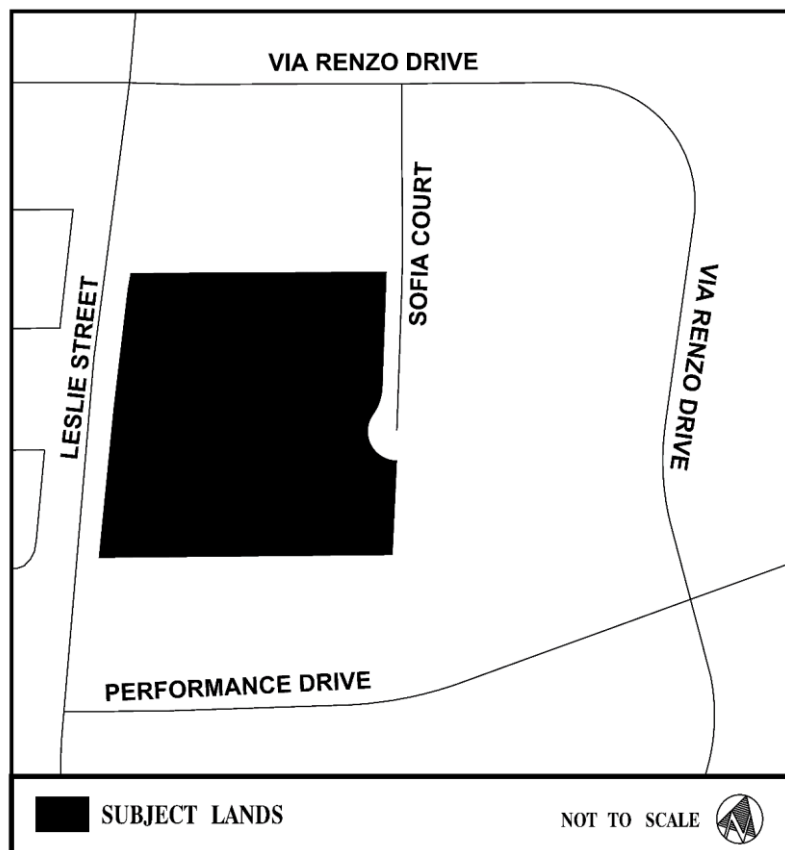
Submitted by: Kelvin Kwan, Commissioner of Planning and Infrastructure

Approved by: Darlene Joslin, Interim City Manager

All reports are electronically reviewed and/or approved by the Division Director,
Treasurer (as required), City Solicitor (as required), Commissioner, and City Manager.
Details of the reports approval are attached.

Location Map:

Below is a map displaying the property location. Should you require an alternative
format call person listed under “Contact Person” above.



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Background:

At its meeting of September 9, 2020, Council considered Staff Report SRPRS.20.106 with respect to the applicant's proposal to construct a two storey data centre and warehouse development on its land holdings. As part of that proposal, a mural was contemplated along the west elevation of the architectural wall to be established along Leslie Street that required Council's approval in accordance with Sign By-law 52-09, as amended. As definitive details about the content of the proposed mural were not available at the time, Council requested that staff report back with respect to the design of the mural prior to granting final approval of the applicant's Site Plan application (refer to Appendix "A").

At its meeting of November 10, 2021, Council considered Staff Report SRPI.21.110 requesting comments on the applicant's Site Plan application and seeking approval of the proposed mural as part of the proposed development to be constructed on the subject lands. Concerns were raised by area residents regarding the recent installation of hydro poles along the west side of Leslie Street in close proximity to the subject site, as well as comments respecting the mural. Council resolved as follows:

- "a) That City File D06-19010 not be approved until such time that Alectra, York Region, the applicant and other entities find other ways for power to be supplied to the power centre; and,***
- b) The approval of the design of the mural be deferred to allow a public meeting to be held by the Local Ward Councillor."***

On November 19, 2021, the City received notification that the applicant had appealed their Site Plan application to the Ontario Land Tribunal (OLT) on the basis of the City's failure to approve the plans and drawings within the statutory 30 day time frame in accordance with the *Planning Act*. The OLT has scheduled a two day hearing on this matter to commence on June 23, 2022, which may be converted to a Settlement Hearing if a settlement is reached among all of the parties.

Notwithstanding Council's ongoing consideration of the Alectra Utilities Corporation hydro distribution pole line construction to service the Barker Business Park, City staff require direction with respect to the scheduled OLT hearing regarding the applicant's appeal of their Site Plan application. Staff have worked closely with the applicant to address all outstanding matters with the proposed development and have now reached a settlement on the site plan application with the applicant. On the basis that the matter with Alectra is resolved by Council, the purpose of this report is to seek Council's direction with respect to the applicant's Site Plan application and to direct City staff to appear at the OLT in support of Council's position concerning same.

Summary Analysis

Site Location and Adjacent Uses

The applicant's land holdings are located at the southeast corner of Leslie Street and Via Renzo Drive within the City's Barker Business Park. The lands have a total lot area of 4.05 hectares (10.0 acres) with frontage on both Sofia Court and Leslie Street. The

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lands abut existing office buildings to the north, Leslie Street to the west, Sofia Court and employment lands to the east, and a designated heritage property to the south (George Baker House, barn and outbuildings) (refer to Maps 1).

Development Proposal

The applicant is seeking approval of its proposal to construct a two storey data centre and warehouse building with at-grade parking on its land holdings (refer to Maps 2 to 4). The following is a summary outlining the pertinent statistics of the applicant's development proposal based on the current plans and drawings submitted to the City:

- **Total Site Area:** **4.05 hectares (10.0 acres)**
 - **Developable Area:** **3.99 hectares (9.84 acres)**
 - **Road Widening (Leslie Street):** **0.06 hectares (0.16 acres)**
- **Building Height:** **14.0 metres (45.93 feet) or 2 storeys**
- **Gross Floor Area:** **13,251.5 square metres (142,638.0 square feet)**
- **Lot Coverage:** **33.2%**
- **Number of Parking Spaces:** **87 (including 5 barrier-free spaces)**
- **Proposed Bicycle Parking Spaces:** **9**

The main entrance to the building is proposed to be oriented towards Leslie Street. The parking area is proposed to be located along the north property line from Sofia Court to Leslie Street, with the majority of parking to be supplied along Sofia Court. Vehicular access is proposed to be from Sofia Court. Landscape treatments have been integrated into the site design with two berms proposed along the Leslie Street frontage and a selection of trees and vegetation are proposed throughout the site (refer to Maps 2).

Site Plan Application

In response to the comments received at the November 10, 2021 Council meeting, the applicant has applicant revised their proposal to no longer include a mural. Rather, the architectural wall facing Leslie Street is to be enhanced through the inclusion of a coloured horizontal band which will wrap along the adjacent architectural wall tying into the features on the front of the building which City staff are satisfied with (refer to Maps 3 and 4). Urban Design staff have reviewed the revised elevation plans and are satisfied with the proposed design.

Further to the above, it is noted that the technical review respecting the proposed data centre on the subject lands has now been completed and all sign offs from City departments has been received. The Region of York is awaiting the conveyance of a road widening prior to signing off on the subject application which is considered a minor matter that can be finalized prior to the execution of the Site Plan Agreement for the development.

Based on the preceding, Staff are satisfied that all outstanding matters related to the Site Plan application are settled. As such, Staff recommends that Council support the applicant's Site Plan application and that OLT be advised of same.

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Financial/Staffing/Other Implications:

The recommendation of this report does not have any financial, staffing or other implications. It is noted that staff and/or the City's legal counsel may be required to attend OLT proceedings in support of Council's position on the proposed revisions.

Relationship to Council's Strategic Priorities 2020-2022:

The proposed Site Plan application aligns with **Balancing Grown and Green** by promoting responsible economic development within the City's Barker Business Park while providing for enhanced landscape treatment along Leslie Street. Additionally the Site Plan application is aligned with **Getting Around the City** as the proposed plan includes the continuation of the continuation of the pedestrian sidewalk along Leslie Street and providing for pedestrian connectivity along Sofia Court.

Climate Change Considerations:

The Site Plan application is designed in line with the City's Climate Change considerations as it has been designed in accordance with the standards of the City's Sustainability Metrics which is required for Site Plan approval.

Conclusion:

Staff are seeking Council's direction with respect to Site Plan application to facilitate the construction of a two storey data centre and warehouse that has been appealed to the OLT. A settlement has been reached with the applicant and City Staff with respect to the subject Site Plan application wherein all City comments and requirements have now been satisfactorily addressed. On the basis of the preceding, Staff recommends approval of the Site Plan application and recommends that Council direct staff to appear at any future OLT proceedings in support of Council's position.

Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. All attachments have been reviewed and made accessible. If you require an alternative format please call the contact person listed in this document.

- Appendix A, Extract from Council Meeting C#35-20
- Appendix B, Extract from Council Meeting C#46-21
- Appendix C, Extract from Council Meeting C#04-22
- Map 1 – Aerial Photograph
- Map 2 – Proposed Site Plan
- Map 3 – Proposed Elevations (East and West)
- Map 4 – Proposed Elevations (North and South)

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Report Approval Details

Document Title:	SRPI.22.030 - Request for Direction - D06-19010.docx
Attachments:	<ul style="list-style-type: none">- Appendix A - Council Meeting Extract.pdf- Appendix B - Council Meeting Extract.pdf- Appendix C - Council Meeting Extract.pdf- SRPI.22.030 - Map 1 - Aerial Photograph.docx- SRPI.22.030 - Map 2 - Proposed Site Plan.docx- SRPI.22.030 - Map 3 - Proposed Elevations (North and South).docx- SRPI.22.030 - Map 4 - Proposed Elevations (East and West).docx
Final Approval Date:	Mar 2, 2022

This report and all of its attachments were approved and signed as outlined below:

Gus Galanis - Mar 2, 2022 - 3:27 PM

Kelvin Kwan - Mar 2, 2022 - 3:34 PM

Darlene Joslin - Mar 2, 2022 - 3:41 PM