

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 19, 2018

Item 8, Report No. 21, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 19, 2018.

#### **8     SITE DEVELOPMENT FILE DA.17.033 1880647 ONTARIO LTD. VICINITY OF MILANI BOULEVARD AND REGIONAL ROAD 27**

**The Committee of the Whole recommends:**

- 1)     That the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management dated June 5, 2018, be approved; and**
- 2)     That the coloured elevation submitted by the applicant be received.**

#### **Recommendations**

1.     **THAT Site Development File DA.17.033 (1880647 Ontario Ltd.) BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS; to permit a one-storey, 972.68 m<sup>2</sup> employment building, the retention of an 167.32 m<sup>2</sup> accessory building, an area of 405.78 m<sup>2</sup> to be used for accessory outside storage, and 22 parking spaces as shown on Attachments #3 to #7, on the Subject Lands shown on Attachments #1 and #2:**
  - a)     That prior to the execution of the Site Plan Agreement:
    - i)     the Development Planning Department shall approve the final site plan, landscape plan, landscape cost estimate, building elevations and signage details;
    - ii)    the Development Engineering Department shall approve the final site servicing and grading plan, and storm water management report;
    - iii)   the Owner shall satisfy all requirements of the Toronto and Region Conservation Authority; and
    - iv)    The Owner shall successfully obtain approval of a Minor Variance Application for the required zoning exceptions to Zoning By-law 1-88, as identified in Table 1 of this report, from the Vaughan Committee of Adjustment and the Committee's decision shall be final and binding, and the Owner shall satisfy any conditions of approval imposed by the Committee.
  - b)     that prior to the issuance of a Building Permit:
    - i)     the Owner shall pay to the City of Vaughan the applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan,

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 19, 2018

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York Region, the York Region District School Board, and the York Catholic District School Board;

- ii) the Owner shall obtain a permit under Ontario Regulation 166/06 from the Toronto and Region Conservation Authority for the proposed works; and
- iii) the Owner shall satisfy all requirements of the Ministry of Transportation Ontario.

Item:



## Committee of the Whole Report

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**DATE:** Tuesday, June 05, 2018

**WARD:** 2

**TITLE:     SITE DEVELOPMENT FILE DA.17.033  
              1880647 ONTARIO LTD.  
              VICINITY OF MILANI BOULEVARD AND REGIONAL ROAD  
              27**

**FROM:**

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

**ACTION:** DECISION

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**Purpose**

To seek approval from the Committee of the Whole to permit a one-storey employment building, the retention of an existing accessory structure, and an area for accessory outside storage, as shown on Attachments #3 to #7.

**Report Highlights**

- The Owner is proposing a one-storey, 972.68 m<sup>2</sup> employment building, the retention of an existing 167.23 m<sup>2</sup> accessory building and an area of 405.78 m<sup>2</sup> to be used for accessory outside storage on the subject lands.
- The Development Planning Department supports the development proposal as it conforms to the Vaughan Official Plan 2010 ("VOP 2010"), the uses are permitted by Zoning By-law 1-88, and the development is compatible with the planned and existing uses in the area, subject to the recommendations in this

**Recommendations**

1. THAT Site Development File DA.17.033 (1880647 Ontario Ltd.) BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS; to permit a one-storey, 972.68 m<sup>2</sup> employment building, the retention of an 167.32 m<sup>2</sup> accessory

building, an area of 405.78 m<sup>2</sup> to be used for accessory outside storage, and 22 parking spaces as shown on Attachments #3 to #7, on the Subject Lands shown on Attachments #1 and #2:

- a) That prior to the execution of the Site Plan Agreement:
  - i) the Development Planning Department shall approve the final site plan, landscape plan, landscape cost estimate, building elevations and signage details;
  - ii) the Development Engineering Department shall approve the final site servicing and grading plan, and storm water management report;
  - iii) the Owner shall satisfy all requirements of the Toronto and Region Conservation Authority; and
  - iv) The Owner shall successfully obtain approval of a Minor Variance Application for the required zoning exceptions to Zoning By-law 1-88, as identified in Table 1 of this report, from the Vaughan Committee of Adjustment and the Committee's decision shall be final and binding, and the Owner shall satisfy any conditions of approval imposed by the Committee.
- b) that prior to the issuance of a Building Permit:
  - i) the Owner shall pay to the City of Vaughan the applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, York Region, the York Region District School Board, and the York Catholic District School Board;
  - ii) the Owner shall obtain a permit under Ontario Regulation 166/06 from the Toronto and Region Conservation Authority for the proposed works; and
  - iii) the Owner shall satisfy all requirements of the Ministry of Transportation Ontario.

## **Background**

The Subject Lands (the "Subject Lands") shown on Attachments #1 and #2 are currently undeveloped with the exception of an existing 167.23 m<sup>2</sup> accessory structure used for storage. The Subject Lands are located west of Regional Road 27, south of Langstaff Road, and are municipally known as 231 Milani Boulevard. The surrounding land uses are identified on Attachment #2. The proposed development (the "Development"), as shown on Attachments #3 to #7, consists of:

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- a) a one-storey, 972.68 m<sup>2</sup>, three (3) unit employment building for industrial uses;
- b) retention of an existing 167.23 m<sup>2</sup> accessory structure for storage; and
- c) an area of 405.78 m<sup>2</sup> to be used for accessory outside storage.

**Previous Reports/Authority**

[CWA0117\\_10 - Zoning By-law Amendment File Z.11.031](#)

**Analysis and Options**

***The Development conforms to the Vaughan Official Plan 2010 (“VOP 2010”) and Zoning By-law 1-88***

The Subject Lands are designated "Prestige Employment" by VOP 2010, which permits a range of industrial and office uses. The proposed employment building is a permitted use within the “Prestige Employment” designation. The proposed accessory outside storage is not permitted within the “Prestige Employment” designation, however, the Subject Lands are zoned EM2 General Employment Area Zone of Zoning By-law 1-88, which permits outside storage as-of-right, subject to compliance with Subsection 6.3.2.

The Subject Lands are zoned EM2 General Employment Area Zone by Zoning By-law 1-88, subject to Site-Specific Exception 9(1253), which was approved as Zoning By-law 11-2012, by Order of the Ontario Municipal Board (presently known as the Local Planning Appeals Tribunal) on October 12, 2012. By-law 11-2012 requires that development on the Subject Lands be subject to Site Development Approval by Vaughan Council, and that no Building Permit be issued for the Subject Lands by the City of Vaughan until a Site Plan Agreement is approved and registered on title. The proposed employment building, existing accessory structure for storage and accessory outside storage area are permitted uses within the EM2 Zone. However, Minor Variance Application A072/18 was submitted to address the following zoning deficiencies:

Table 1

	<b>By-law 1-88 Standards</b>	<b>EM2 General Employment Zone Requirements, Subject to Site-Specific Exception 9(1253)</b>	<b>Proposed Exceptions to the EM2 General Employment Zone Requirements, Subject to Site-Specific Exception 9(1253)</b>
a.	Minimum Setback of the Accessory Structure to an OS1 Open Space Conservation Zone	10 m	5.3 m

	<b>By-law 1-88 Standards</b>	<b>EM2 General Employment Zone Requirements</b>	<b>Proposed Exceptions to the EM2 General Employment Zone Requirements</b>
b.	Minimum Required Number of Parking Spaces	23 parking spaces	22 parking spaces
c.	Construction of Accessory Structures	An accessory structure shall not be constructed prior to the construction of the main building to which it is accessory to	To permit the existing accessory structure to remain

The Owner has provided satisfactory information to the City of Vaughan and Toronto and Region Conservation Authority (“TRCA”) demonstrating that the existing accessory structure will not have adverse impacts on the existing valley corridor to the rear of the property. The required 5 m landscape strip along the rear property line will be maintained, and the plantings in this area will be enhanced as required by the TRCA.

The deficiency of 1 parking space is considered minor and can be supported by both the Development Engineering and Development Planning Departments.

The existing accessory structure was constructed prior to the construction of the main employment building, and without the necessary Site Plan Approval and Building Permit. Zoning By-law 1-88 does not permit the construction of an accessory structure prior to the construction of the principal building.

Should Vaughan Council approve Site Development File DA.17.033, the Owner shall successfully obtain approval of Minor Variance Application A072/18 for the required exceptions to Zoning By-law 1-88 from the Committee of Adjustment. The Committee’s decision shall be final and binding and the Owner shall satisfy any conditions of approval imposed by the Committee prior to the execution of the Site Plan Agreement. A condition to this effect is included in the Recommendation of this report.

***The Application has been reviewed and is satisfactory, subject to the comments and conditions in this report***

The Development consists of a 972.68 m<sup>2</sup>, one-storey, three (3) unit employment building, an existing 167.23 m<sup>2</sup> accessory structure for storage, a 405.78 m<sup>2</sup> area for accessory outside storage, and 22 parking spaces, as shown on Attachments #3 to #7. A 5 m landscape buffer containing significant planting will be provided at the rear of the property, as shown on Attachment #4. Two separate driveways from Milani Boulevard provide access to the site.

The proposed building materials incorporate smooth and aggregate precast concrete panels with clear metal curtain walls and grey spandrel glass, as shown on Attachments #5 to #7.

The Development Planning Department is generally satisfied with the Development, which is compatible with the surrounding land uses, and must approve the final site plan, building elevations, landscape plan and landscape cost estimate. A condition to this effect is included in the Recommendation of this report.

***The Development Engineering (“DE”) Department is generally satisfied with the Development***

The DE Department is generally satisfied with the Development and must approve the final site servicing, site grading and storm water management report. A condition to this effect is included in the Recommendation of this report.

***The Financial Planning and Development Finance Department has advised that Development Charges are required***

The Owner shall pay to the City all 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. A clause will be included in the Site Plan Agreement to this effect, as reflected in the Recommendation of this report.

***The Toronto and Region Conservation Authority (“TRCA”) is generally satisfied with the Development***

The Subject Lands are located adjacent to the valley corridor of Rainbow Creek, which is regulated by the TRCA. The TRCA is generally satisfied with the Development, including the reduced setback of the accessory structure, and advises that the Owner is required to address all outstanding detailed design comments to the satisfaction of the TRCA. The Owner must successfully obtain a permit under Ontario Regulation 166/06 from the TRCA for the proposed works. A condition to this effect is included in the Recommendation of this report.

***The Ministry of Transportation Ontario (“MTO”) is satisfied with the Development***

The Subject Lands are located within the vicinity of the future Highway 427 extension, and the MTO Permit Control Area for signage. Proposed signs which are located within 400 m and are visible from the Provincial Highway property line and/or Controlled-Access Highway designation require a permit from the MTO. A condition to this effect is included in the Recommendation of this report.

**Financial Impact**

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

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## **Broader Regional Impacts/Considerations**

The York Region Community Planning and Development Services Department has no comment or objection to the Development.

## **Conclusion**

Site Development File DA.17.033 has been reviewed in consideration of the policies of VOP 2010, the requirements of Zoning By-law 1-88, comments from City Departments and external public agencies, and the area context. The proposed employment building conforms to VOP 2010, is a permitted use by Zoning By-law 1-88, and is considered to be compatible with the surrounding land uses. Variances to Zoning By-law 1-88 are required as identified in Table 1 of this report. The Owner must successfully obtain approval of a Minor Variance application from the Committee of Adjustment for these variances. Accordingly, the Development Planning Department can support the approval of Site Development File DA.17.033, subject to the Recommendations in this report.

**For more information**, please contact: Christopher Cosentino, Planner 1, at extension 8215.

## **Attachments**

1. Context Location Map
2. Location Map
3. Site Plan and Zoning
4. Landscape Plan
5. Building 'A' Elevations (North & South)
6. Building 'A' Elevations (East & West)
7. Building 'B' (Accessory Building) Elevations

## **Prepared by**

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Mauro Peverini, Director of Development Planning, extension 8407

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