

# CITY OF VAUGHAN

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

Item 9, 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.

### **9 SITE DEVELOPMENT FILE DA.16.066 FRESHWAY INVESTMENTS INC.VICINITY OF HIGHWAY 407 AND JANE STREET**

**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.16.066 (Freshway Investments Inc.) BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS, to permit a proposed one-storey employment building:

That prior to the execution of the Site Plan Letter of Undertaking:

- i) the Development Planning Department shall approve the final site plan, landscape plan and details, landscape cost estimate, building elevations, and signage details;
  - ii) the Development Engineering Department shall approve the final site servicing and grading plan, Functional Servicing and Stormwater Management Report and a Vehicle Maneuvering Plan;
  - iii) the Owner shall satisfy all requirements of the Environmental Services Department, Solid Waste Management Division; and
  - iv) the Owner shall satisfy all requirements of the Ministry of Transportation Ontario ("MTO").
- a) THAT the Site Plan Letter of Undertaking include the following clause:
- i) "The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, in accordance with the Planning Act and City of Vaughan Policy, prior to the issuance of a Building Permit The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment".

Item:



## Committee of the Whole Report

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

**WARD(S):** 4

**TITLE: SITE DEVELOPMENT FILE DA.16.066  
FRESHWAY INVESTMENTS INC.  
VICINITY OF HIGHWAY 407 AND JANE STREET**

**FROM:**

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

**ACTION:** DECISION

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### **Purpose**

To seek approval from Committee of the Whole for Site Development File DA.16.066 for the Subject Lands shown on Attachments #1 and #2, to permit a one-storey employment building for the service and repair of heavy equipment, as shown on Attachments #3 to #5.

### **Report Highlights**

- To seek approval for a one-storey, 1,464 m<sup>2</sup> employment building.
- The proposed development conforms to Vaughan Official Plan 2010 and complies with the requirements of Zoning By-law 1-88.
- The Development Planning Department supports the approval of the proposed development as it conforms to the Official Plan, complies with Zoning By-law 1-88 and is compatible with the existing and planned uses.

### **Recommendations**

1. THAT Site Development File DA.16.066 (Freshway Investments Inc.) BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS, to permit a proposed one-storey employment building:

- a) That prior to the execution of the Site Plan Letter of Undertaking:
- i) the Development Planning Department shall approve the final site plan, landscape plan and details, landscape cost estimate, building elevations, and signage details;
  - ii) the Development Engineering Department shall approve the final site servicing and grading plan, Functional Servicing and Stormwater Management Report and a Vehicle Maneuvering Plan;
  - iii) the Owner shall satisfy all requirements of the Environmental Services Department, Solid Waste Management Division; and
  - iv) the Owner shall satisfy all requirements of the Ministry of Transportation Ontario (“MTO”).
- b) THAT the Site Plan Letter of Undertaking include the following clause:
- i) “The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, in accordance with the *Planning Act* and City of Vaughan Policy, prior to the issuance of a Building Permit. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment”.

### **Background**

The 3.67 ha Subject Lands (the “Subject Lands”) are located north of Highway 407, east of Creditstone Road, and are municipally known as 69 Freshway Drive, as shown on Attachments #1 and #2. The surrounding land uses are shown on Attachment #2. The Subject Lands are currently being used for outside storage.

### **Previous Reports/Authority**

Not applicable.

### **Analysis and Options**

***The Development conforms to Vaughan Official Plan 2010 and complies with Zoning By-law 1-88***

The Subject Lands are designated “Prestige Employment” by Vaughan Official Plan 2010 (“VOP 2010”), which permits a full range of employment uses including industrial uses, manufacturing, warehousing (but not retail warehousing), processing and distribution uses within wholly enclosed buildings, and which do not require outside storage. Outside storage is not permitted by this designation.

The Subject Lands are zoned EM2 General Employment Area Zone by Zoning By-law 1-88, as shown on Attachment #2, which permits the outside storage of goods and materials accessory to a permitted employment use. The proposed one-story employment building and outside storage area (the “Development”) complies with the requirements of the EM2 Zone.

***The Development has been reviewed by City Staff and Commenting Agencies and is satisfactory, subject to the comments in this report***

The Development shown on Attachment #3 includes a one-storey, 1,464 m<sup>2</sup> employment building, a 7,163 m<sup>2</sup> (19% of the total lot area) accessory outside storage area and 29 parking spaces, inclusive of 2 barrier-free parking spaces.

The proposed employment building will be used to provide maintenance services for heavy construction equipment and includes an accessory office space on the mezzanine level. In addition, areas for small truck repair, two heavy truck bays, a parts department, a painting bay, and an outdoor wash bay are proposed. The waste disposal area will be enclosed within the building.

The building elevations consist of red metal paneling, grey corrugated metal paneling, and double-glazed vision glass, as shown on Attachment #5. All mechanical equipment will be located internally within the building. Wall-mounted signage that is non-illuminated is proposed on the west elevation.

A substantive landscaped area is proposed west of the parking area and along the perimeter of the site abutting Highway 407, as shown on Attachment #4. The proposed accessory outside storage area will be enclosed by a standard 1.5 m high black chain link fence. A landscaped area consisting of 1.8 m high coniferous and deciduous trees are proposed to screen the storage area south of the building and along the chain link fence. The chain link fence must be a minimum of 2 m in height, and include an appropriate applique for screening purposes.

In consideration of the visibility of the Development from Highway 407, additional coniferous and deciduous trees are proposed along the chain link fence, and within the landscaped buffer area that abuts the south property line (Highway 407). The Owner has agreed to the recommendations above and will work with the Development Planning Department to finalize the site plan, building elevations, and landscape plan, prior to the execution of the Site Plan Letter of Undertaking. A condition to this effect is included in the Recommendation of this report.

***The Development Engineering (“DE”) Department has no objection to the development proposal, subject to conditions in this report***

The Subject Lands were historically used for concrete and cement manufacturing, vehicle storage and for the storage of a large volume of fill stock piled on site. These activities are no longer present on site. The Owner submitted Phase One and Phase Two Environmental Site Assessments (“ESA”) reports, which identified areas of soil and groundwater related impacts exceeding the applicable Ministry of the Environment and Climate Change Standards. A Soil Remediation Report was also submitted detailing the remediation of the soil impacts on the Subject Lands along with a Risk Evaluation to address minor localized salt related impacts. The environmental reports confirm the Subject Lands are suitable for the proposed use. The DE Department has reviewed all the reports and studies referenced above and has no objection to the Development.

The DE Department must approve the final site plan, site grading and servicing plan, Functional Servicing and Stormwater Management Report, and a Vehicle Maneuvering Plan, prior to the execution of the Site Plan Letter of Undertaking. A condition to this effect is included in the Recommendation of this report.

***The Office of City Solicitor, Real Estate Department advises that cash-in-lieu of the dedication of parkland will be required***

The Real Estate Department advises that the Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the Subject Lands, in accordance with the *Planning Act* and City of Vaughan Policy. The Owner shall submit an appraisal of the Subject Lands prepared by an accredited appraiser for approval by the Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment. A condition to this effect is included in the Recommendation of this report.

***The Environmental Services Department, Solid Waste Management Division has no objection to the Development, subject to conditions in this report***

The Environmental Services Department, Solid Waste Management Division shall approve the final waste management plan, site plan, floor plan, vehicle maneuvering plan and waste collection design standards submission. A condition to this effect is included in the Recommendation of this report.

***The Ministry of Transportation (the “MTO”) has no objection to the Development, subject to conditions in this report***

The Subject Lands are located within the MTO Permit Control Area and therefore, an MTO Building and Land Use Permit is required prior to the commencement of any on-

site construction. The MTO has advised that no buildings or any essential features are permitted within the MTO's 14 m setback including parking, snow storage or accessory structures. A 9 m wide non-essential landscape strip is proposed along the rear property line, abutting Highway 407 within the MTO's 14 m setback requirements. The Development meets the MTO's requirements. A wall-sign is proposed on the west building façade which is located within 400 m of the Provincial Highway property line and is visible from Highway 407, and therefore a permit will be required from the MTO.

The Owner must satisfy the requirements of the MTO prior to the execution of the Site Plan Letter of Undertaking. A condition to this effect is included in the Recommendation section of this report.

### **Financial Impact**

There are no financial requirements associated with this application.

### **Broader Regional Impacts/Considerations**

The York Region Community Planning and Development Services Department has reviewed the proposed Development and has no objection.

### **Conclusion**

Site Development File DA.16.066 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 Development conforms to the Official Plan, complies with Zoning By-law 1-88, and is considered to be compatible with the surrounding land uses. Accordingly, the Development Planning Department can support the approval of Site Development File DA.16.066, subject to the Recommendations in this report.

**For more information**, please contact: Natalie Wong, Planner, Extension 8866.

### **Attachments**

1. Context Location Map
2. Location Map
3. Site Plan
4. Landscape Plan
5. Elevations

**Prepared by**

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