

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 14, 2019

Item 4, Report No. 17, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 14, 2019.

4. 2019625 ONTARIO INC. LEXUS OF VAUGHAN ZONING BY-LAW AMENDMENT FILE Z.19.003 SITE DEVELOPMENT FILE DA.19.004 VICINITY OF JANE STREET AND RUTHERFORD ROAD

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management, dated May 7, 2019:

Recommendations

1. THAT Zoning By-law Amendment File Z.19.003 (2019625 Ontario Inc.) BE APPROVED, to remove the Holding Symbol “(H)” from the subject lands, shown on Attachment 1, thereby zoning the subject lands C1 Restricted Commercial Zone.
2. THAT Site Development File DA.19.004 (2019625 Ontario Inc.) BE DRAFT APPROVED SUBJECT TO THE FOLLOWING CONDITIONS, to the satisfaction of the Development Planning Department, to permit the development of a two-storey, 4,896 m² motor vehicle sales establishment (Lexus of Vaughan), with associated parking as shown on Attachments 2 to 6:
 - a. That prior to the execution of a Site Plan Agreement:
 - i. The Development Planning Department shall approve the final site plan, landscape plan, landscape cost estimate, building elevations (including bird friendly design treatments on the building elevations), signage details and lighting plan, arborist report and Sustainability Performance Metrics Summary Letter;
 - ii. The Development Engineering Department shall approve the final site servicing plan, site grading plan, erosion control plan, Functional Servicing and Stormwater Management Report, the Geotechnical/Hydrogeological Reports and drawings, external Lighting Plan, and the Transportation Impact Study;
 - iii. The Owner shall confirm whether groundwater will need to be pumped as part of the design of the building. The Owner shall provide the Development Engineering Department with a proposed strategy for pumping and discharging ground water (if required) for this development within the Stormwater

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Management Report. The Owner acknowledges that discharging of groundwater into a City sewer is subject to the provisions of the City of Vaughan Sewer Use By-law;

- iv. The Owner shall illustrate on the Servicing Plan, a layout of groundwater discharge facilities, which shall include the location of the meter, sampling port, treatment facilities and discharging point, if applicable;
- v. The Owner will be required to make an application for any temporary and permanent dewatering system that is required for the development, and enter into an agreement and/or permit a discharge groundwater as required by the City's Environmental Services Department;
- vi. The Owner shall pay the Development Engineering Site Plan fee, pursuant to the Fees and Charges By-law 198-2016, as amended, to the satisfaction of the Development Engineering Department;
- vii. The Owner shall prepare and register a reference plan at their expense showing all required easements (for mutual access, parking and servicing) to the satisfaction of the Development Engineering Department. Prior to depositing the reference plan, the Owner shall submit the draft reference plan to the Development Engineering Department for approval. Proof of mutual access, parking and servicing easements for the subject lands shall be provided to the Development Engineering Department;
- viii. The Owner shall obtain permissions from the adjacent property owners (to the north and south of the Subject Lands) for all required grading and servicing works proposed which are proposed in support of the proposed development and located within the neighbouring properties, and provide the Development Engineering Department with signed letters of consent from the neighboring owners prior to the final Development Engineering Department approval;
- ix. The Owner shall provide 5 mm minimum retention for downstream erosion control in accordance with the Toronto and Region Conservation Authority and City requirements and City of Vaughan.

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- x. The Owner shall satisfy the requirements of the Toronto and Region Conservation Authority regarding the Source Protection Plan policy REC-1 parts 2 a) and b) and requires the submission of a site-specific water balance assessment to identify how pre-development infiltration levels on the site will be maintained. The implementation of any required mitigation strategy to achieve the water balance requirements as outlined in the Source Water Protection Plan may necessitate revisions to the design and layout of the proposed development and must be to the satisfaction of the City of Vaughan in consultation with the Toronto and Region Conservation Authority;
- xi. The Owner shall confirm the design of the external road works adjacent to the Subject Lands with Stantec Engineers and incorporate them within the Site Plan drawings;
- xii. York Region and Toronto and Region Conservation Authority approvals shall be forwarded to the Development Engineering Department;
- xiii. The Owner shall satisfy all requirements of the Environmental Services Department, Solid Waste Management Division and the final site plan shall be in conformity with the City's Waste Management Collection Design Standard Policy;
- xiv. The Owner shall successfully obtain approval from the Committee of Adjustment for Minor Variance Applications for any required variances, and Consent Applications for any required easements on the Subject Lands and adjacent properties, as required. The Committee's decisions regarding the Minor Variance and Consent applications shall be final and binding and the Owner shall satisfy any conditions of approval imposed by the Committee;
- xv. The Owner shall enter into a Tree Protection Agreement in accordance with the Council enacted Tree By-law 052-2018 and the City's Tree Protection Protocol. The Agreement shall include a tree compensation plan and/or cash-in-lieu payment that must be submitted to the City;
- xvi. The Owner shall satisfy all requirements of the Toronto and Region Conservation Authority;

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- xvii. The Owner shall satisfy all requirements of Alectra Utilities Corporation;
 - xviii. The Owner shall obtain all required approvals from York Region for the proposed Jane Street road widening and the proposed shared driveway access with the property at 100 Auto Vaughan Drive. The Owner shall satisfy all other requirements of York Region including any requirement to enter into a Site Plan Agreement; and
 - xix. The Owner shall successfully obtain approval of the required Site Development applications to amend the Council approved Site Development applications for the adjacent properties as required.
3. 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, prior to issuance of a Building Permit, in accordance with Section 42 of the Planning Act and Vaughan's Cash-in-Lieu Policy. 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 Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.
4. THAT prior to the issuance of a Building Permit the Owner shall pay to Vaughan all applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, York Region, York Region District School Board and York Catholic District School Board.
5. The Site Plan Agreement shall include the following clauses:
- “Should archaeological resources be found on the property during construction activities, the Owner must immediately cease all construction activities and notify the Ontario Ministry of Tourism, Culture and Sport and the Development Planning Department, Urban Design and Cultural Heritage Division.”
- “In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner, the Registrar of the Cemeteries and Crematoriums Regulation Unit of the Ministry of Government and Consumer Services, and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division.”

Committee of the Whole Report

DATE: Tuesday, May 07, 2019

WARD: 1

**TITLE: 2019625 ONTARIO INC.
LEXUS OF VAUGHAN
ZONING BY-LAW AMENDMENT FILE Z.19.003
SITE DEVELOPMENT FILE DA.19.004
VICINITY OF JANE STREET AND RUTHERFORD ROAD**

FROM:

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

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Zoning By-law Amendment File Z.19.003 to remove the Holding Symbol “(H)” from the subject lands shown on Attachment 1 and for Site Development File DA.19.004 to permit the development of a two-storey motor vehicle sales establishment (Lexus of Vaughan) with one level of underground parking, as shown on Attachments 2 to 6.

Report Highlights

- The Owner proposes to develop the subject lands with a 2-storey, 4,896 m² motor vehicle sales establishment.
- A Zoning By-law Amendment is required to remove the Holding Symbol “(H)” from the Subject Lands currently zoned C1(H) Restricted Commercial Zone with the Holding Symbol “(H)”.
- The Development Planning Department supports the approval of Zoning By-law Amendment Application Z.19.003 and Site Development File DA.19.004, subject to the Recommendations of this report, as the applications will permit a motor vehicle sales establishment that is permitted use by Zoning By-law 1-88, and is compatible with the existing Maple Auto Mall.

Recommendations

1. THAT Zoning By-law Amendment File Z.19.003 (2019625 Ontario Inc.) BE APPROVED, to remove the Holding Symbol “(H)” from the subject lands, shown on Attachment 1, thereby zoning the subject lands C1 Restricted Commercial Zone.
2. THAT Site Development File DA.19.004 (2019625 Ontario Inc.) BE DRAFT APPROVED SUBJECT TO THE FOLLOWING CONDITIONS, to the satisfaction of the Development Planning Department, to permit the development of a two-storey, 4,896 m² motor vehicle sales establishment (Lexus of Vaughan), with associated parking as shown on Attachments 2 to 6:
 - a) That prior to the execution of a Site Plan Agreement:
 - i) The Development Planning Department shall approve the final site plan, landscape plan, landscape cost estimate, building elevations (including bird friendly design treatments on the building elevations), signage details and lighting plan, arborist report and Sustainability Performance Metrics Summary Letter;
 - ii) The Development Engineering Department shall approve the final site servicing plan, site grading plan, erosion control plan, Functional Servicing and Stormwater Management Report, the Geotechnical/Hydrogeological Reports and drawings, external Lighting Plan, and the Transportation Impact Study;
 - iii) The Owner shall confirm whether groundwater will need to be pumped as part of the design of the building. The Owner shall provide the Development Engineering Department with a proposed strategy for pumping and discharging ground water (if required) for this development within the Stormwater Management Report. The Owner acknowledges that discharging of groundwater into a City sewer is subject to the provisions of the City of Vaughan Sewer Use By-law;
 - iv) The Owner shall illustrate on the Servicing Plan, a layout of groundwater discharge facilities, which shall include the location of the meter, sampling port, treatment facilities and discharging point, if applicable;
 - v) The Owner will be required to make an application for any temporary and permanent dewatering system that is required for the development, and enter into an agreement and/or permit a discharge

groundwater as required by the City's Environmental Services Department;

- vi) The Owner shall pay the Development Engineering Site Plan fee, pursuant to the Fees and Charges By-law 198-2016, as amended, to the satisfaction of the Development Engineering Department;
- vii) The Owner shall prepare and register a reference plan at their expense showing all required easements (for mutual access, parking and servicing) to the satisfaction of the Development Engineering Department. Prior to depositing the reference plan, the Owner shall submit the draft reference plan to the Development Engineering Department for approval. Proof of mutual access, parking and servicing easements for the subject lands shall be provided to the Development Engineering Department;
- viii) The Owner shall obtain permissions from the adjacent property owners (to the north and south of the Subject Lands) for all required grading and servicing works proposed which are proposed in support of the proposed development and located within the neighbouring properties, and provide the Development Engineering Department with signed letters of consent from the neighboring owners prior to the final Development Engineering Department approval;
- ix) The Owner shall provide 5 mm minimum retention for downstream erosion control in accordance with the Toronto and Region Conservation Authority and City requirements and City of Vaughan.
- x) The Owner shall satisfy the requirements of the Toronto and Region Conservation Authority regarding the Source Protection Plan policy REC-1 parts 2 a) and b) and requires the submission of a site-specific water balance assessment to identify how pre-development infiltration levels on the site will be maintained. The implementation of any required mitigation strategy to achieve the water balance requirements as outlined in the Source Water Protection Plan may necessitate revisions to the design and layout of the proposed development and must be to the satisfaction of the City of Vaughan in consultation with the Toronto and Region Conservation Authority;
- xi) The Owner shall confirm the design of the external road works adjacent to the Subject Lands with Stantec Engineers and incorporate them within the Site Plan drawings;

- xii) York Region and Toronto and Region Conservation Authority approvals shall be forwarded to the Development Engineering Department;
- xiii) The Owner shall satisfy all requirements of the Environmental Services Department, Solid Waste Management Division and the final site plan shall be in conformity with the City's Waste Management Collection Design Standard Policy;
- xiv) The Owner shall successfully obtain approval from the Committee of Adjustment for Minor Variance Applications for any required variances, and Consent Applications for any required easements on the Subject Lands and adjacent properties, as required. The Committee's decisions regarding the Minor Variance and Consent applications shall be final and binding and the Owner shall satisfy any conditions of approval imposed by the Committee;
- xv) The Owner shall enter into a Tree Protection Agreement in accordance with the Council enacted Tree By-law 052-2018 and the City's Tree Protection Protocol. The Agreement shall include a tree compensation plan and/or cash-in-lieu payment that must be submitted to the City;
- xvi) The Owner shall satisfy all requirements of the Toronto and Region Conservation Authority;
- xvii) The Owner shall satisfy all requirements of Alectra Utilities Corporation;
- xviii) The Owner shall obtain all required approvals from York Region for the proposed Jane Street road widening and the proposed shared driveway access with the property at 100 Auto Vaughan Drive. The Owner shall satisfy all other requirements of York Region including any requirement to enter into a Site Plan Agreement; and
- xix) The Owner shall successfully obtain approval of the required Site Development applications to amend the Council approved Site Development applications for the adjacent properties as required.

3. 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, prior to issuance of a Building Permit, in accordance with Section 42 of the *Planning Act* and Vaughan's Cash-in-Lieu Policy. 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 Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.

4. THAT prior to the issuance of a Building Permit the Owner shall pay to Vaughan all applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, York Region, York Region District School Board and York Catholic District School Board.

5. The Site Plan Agreement shall include the following clauses:

“Should archaeological resources be found on the property during construction activities, the Owner must immediately cease all construction activities and notify the Ontario Ministry of Tourism, Culture and Sport and the Development Planning Department, Urban Design and Cultural Heritage Division.”

“In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner, the Registrar of the Cemeteries and Crematoriums Regulation Unit of the Ministry of Government and Consumer Services, and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division.”

Background

The subject lands ('Subject Lands') are located within the Maple Auto Mall, on the west side of Jane Street, north of Auto Vaughan Drive, as shown on Attachment 1. The Subject Lands are currently vacant. The surrounding land uses are shown on Attachment 1.

A Zoning By-law Amendment Application and a Site Development application have been submitted to permit the Development

The Owner has submitted Zoning By-law Amendment File Z.19.003 for the Subject Lands. The Subject Lands are zoned to permit a motor vehicle sales establishment use, subject to removal of the Holding Symbol "(H)". Removal of the Holding Symbol from the Subject Lands is conditional upon a Site Development Application being approved by Vaughan Council.

The Owner has submitted Site Development File DA.19.004 (the 'Application') to permit a 4,896 m², 2-storey motor vehicle sales establishment with one level of underground parking (the 'Development'), as shown on Attachments 2 to 6.

Previous Reports/Authority

Not Applicable.

Analysis and Options

The Development is consistent with the Provincial Policy Statement 2014

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario shall be consistent with the Provincial Policy Statement, 2014 (the 'PPS'). The PPS provides policy direction on matters of provincial interest related to land use planning and development. 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 policy direction on matters of provincial interest related to land use planning and development. The policies support the goal of enhancing the quality of life for all Ontarians. The key policy objectives are: building strong, healthy communities; wise use and management of resources; and protecting public health and safety; and the quality of the nature and built environment are protected. Municipal land use planning decisions must be consistent with the PPS. The Development Planning Department has reviewed the Development in consideration of the PPS and is of the opinion that the Development is consistent with the Provincial Policy.

The Employment policies of Section 1.3.1 of the PPS indicate that planning authorities shall promote economic development and competitiveness by:

- "a) providing for an appropriate mix and range of employment and institutional uses to meet long-term needs;
- b) 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 considering the needs of existing and future businesses;
- c) encouraging compact, mixed-use development that incorporates compatible employment uses to support livable and resilient communities; and
- d) ensuring the necessary infrastructure is provided to support current and projected needs."

The Development utilizes a vacant site within the Maple Auto Mall and the proposed built form is compatible with the surrounding uses and provides employment opportunities to help meet the City's long-term employment needs. The Subject Lands are located within an area which has servicing and infrastructure available to serve the Development. In consideration of the above, the Development is consistent with the PPS.

The Development conforms to the Places to Grow - Growth Plan for the Greater Golden Horseshoe

The Places to Grow - Growth Plan for the Greater Golden Horseshoe, 2017 ('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 a range and mix of housing types. The Growth Plan encourages the concentration of population and employment growth within settlement areas and promotes the development of complete communities that offer a mix of housing types, access to local amenities, and connections to municipal water and wastewater systems. In accordance with Section 3(5) of the *Planning Act*, Vaughan Council's planning decisions "shall conform with" the Growth Plan.

Section 2.2.5.3 - Employment of the Growth Plan indicates that retail and office uses be directed to locations that support active transportation and have existing or planned transit. The Subject Lands are located on Jane Street, which has existing transit and is planned for future Regional transit improvements.

Section 2.2.5.12 - Employment of the Growth Plan also indicates that the retail sector will be supported by promoting compact built form and intensification of retail and service uses and areas encouraging integration of those uses with other land uses to support the achievement of complete communities.

The Subject Lands are located within a Community Area as identified on Schedule 1- Urban Structure of Vaughan Official Plan 2010, Volume 1. The Development will make more efficient use of a vacant, municipally serviced site within the Maple Auto Mall. The Development provides office and retail employment opportunities. In consideration of the above, the Development conforms with the Growth Plan.

The Development conforms to the York Region Official Plan 2010

The York Region Official Plan 2010 ('YROP') guides economic development and community building decisions across York Region and encourages compact built form, transit supportive communities, diverse land uses, and a range and mix of housing types.

The Subject Lands are designated "Urban Area" on Map 1 - "Regional Structure" of the YROP. The 'Urban Area' designation permits a range of residential, commercial, employment and institutional uses. The Subject Lands are located on Jane Street which is identified as Regional Rapid Transit Corridor by Map 11 - Transit Network, and "Cycling Facilities on Regional Roads and Right-of-Way" by Map 10 - Regional Cycling Network of YROP 2010.

Section 4.2.5 requires that, commercial uses be located and designed to support the Regional Centres and Corridors structure of the YROP. The Development contributes

office, retail and automotive employment opportunities to an existing automotive campus in the Maple Auto Mall. The Development also conforms with the City Building objectives of the YROP by encouraging a clustering of economic activities.

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

The Subject Lands are designated “Mid-Rise Mixed-Use” by VOP 2010, which permits a mixed-use development with a maximum building height of 12-storeys and a maximum Floor Space Index (FSI) of 3.5 times the area of the lot. The “Mid-Rise Mixed-Use” designation is generally located in intensification areas and planned to consist of a mix of residential, retail community and institutional uses. The uses permitted include residential units, home occupations, community facilities, cultural uses, retail uses, office uses (to a maximum of 7,500 m²), parking garage, hotel and gas stations (subject to VOP 2010 policies). The current “Mid-Rise Mixed-Use” designation does not permit a stand-alone motor vehicle sales establishment use. However, the Subject Lands are located within the Maple Auto Mall and are zoned as-of-right to permit a motor vehicle sales establishment use.

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

The Subject Lands are zoned “C1(H) Restricted Commercial Zone” with the Holding Symbol “(H)” by Zoning By-law 1-88, subject to Exception (1031A), which permits a motor vehicle sales establishment, including the open display and storage of new and used motor vehicles. The following exceptions to the “C1 Restricted Commercial Zone” are required to permit the Development. The Holding Symbol “(H)” must be removed to permit the proposed use, since the production of field crops is the only use permitted until the Holding Symbol is removed.

Table 1

	Zoning By-law 1-88 Standard	C1 Restricted Commercial Zone Requirements, subject to Site-Specific Exception 9(1031A)	Proposed Exceptions to the C1 Restricted Commercial Zone Requirements, subject to Site-Specific Exception 9(1031A)
a.	Maximum Lot Coverage	50%	65.3%

	Zoning By-law 1-88 Standard	C1 Restricted Commercial Zone Requirements, subject to Site-Specific Exception 9(1031A)	Proposed Exceptions to the C1 Restricted Commercial Zone Requirements, subject to Site-Specific Exception 9(1031A)
b.	Minimum Number of Required Parking Spaces	4896.11 m ² @ 3 spaces per 100m ² GFA= 147 parking spaces	111 parking spaces (24 above grade and 87 below grade)
c.	Driveway Access to a Parking Area	Shall be provided on the lot on which the building is located	Permit shared driveway access over adjacent properties to access the parking areas on the Subject Lands
d.	Paved Surface Parking Spaces and Drive Aisles	Shall be paved in hot-mix asphalt or concrete	Permit areas of permeable paving (Low Impact Development) in parking areas along the east and west property lines
e.	Minimum Driveway Aisle Width	7.5 m driveway aisle width to be wholly located on the lot in which it is servicing	Permit a 6 m driveway aisle width shared with the adjacent property to the north (Maple Nissan - Part 1, Plan 65R30252)
f.	Minimum Number of Loading Spaces (Provided on the Lot Which it Serves)	2 spaces to be provided on the lot which it serves	To permit two loading spaces on a lot (Mazda - Part 14, Plan 65R30252) accessed via an access easement

	Zoning By-law 1-88 Standard	C1 Restricted Commercial Zone Requirements, subject to Site-Specific Exception 9(1031A)	Proposed Exceptions to the C1 Restricted Commercial Zone Requirements, subject to Site-Specific Exception 9(1031A)
			(Mazda - Part 15, Plan 65R30252)
g.	Minimum Loading Space Dimensions	9 m X 3.5 m with a vertical clearance of 4.2 m	8.62 X 3.36 m
h.	Minimum Landscaped Area	10%	6%
i.	Minimum Landscape Strip Width Abutting a Street (Jane Street)	6 m	4.5 m

The Development Planning Department can support the variances being sought as they are considered to be minor in nature and will not have a significant impact on the surrounding development and will permit a motor vehicle sales establishment that is compatible with existing development in the Maple Auto Mall.

The Owner will be required to successfully obtain approval of a Minor Variance Application for the required site-specific zoning exceptions identified in Table 1 from the Committee of Adjustment. The Committee's decision regarding the Minor Variance Application shall be final and binding, and the Owner shall satisfy any conditions of approval imposed by the Committee.

Consents for Reciprocal Easements and Minor Variances for Adjacent Properties must be obtained

The Owner is required to obtain reciprocal easements over the lands to the north (Maple Toyota), west (Maple Mazda) and south (Maple Nissan) for shared driveways and mutual access to parking areas and the required loading areas for the Subject Lands as discussed in the Transportation Engineering comments in this report.

The Owner will be required to obtain approval of Consent Applications from the Committee of Adjustment for the required easements for access and servicing. A prior Consent Application (B031/07) was approved by the Committee of Adjustment to create easements, over the Maple Mazda property for a shared driveway to the Maple Nissan and Maple Toyota properties and the Subject Lands.

The existing Maple Mazda driveway access will provide a shared success to the Development. The parking lot for the existing Maple Mazda will be used to accommodate 36 parking spaces and 2 loading spaces for the Lexus of Vaughan dealership. Minor Variances for the Maple Mazda will be required to address the reduction in parking.

The original Maple Nissan parking along the south lot line will be revised to remove 12 parking spaces and some landscaping to provide for vehicular access into the Lexus of Vaughan service bays and to provide for landscaped paving adjacent to the front entrance of the proposed Lexus building. Minor Variances for the Maple Nissan property are required to address the reduction in parking and landscaped area on the property due to the proposed Development.

The proposed Development will impact the existing Maple Toyota parking area along the north side of the Toyota property by removing 18 parking spaces to provide vehicular access to the service bays for the Lexus of Vaughan building and landscaped pavers adjacent to main entrance. Minor Variances for the Maple Toyota are required to address the reduction in the existing parking and landscaping as a result of the proposed Development.

The Committee's decisions regarding each Consent and Minor Variance application shall be final and binding, and the Owner shall satisfy any conditions of approval imposed by the Committee.

Removal of the Holding Symbol "(H)" from the Subject Lands is conditional upon a Site Development application being approved by Vaughan Council. The Development Planning Department is satisfied with the proposed site plan as discussed in this report and subject to the Recommendations in this report. Accordingly, should Vaughan Council approve the Site Development Application, it is recommended that the Holding Symbol "(H)" be removed to facilitate the development of the Subject Lands.

Minor Amendments to existing site plans on adjacent properties must be obtained

The Development of the Subject Lands will necessitate minor amendments to the existing Council approved site plans for the adjacent Maple Nissan, Maple Mazda and Maple Toyota properties since the access, parking and servicing for these properties will be impacted by the Development. A Minor Site Plan Amendment application is required for each of the adjacent properties and must be filed with the City for approval prior to the execution of the Site Plan Agreement for the Subject Lands. A condition to this effect is included on the Recommendations of this report.

The Development Planning Department supports the Development, subject to the Recommendations in this report

Site Plan

The Development shown on Attachments 2 to 6 includes a 2-storey, 4896 m² motor vehicle sales establishment with site access onto Jane Street and a driveway access to Sweetriver Boulevard via shared access easements. Pedestrian access to the building entrance is provided from Jane Street to the principal entrance on the east side of the building. Twenty (24) at grade parking spaces and 87 basement spaces are provided for a total of 111 parking spaces. The Owner is proposing to acquire an additional parking area located on the existing Maple Mazda property and plans to apply for a Lot Addition through the Committee of Adjustment. Should the Committee approve this application thirty-six (36) parking spaces are proposed to be used for parking for the proposed Lexus of Vaughan automobile sales establishment on the Subject Lands.

Building Elevations

The proposed building elevations shown on Attachments 4 - 6 include white insulated precast concrete sandwich wall panels and pre-finished and natural brushed aluminum composite panels. The east elevation which is the front of the building is primarily finished in clear structural glazing and frameless with a bird friendly treatment. The west elevations include two pre-finished steel overhead galvanized steel service doors. The south elevation has 5 overhead doors providing access to the service bays and other service areas. The north elevation has 6 clear anodized aluminum glazed overhead doors with solid bottom panels, customer service bays and other service areas. Building signage is on this elevation and is primarily a pre-finished aluminum composite panel in a satin black finish with illumination.

Landscape Plan

The landscape plan shown on Attachment 3 includes a 4.5 m wide landscape strip abutting Jane Street. There are six existing street trees in the York Region Jane Street right-of-way which will remain. The proposed Development will remove the landscaped medians around the building which are located on the adjacent properties and will remove some of the required parking as discussed above.

The Development Planning Department is generally satisfied with the site plan, landscape plan, building elevations and will continue to work with the Owner to finalize the drawings. The final site plan, building elevations, landscape plan and landscape cost estimate must be approved prior to the execution of the Site Plan Agreement. A condition to this effect is included in the Recommendations of this report.

The Urban Design and Cultural Heritage Division of the Development Planning Department advise that the Subject Lands are clear of any built heritage or cultural heritage landscapes

The Development Planning Department, Urban Design and Cultural Heritage Division has reviewed the Applications and advise that the Subject Lands are clear of any built heritage or cultural heritage landscapes. However, the Subject Lands are located within an area identified by the City as having high archaeological resource potential. The following standard clause shall be included in the Site Plan Agreement for the Subject Lands, as noted in the Recommendations of this report:

- a) “Should archaeological resources be found on the property during construction activities, all construction activity and work must cease, and the Owner shall notify the Ontario Ministry of Tourism, Culture and Sport and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division immediately.
- b) If human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner, the Registrar of the Cemeteries and Crematoriums Regulation Unit of the Ministry of Government and Consumer Services, and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division.”

The Policy Planning and Environmental Sustainability Department has no objection to the Development, subject to the conditions in this report

The Policy Planning and Environmental Sustainability (‘PPES’) Department have reviewed the Applications and advise that they have no objections to the approval of the Development, subject to the Owner providing bird-friendly design treatments consistent with the Council approved City-wide Urban Design Guidelines and the Owner meeting the City’s Sustainability Performance Metrics Program thresholds. A condition to this effect is included in the Recommendations of this Report.

The Development must achieve a minimum Bronze Sustainability Metrics Threshold Score

The Owner has submitted the completed Sustainability Scoring Tool dated February 1, 2019, in support of the Development. The Development achieves the Bronze Sustainability Threshold Score with an Overall Application Score of 32 and an Overall Community Score of 32 however, the Owner shall submit the required Summary Letter ('Sustainability Metrics Package') for approval by the Development Planning and PPES Departments. A condition to this effect is included in the Recommendations of this report.

The Development Engineering Department supports the Development, subject to the conditions in this report

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

The DE Department requires that the Owner pay the Development Engineering Site Plan fee of \$4,240.00, pursuant to the Fees and Charges By-law, as amended, and a condition to this effect is included in the Recommendations of this report.

Easements for Access and Servicing

The Owner shall prepare and register a reference plan at their expense showing all required easements for mutual access(es) to the satisfaction of the DE Department. Prior to depositing the reference plan, the Owner shall submit the draft reference plan to the DE Department.

Site Grading

The Owner shall obtain permissions from the adjacent property Owners (to the north and south of the Subject Lands) for all required grading and servicing works proposed within the neighbouring properties, in support of the proposed Development. The signed consent from the neighbouring Owners shall be provided to the DE Department prior to the final DE Department approval.

Sanitary Servicing

There is an existing 200 mm diameter PVC sanitary service connection (stub) within an existing joint servicing easement between the existing Maple Mazda and Maple Toyota Dealerships. The Owner proposes to service the Development via a proposed sanitary control manhole and internal servicing to the proposed building.

Water Distribution

Water distribution is existing for the Subject Lands via an existing 200 mm Diameter Fire service connection and an existing 100 mm diameter domestic service connection within an existing joint servicing easement between the existing Maple Mazda and Maple Toyota Dealerships. The Owner proposes to service the Development via a proposed back-flow prevention chamber and internal servicing to the proposed building.

Storm Drainage

Storm drainage is existing for the Subject Land for an existing 375 mm diameter storm service connection within an existing joint servicing easement between the Maple Mazda and Maple Toyota dealerships. The Owner proposes to control a portion of the storm drainage on the Subject Lands (to 100-year post development) to be released at the allowable rate. Certain areas of uncontrolled drainage have been calculated and incorporated in conjunction with the actual release rate from the area.

Erosion and Sediment Control

Erosion and sediment control mitigation measures are to be implemented during construction to minimize silt laden runoff discharge from the Subject Land in accordance with the Erosion and Sediment Control Guidelines for Urban Construction (December 2006).

Photometric Lighting Plan

A zero-cut-off light level distribution shall be provided at the property line as required by the Standard Site Plan Note 25, noted in the Development Engineering Department Memorandum dated April 1, 2019.

Environmental Engineering

The Phase Two Environmental Site Assessment must be to the approved to the satisfaction of the DE Department.

Transportation Engineering

Transportation Engineering Staff has reviewed the proposed Development, which includes a motor vehicle sales establishment on the Subject Lands and off-site parking. Twenty-four (24) parking spaces are provided on the Subject Lands and eighty-seven (87) parking spaces are provided within the basement of the proposed building. Thirteen of the ground level parking spaces are tandem parking spaces, which are not considered as parking supply within Zoning By-law 1-88. A future parking lot site for the Development is located west of the Subject Lands and is proposed to provide 36

parking spaces and 2 loading spaces to satisfy the parking requirements. This parking lot is currently used by Maple Mazda and is accessed from Sweetriver Boulevard as shown on Attachment 1.

The connection and access between the Subject Lands and the Maple Mazda site, is dependent on reciprocal easements on the adjacent properties and the Committee of Adjustment approvals discussed above. In total the parking supply is proposed to be 147 spaces including 2 accessible parking spaces should the Committee of Adjustment approve the required Consent and Minor variance applications. The existing parking on the Maple Mazda site will be reduced from 68 to 32 spaces, which the Owner must successfully obtain approval through the Committee of Adjustment. The proposed right-in/right-out access on Jane Street is partially within the Subject Lands, and the other proposed full-movement access on Sweetriver Boulevard is not within the Subject Lands.

The proposed right-in/right-out access onto Jane Street is subject to the Owner satisfying conditioning and approval of York Region.

Reciprocal easements over the lands to the north (Maple Nissan), the lands to the south (Maple Toyota) and the lands to the west (Maple Mazda) in favour of each other are required to facilitate the proposed shared driveway access, parking area and loading area for the Development. The Owners will be required to obtain approval of Consent Applications from the Committee of Adjustment for the required easements. The Committee's decisions regarding the Consent Applications shall be final and binding, and the Owners shall satisfy any conditions of approval imposed by the Committee.

A Traffic Impact Study will be required by the City if the site traffic is expected to be 100 or more trips during the peak hours.

Lot Grading

The Owner shall contact the Development and Lot Grading Division directly upon receipt of Site Plan Approval to coordinate the proposed works for the sanitary connection (i.e. decommissioning existing/installation of proposed) which must be completed by City contractor and paid by the Owner. If the servicing connections are located within York Region's right-of-way, then York Region's Road Occupancy Permit must be issued prior to the commencement of any works.

The Owner shall obtain any required additional permits and coordinate all inspections through the Vaughan Development Inspection and Lot Grading Division upon receipt of Site Plan Approval for all proposed works within the City's right-of-way (i.e. curb cuts/fills, sidewalk installation, boulevard rehabilitation).

The Owner is required to contact the Vaughan Environmental Services Department in advance of connecting to or disconnection from any municipal services and to purchase the required water meter with sufficient read-out equipment to the satisfaction of the City.

A condition is included in the Recommendations of this report requiring the Owner to satisfy all requirements of the Department.

Parks Development Department supports the Development

The Parks Development Department supports the Development and has requested that the Owner provide a complete inventory and analysis report for the existing vegetation on the Subject Lands and adjacent to the proposed work area to the satisfaction of the City.

Transportation Services, Parks and Forestry Operations have no objection to the Development

Transportation Services, Parks and Forestry Operations have no objection to the Development subject to the Owner protecting municipal trees (in the right-of-way) and private trees (on adjacent properties) during all phases of construction in accordance with City of Vaughan Council enacted Tree By-law 052-2018. Should a tree be damaged or require removal the Owner shall pay compensation and expenses in accordance with the City of Vaughan Tree By-law 052-2018.

Should the Applications be approved, the Owner will be required to enter into a Tree Protection Agreement ('Agreement') with the City in accordance with the Council enacted Tree By-law 052-2018 to regulate the Planting Maintenance and Removal of Trees on Public and Private Property and the City's Tree Protection Protocol. This Agreement will include a tree compensation plan, with prescribed tree planting and/or cash-in-lieu payment that must be submitted for review and approval to the satisfaction of the City.

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

The Financial Planning and Development Finance Department requires the Owner to pay the applicable Development Charges

The Financial Planning and Development Finance Department has advised that the Owner is required to pay to Vaughan all applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, York Region, York Region District School Board and York Catholic District School Board. A condition to this effect is included in the Recommendations of this report.

The Owner is proposing underground parking within the building. Development Charges for this parking will be assessed in accordance with the City, Region and Boards of Education current Development Charge By-law at Building Permit issuance.

The Office of the City Solicitor, Real Estate Department requires conditions to be included in the Site Plan Agreement

The Office of the City Solicitor, Real Estate Department and the Parks Development Department have confirmed that cash-in-lieu of the dedication of parkland shall be paid in accordance with Section 42 of the *Planning Act*.

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, prior to the issuance of a Building Permit, in accordance with Section 42 of the *Planning Act*. 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 Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.

The Environmental Services Department, Solid Waste Management Division, has no objection to the Development

The Environmental Services Department, Solid Waste Management Division requires a loading pad for the waste bin staging area, and truck turning movements identified on site plan.

The Toronto and Region Conservation Authority has no objection to the Development, subject to conditions

The Toronto and Region Conservation Authority ('TRCA') has advised they have no objection to the Applications, subject to the Owner providing the required TRCA review fee and addressing the Wellhead Protection Area-Q2 (WPHA-Q2) policies.

The Subject Lands are located within the WPHA-Q2 area and subject to the Credit Valley, Toronto Region and Central Lake Ontario ('CTC') Source Protection Plan ('SPP') policy REC-1 parts 2 a) and b) which requires the submission of a site-specific water balance assessment for review to mitigate development related impacts to infiltration. The Functional Servicing Report provides some water budget information and potential mitigation, but the analysis is based on a 5 mm storm, not the average annual recharge. Additional information regarding the water balance assessment is required. The implementation of any required mitigation strategy to achieve the water balance requirements as outlined in the SSP shall be to the satisfaction of the City of Vaughan and the TRCA.

The various utilities have no objection to the Development

Alectra Utilities Corporation has indicated it has no objection to the approval of the Development and that the Owner must contact Alectra to discuss all aspects of the

Development with respect to electrical supply transport locations, and temporary service requirements.

Enbridge Gas Distribution (Enbridge) has no objection to the Development and has advised that it is the Owners responsibility to contact Enbridge with respect to the installation for service and metering facilities.

Enbridge, Rogers, Vaughan Fire and Rescue Service have no objection to the Development.

Financial Impact

N/A

Broader Regional Impacts/Considerations

York Region has no objection to the proposed Development subject to all requirements and comments from York Region being addressed prior to approval. Detailed comments have been provided in a letter from York Region dated April 15, 2019, and in addition to satisfying the conditions and comments in this letter, the Owner is required to enter into a Site Plan Agreement with York Region.

Conclusion

Zoning By-law Amendment File Z.19.003 and Site Development File DA.19.004 have been reviewed in consideration the applicable provincial policies, the policies of the YROP 2010, the requirements of Zoning By-law 1-88, comments from City Departments and external public agencies and the surrounding area context. The Development for a motor vehicle sales establishment as shown on Attachments 2 to 6 is consistent with Provincial Policy, conforms to the Growth Plan and the YROP is a permitted use by Zoning By-law 1-88 and is compatible with the existing and permitted uses in the Maple Auto Mall area. The Development Planning Department is satisfied that the Development represents good planning for the reasons identified in this report. The condition for removing the Holding Symbol “(H)” from the Subject Lands will be satisfied, should Council approve the Site Development Application.

Accordingly, the Development Planning Department supports the approval of the Applications subject to conditions and the Recommendations of this report.

For more information, please contact: Laura Janotta, Planner, extension 8634

Attachments

1. Location Map
2. Site Plan and Zoning
3. Landscape Plan
4. Building Elevation - (East and West)
5. Building Elevation - (North)
6. Building Elevation - (South)

Prepared by

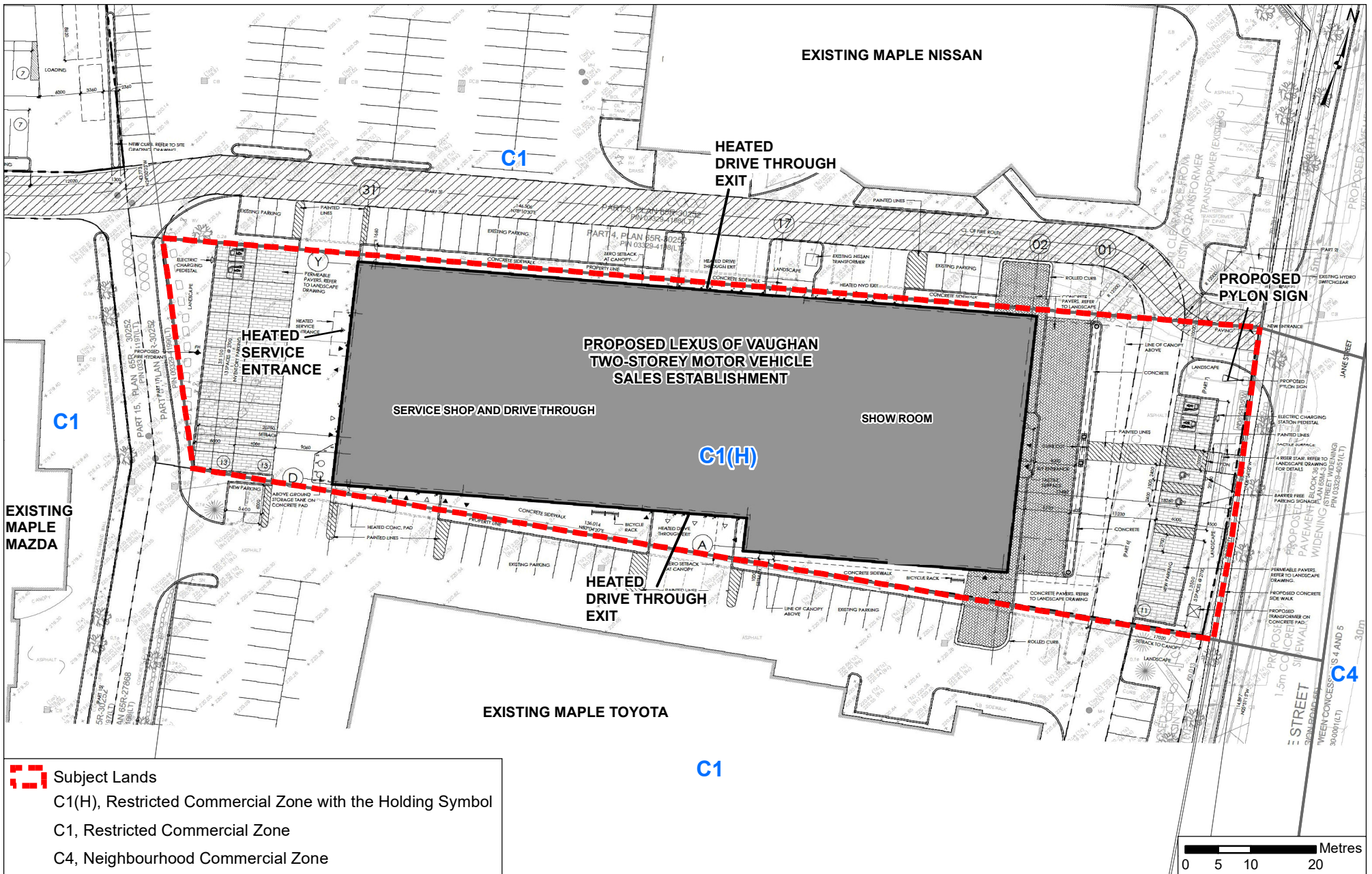
Laura Janotta, Planner, extension 8634

Eugene Fera, Senior Planner, extension 8003

Nancy Tuckett, Senior Manager of Development Planning, extension 8529

Mauro Peverini, Director of Development Planning, extension 8407

/LG



Site Plan and Zoning

LOCATION:
Part of Lot 17, Concession 5

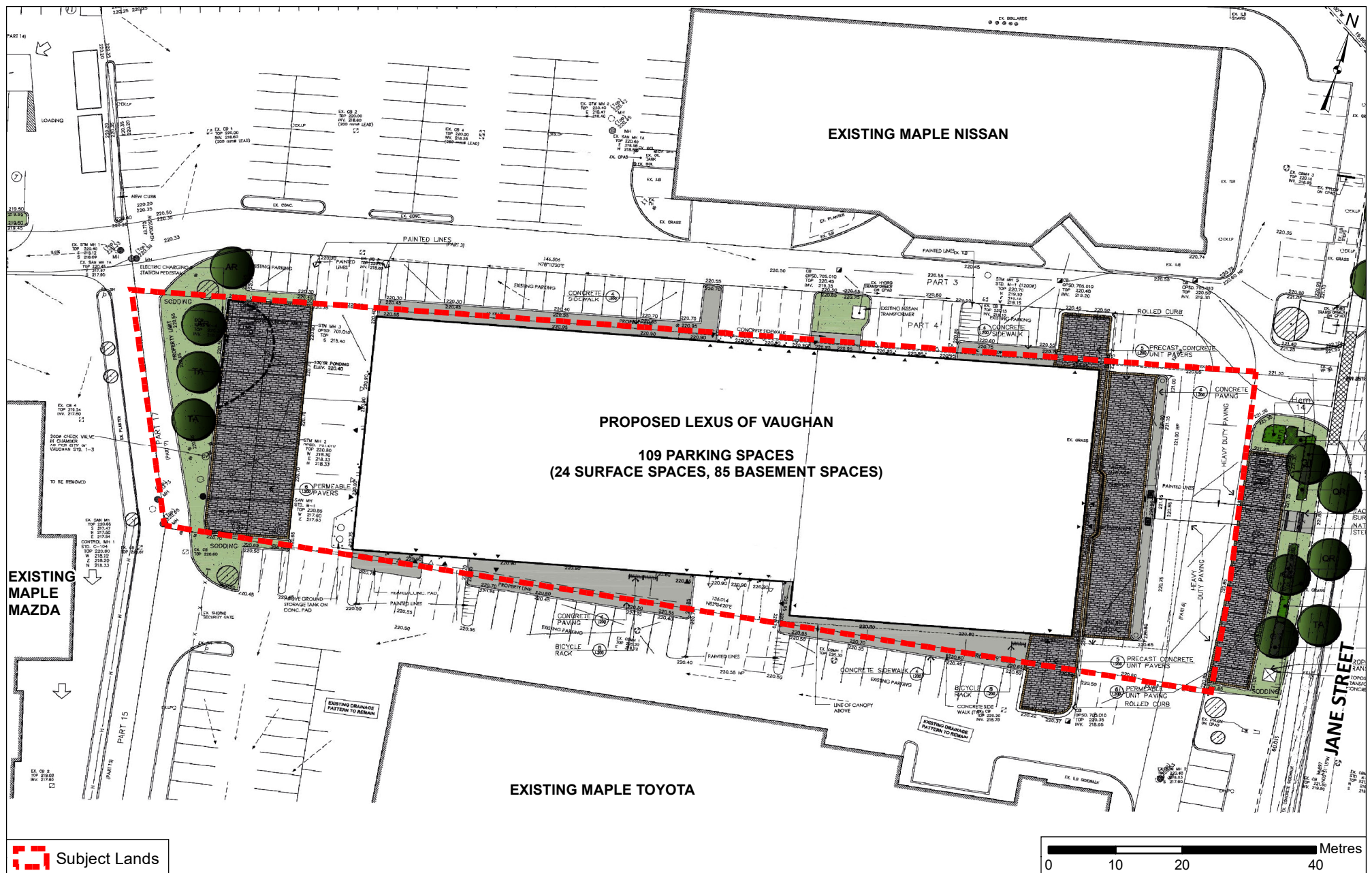
APPLICANT:
2019625 Ontario Inc.



Attachment

FILE: DA.19.004
RELATED FILE: Z.19.003
DATE: May 7, 2019

2



Landscape Plan

LOCATION:
Part of Lot 17, Concession 5

APPLICANT:
2019625 Ontario Inc.

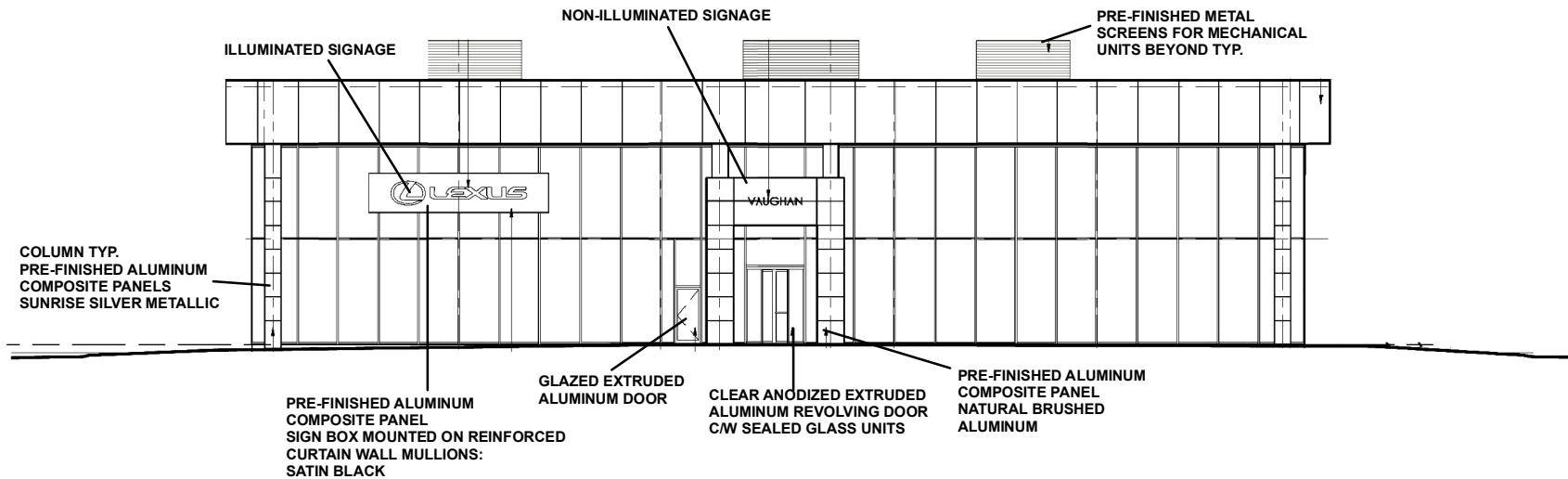


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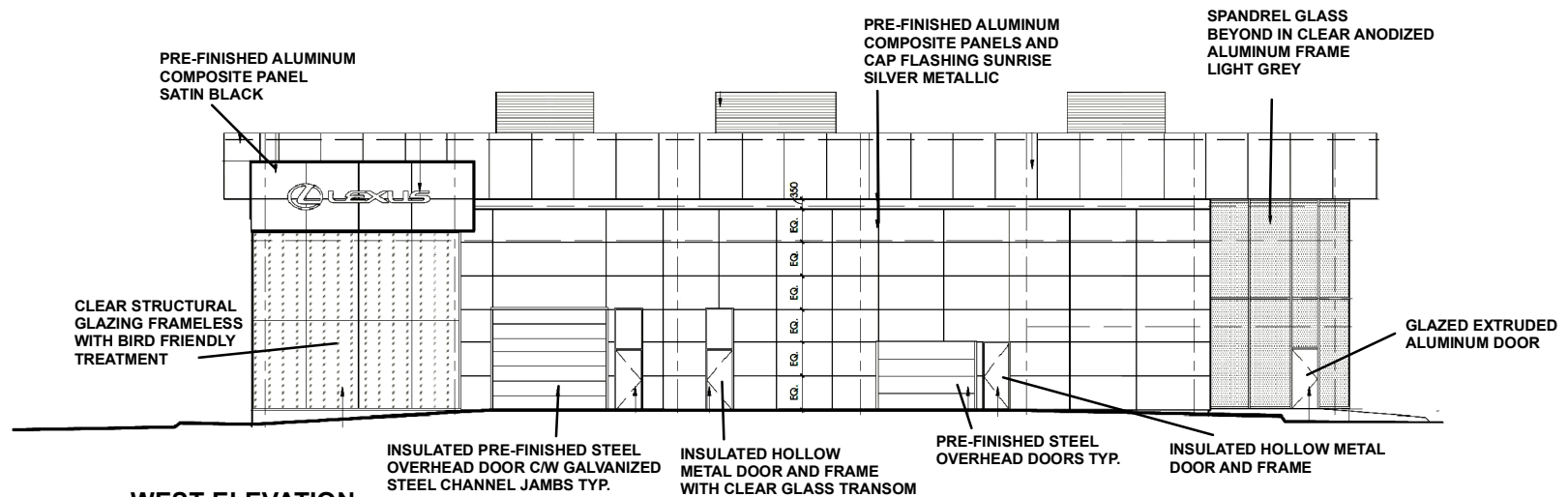
FILE: DA.19.004
RELATED FILE: Z.19.003

DATE:
May 7, 2019

3



EAST ELEVATION (FACING JANE STREET)



WEST ELEVATION

Not to Scale

Building Elevations (East and West)

LOCATION:
Part of Lot 17, Concession 5

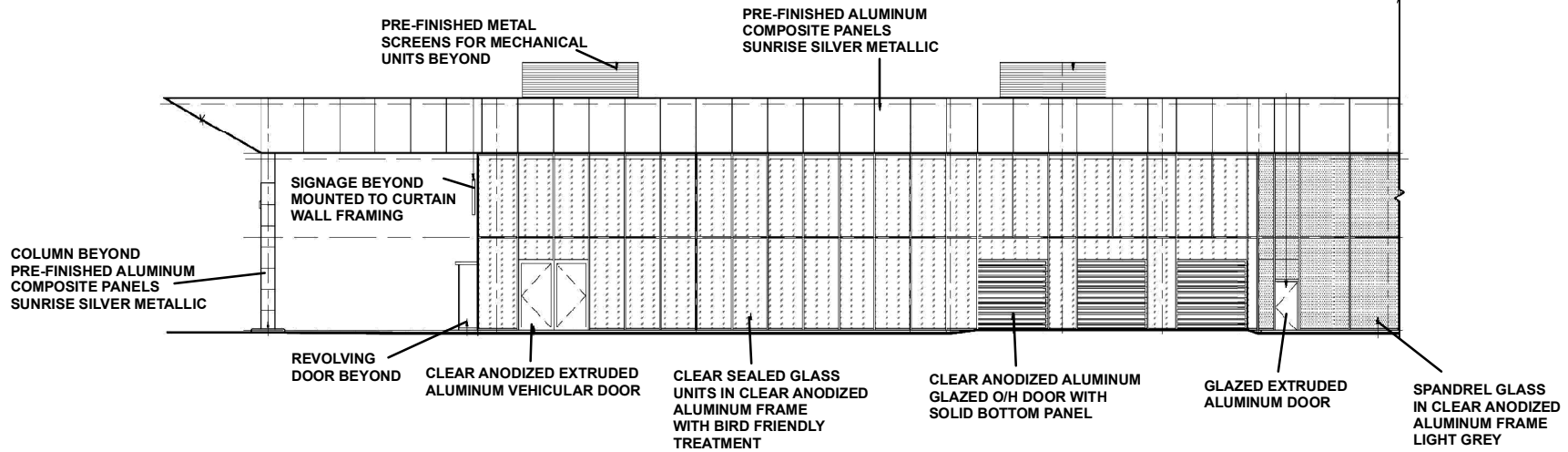
APPLICANT:
2019625 Ontario Inc.



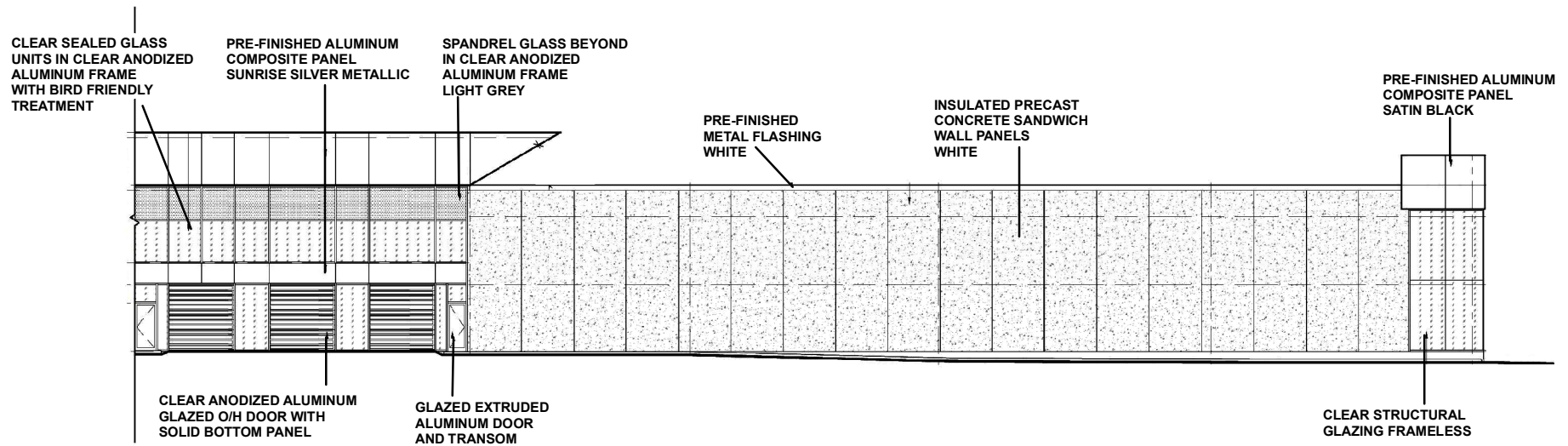
Attachment

FILE: DA.19.004
RELATED FILE: Z.19.003
DATE:
May 7, 2019

4



PARTIAL NORTH ELEVATION



PARTIAL NORTH ELEVATION

Not to Scale

Building Elevation (North)

LOCATION:
Part of Lot 17, Concession 5

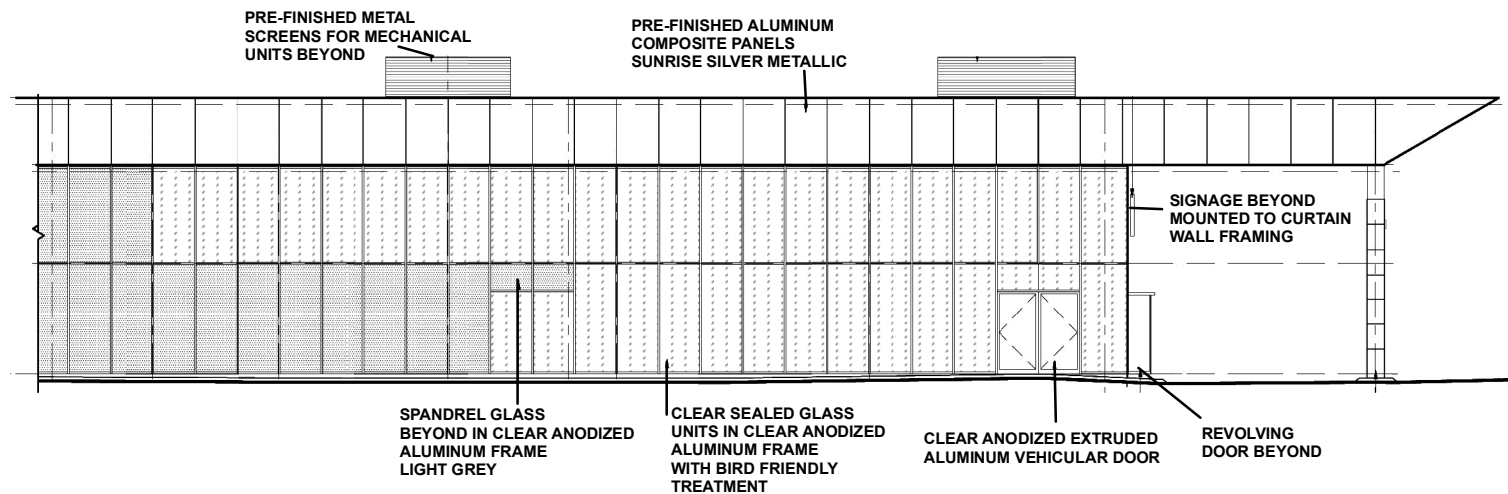
APPLICANT:
2019625 Ontario Inc.



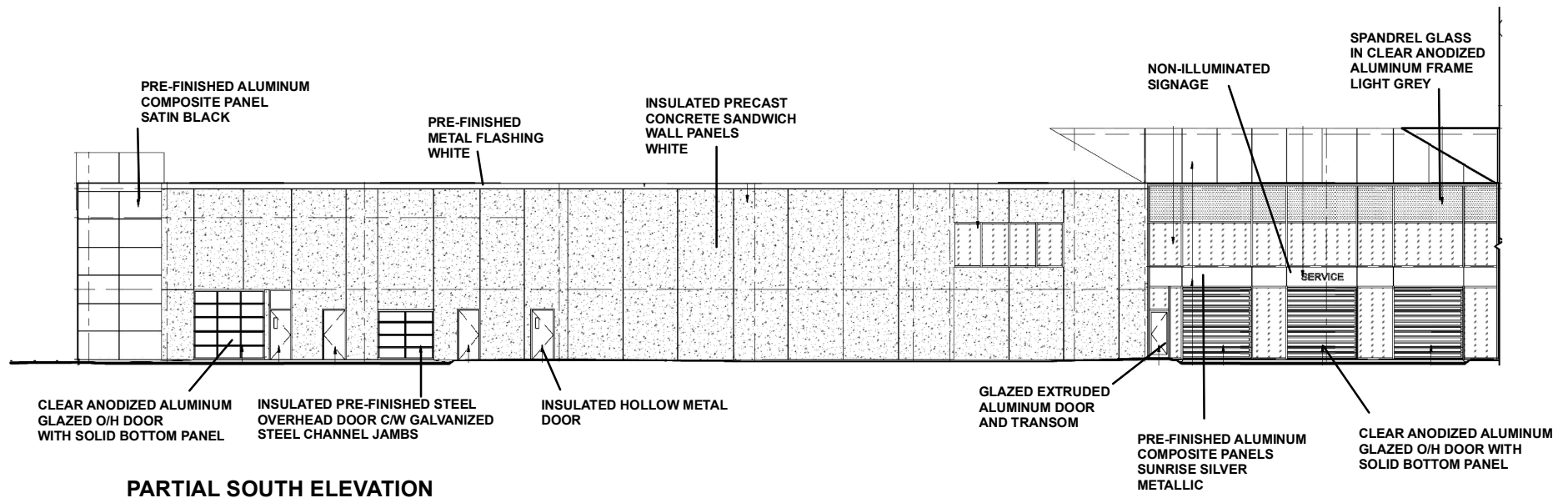
FILE: DA.19.004
RELATED FILE: Z.19.003

DATE:
May 7, 2019

5



PARTIAL SOUTH ELEVATION



PARTIAL SOUTH ELEVATION

Not to Scale

Building Elevation (South)

LOCATION:
Part of Lot 17, Concession 5

APPLICANT:
2019625 Ontario Inc.



Attachment

FILE: DA.19.004
RELATED FILE: Z.19.003

DATE:
May 7, 2019

6