

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 12, 2019**

Item 14, Report No. 20, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2019.

**14. M & M HOME OFFICE INC. M & M HOME OFFICE INC. II M & M HOME OFFICE INC. III SITE DEVELOPMENT FILE DA.19.030 640 AND 700 APPLEWOOD CRESCENT VICINITY OF HIGHWAY 400 AND PORTAGE PARKWAY**

**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 4, 2019, be approved; and**
- 2) That the coloured elevation submitted by the applicant be received.**

**Recommendations**

1. THAT Site Development File DA.19.030 (m & m Home Office Inc., M & M Home Office Inc. II, and m & m Home Office Inc. III) BE DRAFT APPROVED SUBJECT TO THE FOLLOWING CONDITIONS, to the satisfaction of the Development Planning Department, to permit the development of a 12,985m<sup>2</sup> large-format retail store (Walmart), as shown on Attachments 2 to 4:
  - a) That prior to the execution of the Site Plan Agreement:
    - i. The Development Planning Department shall approve the final site plan, building elevations, Urban Design and Sustainability Brief; landscape plan, landscape cost estimate, arborist report, signage details, lighting plan and Sustainability Performance Metrics Summary Letter;
    - ii. The final arborist report shall satisfy the requirements of the Development Planning Department;
    - iii. The Development Engineering Department shall approve the final Transportation Impact Study, Noise and Vibration Study, a revised Stormwater Management Report, and a Functional Servicing Brief and engineering drawings;
    - iv. The Owner shall provide a revised Transportation Impact Study to address all comments to the satisfaction of the Development Engineering Department;

## CITY OF VAUGHAN

### **EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 12, 2019**

#### Item 14, CW Report 20 – Page 2

- v. The Owner shall facilitate an Amending Subdivision Agreement related to the unassumed subdivision (Draft Plan of Subdivision File:19T-99V09) - 400 & 7 Industrial Subdivision (Phase 2)) with the City of Vaughan and pay the required engineering fee pursuant to the Fees and Charges By-law as amended, for all external works within municipal lands required to support the proposed development.  
  
External works include modifications to Applewood Crescent, proposed centre access driveway signalization, decommissioning existing services or anything else deemed necessary by the Development Engineering Department. If an Amending Subdivision Agreement is not feasible then the Owner shall be required to enter into a new Development Agreement with the City to facilitate the required transportation improvements.
- vi. The Owner shall incur all costs associated with the proposed sidewalk on the west side of Applewood Crescent from the northerly limit of the property to the signalized intersection of Portage Parkway;
- vii. The Owner shall convey all necessary lands for transportation improvements on the west side of Applewood Crescent such as the provision of a southbound right-turn lane at the Portage Parkway intersection and the provision of a 2.4 m multi-use path;
- viii. The Owner shall undertake and incur all costs associated with the design and construction of the traffic signal required by the Owner to support the development, including conveyances of lands free of cost and encumbrances to the satisfaction of the City;
- ix. The Owner shall convey lands required for transportation improvements through an Amending Subdivision Agreement to the City and shall prepare and provide the required environmental reports (i.e. Phase One Environmental Site Assessment (ESA) and if applicable Phase Two ESA) to the satisfaction of the Development Engineering Department;
- x. The Owner shall provide the Development Engineering Department with an up-to-date Geotechnical/Hydrogeological report(s) required to

## CITY OF VAUGHAN

### **EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 12, 2019**

#### Item 14, CW Report 20 – Page 3

- confirm actual infiltration rates (i.e. in-situ testing) during seasonal high months (i.e. spring or summer);
- xi. The Owner shall satisfy all comments of the Development Engineering Department and shall provide confirmation of the Ministry of Transportation and Toronto and Region Conservation Authority approvals prior to final Development Engineering approval;
  - xii. The Owner shall provide the required back-flow chamber on the proposed fire services, in accordance with City Standard(s);
  - xiii. The Owner shall confirm and coordinate the design of the external road works adjacent to the subject land and incorporate the design within the Site Plan drawings for Site Development File DA.19.030 accordingly;
  - xiv. The Owner shall provide a complete inventory and analysis report of the existing vegetation on the subject lands and properties adjacent the proposed work area to the satisfaction of the Transportation Services and Parks and Forestry Operations. The Owner shall 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;
  - xv. The Owner shall satisfy all requirements of the Fire and Rescue Services Department;
  - xvi. The Owner shall satisfy all requirements of the Environmental Services Department, Solid Waste Management Division for waste management;
  - xvii. The Owner shall satisfy all requirements of Alectra Utilities Corporation;
  - xviii. The Owner shall satisfy all requirements and obtain all necessary approvals from the Ministry of Transportation; and,

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 12, 2019**

#### **Item 14, CW Report 20 – Page 4**

- xix. The Owner shall satisfy all requirements and obtain all necessary approvals from the Toronto and Region Conservation Authority, including confirming the extent of a flood plan spill area associated with Black Creek which may impact the subject land.
- 2. The Site Plan Agreement shall include the following clauses:
  - a) “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 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 Region 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.”
  - c) The Owner agrees to pay all applicable Development Charges in accordance with the City of Vaughan, York Region, York Region District School Board and York Catholic District School Board Development Charge By-laws at the time of the issuance of a Building Permit.

## Committee of the Whole Report

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**DATE:** Tuesday, June 04, 2019

**WARD:** 4

**TITLE: M & M HOME OFFICE INC.**

**M & M HOME OFFICE INC. II**

**M & M HOME OFFICE INC. III**

**SITE DEVELOPMENT FILE DA.19.030**

**640 AND 700 APPLEWOOD CRESCENT**

**VICINITY OF HIGHWAY 400 AND PORTAGE PARKWAY**

**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 for Site Development File DA.19.030 for the Subject lands shown on Attachment 1, to permit the development of a 12,985 m<sup>2</sup> large-format retail store (Walmart) as shown on Attachments 2 to 4.

### **Report Highlights**

- The Owner seeks approval for a 12,985 m<sup>2</sup> large-format retail store (Walmart) and parking area.
- The Development Planning Department supports approval of the development, subject to the Recommendations in this report, as the development conforms with a site-specific Minister's Zoning Order for the subject lands, and the use is compatible with the existing and planned uses in the surrounding area.
- The application facilitates relocation of the existing Walmart Store in the Vaughan Metropolitan Centre to the subject lands.

## **Recommendations**

1. THAT Site Development File DA.19.030 (M & M Home Office Inc., M & M Home Office Inc. II, and M & M Home Office Inc. III) BE DRAFT APPROVED SUBJECT TO THE FOLLOWING CONDITIONS, to the satisfaction of the Development Planning Department, to permit the development of a 12,985m<sup>2</sup> large-format retail store (Walmart), as shown on Attachments 2 to 4:
  - a) That prior to the execution of the Site Plan Agreement:
    - i) The Development Planning Department shall approve the final site plan, building elevations, Urban Design and Sustainability Brief; landscape plan, landscape cost estimate, arborist report, signage details, lighting plan and Sustainability Performance Metrics Summary Letter;
    - ii) The final arborist report shall satisfy the requirements of the Development Planning Department;
    - iii) The Development Engineering Department shall approve the final Transportation Impact Study, Noise and Vibration Study, a revised Stormwater Management Report, and a Functional Servicing Brief and engineering drawings;
    - iv) The Owner shall provide a revised Transportation Impact Study to address all comments to the satisfaction of the Development Engineering Department;
    - v) The Owner shall facilitate an Amending Subdivision Agreement related to the unassumed subdivision (Draft Plan of Subdivision File:19T-99V09) - 400 & 7 Industrial Subdivision (Phase 2)) with the City of Vaughan and pay the required engineering fee pursuant to the Fees and Charges By-law as amended, for all external works within municipal lands required to support the proposed development.

External works include modifications to Applewood Crescent, proposed centre access driveway signalization, decommissioning existing services or anything else deemed necessary by the Development Engineering Department. If an Amending Subdivision Agreement is not feasible then the Owner shall be required to enter into a new Development Agreement with the City to facilitate the required transportation improvements.

- vi) The Owner shall incur all costs associated with the proposed sidewalk on the west side of Applewood Crescent from the northerly limit of the property to the signalized intersection of Portage Parkway;
- vii) The Owner shall convey all necessary lands for transportation improvements on the west side of Applewood Crescent such as the provision of a southbound right-turn lane at the Portage Parkway intersection and the provision of a 2.4 m multi-use path;
- viii) The Owner shall undertake and incur all costs associated with the design and construction of the traffic signal required by the Owner to support the development, including conveyances of lands free of cost and encumbrances to the satisfaction of the City;
- ix) The Owner shall convey lands required for transportation improvements through an Amending Subdivision Agreement to the City and shall prepare and provide the required environmental reports (i.e. Phase One Environmental Site Assessment (ESA) and if applicable Phase Two ESA) to the satisfaction of the Development Engineering Department;
- x) The Owner shall provide the Development Engineering Department with an up-to-date Geotechnical/Hydrogeological report(s) required to confirm actual infiltration rates (i.e. in-situ testing) during seasonal high months (i.e. spring or summer);
- xi) The Owner shall satisfy all comments of the Development Engineering Department and shall provide confirmation of the Ministry of Transportation and Toronto and Region Conservation Authority approvals prior to final Development Engineering approval;
- xii) The Owner shall provide the required back-flow chamber on the proposed fire services, in accordance with City Standard(s);
- xiii) The Owner shall confirm and coordinate the design of the external road works adjacent to the subject land and incorporate the design within the Site Plan drawings for Site Development File DA.19.030 accordingly;
- xiv) The Owner shall provide a complete inventory and analysis report of the existing vegetation on the subject lands and properties

adjacent the proposed work area to the satisfaction of the Transportation Services and Parks and Forestry Operations. The Owner shall 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;

- xv) The Owner shall satisfy all requirements of the Fire and Rescue Services Department;
- xvi) The Owner shall satisfy all requirements of the Environmental Services Department, Solid Waste Management Division for waste management;
- xvii) The Owner shall satisfy all requirements of Alectra Utilities Corporation;
- xviii) The Owner shall satisfy all requirements and obtain all necessary approvals from the Ministry of Transportation; and,
- xix) The Owner shall satisfy all requirements and obtain all necessary approvals from the Toronto and Region Conservation Authority, including confirming the extent of a flood plan spill area associated with Black Creek which may impact the subject land.

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

- a) "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 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 Region 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."



- c) The Owner agrees to pay all applicable Development Charges in accordance with the City of Vaughan, York Region, York Region District School Board and York Catholic District School Board Development Charge By-laws at the time of the issuance of a Building Permit.

## **Background**

The subject lands (the 'Subject Lands'), shown on Attachment 1, have a lot area of 61,958 m<sup>2</sup> and are located on the west side of Applewood Crescent north of Portage Parkway, known municipally as 640 and 700 Applewood Crescent. The Subject Lands are currently developed with two (2) vacant office buildings (formerly the head office of Smart Centres and the Kumon office building). The surrounding land uses are shown on Attachment 1.

### ***A Site Development Application has been submitted to permit the Development***

The Owner has submitted a Site Development File DA.19.030 ('the Application') for the Subject Lands shown on Attachment 1, to permit the development of a 12,985 m<sup>2</sup> large-format retail store (Walmart) with 461 on-site parking spaces, and access to an additional 96 temporary parking spaces on the adjacent lands to the south and 37 parking spaces located within the Ministry of Transportation Ontario ('MTO') 14 m setback adjacent to Highway 400, for a total of 594 spaces as shown on Attachments 2 to 4.

### ***Vaughan Council supported SmartCentres' Request for the Ministers Zoning Order for the relocation of a large-format retail store (Walmart)***

On February 21, 2018, Vaughan Council considered and adopted a resolution to support SmartCentres' request for a Minister's Zoning Order for the relocation of a large-format retail store currently located at 101 Edgeley Boulevard within the Vaughan Metropolitan Centre, to the Subject Lands. This resolution was re-affirmed on December 12, 2018.

In response to this request Council authorized the Mayor and Clerk to execute a development agreement and any other necessary agreements to address the City of Vaughan's requirements for SmartCentres to facilitate and assume all costs for the planning, construction and delivery of extension of the following municipal roads:

- 1) Applewood Crescent from Regional Road 7 to Portage Parkway;
- 2) Commerce Street from Regional Road 7 to Apple Mill Road;
- 3) Apple Mill Road from Edgeley Boulevard to Applewood Crescent;
- 4) Buttermilk Avenue from Apple Mill Road to Portage Parkway; and,

- 5) the widening of Portage Parkway from Jane Street to Highway 400, all to be completed no later than December 2021.

These road works are currently proceeding separately from the SmartCentres' Site Development Application for the Subject Lands and these road works are addressed in a separate Development Agreement between the City and SmartCentres.

Vaughan Council's resolution was forwarded to York Region. Regional Council endorsed the Vaughan Council's resolution on January 29, 2019. The City and Region Committee of the Whole reports can be viewed from the links in the section below and Attachment 5 shows the location of the proposed road improvements.

Considerable public infrastructure has been developed within the VMC. As discussed in the Council's Resolution from February 21, 2019, Regional Road 7 and the Highway 400 interchange are over capacity and an expansion of the local road network within the VMC is necessary to ensure the continued economic success of the VMC to effectively move people and goods through the area. The existing large-format retail store within the VMC will impede the development and planned urban intensification contemplated by the VMC Secondary Plan for the land occupied by the current store.

### **The Minister issued a Zoning Order for the Subject Lands**

On April 30, 2019 the Minister of Municipal Affairs and Housing (the "Minister") issued a Minister's Zoning Order to permit the relocation of the existing large-format retail store (Walmart) currently located at 101 Edgeley Boulevard within the Vaughan Metropolitan Centre (the 'VMC') to the Subject Lands. The relocation of the existing Walmart in the VMC, allows the vision of Vaughan's new downtown to be achieved. The MZO was filed with the Registrar of Regulations on April 29, 2019, as Ontario Regulation 76/19. This Order puts in place the zoning to allow the relocation of the large-format retail store from the Vaughan Metropolitan Area ('VMC') to the new location at the northwest corner of Applewood Crescent and Portage Parkway.

### **Previous Reports/Authority.**

[Vaughan Council Committee of the Whole Resolutions](#)  
[Request from SmartCentres for Minister's Zoning Order for Relocation of Large Format Retail Store in the Vaughan Metropolitan Centre](#)

[Re-Affirmation of Request from Smartcentres for Minister's Zoning Order for Relocation of Large Format Retail Store in the Vaughan Metropolitan Centre](#)

York Region Council Committee of the Whole Resolution

[York Region Council Resolution Regarding Vaughan Council's Request from Smart Centres for Minister's Zoning Order for Relocation of Large Format Retail Store in VMC](#)

## **Analysis and Options.**

**The Subject Lands are designated “Prestige Employment” by the Vaughan Official Plan 2010 (“VOP 2010”)**

The Subject Lands are designated “Prestige Employment” by Vaughan Official Plan 2010 (VOP 2010), which permits a wide range of employment uses including manufacturing, warehousing, processing and distribution uses, located within wholly enclosed buildings and which do not require outside storage. A large-format retail store (Walmart) is not a permitted use within the “Prestige Employment” designation, however, as noted above, the Minister issued a Zoning Order to permit a “large-format retail store” on the Subject Lands. Council’s endorsement of SmartCentres request for a Minister’s Zoning Order was conditional on SmartCentres entering into a fully secured development agreement to deliver the road improvements noted above, no later than December 2021. The road improvements will help to facilitate the development of the VMC as planned in the VMC Secondary Plan.

***The Minister’s Zoning Order address site-specific zone requirements to permit the Development***

The Subject Lands were zoned “EM1 Prestige Employment Area Zone” by Zoning By-law 1-88 (as shown on Attachment 1), subject to site-specific Exception 9(1109). The Ministers’ Zoning Order (‘MZO’) permits a large-format retail store use and specific accessory uses within the EM1 Zone on the Subject Lands. The MZO defines the uses included in the Development and all required development standards. The Development complies with the MZO.

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

## **Site Plan**

The Development shown on Attachments 2 to 4 includes a 12,985 m<sup>2</sup> large-format retail store (Walmart) and 461 parking spaces on the Subject Lands. Site access is provided via three driveways from Applewood Crescent. The middle driveway access is proposed to be signalized and provides access to the main building entrance on the south side of the building. An additional 37 parking spaces are proposed within the MTO 14 m setback adjacent to Highway 400 and additional 96 parking spaces will be provided on the adjacent lands to the south (shown on Attachment 2 as Parcel B).

### Landscape Plan

The landscape plan shown on Attachment 3 includes a landscape strip adjacent to Highway 400 with additional plantings within the 14 m MTO setback to enhance the site appearance. A mix of plantings are also proposed in the landscape strip along the Applewood Crescent frontage and within the parking area and the grocery pick-up area adjacent to Applewood Crescent.

The islands within the parking lots also contain a mix of deciduous shrubs, grasses, perennials, deciduous trees and sod. Some parking islands vary in size and the larger islands provide a sufficient area for shrubs and shade trees plantings within the parking lots.

### Tree Inventory

A Tree Inventory and Preservation Plan Report prepared by Terraplan Landscape Architects, is under review by the City Departments in accordance with the Council adopted Tree Protection Protocol. This report determined that most of the on-site trees will require removal to accommodate the Development and recommended that a number of existing Honey Locust trees, a White Spruce, a Freeman Maple and some Little-leaf Linden trees and a number of Ohio Buckeye trees be preserved. The landscape plan identifies the trees to be retained located within the MTO 14 m setback, adjacent to the Applewood Crescent right-of-way and adjacent to the temporary parking area on Parcel B.

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 adopted 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 proposed building elevations are shown on Attachment 4

The proposed building elevations are shown on Attachment 4. The main entrance to the building is on the south elevation which faces the Portage Parkway frontage. The rear of the building (north elevation) contains the loading area concealed behind a screen wall. The proposed east and west elevations of the building are active frontage elevations visible from Highway 400 and Applewood Crescent and must be upgraded to enhance the architectural detail and appearance of the building from these public streets. The landscaping within the rear 14 m MTO setback shall screen the loading area from view and the plantings will provide enhanced screening. An upgraded fencing material is required around the garden centre considering it faces Highway 400.

The proposed building materials include insulated metal vertical panels in a grey colour, horizontal metal panels in a vivid blue shade, insulated metal panels in a darker shade of blue to highlight the main entrance to the store, and orange vertical panels to highlight the pick-up area entrance of the store.

### Signage

The proposed signage is consistent with the Walmart corporate signage found on similar Walmart stores approved elsewhere within the City. Corporate signage is proposed on all elevations as shown on Attachment 4 and the location of the ground signs is identified on the Site Plan.

The Development Planning Department is satisfied with the Development shown on Attachments 2 to 4. The final site plan, building elevations, landscape plan, landscape cost estimate, signage details and lighting plan must be approved by the Development Planning Department prior to the execution of the Site Plan Agreement. 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 a completed Sustainability Scoring Tool dated April 1, 2019, in support of the Development. The Development achieves the Bronze Sustainability Threshold Score with an overall Application Score of 35 and an Overall Community Score of 41 however, the Owner is required to submit the Summary Letter ('Suitability 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 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 by the Application 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 Region 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 Development Engineering Department has no objection to the Development subject to the conditions in this report***

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

Municipal Servicing

Municipal servicing is existing to the Subject Lands (640 & 700 Applewood Crescent) and was constructed as part of a subdivision agreement (Draft Plan of Subdivision File 19T-99V09 - 400 & 7 Industrial Subdivision (Phase 2)). The Application proposes to combine both existing parcels to accommodate the Development and servicing decommissioning is therefore required.

Sanitary Servicing

Sanitary Servicing for the Development is proposed via a proposed connection to an existing control manhole at the property line. Two additional sets of existing service connections on the Subject Lands shall be decommissioned as required by City Standards.

Water Distribution

Water servicing via a 200 mm diameter water service (fire) and a 100 mm diameter water service (domestic) is proposed for the Development via the existing valve and chamber and gate valve at the property line. The two additional existing service connections (for the original buildings) on the Subject Lands shall be decommissioned as required by City Standards.

Storm Servicing

Storm water servicing to the Development is proposed via a 400 mm diameter connection from the existing storm control manhole at the property line to a proposed internal infiltration gallery, catch basins and roof-top connections.

### Erosion and Sediment Control

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

### Photometric Lighting Plan

The Owner shall maintain a zero cut-off light level distribution at the property line in accordance with City standards.

### Stormwater Management

The Stormwater Management plans indicate that runoff from the first 5 mm of rainfall will be captured for on-site retention. The City of Vaughan does not support assigning 5 mm for initial abstraction and requires that the Owner to update the Stormwater Management Report and drawings to ensure adequate storage volume is provided for the proposed control mitigation measures.

The Owner shall verify the infiltration rate of the soil along the path of the proposed infiltration chamber through in-situ sampling/testing or verification from a qualified professional. The Owner shall also confirm the water table elevation in the vicinity of the infiltration chamber.

An additional detail of the proposed StormTech chamber providing storage and quality control for on-site retention is required to the satisfaction of the DE Department.

### Noise and Vibration Impact Study

The Noise and Vibration Impact Study ('study') provided for the Subject Lands does not consider potential impacts from the proposed Walmart on the potential development south of Portage Parkway. The VMC Secondary Plan, designates the area south of Portage Parkway as Neighbourhood Precinct (N1) which permits a mix of apartment dwellings and townhouses within high-rise, mid-rise and low-rise building. The Owner shall provide an amendment to the study to consider the ultimate land-use south of Portage Parkway and assess any potential noise impacts on future potentially noise sensitive receptors. The final Noise and Vibration Impact Study shall be to the satisfaction of the DE Department.

### Environmental Site Assessment

There are no Environmental Assessment ('ESA') concerns for the Subject Lands. However, ESA Reports will be required prior to future lands conveyances.

## Transportation

Transportation Engineering has reviewed the plans(s) and report(s) in support of the Application. The Subject Lands will be served by a permeable road network through three accesses, one of which will be controlled by a proposed traffic signal. The Traffic Impact Study ('TIS') provided for the Development assesses traffic impacts from the proposed Walmart to the adjacent properties and the surrounding road network. Prior to the final approval of the site plan, the Owner shall identify to the satisfaction of the City, necessary mitigation measures, but not limited to:

- a) A southbound right-turn lane at the intersection of Applewood Crescent and Portage Parkway to accommodate the existing future traffic; and
- b) Necessary right-of-way to be identified and conveyed to facilitate proposed transportation improvements including road widening, signalization, site triangles and wider sidewalk(s).

The updated TIS shall evaluate the interim traffic conditions with the Walmart traffic, including signal warrants for the proposed middle access. The Owner shall make the necessary arrangements with the City of implement the required improvements as will be identified in the final TIS report.

The Owner shall facilitate the required development driven capital improvements through an amending subdivision agreement related to the unassumed subdivision (Draft Plan of Subdivision File 19T-00V09 - 400 & 7 Industrial Subdivision (Phase 2)) with the City of Vaughan. If an amending subdivision agreement is not feasible then the Owner shall to enter into a new Development Agreement with the City to facilitate the transportation improvements.

The Owner shall satisfy all comments from the DE Department Transportation Section. Conditions have been included in the Recommendations of this report to this effect.

### ***Transportation Services, Parks and Forestry Operations supports the Development***

The Transportation Services, Parks and Forestry Operations section supports the Development conditional upon the Owner providing a complete inventory and analysis report for the existing vegetation on both the Subject Lands and the property adjacent to the proposed work area to the satisfaction of the City. The Application is being reviewed with respect to the protection of on-site trees, municipal trees (in the right-of-way) and private trees (on adjacent properties) during all phases of construction in accordance with the City of Vaughan Council enacted Tree By-law 052-2018. Comments on tree compensation value, if any, will be provided to the Owner. 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 Application be approved, prior to the execution of the Site Plan Agreement the Owner shall 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. Specific condition details and Letter of Credit amounts shall be provided prior to the execution of the Site Plan Agreement. A condition to this effect is included in the Recommendations of this report.

***Development Charges are applicable***

The Financial Planning and Development Finance Department advises 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.

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

The Office of the City Solicitor, Real Estate Department has confirmed that the cash-in-lieu of the dedication of parkland for the Subject Lands was previously paid at the time of the original development of the Subject Lands.

***The Toronto and Region Conservation Authority ('TRCA') requires additional information on the Development***

The Subject Lands are not located within the Well Head Protection Area (WHPA-Q2). However, TRCA has requested that the Owner confirm the extent of the flood plain spill area associated with the Black Creek as the extent of this flood plain spill area may affect Regulated Area and may impact the Subject Lands. The TRCA is working with the Owners to review the required analysis to establish the flood plain spill area on the Subject Lands.

The Owner shall address all comments and requirements of the TRCA to the satisfaction of the TRCA prior to final site plan approval. A condition to this effect is included in the Recommendations of this report.

**The Ministry of Transportation Ontario have no objection to the Development, subject to the conditions in this report**

The Ministry of Transportation Ontario ('MTO') have no objections to the Application and has requested that the following condition be included in the Recommendations of this report:

"MTO Highway Corridor Management Site Section has reviewed the location of the proposed development and has determined that the subject lands are located within the MTO Permit Control Area. As a result, an MTO Building and Land Use Permit is required prior to the commencement of any site construction/works (in addition to all other approvals from authorities having jurisdiction). If any signs are proposed on the subject lands, that are located within 400 m of the Provincial Highway property line and/or Controlled-Access Highway designation and which are visible from the Provincial Highway property line and/or Controlled-Access Highway designation, a permit will be required from MTO. As of May 13, 2019, MTO's review the is ongoing and there may matters that need to be addressed to the satisfaction of the Ministry. The Owner must satisfy all requirements of MTO prior to final Site Plan Approval. MTO reserves the right to provide additional comments on the Site Development Application."

***York Region has no objection to the Development***

York Region reviewed the information provided in support of the Applications and have not comments or additional submission requirements.

***Canada Post has no objection to the Development***

Canada Post has no objection to the Development and has indicated mail for this retail building will be counter delivery, that there will be no more than one delivery point and that the Owner shall contact Canada Post to confirm the postal code.

***The various utilities have no objection to the Development***

Alectra Utilities Corporation, Enbridge Gas, Rogers Communications Inc. and have no objection to the Development and have advised that it is the Owners responsibility to contact them with respect to the installation of services and metering facilities.

***The various City Departments have no objection to the Development***

The Policy Planning and Environmental Sustainability Department, Parks Development Department, Vaughan Fire and Rescue Service, and the Environmental Services Department, Solid Waste Management Division supports the Development.

## **Financial Impact**

N/A

## **Broader Regional Impacts/Considerations**

York Region has no objection to the Development.

## **Conclusion**

Site Development File DA.19.030 has been reviewed in consideration of the policies of the Minister's Zoning Order and comments from City Departments and external public agencies, and the surrounding area context. The relocation of the this large-format retail store outside from the VMC to the Subject lands to permit the Development shown on Attachments 2 to 4, is permitted by the MZO, is appropriate and compatible with the existing and permitted uses in the surrounding area and would help realize the vision of the Vaughan Metropolitan Centre.

Accordingly, the Development Planning Department supports the approval of Site Development File DA.19.030, subject to the Recommendations in this report.

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

## **Attachments**

1. Location Map
2. Site Plan
3. Landscape Plan
4. Building Elevations
5. Proposed Road Improvements

## **Prepared by**

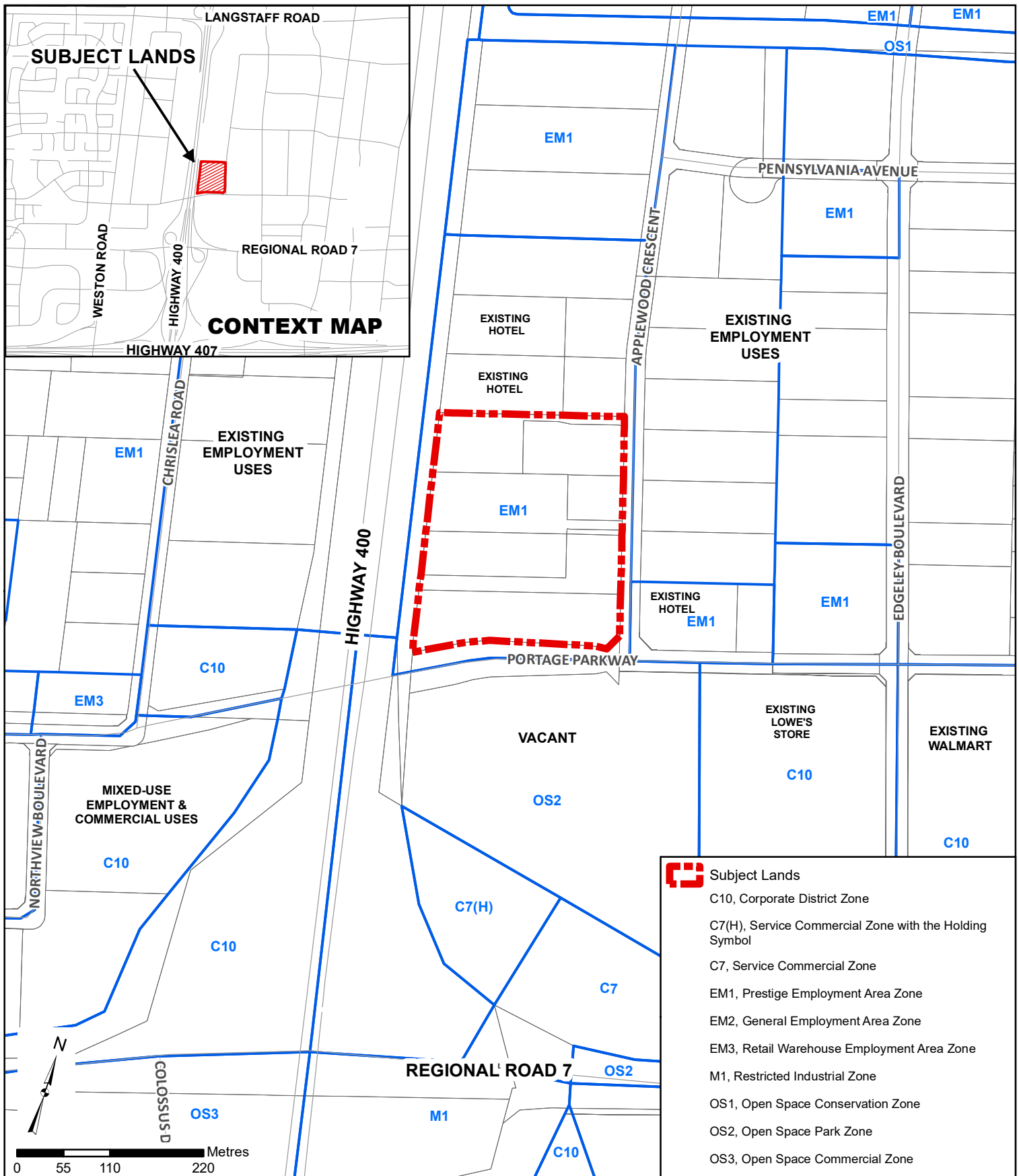
Laura Janotta, Planner, ext. 8634

Eugene Fera, Senior Planner, ext. 8003

Nancy Tuckett, Senior Manager of Development Planning, ext. 8529

Mauro Peverini, Director of Development Planning, ext. 8407

/CM



# Location Map

**Location:**  
Part of Lot 7, Concession 5

**Applicant:** M & M Home Office Inc.,  
M & M Home Office Inc. II, M & M Home Office Inc. III

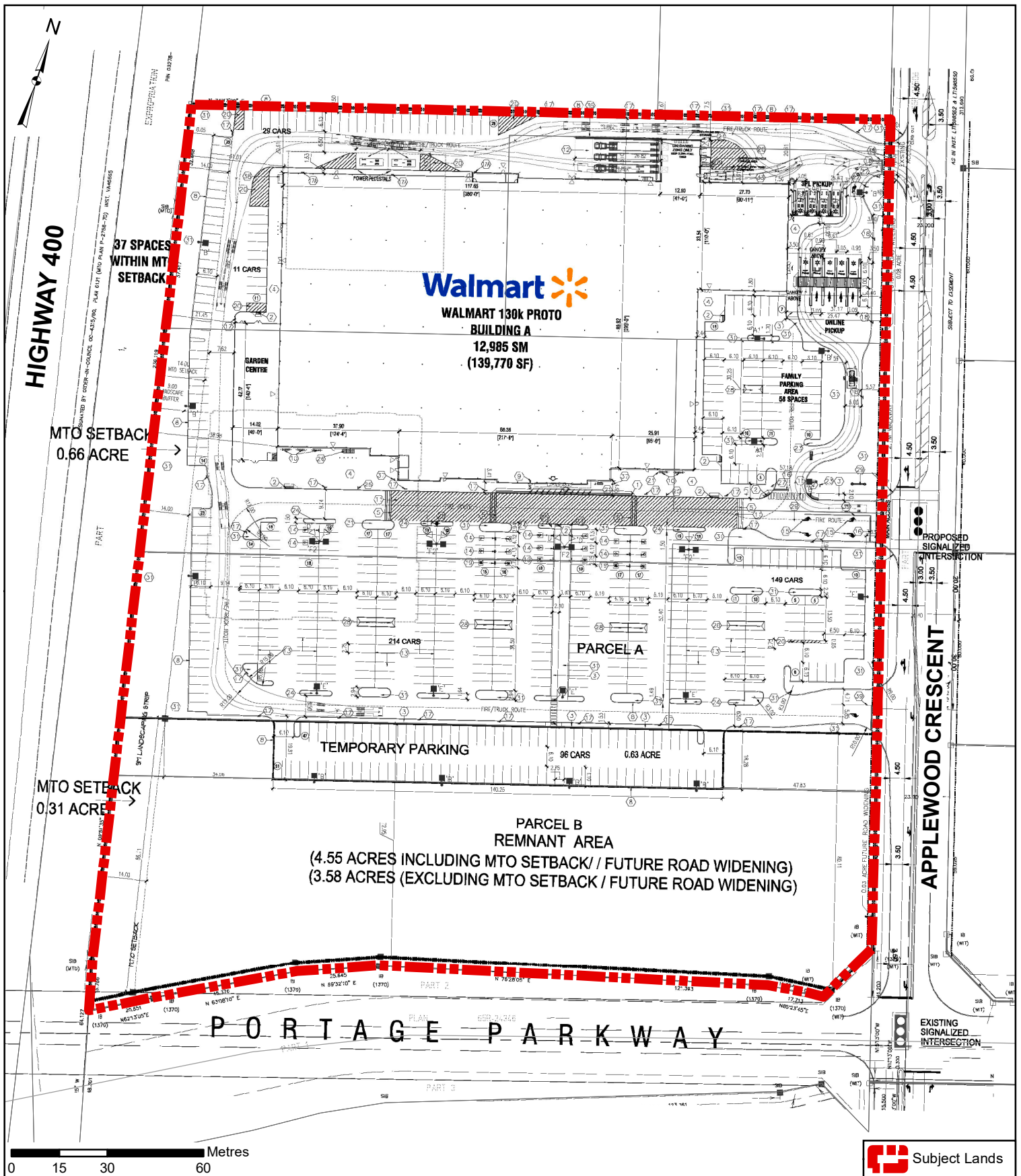


# Attachment

**FILE:**  
DA.19.030

**DATE:**  
June 4, 2019

1



# Site Plan

**Location:**  
Part of Lot 7, Concession 5

**Applicant:** M & M Home Office Inc.,  
M & M Home Office Inc. II, M & M Home Office Inc. III



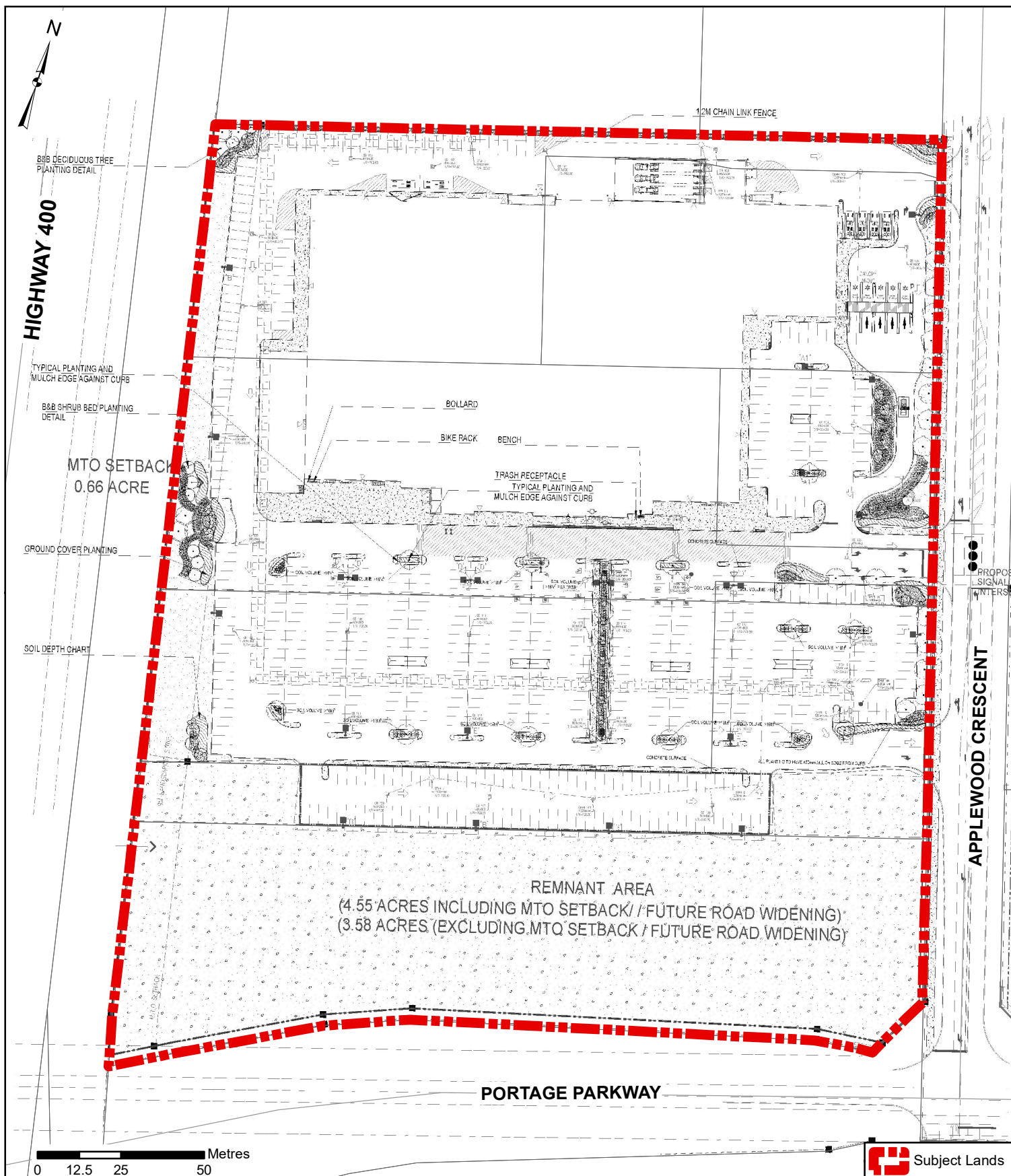
# Attachment

**FILE:**  
DA.19.030

**DATE:**  
June 4, 2019

**2**





# Landscape Plan

**Location:**  
Part of Lot 7, Concession 5

**Applicant:** M & M Home Office Inc.,  
M & M Home Office Inc. II, M & M Home Office Inc. III

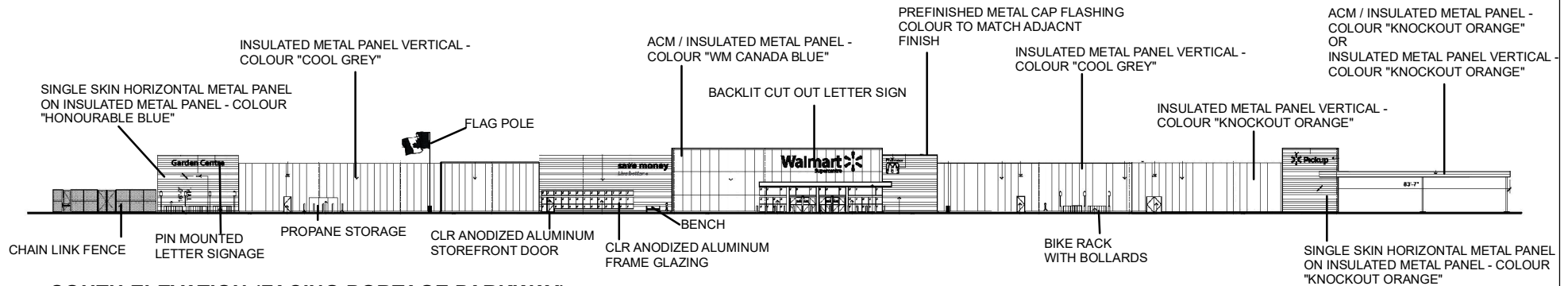


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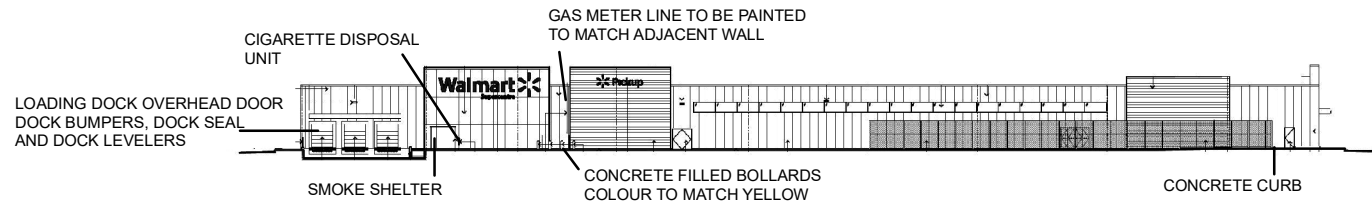
**FILE:**  
DA.19.030

**DATE:**  
June 4, 2019

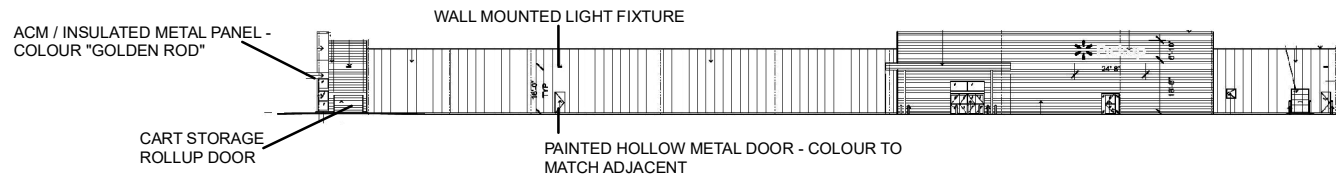
3



**SOUTH ELEVATION (FACING PORTAGE PARKWAY)**



**WEST ELEVATION (FACING HIGHWAY 400)**



**EAST ELEVATION (FACING APPLEWOOD CRESCENT)**



**NORTH ELEVATION**

Not to Scale

# Building Elevations

**LOCATION:**  
Part of Lot 7, Concession 5

**APPLICANT:** M & M Home Office Inc.,  
M & M Home Office Inc. II, M & M Home Office Inc. III

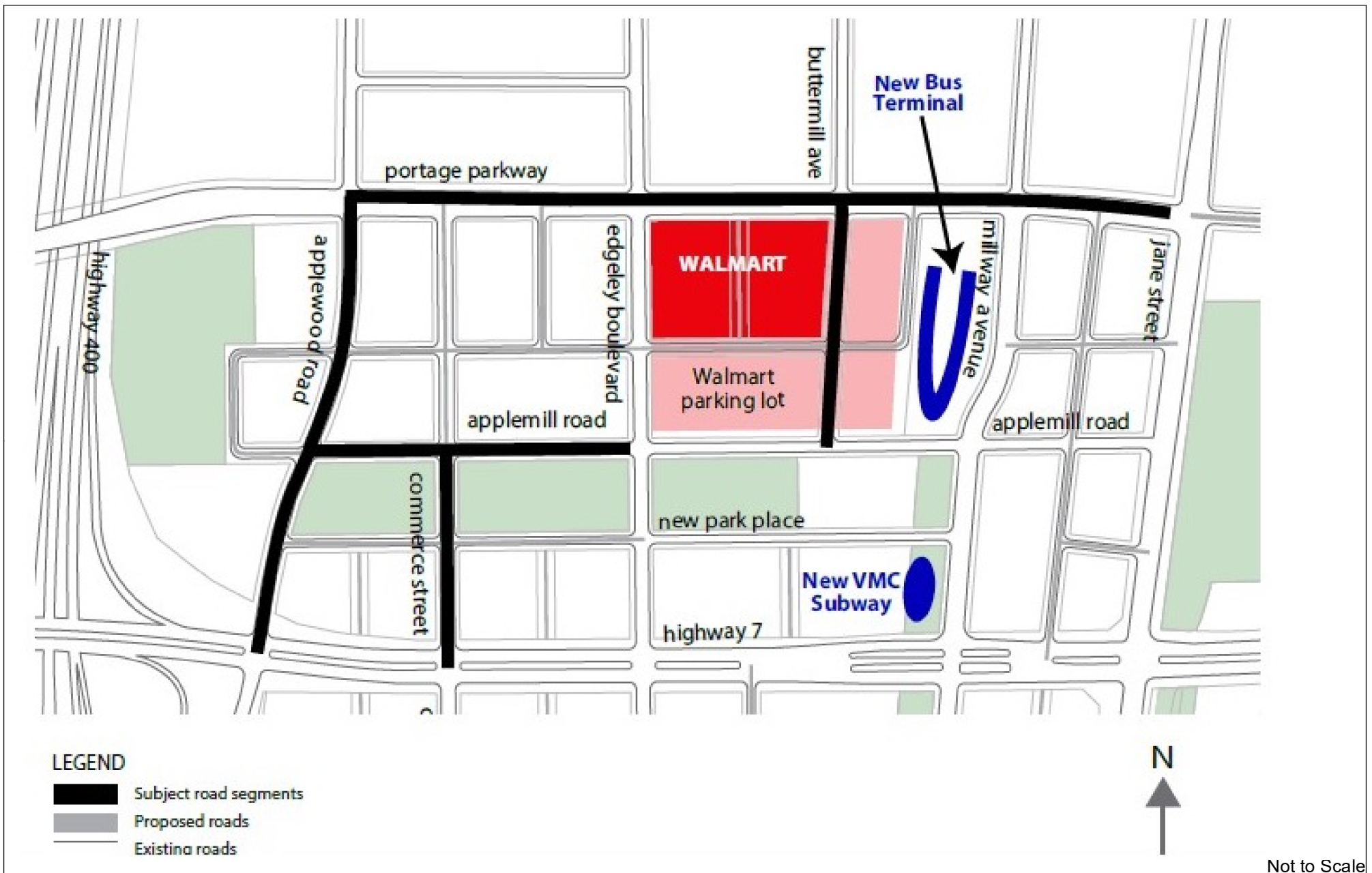


## Attachment

**FILE:**  
DA.19.030

**DATE:**  
June 4, 2019

4



## Proposed Road Improvements

### LOCATION:

Part of Lot 7, Concession 5

**APPLICANT:** M & M Home Office Inc.,  
M & M Home Office Inc. II, M & M Home Office Inc. III



## Attachment

**FILE:**  
DA.19.030

**DATE:**  
June 4, 2019

5