

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 27, 2020

Item 5, Report No. 20, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 27, 2020.

5. 3942198 CANADA INC. C/O AMARDEEP DEOL ZONING BY-LAW AMENDMENT FILE Z.16.040 SITE DEVELOPMENT FILE DA.16.083 7290 MAJOR MACKENZIE DRIVE VICINITY OF REGIONAL ROAD 50 AND MAJOR MACKENZIE DRIVE

The Committee of the Whole recommends:

- 1) That the recommendations contained in the report of the Acting Deputy City Manager, Planning and Growth Management, dated May 20, 2020, be approved;**
- 2) That the deputation by Mr. Jason De Luca, Planner, Weston Consulting, Millway Avenue, Vaughan, be received; and**
- 3) That the coloured elevation submitted by the applicant be received.**

Recommendations

1. THAT Zoning By-law Amendment File Z.16.040 (3942198 Canada Inc. c/o Amardeep Deol) BE APPROVED, to amend Zoning By-law 1-88, to rezone the subject lands from "A Agricultural Zone" subject to Exception 9(1331) to, "EM2 General Employment Area Zone" as shown on Attachment 3 together with the site-specific zoning exceptions identified in Table 1 of this report, to permit a truck terminal with accessory outside storage and a temporary office on the subject lands.
2. THAT the implementing Zoning By-law include a provision requiring the temporary office on the subject lands to be demolished and replaced with a permanent office building when servicing is available to the subject lands, to the satisfaction of the City.
3. THAT the Owner be permitted to apply for a Minor Variance Application(s) from the Committee of Adjustment if required, to permit minor adjustments to the in-effect Vaughan Zoning By-law before the second anniversary of the day on which the implementing Zoning By-law for the Subject Land comes into full force and effect.
4. THAT Site Development File DA.16.083 (3942198 Canada Inc. c/o Amardeep Deol) BE DRAFT APPROVED SUBJECT TO CONDITIONS included on Attachment 1, to the satisfaction of the Development Planning Department to permit the development of the subject lands with a truck terminal use and accessory outside storage and a temporary office as shown on Attachments 3 to 5.

Committee of the Whole (2) Report

DATE: Tuesday, May 20, 2020

WARD: 1

**TITLE: 3942198 CANADA INC. C/O AMARDEEP DEOL
ZONING BY-LAW AMENDMENT FILE Z.16.040
SITE DEVELOPMENT FILE DA.16.083
7290 MAJOR MACKENZIE DRIVE
VICINITY OF REGIONAL ROAD 50 AND MAJOR MACKENZIE
DRIVE**

FROM:

Bill Kiru, Acting 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.16.040 and Site Development File DA.16.083 for the subject lands shown on Attachment 2. The Owner proposes to rezone the subject lands to permit the existing truck terminal with accessory outside storage of transport trailers and containers and a temporary office on the subject lands, in the manner shown on Attachments 3 to 5.

Report Highlights

- The Owner is proposing to rezone the subject lands to permit a truck terminal with accessory outside storage and a temporary office, subject to site specific zoning provisions
- An Ontario Municipal Board Order of December 18, 2015, amended Vaughan Official Plan 2010 to redesignate the subject lands to “General Employment” to permit the truck terminal use and accessory outside storage on the subject lands
- A Site Development Application has been submitted in support of the Zoning By-law Amendment Application to permit the proposed development

Recommendations

1. THAT Zoning By-law Amendment File Z.16.040 (3942198 Canada Inc. c/o Amardeep Deol) BE APPROVED, to amend Zoning By-law 1-88, to rezone the subject lands from “A Agricultural Zone” subject to Exception 9(1331) to, “EM2 General Employment Area Zone” as shown on Attachment 3 together with the site-specific zoning exceptions identified in Table 1 of this report, to permit a truck terminal with accessory outside storage and a temporary office on the subject lands.
2. THAT the implementing Zoning By-law include a provision requiring the temporary office on the subject lands to be demolished and replaced with a permanent office building when servicing is available to the subject lands, to the satisfaction of the City.
3. THAT the Owner be permitted to apply for a Minor Variance Application(s) from the Committee of Adjustment if required, to permit minor adjustments to the in-effect Vaughan Zoning By-law before the second anniversary of the day on which the implementing Zoning By-law for the Subject Land comes into full force and effect.
4. THAT Site Development File DA.16.083 (3942198 Canada Inc. c/o Amardeep Deol) BE DRAFT APPROVED SUBJECT TO CONDITIONS included on Attachment 1, to the satisfaction of the Development Planning Department to permit the development of the subject lands with a truck terminal use and accessory outside storage and a temporary office as shown on Attachments 3 to 5.

Background

The subject lands (the ‘Subject Lands’) are municipally known as 7290 Major Mackenzie Drive, located on the north side of Major Mackenzie Drive, east of Regional Road 50, as shown on Attachment 2. The Subject Lands are currently used as a truck terminal with accessory outside storage.

The Ontario Municipal Board on September 12, 2008, approved a site-specific appeal to permit a truck terminal use with accessory outside storage for the subject lands on a temporary basis

3942198 Canada Inc. c/o Amardeep Deol (the ‘Owner’) on October 24, 2007, filed appeals to the then Ontario Municipal Board (‘OMB’) (replaced by the Local Planning Tribunal (‘LPAT’)) for Official Plan and Zoning By-law Amendment Files OP.04.019 and Z.04.059 on the Subject Lands, for the City’s failure to make a decision within the prescribed time stipulated under the *Planning Act*. The Owner proposed to amend the

Official Plan and Zoning By-law to permit a truck terminal with outside storage and a temporary office on the Subject Lands. Council on March 31, 2008, refused these applications.

The Owner made a settlement offer to the City and Minutes of Settlement, which were subsequently approved by the OMB on September 12, to permit the truck terminal on the Subject Lands on a temporary basis.

The OMB on September 12, 2008, approved the settlement and Official Plan Amendment ('OPA') 693 and Zoning By-law 289-2009 to permit the truck terminal and related outside storage of transport trucks and trailers, containers and an office with site-specific zoning exceptions for a temporary period of 3 years. OPA 693 and Zoning By-law 289-2009 expired on June 24, 2010. The Owner on October 8, 2008, submitted related Site Development File DA.08.033, in support of the above applications, however the Owner has not finalized the Site Development application and a Site Plan Agreement has not been executed for the approval granted by the OMB.

The Ontario Municipal Board on December 18, 2015, approved an appeal to the Vaughan Official Plan 2010 to designate the Subject Lands "General Employment" to permit a truck terminal on the Subject Lands as-of-right and on a permanent basis

The Subject Lands are designated "General Employment" by Vaughan Official Plan 2010 ('VOP 2010'), Volume 2, Section 11.9 West Vaughan Employment Area Secondary Plan ('WVEA'), as approved by the OMB.

The Owner on November 21, 2012, appealed VOP 2010, as it pertained to the Subject Lands to the OMB. The Subject Lands were previously designated "Prestige Employment" and "General Employment". The Owner requested that VOP 2010 recognize the existing truck terminal and outside storage on a permanent basis for the Subject Lands. The OMB on December 18, 2015 in its decision approved a site-specific modification to VOP 2010 to redesignate the Subject Lands from "Prestige Employment" and "General Employment" to "General Employment", thereby permitting the truck terminal and outside storage on the Subject Lands, in accordance with the requirements of the City's Zoning By-law 1-88. The OMB approval included separate Minutes of Settlement approved through a Motion of Record on November 18, 2015. The grounds for the Motion would permit the truck terminal use with outside storage on a permanent basis subject to the following conditions:

- the Subject Lands are developed in accordance with the WVEA Secondary Plan
- the outside storage area is located internal to the site and appropriately screened
- appropriate noise attenuation measures (i.e. fencing) is implemented
- the Owner be required to construct a permanent building on the Subject Lands when servicing is available to the site
- the Owner participate in the Block Plan process

- the Owner submit complete Zoning By-law Amendment and Site Development applications in accordance with the *Planning Act*

The WVEA Secondary Plan shows a north-south collector road along the east boundary of the Subject Lands. The construction of this road would result in the Subject Lands becoming a corner lot. The Official Plan and Zoning By-law 1-88 do not permit outside storage on a corner lot. At this time, it is premature to address the potential impacts of the location of a new road as the final road and street layout has not been determined. In consideration of this the OMB Order states should the site become a corner lot through a future process, the Owner will be required to engage with the City during the Block Plan process to allow the City to review and consider the continued outside storage use. A condition to this effect has been included in Attachment 1 Conditions of Site Plan Approval

Any lands required to facilitate the north/south road widening and future sight triangle shall be conveyed to the City free of cost and encumbrances. Any changes to the approved site plan as a result of the construction of the road and site triangle will require an approval from the City to ensure the site maintains the appropriate landscaping and buffering consistent with the OMB Order and to the satisfaction of the City. A condition to this effect is included in Attachment 1 Conditions of Site Plan Approval.

A site visit confirmed that the existing truck terminal use is not consistent with the OMB Minutes of Settlement

Staff conducted a site visit on March 30, 2020 and confirmed the existing site condition does not reflect the OMB's approved Order and Minutes of Settlement. Specifically, the container stacking height exceeded the maximum of 2 containers, the required fencing, earthen berm and landscaping were not installed. Through the processing of the subject Zoning By-law Amendment and related Site Development Applications, the required improvements shown on Attachments 3 and 4 on the Subject Lands will be implemented to ensure the truck terminal will not adversely impact the surrounding area. The implementing Zoning By-law together with the approved site plan and a registered Site Plan Agreement provide a basis for monitoring and compliance.

Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol

The City on January 13, 2017, circulated a Notice of Public Hearing (the 'Notice') for the Applications to all property owners within 150 m of the Subject Lands. A copy of the Notice was also posted on the City's website at www.vaughan.ca and a notice sign was installed on the Subject Lands in accordance with the City's Notice Signs Procedures and Protocols.

Vaughan Council on February 21, 2017, ratified the recommendation of the Committee of the Whole to receive the Public Hearing report of February 7, 2017, and to forward a comprehensive technical report to a future Committee of the Whole meeting. There

were no deputations or written submissions received by the Development Planning Department and at the Public Hearing.

Previous Reports/Authority

The following is a link to the public hearing report for these Applications:

[February 7, 2017, Committee of the Whole \(Public Hearing\) \(Item 2, Report No.7\)](#)

Analysis and Options

Zoning By-law Amendment and Site Development Applications have been submitted to permit the existing truck terminal with accessory outside storage on a permanent basis as outlined in the OMB Minutes of Settlement

The Owner has submitted the following applications (the 'Applications') as required by the OMB Minutes of Settlement to rezone the Subject Lands shown on Attachments 2 and 3 from "A Agricultural Zone" to "EM2 General Employment Area Zone" together with site-specific zoning exceptions to permit a truck terminal with the outside storage of transport trailers, containers, and a temporary office (the 'Development'):

1. Zoning By-law Amendment File Z.16.040 to rezone the Subject Lands from "A Agricultural Zone" to "EM2 General Employment Area Zone" as shown on Attachment 3 and to permit the site-specific zoning exceptions identified in Table 1 of this report to permit a truck terminal with accessory outside storage.
2. Site Development File DA.16.083 to permit a truck terminal with accessory outside storage and a temporary office in the manner shown on Attachments 3 to 5.

The Development is consistent with the Provincial Policy Statement 2020

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario shall be consistent with the Provincial Policy Statement 2020 (the 'PPS'). The PPS provides policy direction on matter of provincial interest related to land use planning and development. The PPS is applied province-wide and provides direction to support strong communities, a strong economy and a clean and healthy environment. The Development is consistent with policies 1.3.1, 1.3.2.1, 1.3.2.3, 1.3.2.6 of the PPS regarding promoting economic development, a range of employment uses and protecting employment uses in proximity to major goods movement facilities.

The PPS encourages major facilities and sensitive land uses to be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent

or mitigate adverse effects from odor, noise and other contaminants, minimize risk to public health and safety, and to ensure the long term viability of major facilities.

The Subject Lands are located within the WVEA Secondary Plan being a planned employment area within the city with access to transportation facilities. The WVEA Secondary Plan accommodates prestige development and land intensive industrial uses requiring larger lots and excellent transportation facilities.

The Subject Lands are in an area with other similar uses in proximity to the Canadian Pacific Intermodal Facility (the 'CP Facility'). The Subject Lands will also be appropriately buffered with landscaping and fencing to mitigate potential adverse effects such as noise and odor. In consideration of the above the Development is consistent with the policies of the PPS.

The Applications conform to the Places to Grow Act, the Growth Plan for the Greater Golden Horseshoe 2019

A Place to Grow: Growth Plan for the Greater Golden Horseshoe Growth Plan 2019 ('Growth Plan') is intended to guide decision making on a wide range of issues, including economic development, land-use planning, urban form and employment. The Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe including directions for where and how to grow; the provision of infrastructure to support growth and protect natural systems and cultivate a culture of conservation. Council's planning decisions are required by the *Planning Act* to conform, or not to conflict with the Growth Plan. The Development conforms with the employment policies of the Growth Plan by accommodating an employment use in a planned employment area, protecting for planned future infrastructure, and located in proximity to goods movement facilities.

The Growth Plan provides specific direction for the identification and protection of employment lands. The Subject Lands are located within the WVEA Secondary Plan, identified in York Region's Official Plan (Figure 2) as "strategic employment lands" protected for employment uses. The WVEA designates employment lands to accommodate prestige development and more significant land intensive industrial uses requiring larger lots and excellent transportation facilities.

The Subject Lands are in an area with similar uses and take advantage of their proximity to the CP Facility and nearby highways. The Development also conforms with the policy framework of the Growth Plan as it will utilize existing and planned infrastructure.

The Development conforms to the York Region Official Plan 2010 ("YROP")

The York Region Official Plan 2010 ('YROP') guides economic, environmental and community building decisions across York Region. The Subject Lands are designated "Urban Area" on Map 1, "Regional Structure" and identified as "Strategic Employment Lands" on Figure 2 of the YROP. The "Urban Area" designation permits a range of

residential, commercial, employment and institutional uses subject to additional policy criteria. Section 4.3 of the YROP states that York Region is committed to maintaining and enhancing the long-term viability of the employment lands. An objective of the YROP is to ensure the long-term supply and effective planning and design of employment lands as follows (in part):

- to recognize employment lands are strategic and vital to the regional economy and are major drivers of economic activity in the Region
- to require local municipalities to designate and protect employment lands in local municipal official plans
- to protect strategic employment lands, including lands identified in Figure 2, identified based on their proximity to existing or planned 400-series highways and shall be designated for employment uses in local official plans
- local municipalities give priority to the strategic employment lands identified on Figure 2 when considering additional employment land designations

The WVEA provides a policy structure to accommodate prestige development and more significant land intensive industrial uses that require larger lots and excellent transportation facilities, thereby recognizing and protecting this area for employment areas. The Development is consistent with the policy framework of the YROP.

The Development conforms to Vaughan Official Plan 2010

The Subject Lands are designated “General Employment” by VOP 2010, Volume 2 - Section 11.9 West Vaughan Employment Area Secondary Plan (‘WEAV’), as approved by the OMB.

The “General Employment” designation permits the truck terminal use and associated outside storage on the Subject Lands, however, Schedule 1: Transportation of the WVEA Secondary Plan, shows a north-south collector road along the east boundary of the Subject Lands. This has the potential to create a corner lot condition on the Subject Lands through the Block 66 Block Plan process and as a result VOP 2010 would not permit the accessory outside storage. At the Block Plan stage, the Subject Lands will be further reviewed to ensure outside storage on the property is appropriately screened and a proper office building is provided. Provisions to this effect will be included in the implementing zoning by-law and as required by the OMB Order Minutes of Settlement, a condition to this effect will also be included in the site plan agreement.

The Subject Lands are in proximity to other similar employment operations, the CP Facility, and within a planned employment area. Therefore, this proposal would not impact the surrounding properties. The Zoning By-law will restrict the maximum number of transport trailers and containers stored on the Subject Lands, prohibit the storage of hazardous material and implement standards for appropriate screening to Major Mackenzie Drive and the adjacent properties. In consideration of the above, the Development conforms to the policies of VOP 2010.

The Subject Lands must be rezoned, and site-specific zoning exceptions are required to permit the truck terminal and accessory outside storage on the Subject Lands

The Subject Lands are zoned “A Agricultural Zone”, subject to site-specific Exception 9(1331) by Zoning By-law 1-88, and permits the truck terminal use and outside storage of transport trucks, trailers and containers and an administration office on a temporary basis for a period of 3 years. The site-specific zoning exceptions require the outside storage area to be located internal to the lot with appropriate landscape buffering as shown on Attachments 3 and 4, and as approved by the OMB (By-law 289-2009). The temporary use By-law period expired on June 24, 2010.

The Owner is proposing to rezone the Subject Lands from “A Agricultural Zone” to “EM2 General Employment Area Zone” together with site-specific exceptions to Zoning By-law 1-88 identified in Table 1, in order to permit the truck terminal and outside storage on the Subject Lands on a permanent basis and consistent with the approved OMB Minutes of Settlement:

Table 1

	Zoning By-law 1-88 Standard	Zoning By-law 1-88, EM2 General Employment Area Zone Requirements	Proposed Exceptions to the EM2 General Employment Area Zone
a.	Accessory Outside Storage	<p>Outside storage of goods or materials is permitted only in accordance with the following:</p> <ul style="list-style-type: none"> i) Outside storage shall not exceed 30% of the lot area of the lot ii) Outside storage is not permitted on a lot unless there is an existing building with a gross floor area of at least 550 m² iii) Outside storage shall not be located in a front or exterior side yard or between a main building and a street line, and shall be no closer than 20m to a street line 	<p>Permit 38% of the lot for accessory outside storage in Areas ‘A’ and ‘B’ (Attachment 3) in accordance with the following:</p> <ul style="list-style-type: none"> i) Area ‘A’ - the outside storage of transport containers/trailers/chassis is permitted, and a maximum of 2 transport containers may be stacked not exceeding 5.2 m in height; a maximum of 152 containers shall be permitted Area ‘B’ - the outside storage of transport containers/trailers/chassis; no stacking of transport containers shall be permitted; outside storage

	Zoning By-law 1-88 Standard	Zoning By-law 1-88, EM2 General Employment Area Zone Requirements	Proposed Exceptions to the EM2 General Employment Area Zone
		<p>iv) The outside storage area shall be completely enclosed by a stone or masonry wall or chain link fence with appropriate landscaping screen and no enclosure shall be less than 2m in height</p> <p>v) If a lot has frontage of less than 45.5 m no part of any open storage shall be in the side yard;</p> <p>vi) No outside storage shall be permitted on any corner lot;</p> <p>vii) If a lot upon which outside storage is permitted abuts the boundary of a residential or open space zone, screening shall be consist of a solid fence a minimum 2.0m in height;</p> <p>vii) No outside storage other than the storage of machinery and equipment shall exceed 3 m in height; and,</p> <p>ix) The outside storage of any goods or materials which are obnoxious, visually or otherwise, including derelict or scrap machinery and worn-out appliances or equipment shall not be permitted.</p>	<p>in 'Area B' shall not exceed 4.1 m in height and a maximum of 85 containers shall be permitted</p> <p>The total maximum number of transport trailers to be stored at one time in Areas 'A' and 'B' combined shall not exceed 161</p> <p>ii) A permanent office, with a minimum area of 550m² will be constructed on the Subject Lands when servicing becomes available</p> <p>Until such time as servicing is available, a temporary office building is permitted and shall not require a foundation, footings or municipal water and sanitary servicing, and shall not exceed 4.5m in height</p> <p>iii) The entirety of the Subject Lands including the accessory outside storage shall be completely enclosed by a strip of land not less than 16 m in width used for no other purpose than an earthen berm, landscaping and fencing. The earthen berm and fence enclosure shall be no less than 5 m in height, comprised of a minimum 2.5 m high earthen berm</p>

	Zoning By-law 1-88 Standard	Zoning By-law 1-88, EM2 General Employment Area Zone Requirements	Proposed Exceptions to the EM2 General Employment Area Zone
			<p>and minimum 2.5 m high, acoustic, wood privacy and enhanced fencing. This shall not prevent the provision of access driveway to Major Mackenzie Drive. These provisions shall be maintained if the Subject Lands become a corner lot and future road widenings and sight triangles are required</p> <p>vii) The storage of hazardous goods or materials or obnoxious, visually or otherwise, including derelict or scrap motor vehicles or machinery and worn-out appliances or equipment shall not be permitted</p> <p>viii) The minimum setback from the TransCanada Pipelines Limited right-of-way for all buildings or structures, outside storage, machinery, equipment and excavations shall be 10 m. No outside storage, temporary building or structure, vehicles, machinery, fill or building material is permitted on the TransCanada Pipelines Limited right-of-way, unless approval is obtained from TransCanada Pipelines</p>

	Zoning By-law 1-88 Standard	Zoning By-law 1-88, EM2 General Employment Area Zone Requirements	Proposed Exceptions to the EM2 General Employment Area Zone
			<p>Limited</p> <p>ix) The minimum yard setbacks shall be as follows:</p> <ul style="list-style-type: none"> - Front Yard - Major Mackenzie Drive -23 m - Side and Rear Yards - 16 m - Residential Zone - 31m
b.	Maximum Driveway Width at the Property Line	7.5 m	25.4 m
c.	Minimum Lot Area	3.6 ha	The minimum lot area may be reduced, without an amendment to the By-law should the Subject Lands become a corner lot and additional road widenings are required, provided all other setback and landscape strip widths continue to be maintained

The Development Planning Department supports the proposed rezoning of the Subject Lands to “EM2 General Employment Area Zone” and the site-specific zoning exceptions identified in Table 1 for the following reasons:

- a) The proposed “EM2 General Employment Area Zone” and the accessory outside storage use as shown on Attachments 3 and 4 is consistent with Zoning By-law 289-2009, approved by the OMB. The rezoning is consistent with and implements the “General Employment “land use designation of VOP 2010, Volume 2 Section 11.9, WVEA Secondary Plan.
- b) The site-specific zoning exceptions will facilitate the approval of a site plan for the Subject Lands including specific outside storage, landscape areas and setback

provisions. The By-law and site plan agreement would provide a basis for monitoring and compliance and include development standards and provisions to ensure compatibility with the surrounding land uses.

- c) The 25.4 m wide driveway is typically required for such facilities that utilize large trucks and trailers needing appropriate turning radii, and similar driveway widths have previously been approved by the City for other developments.

The implementing zoning by-law will include a provision to permit the temporary office building until servicing becomes available to the Subject Lands, after which it will be replaced with a permanent building to the satisfaction of the City. A condition to this effect is included in the Recommendations and in Attachment 1, Conditions of Site Plan Approval.

The truck terminal use is compatible with the surrounding land uses

The surrounding area is comprised with compatible land uses with outside storage including the CP Facility. The lands immediately west of the Subject Lands shown on Attachment 2 is subject to active development applications for a similar use and temporary office (Files OP.19.008 and Z.19.021). The WVEA designates most the lands around the CP Facility as “General Employment” and permits similar compatible uses,

The Site Development Application is consistent with the OMB (Case No. PL070917) approval

The Site Development Application for the Development has been submitted in advance of the Block Plan and municipal servicing for this employment area. The site plan includes sufficient setbacks around the periphery of the Subject Lands for landscape buffering and identifies two areas (Areas ‘A’ and ‘B’) for accessory outside storage consistent with Schedule 1 attached to the OMB Order issued on September 12, 2008.

Proper signage and details as outlined within the OMB order regarding truck movement to and from the Subject Lands is required for Staff review. The Development Planning Department supports the approval of the Site Development Application as the use is permitted by the Official Plan, and together with the implementing Zoning By-law will permit enforcement of the accessory outside storage, thereby ensuring greater compatibility with surrounding uses.

Access

A 25.4 m wide driveway from Major Mackenzie Drive provides access to the Subject Lands including the outside storage areas, parking area and temporary office building. A fire route is shown on the site plan, however since municipal services are unavailable to the Subject Lands, the Owner must install signage on the property to ensure the fire route is maintained free and clear of any obstructions to the satisfaction of the Vaughan Fire and Rescue Service. A condition to this effect will be included in the Site Plan Agreement.

Landscape

The landscape plan shown on Attachment 4, includes a mix of vegetation including deciduous trees, shrubs, perennials and sodding around the periphery of the Subject Lands within a 16 m wide landscape strip and 2.5 m high earthen berm. There is an existing post and wire fence around the boundary of the Subject Lands.

The Owner proposes to provide fencing consistent with the OMB Minutes of Settlement and as shown on Attachment 4 including: a 2.5 m high wood privacy fence along the north and east lot lines; a 2.5 m high acoustic fence along the west lot line; and a 2.5 m high wood privacy fence with enhanced details and decorative lattice and plantings along the Major Mackenzie Drive frontage to screen the outside storage and enhance the streetscape. The landscape plan design is based on the Subject Lands being an internal lot, however as discussed in this report, should the Subject Lands become a corner lot in the future through the Block 66 Block Plan process, the Owner will be required to amend the approved site plan to ensure the appropriate buffering of the outside storage is maintained to the satisfaction of the Development Planning Department. The Development Planning Department shall approve the final landscape plan.

Proposed Temporary Office and Elevations

The proposed site plan includes a temporary office served by a small parking area as shown on Attachment 3. The building elevations shown on Attachment 5, reflect a temporary office building constructed with white wood cladding material and a grey wood skirting material at the base.

The proposed accessory office building is temporary since no municipal services for a permanent building are currently available. Once servicing becomes available the Owner will replace the temporary office with a permanent building. A clause will be included in the implementing Zoning by-law and provisions in the Site Plan agreement requiring the future permanent building.

The final site plan, building elevations, signage plans and landscape plan shall be approved to the satisfaction of the Development Planning Department.

TransCanada Pipelines Limited, Bell Canada, Alectra Utilities Corporation and Enbridge Distribution Inc. have no objection to the proposed Development

TransCanada Pipelines Limited, Bell Canada, and Alectra Utilities Corporation and Enbridge Distribution Inc. have advised that they have no objection to the Applications, subject to the conditions set out in Attachment 1 Conditions of Site Plan Approval.

Cash-in-lieu of the dedication of Parkland is required unless the Council policy waving such payment remains in effect for employment land

The Infrastructure Development Department, Real Estate Services has advised the Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the Subject Lands, in accordance with Section 51 of the *Planning Act* and City of Vaughan Policy. The Owner shall submit an appraisal of the Subject Lands prepared by an accredited appraiser for approval by the Infrastructure Development Department, Real Estate Services, and the approved appraisal shall form the basis of the cash-in-lieu payment.

The cash-in-lieu payment in accordance with Section 42 of the *Planning Act* will not be required as long as the Council Policy waiving such payment remains in effect for industrial land. A condition has been included in Attachment 1 Conditions of Site Plan Approval.

The Development Engineering Department has no objection to the Development subject to the Recommendations of this report

The Development Engineering ('DE') Department has no objection to the Development subject to the Recommendations of this report.

The DE Department, Environmental Division has reviewed the reliance letter and is satisfied with the environmental documents submitted to date and have no objections with a technical report for this Development proceeding to Committee of the Whole.

Financial Impact

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

Broader Regional Impacts/Considerations

The Region of York has reviewed the proposed Development and have no objection subject to the Owner satisfying all the condition outlined in the April 9, 2020, Approval Letter of Acknowledgement executed by the Owner to the satisfaction of the Region of York. A Condition to this effect is included in Attachment 1.

Conclusion

The Development Planning Department has reviewed Zoning By-law Amendment and Site Development Files Z.16.064 and DA.16.083 in consideration of the Provincial policies, Regional and City Official Plan policies, the requirements of Zoning By-law 1-88, the OMB decision relating to the Subject Lands and the surrounding area context.

The Development Planning Department is satisfied the Applications to permit the truck terminal with accessory outside storage and a temporary accessory office, as shown on Attachments 3 to 5 is consistent with the policies of the PPS, conforms to the Growth

Plan, the York Region and City of Vaughan Official Plans and implements the OMB decision. The Development is compatible with the existing and planned uses in the surrounding area and conforms with the OMB decision for the Subject Lands. Accordingly, the Development Planning Department supports the approval of the Applications, subject to the conditions included in the Recommendations of this report.

For more information, please contact: Eugene Fera, Senior Planner, Extension 8003

Attachments

1. Conditions of Site Plan Approval
2. Location Map
3. Site Plan and Proposed Zoning
4. Landscape Plan
5. Elevations - Temporary Accessory Office Building

Prepared by

Eugene Fera, Senior Planner, extension 8003

Carmela Marelli, Senior Manager of Development Planning, extension 8791

Mauro Peverini, Director of Development Planning 8407

/FA

Attachment 1 – Conditions of Site Plan Approval

Site Development File DA.16.083 (3942198 Canada Inc. c/o Amardeep Deol)

- 1) THAT prior to the execution of the Site Plan Agreement:
 - a) The Development Planning Department shall approve the final site plan, landscape plan and cost estimate, building elevations, signage details and lighting plan;
 - b) The Development Engineering Department shall approve if required, the final Stormwater Management Brief, Noise Impact Study, grading, site servicing and erosion sediment control plans; and
 - c) The Owner shall satisfy all York Region conditions of approval as outlined in the Region of York's April 9, 2020, Approval Letter of Acknowledgement.
- 2) THAT the Site Plan Agreement shall include the following conditions, to the satisfaction of the City:

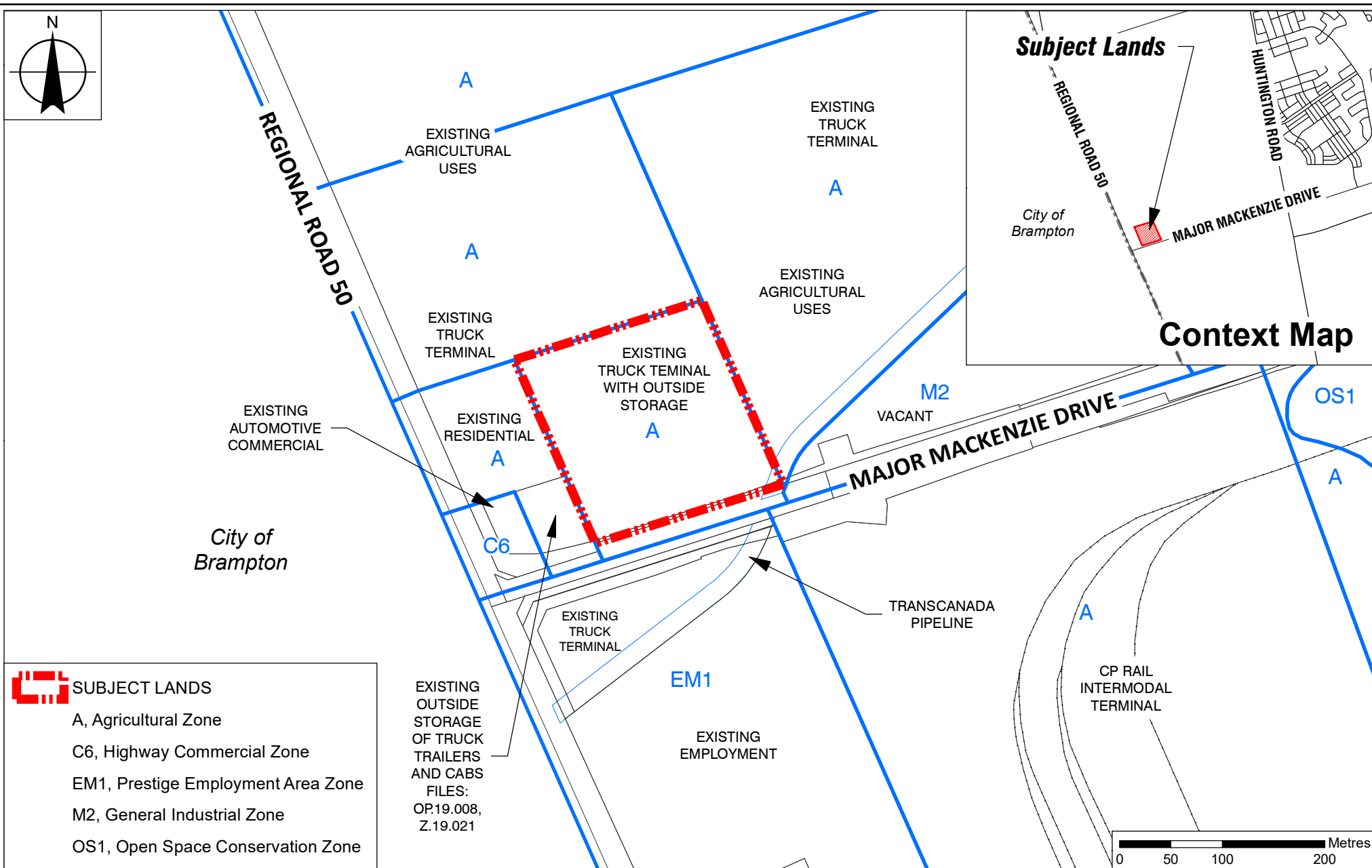
Conditions

- a) The Owner shall confirm fire-fighting arrangements have been made to the approval of the Vaughan Fire and Rescue Services Department.
- b) The Owner must pay 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.
- c) The Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands in accordance with Section 51 of the *Planning Act* and the City's cash-in-lieu Policy. The Owner shall submit an appraisal of the Subject Lands prepared by an accredited appraiser for approval by the Real Estate Services, and the approved appraisal shall form the basis of the cash-in-lieu payment".

The cash-in-lieu payment in accordance with Section 42 of the *Planning Act* will not be required as long as the Council Policy waiving such payment remains in effect for industrial land.

- d) The Owner shall obtain final Clearance from Alectra Utilities Corporation, Bell Canada and from Enbridge Distribution Inc.

- e) The Owner shall enter into a future agreement to amend the approved Site Plan Agreement, to the satisfaction of the City, if the Subject Lands becomes a corner lot through the Block 66 Plan approval process, to ensure appropriate landscaping and buffering continues to be maintained around the outside storage area on the Subject Lands at the sole risk and expense of the owner.
- f) The Owner shall enter into a future agreement, to the satisfaction of the City, if the Subject Lands become a corner lot through the Block 66 Plan approval process, to convey land free and unencumbered to the City to facilitate a north/south road and sight triangle.
- g) The Owner agrees the temporary office building proposed for the Subject Lands under this approved Site Plan Agreement is temporary and shall be replaced with a new permanent building, when servicing for the Subject Lands becomes available. The Owner shall enter into a future agreement to amend the approved Site Plan Agreement, to the satisfaction of the City, to include drawings, plans and appropriate conditions with respect to the new permanent building.
- h) The Owner agrees to implement all the requirements of the Ontario Municipal Board Order Minutes of Settlement. A copy of the approved Site Development Agreement will be provided to the Ontario Municipal Board.



Context and Location Map

LOCATION:
Part of Lot 21, Concession 10

APPLICANT:
3942198 Canada Inc. c/o Amardeep Deol

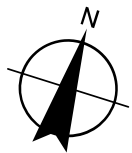


Attachment

FILES:
Z.16.040 and DA.16.083

DATE:
May 20, 2020

2



REGIONAL ROAD 50



SUBJECT LANDS

20 m TO CENTRELINE
REQUIRED

MAJOR MACKENZIE DRIVE

Not to Scale

Site Plan and Proposed Zoning

LOCATION:
Part of Lot 21, Concession 10

APPLICANT:
3942198 Canada Inc. c/o Amardeep Deol

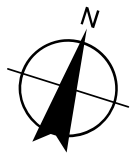


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Z.16.040 and DA.16.083

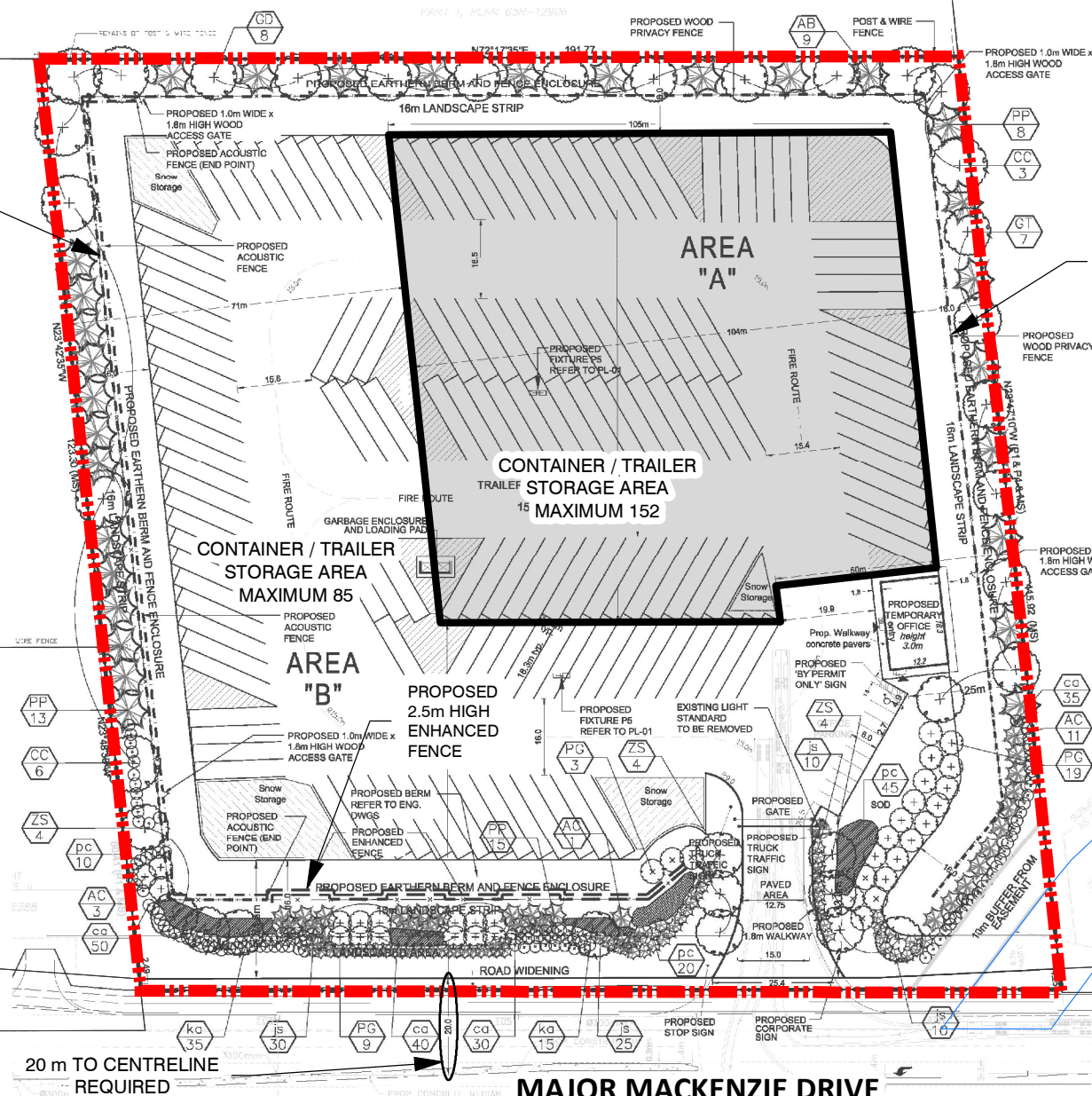
DATE:
May 20, 2020

3




REGIONAL ROAD 50

PROPOSED 2.5m HIGH ACOUSTIC FENCE



PROPOSED 2.5m HIGH WOOD PRIVACY FENCE

PROPOSED 1.0m WIDE x 1.8m HIGH WOOD ACCESS GATE

 SUBJECT LANDS

Landscape Plan

LOCATION:
Part of Lot 21, Concession 10

APPLICANT:
3942198 Canada Inc. c/o Amardeep Deol

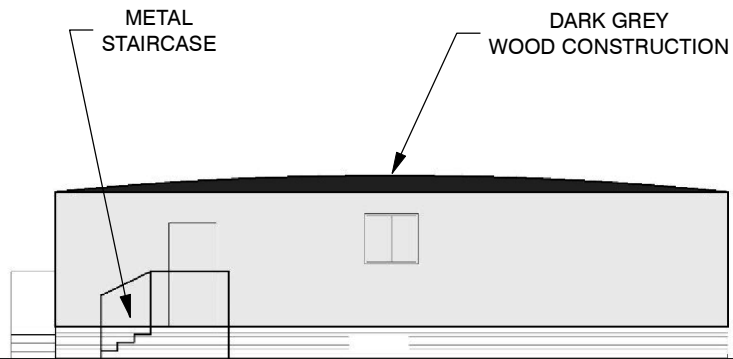


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FILES:
Z.16.040 and DA.16.083

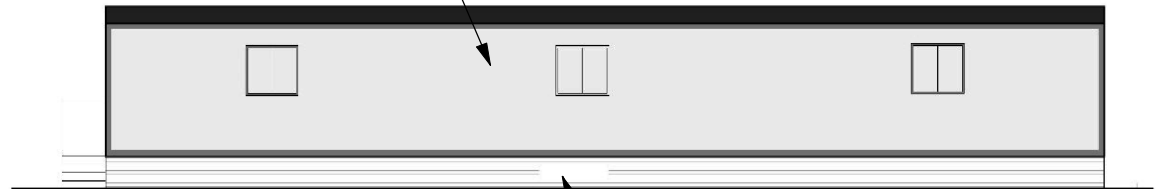
DATE:
May 20, 2020

4



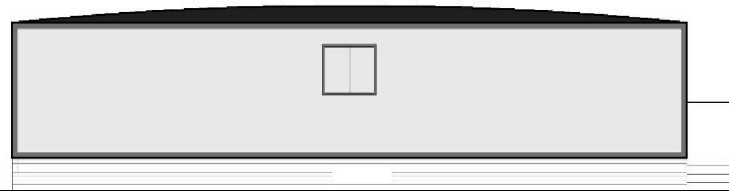
SOUTH ELEVATION
(FACING MAJOR MACKENZIE DRIVE)

WHITE
WOOD CONSTRUCTION



EAST ELEVATION

SKIRTING
(GREY WOOD CONSTRUCTION)



NORTH ELEVATION



WEST ELEVATION

METAL
STAIRCASE

Not to Scale

Temporary Accessory Office Building Elevations

LOCATION:
Part of Lot 21, Concession 10

APPLICANT:
3942198 Canada Inc. c/o Amardeep Deol



Attachment

FILES:
Z.16.040 and DA.16.083

DATE:
May 20, 2020

5