

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 26, 2017

Item 6, Report No. 31, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 26, 2017.

6

SITE DEVELOPMENT FILE DA.17.027

2523360 ONTARIO INC.

WARD 2 - VICINITY OF LANGSTAFF ROAD AND HUNTINGTON ROAD

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning & Growth Management, Director of Development Planning, and Senior Manager of Development Planning, dated September 19, 2017, be approved; and**
- 2) That the coloured elevations submitted by the applicant be received.**

Recommendation

The Deputy City Manager, Planning & Growth Management, Director of Development Planning, and Senior Manager of Development Planning recommend:

1. THAT Site Development File DA.17.027 (2523360 ONTARIO INC.) BE APPROVED, to permit the development of an automobile gas bar (Esso) that includes vehicle and truck fueling stations, a convenience retail store, a drive-through eating establishment (Tim Horton's) and a car wash, as shown on Attachments #3 to #7, subject to the following conditions:
 - a) that prior to the execution of a Site Plan Letter of Undertaking:
 - i) Draft Plan of Subdivision File 19T-06V01 (Squire Ridge Investments Ltd.) shall be registered;
 - ii) the Development Planning Department shall approve the final site plan, building elevations, signage (including the digital billboard), landscape plan, lighting plan, and gateway entry feature;
 - iii) the Development Engineering and Infrastructure Planning (DEIP) Department shall approve the final design of the Huntington Road driveway accesses, the final functional site servicing and grading plan, stormwater management report, and traffic impact study;
 - iv) the Owner shall convey to the City, free of all costs and encumbrances, a 0.3 m reserve along Huntington Road extending fifteen (15) metres south from the Langstaff Road and Huntington Road daylight triangle, to the satisfaction of the Development Engineering and Infrastructure Planning Department;
 - v) the Owner shall satisfy all requirements of York Region;
 - vi) the Owner shall satisfy all requirements of the Environmental Services Department (Solid Waste Management) Division;
 - vii) the Owner shall satisfy all requirements of the Development Planning Department regarding archaeological clearance; and

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 26, 2017

Item 6, CW Report No. 31 – Page 2

- viii) the Owner shall successfully obtain approval of a Minor Variance application for the required site-specific exceptions to Zoning By-law 1-88, as identified in Table 1 of this report, from the Vaughan Committee of Adjustment. The Committee's decision shall be final and binding and the Owner shall satisfy any conditions of approval imposed by the Committee.
- b) that the Site Plan Letter of Undertaking include the following provision:
 - i) The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, in accordance with Section 51 of the *Planning Act* and City of Vaughan Policy, prior to the issuance of a Building Permit. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment.

Contribution to Sustainability

The application implements the following Goal and Objective of Green Directions Vaughan:

Goal 4: To create a vibrant community where citizens, businesses and visitors thrive

- Objective 4.2: Ensure that the City of Vaughan attracts businesses and investment that will result in well-paying jobs for Vaughan citizens, a sustainable tax base and continuing prosperity into the 21st century

In accordance with the goal and objective identified above, the Owner has advised that the following, but not limited to, sustainable site and building features will be included in the proposed development:

- 6 bicycle rings
- A pedestrian connection to a municipal sidewalk to Huntington Road
- Removal of suspended solids from all runoff (stormwater management)
- Exterior lighting fixtures at less than 1,000 lumens to prevent night sky lighting
- Reduced light pollution (i.e. LED lighting)
- Drought resistant landscaping (i.e. low water consumption plant material, no irrigation systems)

Economic Impact

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

Purpose

To seek approval from the Committee of the Whole for Site Development File DA.17.027 (2523360 Ontario Inc.) as shown on Attachments #3 to #7, to permit the construction of an automobile gas bar (Esso) including:

- a 250 m² retail building containing a 190 m² convenience retail store and a 60 m² drive-through eating establishment (Tim Horton's) accessed by a single vehicle stacking lane
- 5 gas bar islands with 10 gas pumps and service lanes, and 8 diesel (truck stall) fueling stations

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 26, 2017

Item 6, CW Report No. 31 – Page 3

- a 111 m² car wash with an 8 vehicle stacking lane
- a 30.86 m² waste enclosure attached to the main retail building

Background - Analysis and Options

Synopsis:

The Owner proposes to construct an automobile gas bar (Esso) that includes a retail building, drive-through eating establishment, a car wash, and vehicle and truck fueling stations on the subject lands. The Development Planning Department supports the proposed development as it conforms to the Official Plan, the proposed uses comply with Zoning By-law 1-88, and the proposal is compatible and appropriate with the surrounding land uses.

Location

The subject lands are located at the southeast corner of Langstaff Road and Huntington Road, as shown on Attachments #1 and #2. The surrounding land uses are shown on Attachment #2.

The subject lands are located within Draft Plan of Subdivision File 19T-06V01 (Squire Ridge Investments Ltd.), as shown on Attachment #2, which was approved by Vaughan Council on September 9, 2014. The Owner has advised that other lands within their ownership (located between the north limit of Draft Plan of Subdivision File 19T-06V01 - Squire Ridge Investments Ltd. and Langstaff Road) will be consolidated into the Squire Ridge Investments Ltd. Draft Plan of Subdivision prior to registration to reflect the new lotting fabric, which includes the northerly portion of the subject lands.

Official Plan

The subject lands are designated “Prestige Employment” and identified as a Service Node within Section 12.12, Huntington Business Park, Volume 2 of Vaughan Official Plan 2010 (VOP 2010). The “Prestige Employment” designation permits “Gas Stations” subject to the design and development criteria of Sections 5.2.3.12 and 9.2.3.9 of VOP 2010 (Volume 1). Outside storage is not permitted within the “Prestige Employment” designation.

The proposed site plan shown on Attachment #3 includes 20 temporary truck parking spaces. The Owner has indicated that these parking spaces will not be used for the outside storage of trucks. The Owner has submitted written confirmation indicating that truck parking will only be permitted for a 2-hour maximum period, and that no overnight parking will be permitted. The proposed site plan, as shown on Attachment #3, also includes temporary parking signage.

Section 5.2.3.12 of VOP 2010 permits accessory and ancillary services including convenience, retail and food services with or without drive-through facilities, and automated car washes, in addition to the self-serve vehicle fuel sales.

Section 9.2.3.9 a) through f) of VOP 2010 identifies the development criteria that are applicable to Gas Stations. The criteria includes permissions for car wash, drive-through facilities, automobile repair and service facilities only within an Employment Area; extensive landscaping and buffering along the public street frontages; retail buildings exceeding 100 m² be sited in appropriate locations with attractive streetscaping; proper siting of the car wash and drive-through facilities (setbacks, landscaping, fencing, lighting, and noise mitigation); and the proper building setbacks and screening of surface parking.

The proposed automobile gas bar conforms to the policies of VOP 2010 for the reasons that are outlined below:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 26, 2017

Item 6, CW Report No. 31 – Page 4

- The proposed convenience retail, drive-through eating establishment, and car wash are permitted as accessory uses to a gas station.
- The proposed retail building is sited in a location that is highly visible from Huntington Road and Langstaff Road, and a 6 m landscape strip abutting Huntington Road and Langstaff Road is provided to screen the surface parking areas.
- The proposed drive-through facility location complies with the setback requirements of Zoning By-law 1-88, save and except for a variance to Zoning By-law 1-88 that is required to reduce the side yard setback for the car wash. The car wash is located within the side yard and will be partially screened by landscaping. The drive-through policies of VOP 2010 are not applicable if a drive-through is developed as part of a gas station.

Block 57/58 West Land Use Plan (Huntington Business Park)

The subject lands are located within the approved Block 57/58 West Land Use Plan, which identifies the subject lands as a “Prestige Area”. The Block Plan was approved by Vaughan Council on February 27, 2006, and was later revised and approved by Vaughan Council on June 25, 2013. The proposal conforms to the Block Plan.

Zoning

The subject lands are split zoned C7 Service Commercial Zone and EM3 Retail Warehouse Employment Area Zone, as shown on Attachment #2, and subject to site-specific Exception 9(1294) by Zoning By-law 1-88. The Building Standards Department, Zoning Plans and Examination Services, has advised that as the principal retail building is located entirely within the C7 Service Commercial Zone, the zoning regulations on the lands which the main building is located apply. The proposed service commercial uses including the automobile service station, automobile gas bar, and car wash are therefore permitted within the C7 Service Commercial Zone. Outdoor storage is not permitted in the C7 Service Commercial Zone.

The proposed truck parking stalls will be located entirely within the limit of the EM3 Retail Warehouse Employment Area Zone. As the buildings containing the principal and accessory uses are located on the portion of the subject lands that is zoned C7 Service Commercial Zone, the proposed truck stall spaces are permitted pursuant to Section 3.8, Parking Provisions of Zoning By-law 1-88.

The following variances to Zoning By-law 1-88, specifically to the C7 Service Commercial Zone only, are required to permit the development:

Table 1

	Zoning By-law 1-88 Standard	C7 Service Commercial Zone Requirements	Proposed Variances to the C7 Service Commercial Zone Requirements
a.	Pump Island Location (Truck Pump Island only)	A pump island shall only be allowed in the front and side yards.	Permit a pump island (truck fueling) in the rear yard.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 26, 2017

Item 6, CW Report No. 31 – Page 5

b.	Minimum Interior (East) Side Yard Setback (Car Wash only)	6 m	2 m
c.	Maximum Driveway Width (Langstaff Road)	7.5 m	12 m
d.	Maximum Driveway Width (Huntington Road)	9 m	12 m

The subject lands are a corner lot with the yard abutting Langstaff Road deemed to be the front yard and the yard abutting the south lot line the rear yard. The definitions within Zoning By-law 1-88 do not contemplate having vehicle and truck fueling stations on the same site. The proposed diesel truck fuel pumps are sited in an appropriate location on the subject lands based on the site layout and intended functions. The proper movement of vehicular traffic, internal and external to the site, and from the access driveways from Huntington Road and Langstaff Road will not be impacted by the location of the truck pump island.

A variance is required to reduce the minimum interior side yard for the car wash building. The stacking and vehicle exit route for the car wash are designed to allow for the proper vehicular movement through to the car wash and will not adversely impact the abutting lands to the east. A landscape treatment along the easterly yard of the car wash, as shown on Attachment #6, is proposed to provide partial screening and mitigate any visual impact.

The requested variances for increased driveway widths on Langstaff Road and Huntington Road are required to facilitate the proper movement of vehicular traffic, internal and external to the site. The Transportation Division of the Development Engineering and Infrastructure Planning (DEIP) Department and York Region have no objection to the increased driveway widths.

The Development Planning Department has no objection to the requested variances. The Owner will be required to successfully obtain approval of a Minor Variance application for the above-noted site-specific zoning exceptions from the Vaughan Committee of Adjustment and the Committee's decision must be final and binding. The Owner shall satisfy any conditions imposed by the Committee prior to the execution of the implementing Site Plan Letter of Undertaking, should the Site Development application be approved. A condition to this effect is included in the recommendation of this report.

Site Plan Review / Block 57/58 Urban Design Guidelines

The development proposal includes a retail building, two gas pump canopies with 5 vehicle gas bar islands, 10 gas pumps and service lanes, and 8 diesel fuel stations for transport trucks as shown on Attachment #3. A total of 9 parking spaces, including one barrier-free Type A parking space is proposed for the development. The proposal includes 20 transport truck parking stalls, which are intended to be used for temporary parking for trucks that are waiting to access the truck fueling stations shown on Attachment #3. Proposed signage will identify that only temporary truck parking is permitted for these spaces.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 26, 2017

Item 6, CW Report No. 31 – Page 6

York Region, Development Planning and DEIP Department staff have approved in principle, the proposed driveway locations on Langstaff Road and Huntington Road. The final driveway access designs are subject to review and approval by York Region and the DEIP Department.

The proposed development is subject to the Block 57/58 Urban Design Guidelines within the Employment Area. The subject lands are located within a “Prestige Area” and identified as a “Gateway: Business Park”. An enhanced gateway entry feature wall, as shown on Attachment #7 is proposed in accordance with the urban design guidelines. The proposed enhanced feature will define the street edge and will act as a visual landmark.

In consultation with the Urban Design and Cultural Heritage Division of the Development Planning Department, the Owner has provided additional enhancements to the landscape design to create a character for the gateway entry. A minimum 1.5 m wide landscape strip along the side lot line and a minimum 2.5 m wide landscape strip with plantings have been proposed to partially screen the abutting properties. Enhanced tree plantings are proposed within the landscape strips abutting Huntington Road to provide partial screening of the truck parking spaces, as shown on Attachment #6.

The proposed building elevations for the retail building and car wash consist of materials including brick, pre-cast concrete, stone cladding base, aluminum siding, fibre-glass asphalt shingles, pre-finished aluminum fascia cladding, and glazing as shown on Attachment #4. Illuminated signage is proposed for the car wash and drive-through facility shown in Attachments #4. The Owner is proposing stone cladding bases beneath the pylon signage, retail building, and car wash to enhance their design and compliment the gateway feature. Exterior light fixtures affixed to the building facades and yard lights are also proposed to provide lighting for safety reasons. The proposed gas bar canopy elevation, site signage (including pylon signs) are shown on Attachment #5. The site plan indicates that the digital billboard is proposed to the adjacent pylon sign on Langstaff Road. The Owner will be required to provide the design details related to the billboard sign, which must be reviewed and approved by the Development Planning Department.

The development proposal includes a 6 m wide enhanced landscape strip (including coniferous, deciduous, perennial, shrub, tree plantings) and municipal sidewalks along the Huntington Road and Langstaff Road, as shown on Attachment #6. Landscape plantings are also incorporated within the curbed islands and along the rear and interior property lines. A 2 m wide painted pedestrian walkway is proposed to connect the retail building to the proposed sidewalk on Huntington Road. Other site features include a bench, 6 bicycle rings, and litter receptacles.

The final site plan, building elevations, lighting plan, signage (including the digital billboard), landscape plan, as shown on Attachments #3 to #7, must be approved by the Development Planning Department. A condition to this effect is included in the recommendation of this report.

Development Planning Department, Urban Design and Cultural Heritage Division

The subject lands are located within an area of high archaeological potential in the City's database of archaeological resources. The northerly portion of the subject lands are located outside the approved Draft Plan of Subdivision and within the old Langstaff Road right-of-way, which have not received archaeological clearance. The Owner must submit documentation for archaeological clearance, which shall be reviewed and approved to the satisfaction of the Urban Design and Cultural Heritage Division of the Development Planning Department, prior to the execution of the Site Plan Letter of Undertaking. A condition to this effect is included in the recommendation of this report.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 26, 2017

Item 6, CW Report No. 31 – Page 7

Development Engineering and Infrastructure Planning (DEIP) Department

The DEIP Department has no objection to the proposal in principle. The Owner is required to submit an updated Traffic Impact Study, site-servicing and grading plans, which must be reviewed and approved to the satisfaction of the DEIP Department. The Owner is also required to obtain all necessary approvals from York Region, specifically regarding the road reconstruction along Langstaff Road - Regional 72. Prior to final approval, the Owner shall convey to the City, free of all costs and encumbrances, a 0.3 m reserve along Huntington Road extending 15 m south from the Langstaff Road and Huntington Road daylight triangle. The Owner is also required to submit an updated M-Plan for Draft Plan of Subdivision File 19T-06V01 (Squire Ridge Investments Ltd.). The Owner has agreed to transfer the requested 0.3 m reserve via an R-Plan, and update the M-Plan. A condition to this effect is included in the recommendation of this report.

The Transportation Division of the DEIP Department has conducted a preliminary review and has no objection to the two proposed driveway accesses from Huntington Road. The final design and location of the proposed driveways must be approved by the DEIP Department. A condition to this effect is included in the recommendation of this report.

Environmental Services (Solid Waste Management) Department

Garbage and recyclables will be fully enclosed within the main building, as shown on Attachment #4. Front end bins will be rolled outside to a staging area in front of the overhead doors for garbage pick-up. The Owner has submitted a Waste Collection Design Standards Submission form which is being reviewed by the City. The Owner must satisfy all requirements of the Environmental Services Department (Solid Waste Management Division). A condition to this effect is included in the recommendation of this report.

Office of the City Solicitor, Real Estate Department

The Office of the City Solicitor, Real Estate Department advises that cash-in-lieu of parkland dedication will not be required as it has been provided through the Subdivision Agreement.

Parks Development Department

The Parks Development Department has no objection to the proposal. The Owner shall ensure that a municipal walkway is constructed to provide a continuous trail network in this area. Municipal sidewalks are proposed on Huntington Road and Langstaff Road, as shown on Attachment #3.

Financial Planning and Development Finance Department

The Financial Planning and Development Finance Department has advised that the City of Vaughan, York Region, and both Boards of Education Development Charges are applicable. A standard clause will be included in the Site Plan Letter of Undertaking to this effect.

Relationship to Term of Council Service Excellence Strategy Map (2014-2018)

This report supports the following priorities set forth in the Term of Council Service Excellence Strategy Map (2014-2018):

- Attract investment and create jobs
- Continue to cultivate and environmentally sustainable City

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 26, 2017

Item 6, CW Report No. 31 – Page 8

Regional Implications

Huntington Road is a major collector road under the jurisdiction of the City and Langstaff Road is a Regional Road. One right-in/right-out access driveways is proposed on Langstaff Road, which will require York Region approval. York Region is supportive of the layout and site organization, as proposed. The Owner has submitted a Traffic Impact Study and related plans, which must be approved to the satisfaction of the York Region Community Planning and Development Services Department. A condition to this effect is included in the recommendation of this report.

Conclusion

The Development Planning Department has reviewed Site Development File DA.17.027 in consideration of the policies of VOP 2010, Zoning By-law 1-88, comments from City Departments and external public agencies, and the area context. The Development Planning Department is satisfied that the proposed development for an automobile gas bar, convenience retail store, drive-through eating establishment, and car wash is appropriate and compatible with the existing and permitted uses in the surrounding area. The Development Planning Department can support the approval of Site Development File DA.17.027, subject to the recommendations in this report.

Attachments

1. Context Location Map
2. Location Map
3. Proposed Site Plan
4. Proposed Convenience Store, Car Wash and Garbage Enclosure Elevations
5. Proposed Gas Bar Canopy and Pylon Sign Elevations
6. Proposed Landscape Plan
7. Gateway Entry Feature

Report prepared by:

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(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)