

COMMITTEE OF THE WHOLE MARCH 5, 2007

SITE DEVELOPMENT FILE DA.06.079
YORK MAJOR HOLDINGS INC. (LOWE'S COMPANIES CANADA, ULC)

Recommendation

The Commissioner of Planning recommends:

THAT Site Development File DA.06.079 (York Major Holdings Inc. [Lowe's Companies Canada, ULC]) BE APPROVED, subject to the following conditions:

1. That prior to the execution of the site plan agreement:
 - a) the final site plan, elevation plan, and landscape plan, including a detailed landscape cost estimate and fencing, shall be approved by the Development Planning Department;
 - b) the final grading and servicing plans, stormwater management report, transportation report, access, on-site vehicular circulation and Phase 1 Environmental Site Assessment report shall be approved by the Engineering Department, and a Record of Site Condition shall be registered with the Environmental Site Registry;
 - c) the hydro requirements of PowerStream Inc. shall be satisfied;
 - d) the requirements of the Fire Department shall be satisfied;
 - e) the requirements of the Region of York Transportation and Works Department shall be satisfied;
 - f) the requirements of the Toronto and Region Conservation Authority shall be satisfied;
 - g) the required amendments to the Keele Valley Certificate of Approval No. A230610 shall be approved by the Ministry of the Environment, including but not limited to, the removal of the subject lands from the Secondary Buffer Area of the Keele Valley Landfill Area, and/or to permit the proposed uses and buildings/structures; and the surrendered Aggregate Resources Act License 6513 shall be approved by the Ministry of Natural Resources;
 - h) the "H" Holding Symbol on the subject lands shall be removed in accordance with the requirements of OPA #332, as amended;
 - i) the required variances to implement the approved site plan through Minor Variance Application A061/07 shall be final and binding for the subject lands; and
 - j) all of Plan of Subdivision 19T-05V05(S) or the phase which includes the subject lands in Plan of Subdivision 19T-05V05(S), shall be registered; or a development servicing agreement shall be executed and registered for the subject lands to address servicing requirements.
2. That the site plan agreement contain the following clauses:
 - a) the Owner shall develop the lands in accordance with the applicable Notice, and its supporting documentation, terms, and conditions of approval for the

amendment to Keele Valley Certificate of Approval No. A230610, dated May 26, 1983, as amended, to permit a retail warehouse building specifically a home improvement store with a garden centre, and associated infrastructure within the southern Secondary Buffer Zone of the Keele Valley Landfill Site as approved by the Ministry of the Environment; and

- b) the Owner shall include the following warning clause in all offers of purchase and sale or lease, including any agreements with tenants, licencees, and other occupants for the lands, during the cessation of the Keele Valley Landfill Site:

"Purchasers, tenants, licencees, and other occupants are advised that the property is located within the Secondary Buffer Lands of the Keele Valley Landfill Site. The purchasers, tenants, licencees, and other occupants are aware that the Landfill, including any on-going associated monitoring and maintenance activities, may create noise, odours, dust, and/or visual impacts, which may, from time-to-time or under certain atmospheric conditions, create a nuisance."

Economic Impact

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

Communications Plan

N/A

Purpose

The Owner has submitted a Site Development Application on the subject lands shown on Attachment #1 to permit a retail warehouse building, specifically a home improvement store with a garden centre (Lowe's) and the following site statistics:

- Site Area = 5.84 ha
- Retail/Warehouse Building = 13,179.9 m²
- Garden Centre Area = 2896.6 m²

- Parking Provided = 815 spaces (including 12 barrier free spaces)

- Loading Spaces Provided = 4 spaces

Background - Analysis and Options

The subject lands shown on Attachment #1 are located north of Major Mackenzie Drive and west of McNaughton Road East, in Part of Lots 21 and 22, Concession 3, City of Vaughan. The site is a former aggregate pit and is vacant.

The subject lands are designated "Prestige Industrial - Part L", "Waste Disposal Assessment Area" and "Oak Ridges Moraine Settlement Area" by OPA #332, as amended by OPA #535 and OPA #604 as shown on Attachment #2, and are within the Secondary Buffer Area of the closed Keele Valley Landfill Site. The subject lands are zoned M1(H) Restricted Industrial Zone - Area "B" with the Holding Symbol (H) by By-law 1-88, subject to Exception 9(1097), as amended by By-law 329-2006 as shown on Attachment #1.

The surrounding land uses are:

- North - McNaughton Road East; vacant, proposed industrial/commercial land in Plan of Subdivision 19T-05V05(N) (OS2(H) Open Space Park Zone with the Holding Symbol "H")
- South - vacant, proposed industrial/commercial land in Plan of Subdivision 19T-05V05(S) (M1(H) Restricted Industrial Zone with the Holding Symbol "H")
- West - vacant, proposed industrial land in Plan of Subdivision 19T-05V05(S) (M1(H) Restricted Industrial Zone with the Holding Symbol "H")
- East - McNaughton Road East; golf course (OS2 Open Space Park Zone); closed Keele Valley Landfill (OS1 Open Space Conservation Zone)

Background - Public Hearing/Committee of the Whole/OMB Appeal

The subject lands are part of Files Z.03.071(S) and 19T-05V05(S) (York Major Holdings Inc./York Circle Holdings Inc.) as shown on Attachment #1, which were considered at a Public Hearing on April 18, 2006. The recommendation of the Committee of the Whole to receive the Public Hearing report on April 18, 2006, and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Council on April 24, 2006. The Public Hearing report considered two separate proposals by the Owners (York Major Holdings Inc. and York Circle Holdings Inc.), one being the "South Proposal" under Zoning By-law Amendment File Z.03.071(S) and Plan of Subdivision File 19T-05V05(S), and the other being the "North Proposal" under Official Plan Amendment File OP.03.023(N), Zoning By-law Amendment File Z.03.071(N) and Plan of Subdivision File 19T-05V05(N) as shown on Attachment #1.

The subject lands are located within the South Proposal, specifically Block 4 in Plan of Subdivision 19T-05V05(S). A Report from the Commissioner of Planning was considered and adopted at the Committee of the Whole meeting held on June 19, 2006, recommending approval of Files Z.03.071(S) and 19T-05V05(S). On June 28, 2006, Council ratified the Committee of the Whole's motion to approve File Z.03.071(S) for retail warehousing, automobile service station/gas bar with a car wash, and a retail store including an accessory pharmacy use within the retail store, with the retail store having a minimum gross floor area of 14,000 m², as additional permitted uses in the M1 Restricted Industrial Zone - Area "B" for Blocks 4 and 7, and to approve File 19T-05V05(S) to facilitate an industrial and commercial plan of subdivision on 27.729 ha of land. The Maxim Group Building Restoration Inc. of 23 Station Street, and David and Judith Frattaroli of 33 Station Street appealed the implementing Zoning By-law 329-2006 for File Z.03.071(S) to the Ontario Municipal Board (OMB) stating that the proposal is detrimental to the development and value of their properties.

The subject land, form part of the lands subject to By-law 329-2006, which has been appealed. The subject lands were zoned M1(H) Restricted Industrial Zone - Area "B" with the Holding Symbol (H) by By-law 427-2000 and did not require By-law 329-2006 to implement the retail warehouse proposal with respect to the permitted land uses and applicable development standards. The Site Development application for the subject lands as well as Plan of Subdivision 19T-05V05(S) can each proceed to registration when all of the issues respecting the Keele Valley Landfill site are addressed, notwithstanding the appeal to By-law 329-2006.

Official Plan

On July 10, 2000, Council approved OPA #535 (Maple Valley Plan), which established the land use policies for closing and rehabilitating the Keele Valley Landfill site, Primary and Secondary Buffer lands, old Vaughan Landfill site, and Avondale Composting site. The objectives of the Maple Valley Plan were to integrate the Keele Valley Landfill site and surrounding lands into the Maple Community to allow commercial and prestige industrial uses, and to establish a park/open space system. On November 22, 2000, the Region of York approved OPA #535.

a) Land Use Designation/Policies

The subject lands as shown on Attachment #2 are designated "Prestige Industrial - Part L", "Waste Disposal Assessment Area" and "Oak Ridges Moraine Settlement Area" by OPA #332, as amended by OPA #535 and OPA #604. The "Prestige Industrial" designation allows such uses as: processing, manufacturing, assembling, warehousing, office uses, ancillary office use to the primary industrial use, limited retail commercial for the sale of goods manufactured and/or assembled on the premises, and other compatible uses which do not conflict with the development or operation of the primary industrial and commercial uses such as a financial institution, restaurant, and personal service uses. Retail warehousing is a permitted use subject to the policies of Section 2.2.7.1 of OPA #450 (Employment Area Growth and Management Plan). The subject lands are within the Secondary Buffer Area of the closed Keele Valley Landfill site, which will be discussed later in this report.

Further, the "Prestige Industrial - Part L" designation allows commercial development including retail and retail warehousing on the subject lands, as shown on Attachment #2. The Official Plan limits commercial and/or retail uses to a maximum gross floor area of 25,000 m², without an amendment to the Official Plan. The Official Plan does not provide a maximum gross floor area limit for retail warehousing uses.

b) Oak Ridges Moraine Conservation Plan

The subject lands are designated "Oak Ridges Moraine Settlement Area" by OPA #604 as shown on Attachment #3. In OPA #604, a small easterly portion of the subject lands, identified as Block 4 in Plan of Subdivision 19T-05V05(S) as shown on Attachment #3, is located within the "Areas of High Aquifer Vulnerability". The Official Plan policies for "Areas of High Aquifer Vulnerability" prohibit the following uses:

- i) Generation and storage of hazardous waste or liquid industrial waste;
- ii) Waste disposal facilities, organic soil conditioning sites, and snow storage and disposal facilities;
- iii) Underground and above-ground storage tanks that are not equipped with an approved secondary containment device; and,
- iv) Storage of a contaminant listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario, 1990.

The subject lands are located over 120 m from any identified key natural heritage feature or hydrologically sensitive feature, and therefore a natural heritage or hydrological evaluation is not required to be prepared in support of the application. The Development Planning Department, and Toronto and Region Conservation Authority concur with the "Oak Ridges Moraine Conformity Report" dated May 17, 2006, prepared by KLM Planning Partners Inc., on behalf of the Owner, that the application conforms to the provisions of the Oak Ridges Moraine Conservation Plan in accordance with OPA #604.

c) Holding Symbol (H)

The subject lands as shown on Attachment #2 are located within the Secondary Buffer Area of the closed Keele Valley Landfill Site and any use and/or building/structure or application such as a Site Development application is contingent on the subject lands being removed from the Secondary Buffer Area by the Ministry of the Environment, and/or Certificate of Approval No. A230610 being amended by the Ministry of the Environment to permit the proposed uses and buildings/structures or application. Further, the subject lands as shown on Attachment #2 are licensed under the Aggregate Resources Act, and any use and/or building/structure is contingent on the Ministry of Natural Resources approving the surrendered Aggregate Resources Act License 6513.

The Holding Symbol (H) was placed on lands that are specifically subject to the "Waste Disposal Assessment Area" policies of the Official Plan. Any development of the land that is subject to the Certificate of Approval with the Ministry of the Environment or a change of use from that allowed at the time of the adoption and enactment of OPA#535 and By-law 427-2000 respectively, concerning the Maple Valley Plan shall require the submission of reports, which are to include: a master environmental and servicing plan, stormwater management, hydrogeology, infiltration and impact of the proposed use on the long-term environmental controls, and monitoring and maintenance of the Keele Valley Landfill site for review by the Province and City.

The servicing scheme, including identifying the sewage capacity and water supply capacity, is to be addressed by the City and Region, and the allocation of sewage capacity and water supply capacity must be approved by Council, subject to the execution of a subdivision of development agreement to the satisfaction of the City, prior to removing any Holding Symbol (H) or final approval of the draft plan of subdivision. The Holding Symbol (H) cannot be removed until these matters have been addressed. Conditions of approval have been included in this report to address these requirements.

iv) Concept/Phasing Plan

The Official Plan indicates that development of the industrial lands is to be by way of Block Plan approval to allow for a comprehensive review of lands respecting issues such as the road network, servicing and urban design. However, as the subject lands, which are within the South Proposal, and the North Proposal as shown on Attachment #8, are both under the same ownership and are subject to respective Draft Plan of Subdivision applications, the requirement for development by way of Block Plan approval can be addressed through the draft plan of subdivision process. Issues such as establishing the road network and servicing for the subject lands are to be finalized as part of the approval process for Plan of Subdivision 19T-95V05(S).

The Owner submitted the McNaughton Community Land Use Plan, as shown on Attachment #8, which provides an overview of the subject lands with the surrounding community. The Owner advises that for the McNaughton Community, the development will be in two phases, with Phase 1 being the South Proposal including the subject lands, and Phase 2 being the North Proposal as shown on Attachment #8.

v) Design Details

The Official Plan requires specific architectural, landscape, and urban design details to address the built form, massing, elevations of buildings/structures, and landscape and streetscape treatments for the entry features, community edges, street vistas, and pedestrian access for the proposed developments in the Southerly Subdivision, which includes the subject lands as shown on Attachment #4, which are to be addressed through architectural and urban design guidelines and landscape master plan/streetscape designs, that are approved by the City, as part of the plan of subdivision process. The Owner submitted the reports, "McNaughton Community Plan - South Portion: Architectural Design Guidelines" and "McNaughton Community Plan - South Portion: Urban Design Guidelines", both dated November 2006, by Watchorn Architect Inc. and The MBTW Group, which are being reviewed by the Development Planning Department. The subject lands (Lowe's) are to be reviewed and finalized in accordance with the final Architectural Design Guidelines and Urban Design Guidelines, which are to be approved by the Development Planning Department through the subdivision process, and which will include details concerning the landscape master plan/streetscape designs.

Zoning

The subject lands are zoned M1(H) Restricted Industrial Zone - Area "B" with the Holding Symbol (H) by By-law 1-88, subject to Exception 9(1097), as amended by By-law 329-2006 as shown on Attachment #1. The By-law permits a "Retail Store including Retail Warehousing but excluding a drug store or pharmacy" and a "Retail Nursery" provided the total maximum gross floor area devoted to all such uses shall not exceed 25,000 m². The retail warehouse and retail nursery uses are defined by By-law 1-88 as follows:

Retail Warehouse

"Means a building or part of a building in which goods and merchandise are displayed, stored and sold in a warehouse format. A warehouse format means a configuration where there is the integrated display, storage and sale of goods and merchandise, or a showroom with an associated warehouse component. A retail warehouse shall have a minimum gross floor area of 300 m², except for a retail warehouse devoted primarily to the sale of prescription drugs, pharmaceuticals and health and beauty aids, which shall have a minimum gross floor area of 1,500 m². A retail warehouse shall not include a gross floor area greater than 1,000 m² devoted, in the aggregate, to the storage, display and sale of food products. For greater clarity, a retail warehouse is not a supermarket or flea market."

Retail Nursery

"Means land or buildings where plants, shrubs, or trees and other associated products such as commercial fertilizers, insecticides and small garden tools may be offered for sale, but this shall not include the sale of farm implements or large machinery or equipment."

The site plan shown on Attachment #4 and building elevations shown on Attachment #5 have been reviewed in accordance with the M1 Restricted Industrial Zone standards for the subject lands, which typically implements developments in accordance with the following standards:

- Minimum Lot Frontage 35 m
- Minimum Lot Area 3000 m²
- Minimum Front Yard 9 m
- Minimum Rear Yard 15 m
- Minimum Interior Side Yard 6 m
- Minimum Exterior Side Yard 9 m
- Minimum Setback to an "R" Zone 60 m
- Maximum Gross Floor Area 25,000 m²

The proposed development requires relief to the following zoning standards:

	<u>Proposed</u>	<u>Required</u>
i) Maximum Building Height	15.13 m	15 m
ii) Maximum Driveway Width Serving	15.37 m North	13.5 m
The Movement of Trucks to and from Loading Spaces	15.15 m North 13.72 m South	13.5 m
iii) Minimum Parking Space Length	5.8 m	6 m
iv) No Loading Spaces Between a Building and a Street	West & South of Building	Prohibited
v) Minimum Parking Spaces	764 Spaces	815 Spaces

The exception for the building height from the maximum permitted 15m to 15.13m is due to the configuration of the building elevation to accommodate the "Lowe's" main entrance signage feature on the east elevation. The height for the remainder of the building is primarily 9.65m except for the 12.8m signage on the east elevation advising of the "Indoor Lumber Yards", which does not exceed the maximum zoning requirement of 15 m. Two driveways at the north end of the site having a width of 15.37 m and 15.15 m, and 1 driveway at the south end of the site of 13.72m, to each accommodate 1 in-bound lane and 2 out-bound lanes, requires an exception to the maximum width of 15 m permitted by By-law 1-88. A parking space length of 5.8 m is proposed in order to increase the minimum aisle width to 7m to provide more driveway area for the maneuverability of the carts for customers. By-law 1-88 requires a minimum parking space length of 6 m. The Engineering Department has advised that the reduction of the parking space length to 5.8 m is only acceptable on the condition that a 7m aisle width is maintained. The Development Planning Department can support the proposed zoning exceptions for the subject lands shown on Attachment #4.

The subject lands are surrounded by streets on all sides, and therefore, the configuration of the building results in the loading areas being between the building and a street. The site plan shown on Attachment #4 provides for the loading areas at the south and west sides of the buildings, facing the local streets (Streets "1" and "2"), and not McNaughton Road, the latter which is a more visible street and functions as a primary/collector road. The westerly loading area is to be screened from the lands to the west by landscaping, specifically a 1.8 m high "living wall" screen, which is comprised of willow shrubs and coniferous trees along the west property line as shown on Attachment #7. The Southerly loading area will be screened with the landscaping to be provided within the 6m wide strip adjacent to Street "1".

The minimum required parking for the proposed development is calculated as follows using By-law 1-88:

Total GFA of 14,901.9 m²* @ 6 spaces/100 m² = 895 spaces required
* (14,901.9 m² comprised of: – 13,179.9 m² retail warehouse, 861.5m² garden centre (shade structure), and 860.5m² garden centre – covered)

The proposed site plan requires a minimum of 895 parking spaces, and provides 764 parking spaces, resulting in a deficiency of 131 spaces (14.6%).

The Owner submitted the following parking studies, "Proposed Large-Format Home Improvement Retail Store, McNaughton Road north of Major Mackenzie Drive, City of Vaughan", dated December 20, 2006, by Dillon Consulting Limited, and "Greater Toronto Area Home Improvement Superstores Parking Study", dated December 2006, by Dillon Consulting Limited, to support the reduction in the required parking. The parking studies indicate that 25 parking spaces located to the south of the garden centre are to be used for seasonal outdoor sales and that 26 parking spaces at the north end of the subject lands are identified for a snow storage area. The parking studies also state that 764 parking spaces, "...would satisfactorily address Lowe's Corporate parking target and be more than adequate to meet the anticipated peak parking demand for the site." The proposed 764 parking spaces for the subject lands results in a parking ratio of 5.125 parking spaces per 100 m² of gross floor area, in comparison to the required 6 spaces per 100m² ratio.

The Development Planning Department has no objections to these variances since they are minor in nature and in keeping with the general intent of the Zoning By-law. In order to facilitate the proposed development, the Owner has submitted an application to the Committee of Adjustment for a Minor Variance (File A061/07) which would be considered following Council's consideration of the site plan application. The Committee of Adjustment's decision must be final and binding prior to the execution of the site development agreement. A condition of approval has been included in this respect.

Final approval of the proposed uses are also contingent on the Ministry of the Environment removing the subject lands from the Secondary Buffer Area and/or amending Certificate of Approval No. A230610 to permit the proposed uses and buildings/structures, and the Ministry of Natural Resources approving the modifications to the Aggregate Resources Act Rehabilitation Plan and approving the surrendered Aggregate Resources Act License 6513. Therefore, the removal of the existing Holding Symbol (H) will only occur once these matters are addressed.

Tenure

The Owner intends to enter into a long-term lease agreement with Lowe's, the latter who will operate the proposed home improvement and garden centre use. A Consent Application, under Subsection 50(15) of The Planning Act is required if the lease is to exceed 21 years. No details have been provided on the term of the lease for the subject lands.

Subdivision/Development Agreement

The subject lands are within draft approved Plan of Subdivision 19T-05V05(S) as shown on Attachment #8. A subdivision agreement for Plan of Subdivision 19T-05V05(S) must be registered prior to the execution of the site plan agreement for the subject lands. Should Plan of Subdivision 19T-05V05(S) not be in a position to be registered, a development servicing agreement will be required and it shall be registered prior to the execution of the site plan agreement for the subject lands. A condition of approval has been included in this respect.

Site Design

The proposed site plan for the subject lands as shown on Attachment #4 proposes a 1 storey, retail warehouse building for a Lowes' home improvement retail use with a garden centre, which is oriented in a north-south direction. The main entrance faces east, towards McNaughton Road, East. The retail warehouse building is located on the westerly portion of the site with a fenced in garden centre at the south-east side of the building. The loading areas are located at the south-west and west sides of the building. The site plan includes 815 parking spaces, however, 51 of the spaces may only be available on an intermittent basis. These 51 spaces are located to the south of the garden centre, where 25 parking spaces will be used as an outdoor sales and display area and at the north end of the site, where 26 parking spaces will be used for snow storage as shown on Attachment #4. The use of the 51 parking spaces for uses other than parking results in there being 764 parking spaces available at all times for on-site parking for the subject lands.

The development statistics for the Lowe's proposal are as follows:

- Site Area = 5.849 ha
- Coverage = 14,894.60 m² / 25.47%
- Landscaped Area = 6282.0 m² / 10.74%
- Paved Area = 37,317.10 m² / 63.8%

- Retail/Warehouse Building = 13,179.9 m²
- Garden Centre Area = 2,896.6 m²
(Garden Centre Areas: Open = 1174.5 m² / Covered = 860.50 m² / Shaded = 861.5 m²)
- Building Height = 15.13 m to tallest point, but generally 9.65m

- Parking Required = 895 spaces
- Parking Provided = 764 (including 12 barrier free spaces)
- Standard Parking Space Size = 2.75 m x 5.8 m
- Loading Spaces Provided = 6 spaces

The subject lands as shown on Attachment #4 are within Block 4 of Approved Plan of Subdivision 19T-05V05(S), which is 7.05 ha. The proposed development will occupy 5.84 ha of the overall 7.05 ha block with the remaining lands to be development with other uses in the future.

The Development Planning Department is generally satisfied with the overall site layout, subject to the comments in this report being addressed. The final site plan shall be approved to the satisfaction of the Development Planning Department

Elevations/Signage

The 1-storey (9.65 m) high, rectangular-shaped retail warehouse store façade incorporates tan coloured precast concrete panels with a blue horizontal band provided midpoint along the building, and light and dark beige pilasters along all the façades. The flat roof consists of a 5.13 m high tan gable, which incorporates the blue and white Lowe's signage above the main entrance facing McNaughton Road, along with smaller signage gables along the building. The garden centre is surrounded by a 6.1 m high black tubular steel decorative fencing and beige cultured stone feature wall. The service doors and loading doors are white.

The proposal is to be reviewed in conjunction with the "McNaughton Community Plan - South Portion: Architectural Design Guidelines". The elevations for the proposal will require the control architect's (Watchorn Architect Inc. and the MBTW Group) stamp and signature, in accordance with the Urban Design and Architectural Design Guidelines. The final elevations shall be approved to the satisfaction of the Development Planning Department.

Landscaping

The proposal features a combination of deciduous and coniferous landscaping to screen the parking area and the loading area. A living wall of willow shrubs and coniferous trees will be provided along the west property line to screen the loading areas. The proposal is to be reviewed in conjunction with the "McNaughton Community Plan - South Portion: Urban Design Guidelines". Minor modifications are required to the landscaping plan, which will include extending the walkways from the Lowe's building to the sidewalk along the local street. The final landscape plan, landscape cost estimate and fencing shall be approved to the satisfaction of the Development Planning Department.

Environmental Site Assessment (ESA)

The subject lands as shown on Attachment #2 are subject to the "Waste Disposal Assessment Area" policies of the Official Plan, which requires that studies be carried out to the satisfaction of the City, Toronto and Region Conservation Authority, Region of York and Province to show that the proposed development can safely take place and will not impact the monitoring and environmental controls required for the closed Keele Valley Landfill site. The technical reports required for the Environmental Site Assessment (ESA) are under review by the Ministry of the Environment. The City will also rely on the technical expertise of the Ministry for the ESA. The City will require a Record of Site Condition, which is to be registered with the Environmental Site Registry, prior to final approval of any portion of the plan. Conditions have been included in this report to address this requirement.

Services/Utilities

The City Engineering Department has reviewed the "Lowe's of Maple - Stormwater Management Report", dated September 2006, by Pitura Husson Limited, and the servicing and grading plans for the subject lands. The final grading and servicing plans, stormwater management report, transportation report, access, on-site vehicular circulation shall be approved to the satisfaction of the Engineering Department. A condition of approval is included requiring that this be addressed.

Access/Transportation

The subject lands will have 2 ingress/egress driveways from McNaughton Road East at the north end of the site, 3 ingress/egress driveways from Street "1" and 1 ingress/egress driveway from Street "2", shown on Attachment #4. The Engineering Department has reviewed the Traffic Study Update", dated November 14, 2006, by Stantec Consulting Limited and is generally satisfied subject to the Region of York Transportation and Works Department concerns being addressed, as indicated in this report.

Fire Prevention

The Vaughan Fire Department concerns such as indicating the fire route, fire route signage and turning radius on the site plan, and providing the location of fire hydrants and a minimum of 1 m clearance for all landscaping must be indicated on the landscaping plans. A condition is included requiring the Owner to satisfy all requirements of the Fire Department.

Parkland Dedication

The Owner has paid cash-in-lieu of parkland dedication under the Planning Act for the subject lands identified in File DA.06.079, and no additional payment or dedication of parkland is required.

The Toronto & Region Conservation Authority

The Toronto and Region Conservation Authority (TRCA) is reviewing the proposal. The Owner is required to provide a revised technical package to the TRCA, which is to be consistent with the Functional Servicing Report and Stormwater Management Reports for the McNaughton Community Plan. The revised technical package is to address issues such as the water balance analysis, stormwater infiltration, and hydrology model. The proposal is to address the TRCA requirements as identified in the conditions to this report.

Region of York

The Region of York Transportation and Works Department has reviewed the proposal and has advised that issues such as the traffic impact of the proposal on the McNaughton Road and Major Mackenzie Drive area need to be addressed in a further traffic impact study, which is to provide details concerning short and long term road improvements for all entrances, illumination, signalization, transit service and infrastructure, and pedestrian connections. The Owner must also submit the design details for the proposed left-turn lanes for Keele Street at the intersection of McNaughton Road East as recommended in the "Traffic Study Update", dated November 14, 2006, by Stantec Consulting Limited. On February 9, 2007, the Owner met with the Regional Planning and Transportation Departments and the City Planning and Engineering Departments to discuss the region's concern. The Owner and the Region agreed to work together to resolve the Region's traffic and transportation concerns, which relate the applicant's southerly and northerly subdivision plans. The Owner is required to address the requirements of the Region of York as indicated in the conditions of this report.

Relationship to Vaughan Vision 2007

This staff report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'A-5', "Plan and Manage Growth".

Regional Implications

N/A

Conclusion

The Development Planning Department has reviewed Site Development Application DA.06.079 (York Major Holdings Inc. - Lowe's Companies Canada, ULC) in accordance with the applicable policies of OPA #332, as amended by OPA #535 (Maple Valley Plan) and OPA #604 (Oak Ridges Moraine Conformity Plan), and find that the proposal conforms to the policies of the Official Plan. The Development Planning Department has also reviewed the proposal in accordance with the Zoning By-law, and finds that the proposed uses and proposed variances as discussed in this report are considered to be appropriate for the subject lands.

A condition of site development approval will require the Ministry of the Environment to remove the subject lands from the Secondary Buffer Area and/or amend the Certificate of Approval No. A230610 to permit the proposed uses and buildings/structures prior to the lifting of the "H" Holding Symbol and the registration of the site development agreement for the subject lands.

Accordingly, the Development Planning Department can support the approval of the Site Development Application for the subject lands, shown on Attachment #4, subject to the conditions contained in this report.

Attachments

1. Location/Zoning Map
2. OPA No. 332 – Land Use Schedule
3. OPA No. 604 (Oak Ridges Moraine Conformity Plan) – Aquifer Vulnerability
4. Site Plan – Lowe's
5. Elevations
6. Landscape Plan
7. Living Wall
8. McNaughton Community Land Use Plan

Report prepared by:

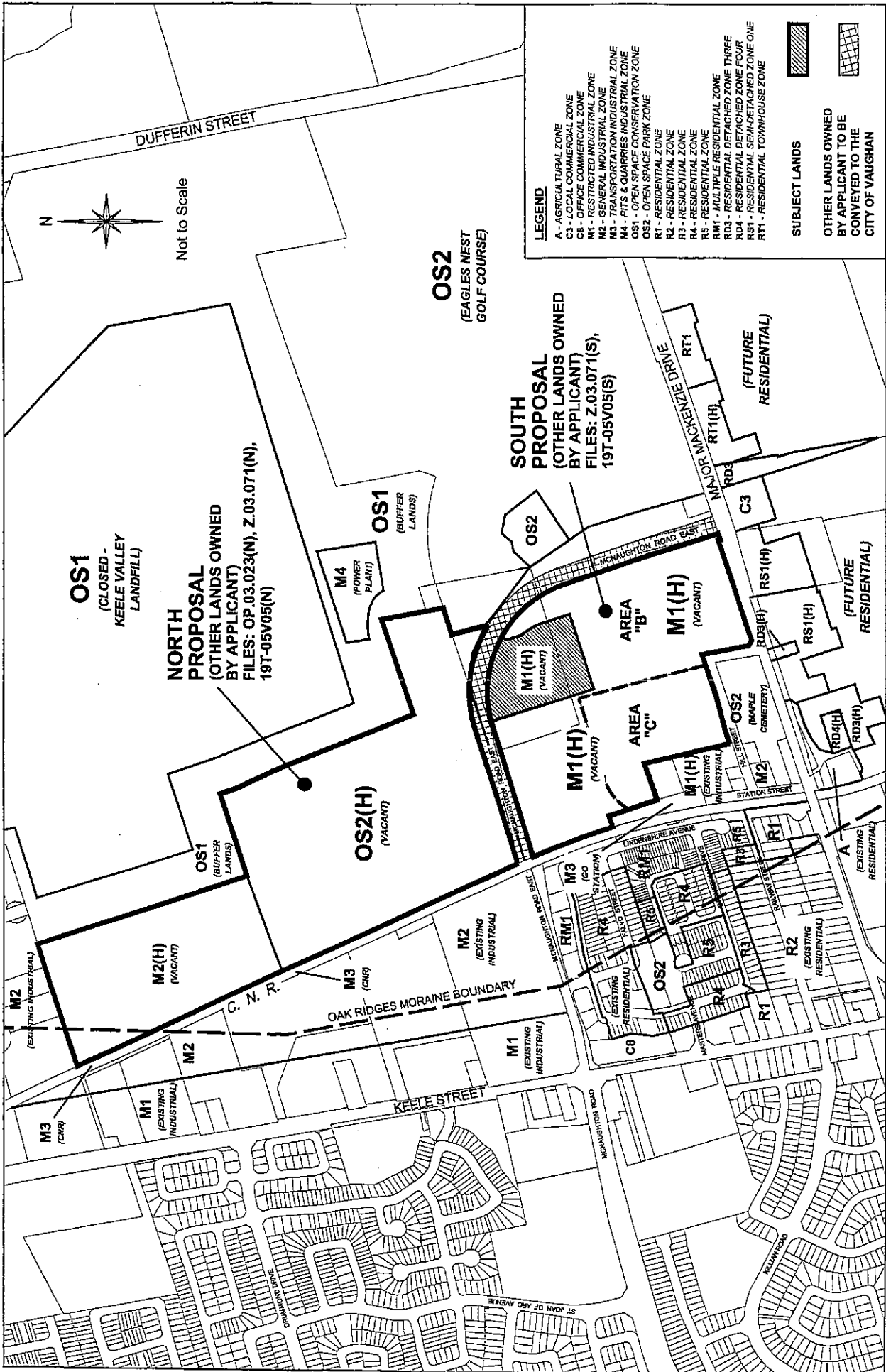
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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

/CM



LEGEND

- A - AGRICULTURAL ZONE
- C3 - LOCAL COMMERCIAL ZONE
- C8 - OFFICE COMMERCIAL ZONE
- M1 - RESTRICTED INDUSTRIAL ZONE
- M2 - GENERAL INDUSTRIAL ZONE
- M3 - TRANSPORTATION INDUSTRIAL ZONE
- M4 - PITS & QUARRIES INDUSTRIAL ZONE
- OS1 - OPEN SPACE CONSERVATION ZONE
- OS2 - OPEN SPACE PARK ZONE
- R1 - RESIDENTIAL ZONE
- R2 - RESIDENTIAL ZONE
- R3 - RESIDENTIAL ZONE
- R4 - RESIDENTIAL ZONE
- R5 - RESIDENTIAL ZONE
- R11 - MULTIPLE RESIDENTIAL ZONE
- R12 - RESIDENTIAL DETACHED ZONE THREE
- R13 - RESIDENTIAL DETACHED ZONE FOUR
- R14 - RESIDENTIAL SEMI-DETACHED ZONE ONE
- R15 - RESIDENTIAL TOWNHOUSE ZONE

SUBJECT LANDS

OTHER LANDS OWNED BY APPLICANT TO BE CONVEYED TO THE CITY OF VAUGHAN

Attachment 1

FILE No. DA.06.079
 RELATED FILES: Z.03.071(S) & 19T-05V05(S)
 February 7, 2007

City of Vaughan
The City Above Toronto

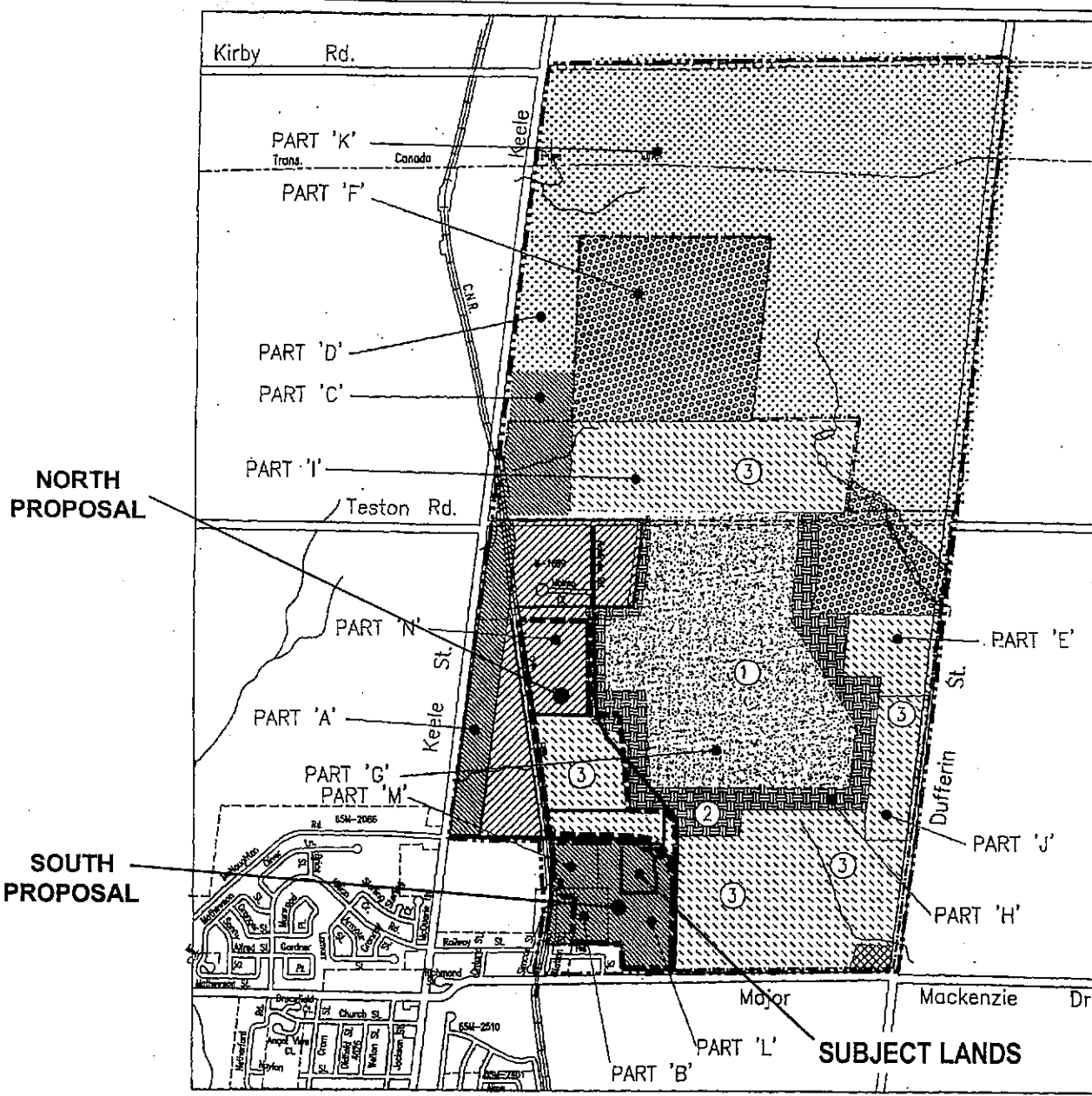
Development Planning Department

Location / Zoning Map

Part of Lots 21 & 22, Concession 3

APPLICANT: YORK MAJOR HOLDINGS INC. (LOWES)

ATTACHMENTS: DA.06.079



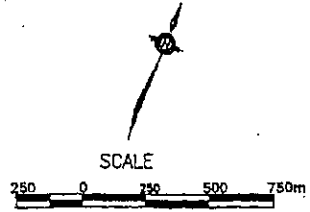
LEGEND

NORTH PROPOSAL
 OP.03.023(N), Z.03.071(N), 19T-05V05(N)

SOUTH PROPOSAL
 Z.03.071(S), 19T-05V02(S)

LEGEND

- Industrial
- Prestige Ind.
- Open Space
- North Maple Residential Area
- General Commercial
- Waste Disposal Assessment Area
- Area Subject To Amendment No. 332
- Open Space Special Policy Areas**
- Special Policy Area 1
- Special Policy Area 2
- Special Policy Area 3
- Roads**
- Existing Arterial
- Feeder
- Proposed 35m Arterial
- 23m Primary (Future)



**OPA No. 332,
 Land Use Schedule**



Attachment

APPLICANT:
 YORK MAJOR HOLDINGS
 INC. (LOWE'S) Part of Lots 21 - 24
 Concession 3

Development Planning Department

FILE No.
 DA.06.079
 RELATED FILES:
 Z.03.071(S) &
 19T-05V05(S)
 February 12, 2007

2

Oak Ridges Moraine Boundary,
Refer to Ontario Regulation Act 01/02

AQUIFER VULNERABILITY

THIS IS SCHEDULE '10' TO AMENDMENT No. 604

LEGEND



AREAS OF HIGH
AQUIFER VULNERABILITY



AREAS OF LOW
AQUIFER VULNERABILITY



OAK RIDGES MORaine BOUNDARY -
REFER TO ONTARIO REGULATIONS
ACT 01/02

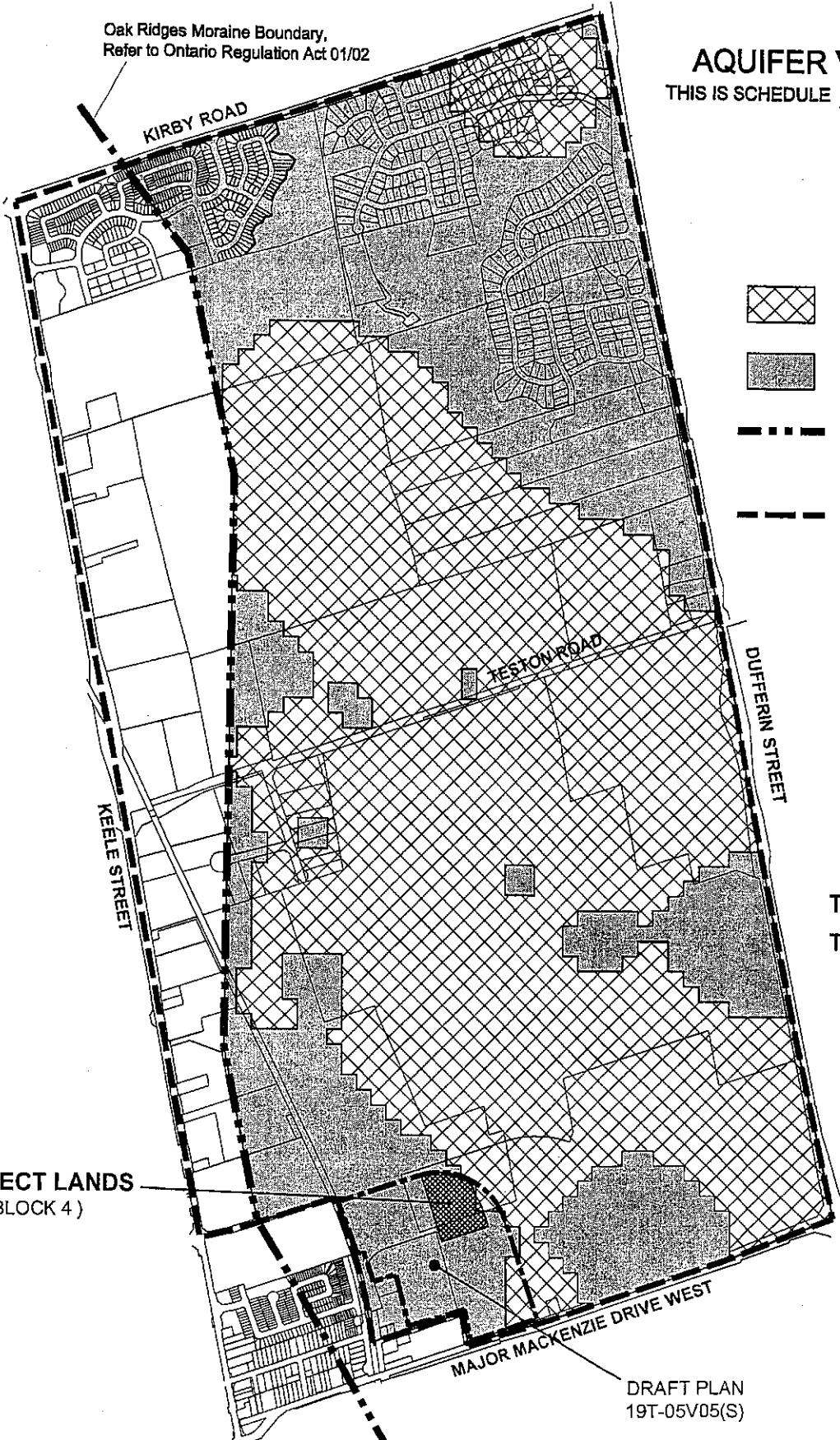


AREA SUBJECT TO
AMENDMENT No. 332

THIS IS SCHEDULE '10'
TO AMENDMENT No. 332



Not to Scale



SUBJECT LANDS
(BLOCK 4)

DRAFT PLAN
19T-05V05(S)

OPA #604 (Oak Ridges Moraine Conformity Plan) - Aquifer Vulnerability

APPLICANT:
YORK MAJOR HOLDINGS
INC. (LOWE'S)

Part of Lots 21 - 22,
Concession 3



Development Planning Department

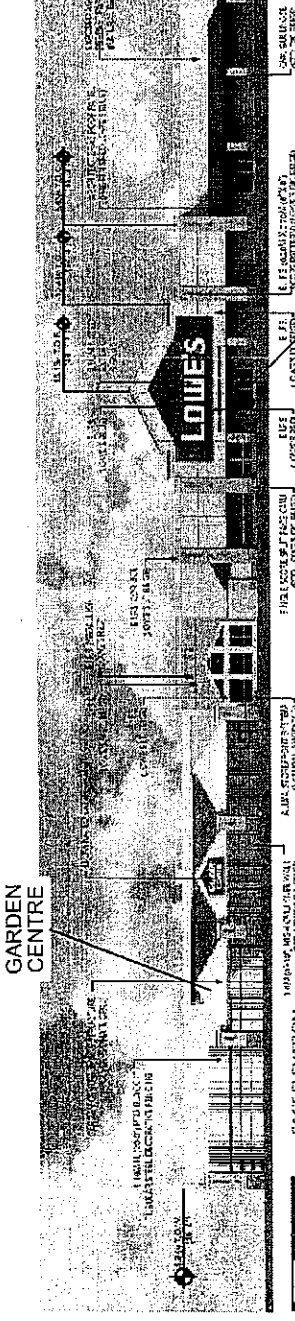
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FILE No.:
DA.06.079
RELATED FILES:
Z.03.071(S) &
19T-05V05(S)

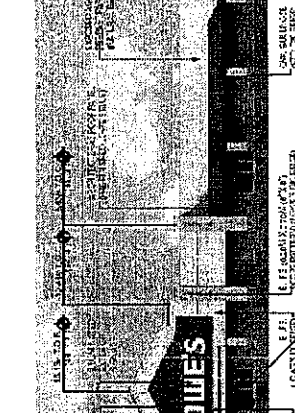
February 12, 2007

3

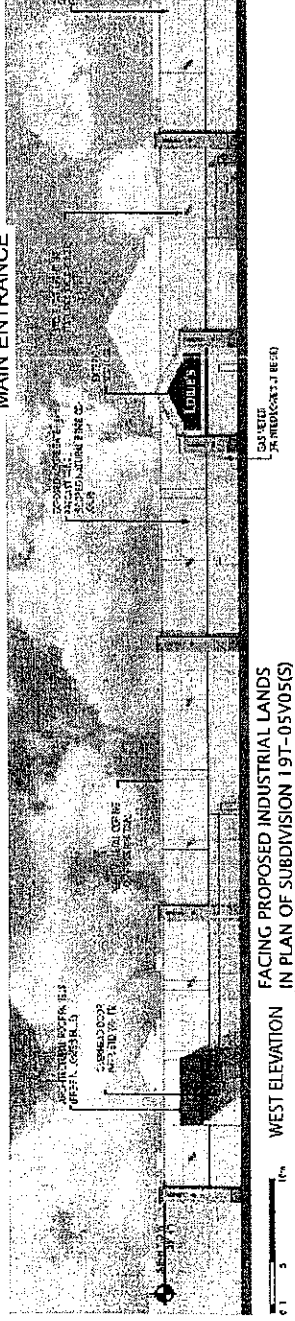
GARDEN CENTRE



**EAST ELEVATION
FACING MCNAUGHTON ROAD & THE GOLF COURSE LANDS**

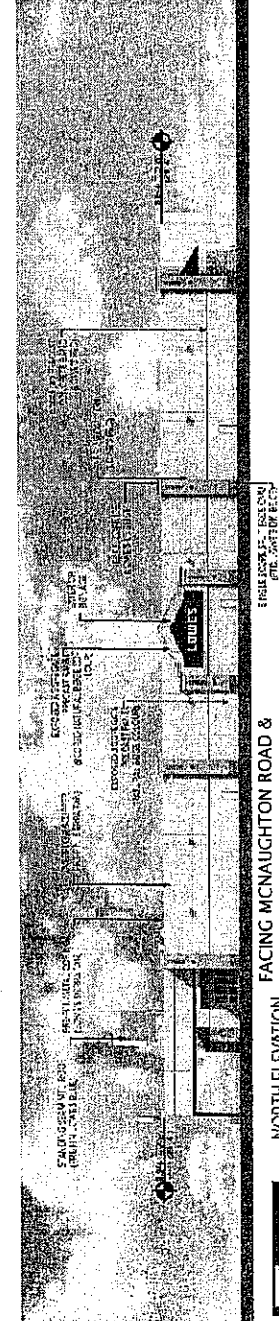


MAIN ENTRANCE



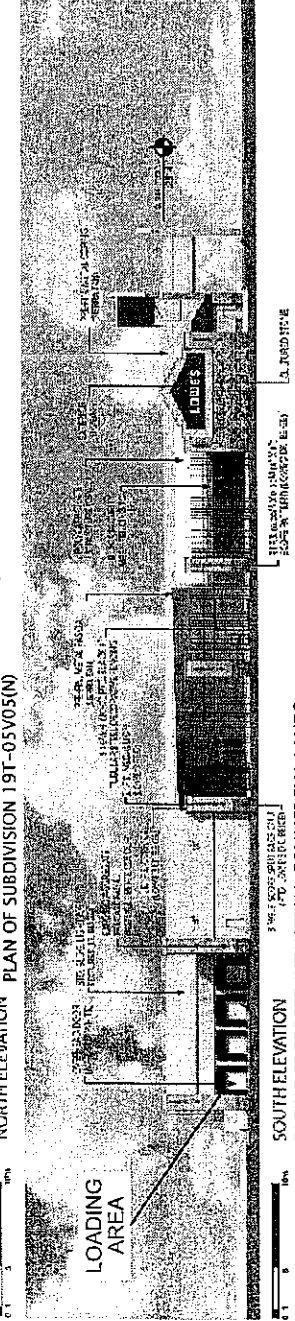
**WEST ELEVATION
FACING PROPOSED INDUSTRIAL LANDS
IN PLAN OF SUBDIVISION 19T-05V05(S)**

FRONT PERSPECTIVE - MAIN ENTRANCE



**NORTH ELEVATION
FACING MCNAUGHTON ROAD &
PLAN OF SUBDIVISION 19T-05V05(N)**

FRONT PERSPECTIVE - MAIN ENTRANCE



**SOUTH ELEVATION
FACING PROPOSED INDUSTRIAL COMMERCIAL LANDS
IN PLAN OF SUBDIVISION 19T-05V05(S)**

FRONT PERSPECTIVE - MAIN ENTRANCE

Elevations

Part of Lots 21 & 22,
Concession 3

**APPLICANT:
YORK MAJOR HOLDINGS INC. (LOWE'S)**

M:\DFT\ATTACHMENTS\DA\06.06.079

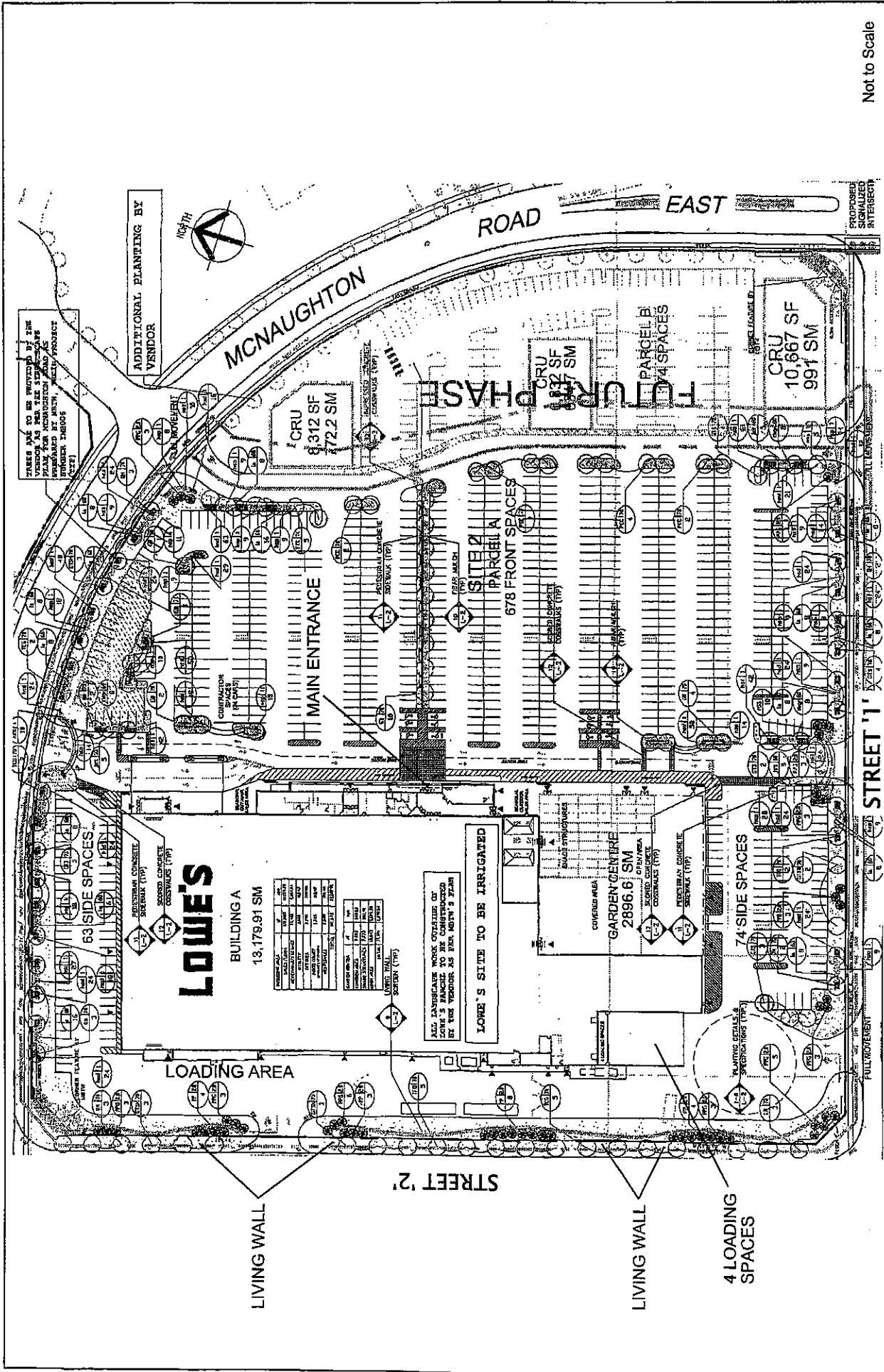


The City Above Toronto

Development Planning Department

Attachment 5

FILE NO.
DA.06.079
RELATED FILES:
Z.03.071(S) &
19T-05V05(S)
February 15, 2007

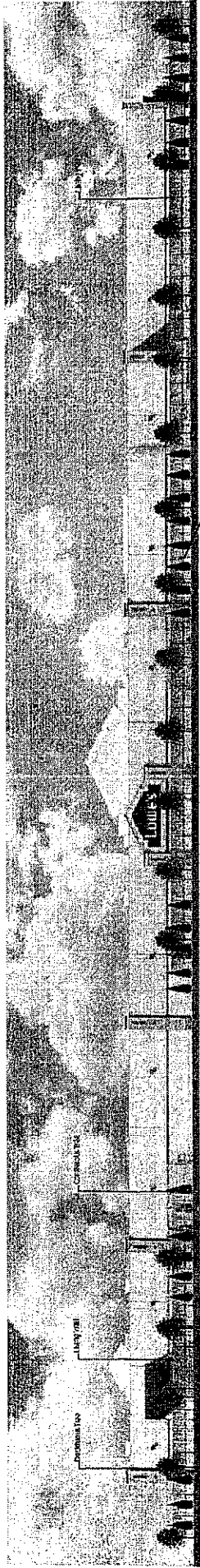


Attachment 6

FILE No. DA.06.079
 RELATED FILES: Z.03.071(S) & 19T-05V05(S)
 February 7, 2007

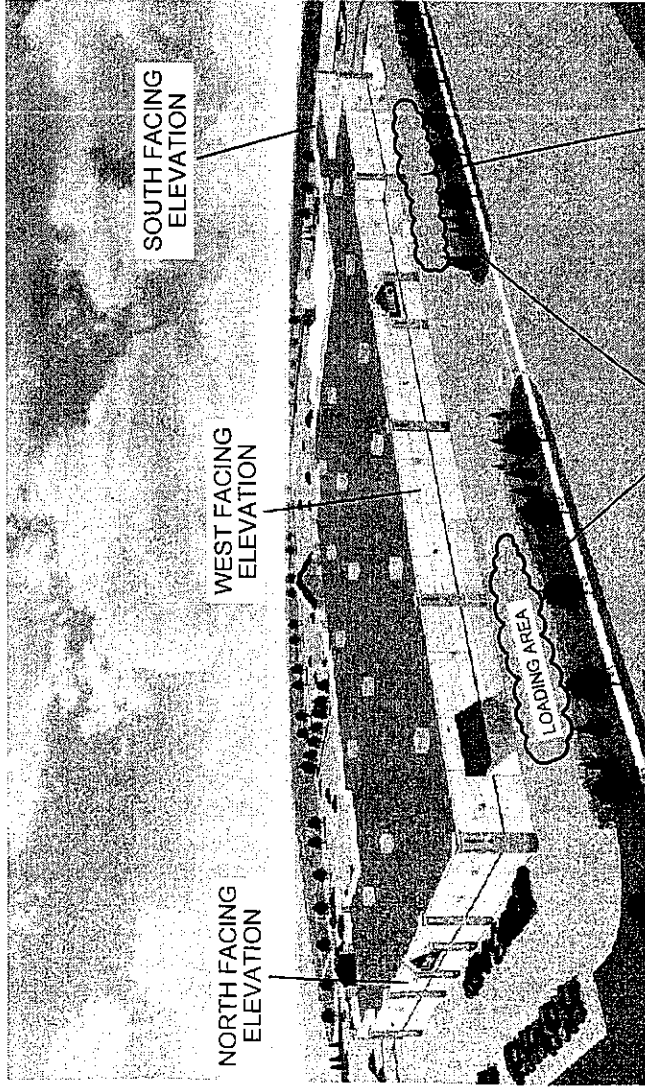
City of Vaughan
The City Above Toronto
 Development Planning Department

Landscape Plan
 Part of Lots 21 & 22, Concession 3
 APPLICANT: YORK MAJOR HOLDINGS INC. (LOWE'S)
 M:\DPT\1 ATTACHMENTS\DA.06.079



EAST ELEVATION

LOADING AREA FOR USED APPLIANCES & PALLET TRAILERS



AERIAL PERSPECTIVE

PERSPECTIVE

LIVING WALL

LOADING AREA FOR USED APPLIANCES & PALLET TRAILERS

LIVING WALL

Not to Scale

Living Wall

Part of Lots 21 & 22,
Concession 3

APPLICANT:
YORK MAJOR HOLDINGS INC. (LOWES)

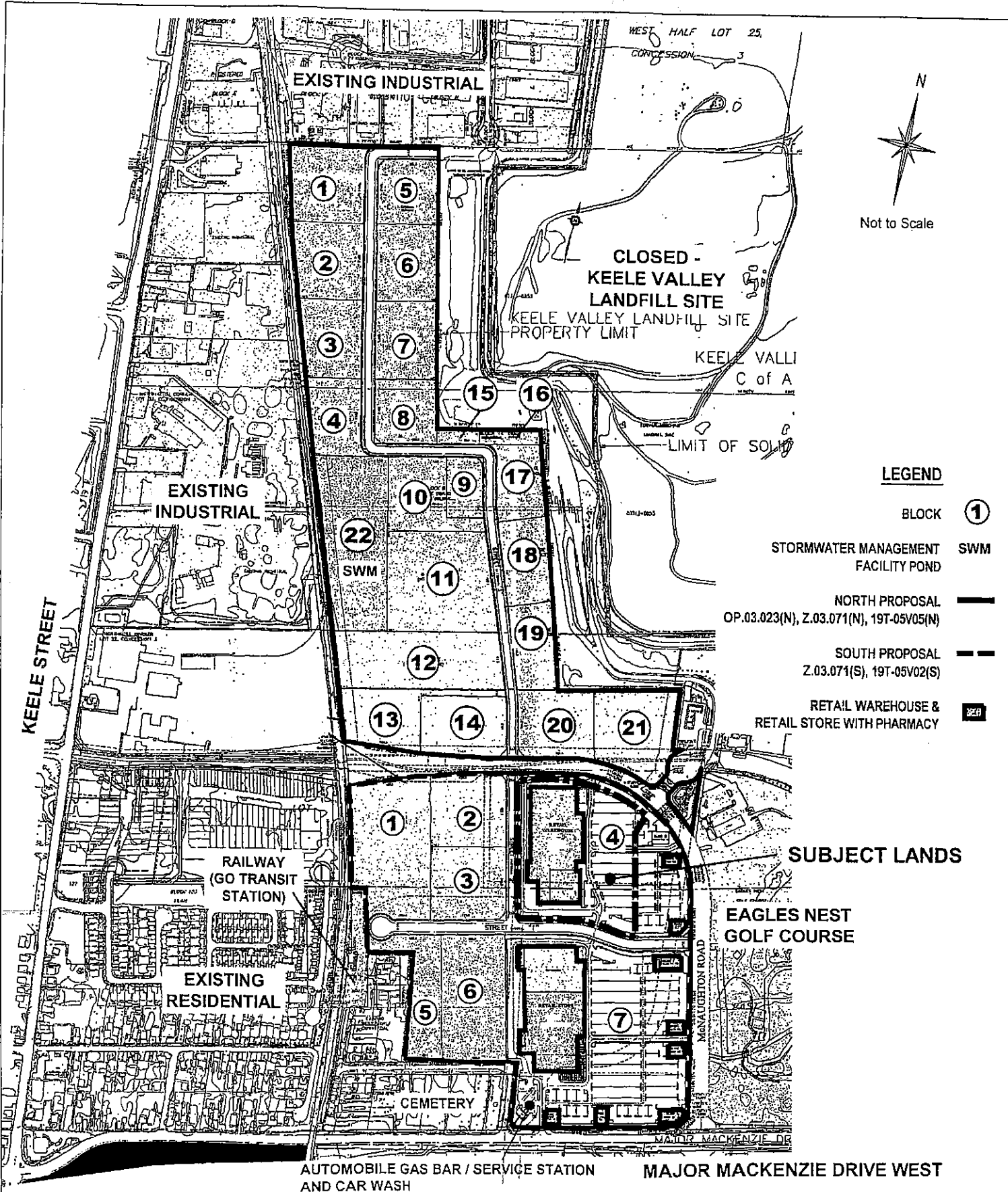
NA\OFT\1 ATTACHMENTS\DA\06.06.079



Development Planning Department

Attachment 7

FILE NO.
DA.06.079
RELATED FILES:
Z.03.071(S) &
19T-05V05(S)
February 15, 2007



Not to Scale

McNaughton Community Land Use Plan



Attachment

8

APPLICANT:
 YORK MAJOR HOLDINGS
 INC. (LOWE'S)

Part of Lots 21 - 22,
 Concession 3

Development Planning Department

FILE No.:
 DA.06.079
 RELATED FILES:
 Z.03.071(S) &
 19T-05V05(S)

February 7, 2007

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