

**COMMITTEE OF THE WHOLE JUNE 19, 2006**

**ZONING BY-LAW AMENDMENT FILE Z.03.071(S)  
DRAFT PLAN OF SUBDIVISION FILE 19T-05V05(S)  
YORK MAJOR HOLDINGS INC. & YORK CIRCLE HOLDINGS INC.  
REPORT #P.2003.75**

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.03.071(S) (York Major Holdings Inc. and York Circle Holdings Inc.) BE APPROVED, to amend the existing zoning on the subject lands shown on Attachment #2, as follows:
  - a) Blocks 4 and 7 that are subject to the existing M1(H) Restricted Industrial Zone with the Holding Symbol (H) be amended to permit a Retail Warehouse as an additional permitted use;
  - b) Blocks 4 and 7 that are subject to the existing M1(H) Restricted Industrial Zone with the Holding Symbol (H) be amended to permit a Retail Store, which may include a pharmacy as a permitted use, provided such pharmacy is included within a Retail Store, with the Retail Store having a minimum gross floor area of 14,000m<sup>2</sup> subject to a market study;
  - c) Block 7 that is subject to the existing M1(H) Restricted Industrial Zone with the Holding Symbol (H) be amended to permit an Automobile Gas Station, an Automobile Service Station and a Car Wash as permitted uses; however, such uses to be prohibited in "Areas of High Aquifer Vulnerability" by OPA #604;
  - d) Block 1 that is subject to the existing M1(H) Restricted Industrial Zone with the Holding Symbol (H) be amended to permit the GO Transit operations should the lands be acquired by GO Transit;
  - e) Prohibit on Blocks 4 and 7 within the "Areas of High Aquifer Vulnerability" as indicated by OPA #604, 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;
  - f) Prior to amending the By-law and removal of the existing Holding Symbol (H):
    - i) the Ministry of the Environment shall amend Certificate of Approval No. A230610 to permit the uses and buildings/structures proposed and/or remove the lands from the Secondary Buffer Area of the closed Keele Valley Landfill Area;
    - ii) the Ministry of Natural Resources shall approve the surrendered Aggregate Resources Act License 6513;

- iii) the Holding Symbol (H) shall not be removed from any lands where the lands or development applications such as a Site Development, Variance or Consent applications for the subject lands require further approval by the Ministry of the Environment and require Certificate of Approval No. A230610 to be amended to permit the uses and buildings/structures proposed;
  - iv) the sewage capacity and water supply capacity shall be demonstrated/identified by the City, and the allocation of sewage capacity and water supply capacity for the Plan approved by Council, subject to the execution of a development agreement to the satisfaction of the City; and,
  - g) Include any necessary zoning exceptions required to implement the approved Draft Plan of Subdivision.
2. THAT Draft Plan of Subdivision 19T-05V05(S) (York Major Holdings Inc. and York Circle Holdings Inc.), as red-lined on June 19, 2006, and shown on Attachment #4, BE APPROVED, subject to the conditions set out in Attachment #1 to this report.
  3. THAT for the purposes of notice, the implementing subdivision agreement for Draft Plan of Subdivision 19T-05V05(S) (York Major Holdings Inc. and York Circle Holdings Inc.), shall contain a provision that parkland shall be dedicated and/or cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands be paid, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City's approved "Cash-in-Lieu of Parkland Policy". The Owner shall submit an approved appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.

**Economic Impact**

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

**Purpose**

The Owner has submitted the following applications:

1. An application to amend the Zoning By-law for the subject lands shown on Attachment #2 to permit retail warehousing, automobile service station/gas bar with a car wash, and a retail store including an accessory pharmacy is included within the retail store, with the retail store having a minimum gross floor area of 14,000m<sup>2</sup>, as additional permitted uses in the M1 Restricted Industrial Zone - Area "B" for Blocks 4 and 7, as shown on Attachments #4 and #5.
2. An application for Draft Plan of Subdivision approval for the subject lands shown on Attachment #4 to facilitate an industrial and commercial plan of subdivision on 27.729ha. The development details are as follows:

Blocks 1 to 3, 5 and 6 - Industrial	9.597ha
Blocks 4 and 7 Industrial/Commercial	16.021ha
Blocks 8 to 14 inclusive - 0.3m Reserves	0.016ha
<u>Streets</u>	<u>2.095ha</u>
Total	27.729ha

## **Background - Analysis and Options**

The 27.729ha subject lands (South Proposal) shown on Attachment #2 are located north of Major Mackenzie Drive and west of McNaughton Road, in Part of Lots 21 and 22, Concession 3, City of Vaughan. The site is a former aggregate pit.

The subject lands are designated "Prestige Industrial - Part B", "Prestige Industrial - Part L", and "Prestige Industrial - Part M", "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 #3, and are within the Secondary Buffer Area of the closed Keele Valley Landfill Site. The subject lands are zoned M1(H) Restricted Industrial Zone - Areas "B" and "C" with the Holding Symbol (H) by By-law 1-88, subject to Exception 9(1097), as shown on Attachment #2.

The surrounding land uses are:

- North - vacant (OS2(H) Open Space Park Zone with Holding provision)
- South - industrial (M1 Restricted Industrial Zone); cemetery (OS2 Open Space Park Zone); Major Mackenzie Drive; future residential (RS1(H) Residential Semi-Detached Zone, RD3(H) Residential Detached Zone Three);
- West - railway line, Maple GO Transit Station (M3 Transportation Industrial Zone)
- East - golf course (OS2 Open Space Park Zone); closed Keele Valley Landfill (OS1 Open Space Conservation Zone)

## **Public Hearing**

On March 24, 2006, a Notice of Public Hearing was mailed to all property owners within 120 metres of the subject lands, and to the Gates of Maple Ratepayers' Association and Maple Village Ratepayers' Association. A letter of objection was received from Ms. G. F. Ahmadi of 2057 Major Mackenzie Drive (south side) concerning the density, intensification and traffic volume expected from the proposal. These concerns will be addressed later in this report.

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 proposals by the Owner. One being the subject lands, under Files Z.03.071(S) and 19T-05V05(S) and the other being to the north of the subject lands under Files OP.03.023(N), Z.03.071(N), and 19T-05V05(N) (North Proposal) as shown on Attachment #2. The subject lands to the north known as the "North Proposal" will be considered at a later date as the proposal is subject to an Official Plan Amendment.

Previously, a Public Hearing was held on September 19, 2005 and was ratified by Council on September 26, 2005 for Files OP.03.023, Z.03.071 and 19T-05V05 proposing 1118 residential units in 4 apartment buildings, 248 semi-detached dwelling units, 242 street townhouse units and commercial/industrial developments on 31.44 ha site, generally consistent with the location of the South Proposal. The Files were appealed to the Ontario Municipal Board (OMB), and the appeal will only be withdrawn upon approval of the current applications for the subject lands and North Proposal as shown on Attachment #2.

## **Official Plan**

On July 10, 2000, Council approved OPA #535 (Maple Valley Plan), which established the future 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 Maple Valley Plan's objectives 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.

i) Land Use Designation/Policies

The subject lands as shown on Attachment #3 are designated "Prestige Industrial - Part B", "Prestige Industrial - Part L", and "Prestige Industrial - Part M", "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 Official Plan allows commercial development including retail and retail warehousing on the subject lands, as shown on Attachment #3, designated "Prestige Industrial - Part L" being Blocks 4 and 7 and "Prestige Industrial - Part M" being Blocks 1 to 3 inclusive. The Official Plan limits commercial and/or retail uses to a maximum gross floor area of 25,000m<sup>2</sup>, without an amendment to the Official Plan. The Official Plan does not provide a maximum gross floor area limit for retail warehousing uses.

The Official Plan requires that a market study be provided for such uses as a supermarket, drug store or pharmacy, as these uses tend to be located on lands, which generally have a "Neighbourhood Commercial Centre" designation and not a "Prestige Industrial" designation. Therefore, a market study for the proposed pharmacy use, which looks at the impact on existing and/or planned commercial centres shall be required, especially as it is not known at this time as to the size of the pharmacy. A condition of draft approval has been included in this report to address this requirement.

ii) Oak Ridges Moraine Conservation Plan

The subject lands are also designated "Oak Ridges Moraine Settlement Area" by OPA #604 as shown on Attachment #3. In OPA #604, a portion of the subject lands as shown on Attachment #6 are within "Areas of High Aquifer Vulnerability" for Blocks 4 and 7, and the majority of subdivision is within "Areas of Low Aquifer Vulnerability" for Blocks 1 to 3 inclusive, 5 and 6. 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.

An Automobile Gas Station, Automobile Service Station and Car Wash uses are proposed for the southwest end of Block 7 on lands that are within "Areas of Low Aquifer Vulnerability" as shown on Attachment #5. The amending by-law will indicate the prohibited uses and lands in the east part of Block 7, which are designated "Areas of High Aquifer Vulnerability" by OPA #604, where these uses are prohibited.

The subject lands are located a distance of 120m or greater 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 applications. Therefore, the Development Planning Department Staff concur with the Oak Ridges Moraine Conformity Report dated May 17, 2006, by KLM Planning Partners Inc., on behalf of the Owner, on the condition that the zoning by-law provides for restrictions in uses for lands within the identified "Areas of High Aquifer Vulnerability" by OPA #604 and the applications conform with the provisions of the Oak Ridges Moraine Conservation Plan in accordance with OPA #604. Conditions of draft approval have been included in this report to address these requirements.

iii) 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 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. As well, a Site Development application for any lands that are subject to Certificate of Approval No. A230610 will require the Ministry of the Environment to amend the Certificate of Approval No. A230610 to permit the proposed uses and buildings/structures. 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 development agreement to the satisfaction of the City, prior to lifting 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 draft 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 as the road network, servicing, and urban design. However, as the subject lands and the North Proposal as shown on Attachment #5 are all 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 plan of subdivision process.

The Owner submitted the McNaughton Community Land Use Plan, as shown on Attachment #5, which provides an overview of the subject lands and the North Proposal with the surrounding community. The Owner advises that for the McNaughton Community, the development will be in two phases, with Phase 1 being the subject lands and Phase 2 being the North Proposal as shown on Attachment #5. As the two phases are subject to different applications, specifically Draft Plan of Subdivision 19T-05V05(S) for the subject lands and Draft Plan of Subdivision 19T-

05V05(N) for the North Proposal, a phasing plan will not be required, unless it is a requirement respecting servicing issues.

v) Design Details

The Official Plan requires specific architectural, landscape and urban design details to address the built form, massing and elevations of buildings/structures, and landscape and streetscape treatments for the entry features, community edges, street vistas and pedestrian access for the proposed developments on the subject lands as shown on Attachment #4. These are to be addressed through architectural design guidelines and landscape master plan/streetscape designs, which are to be approved by the City, as part of the plan of subdivision process. The subject lands are also under Site Plan Control and the proposed developments will be reviewed in accordance with the approved architectural design guidelines and landscape master plan/streetscape designs, when a site plan application is submitted in the future. Conditions of draft approval have been included in this report to address these requirements.

Zoning

The subject lands are zoned M1(H) Restricted Industrial Zone (Areas "B" and "C") with the Holding Symbol (H) by By-law 1-88, subject to Exception 9(1097) as shown on Attachment #2. To facilitate the proposed plan of subdivision, a by-law amendment is required to add permitted uses and provisions to the M1 Restricted Industrial Zone for Area "B" as follows:

- i) Blocks 4 and 7 to allow a Retail Warehouse, and a Retail Store, which may include a pharmacy as a permitted use, provided such pharmacy is included within a Retail Store, with the Retail Store having a minimum gross floor area of 14,000m<sup>2</sup>; and,
- ii) Block 7 to allow Automobile Gas Station, Automobile Service Station and Car Wash as permitted uses.

The By-law currently allows a "Retail Store including Retail Warehousing but excluding a drug store or pharmacy." The by-law exception is to specifically indicate that a Retail Warehouse use is a permitted use and is defined by By-law 1-88 as follows:

"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 300m<sup>2</sup>, 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 1,500m<sup>2</sup>. A retail warehouse shall not include a gross floor area greater than 1,000m<sup>2</sup> 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."

Further, the by-law exception is providing a pharmacy as a permitted use. However, a market study, which looks at the impact of the proposed pharmacy on existing and/or planned commercial centres shall be required, in accordance with the Official Plan, to determine if the use is appropriate for the subject lands.

GO Transit has indicated that it wants to acquire Block 1 for the purposes of expanding its operations at the Maple GO Transit Station site as shown on Attachment #4. The implementing zoning by-law will include provisions should GO Transit acquire Block 1 or any other lands, to accommodate the GO proposal as provided for in the Official Plan.

The M1 Restricted Industrial Zone in By-law 1-88 permits the following uses:

- Club or Health Centre
- Day Nursery
- Industrial Uses as Defined in Section 2.0
- Office Building
- Parks and Open Space
- Public Garage
- Retail Sales Accessory to an Industrial Use, subject to the restrictions of Subsection 6.1.2 of this By-law
- Service or Repair Shop
- Wayside Pit
- Wayside Quarry

The additional uses permitted in the M1 Zone by Exception 9(1097) are as follows:

- Banquet Hall, in a single building
- Business or Professional Office
- Car Brokerage
- Funeral Home
- Hotel Convention Centre, Hotel, Motel
- Laboratory
- Print Shop
- Radio Transmission Establishment
- Service or Repair Shop
- Monitoring and control of the effects of land filling including the monitoring and control of leachate, landfill gas and stormwater

Exception 9(1097) also permits the following uses in the M1 Zone provided the total maximum gross floor area devoted to all such uses shall not exceed 25,000m<sup>2</sup>:

- Automotive Retail Store
- Bank or Financial Institution
- Boating Showroom
- Brewers Retail Outlet
- Eating Establishment
- Eating Establishment, Convenience with Drive-through
- Eating Establishment, Take-out
- LCBO Outlet
- Lumber or building material supply outlet dealing with new materials only
- Motor Vehicle Sales Establishment
- Office and stationary supply, sales, service and rental
- Personal Service Shop
- Photography Studio
- Place of Entertainment
- Retail Nursery
- Retail Store including Retail Warehouse but excluding a drug store or pharmacy
- Video Store

The M1 Restricted Industrial Zone typically implements developments in accordance with the following standards:

•	Minimum Lot Frontage	35m
•	Minimum Lot Area	3000m <sup>2</sup>
•	Minimum Front Yard	9m
•	Minimum Rear Yard	15m
•	Minimum Interior Side Yard	6m
•	Minimum Exterior Side Yard	9m
•	Maximum Building Height	11m
•	Minimum Setback to a "R" Zone	60m

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. The servicing, including sewage capacity and water supply capacity for the subject lands as shown on Attachment #4 must be demonstrated/identified. Therefore, the removal of the existing Holding Symbol (H) will only occur when these matters are addressed. Conditions of draft approval have been included in this report to address these requirements.

The Owner is proposing additional uses to the subject lands that are in keeping with the intent of the Official Plan. In regard to the letter of objection received from Ms. G. F. Ahmadi of 2057 Major Mackenzie Drive, the traffic volume expected from the proposed uses allowed by the Official Plan would generally be comparable to the already permitted uses allowed by the Official Plan, as well as the Zoning By-law. Further, as part of the plan of subdivision process a transportation management plan is to be submitted for review by the City and Region. The density and intensification concerns are generally associated with a residential proposal, which is not an issue for the industrial/commercial proposal.

The Development Planning Department supports the proposed uses subject to addressing the requirements of the Ministry of the Environment and Ministry of Natural Resources, complying with the requirements of the Oak Ridges Moraine Conservation Plan, submitting a market study for the pharmacy use in accordance with the Official Plan, and demonstrating/identifying the servicing for the subject lands, as the proposed uses are consistent with the Prestige Industrial designation in the Official Plan.

#### Subdivision Design

The 27.729ha draft plan of subdivision shown on Attachment #2 is comprised of the following:

- i) a total of 7 blocks comprised of 2 blocks for industrial/commercial uses (Block 4 – 6.629ha and Block 7 – 9.392ha) and 5 blocks for industrial uses (Block 1 – 2.917ha, Block 2 – 1.565ha, Block 3 – 1.517ha, Block 5 – 1.329ha and Block 6 – 2.279ha); and,
- ii) 2 streets (Street 1 – 26m right-of-way and Street 2 – 23m right-of-way).

Street "1" is an east-west road in the middle of the plan, which intersects to the north with Street "2" and to the east with the north-south extension of McNaughton Road. Street "1" terminates in a cul-de-sac near the GO Transit lands. Street "2" is to traverse in a north-south direction and intersects to the north with the east-west extension of McNaughton Road and to the south with Street "1". All blocks in the draft plan abut a minimum of two streets.

The draft plan of subdivision provides for 7 blocks. There are 2 blocks (Blocks 4 and 7) for industrial/commercial uses abutting McNaughton Road with 1 block (Block 7) also abutting Major Mackenzie Drive. The remaining blocks are for industrial use (Blocks 1 to 3 inclusive, 5 and 6). However, GO Transit is interested in acquiring Block 1, which abuts the railway right-of-way and



McNaughton Road, for the expansion of the Maple GO Transit Station. Blocks 5 and 6 are separated from Major Mackenzie Drive by Hill Street and the cemetery, but are still visible from Major Mackenzie Drive.

The development details for the draft plan are as follows:

Blocks 1 to 3, 5 and 6 - Industrial	9.597ha
Blocks 4 and 7 Industrial/Commercial	16.021ha
Blocks 8 to 14 inclusive - 0.3m Reserves	0.016ha
<u>Streets</u>	<u>2.095ha</u>
Total	27.729ha

The Owner will be required to provide urban and architectural design guidelines for the subject lands with respect to the street network, public/private streetscape realm and built form. Further, the proposal must to incorporate pedestrian promenades leading to the Maple GO Transit Station. A streetscape and open space/landscape masterplan will also be required. The design guidelines and masterplan are to be for both the subject lands and the North Proposal.

The draft plan has been red-lined to incorporate the following modifications as shown on Attachment #4:

- i) a 6m wide landscape strip for the subject lands where they abut McNaughton Road, the north and south sides of Street "1", and the east and west sides of Street "2";
- ii) a 6m wide pedestrian connection to the Maple Go Station at the west end of Street "1": and,
- iii) 0.3m reserves along the property lines of the Blocks where they abut McNaughton Road, Street "1", Street "2", Hill Street and Major Mackenzie Drive.

The Development Planning Department is satisfied with the proposed subdivision design subject to the comments in this report, and the conditions of approval in Attachment #1.

#### Ministry of the Environment

The Owner has submitted an application to the Ministry of the Environment to amend Certificate of Approval A230610. This amendment is to define the lands needed to manage the Keele Valley Landfill site through its entire post closure phase for the potential contaminating life span of the site. The Ministry of the Environment is currently reviewing the Keele Valley Landfill Site Closure Plan and associated technical reports. The By-law cannot be amended, the Holding Symbol (H) cannot be removed and the plan of subdivision cannot be approved until the Ministry of the Environment provides documentation 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. A condition of draft approval has been included in this report to address this requirement.

#### Ministry of Natural Resources

The Ministry of Natural Resources has advised that the subject lands as shown on Attachment #2 are licensed under the Aggregate Resources Act. The Owner has applied to the Ministry to modify the Aggregate Resources Act Rehabilitation Plan and to surrender the Aggregate Resources Act License 6513 for the subject lands. The Ministry has advised that there are concerns respecting the rehabilitation of the lands, including the quality of the fill and water quality from a well to the east of the subject lands resulting in both the Ministry of Natural Resources and the Ministry of the Environment requiring additional information such as a geotechnical report to

address these concerns resulting in the Rehabilitation Plan not being approved and the surrendered License not being accepted.

The Ministry further advises that as long as the subject lands remain licensed under the Aggregate Resources Act, it is illegal to undertake any activity, including providing for any use, development of any building/structure, or to amend the zoning, where the activity is not in compliance with the Aggregate Resources Act. Therefore, the Owner is required to submit the required information for review by the Ministry, prior to amending the zoning, lifting the Holding Symbol (H) and approving the final plan of subdivision. A condition of draft approval has been included in this report to address this requirement.

#### GO Transit

GO Transit is proposing to expand its parking facilities and improve vehicular access as part of its planned rail service improvements for the Maple GO Transit Station as shown on Attachment #4 to accommodate its increased and future ridership, and resulting demand for parking. This can only be achieved by GO Transit acquiring additional lands, specifically Block 1, which is north of the existing Maple Station, and providing for a direct extension of the existing parking area and access to McNaughton Road.

The Owner for the subject lands has proposed to exchange lands with GO Transit, specifically to exchange 0.955ha of Block 1 adjacent to the railway lines on the south side of McNaughton Road in exchange for 0.954ha of lands that GO Transit had considered acquiring adjacent to Block 5, as shown on Attachment #4. However, the proposed land exchange is not a feasible option for GO Transit. The Owner and GO Transit are in discussions regarding the land acquisition issue. GO Transit advises that additional parking and improving vehicular access is required for the long-term viability of the Maple GO Transit Station. Therefore, the issue of the acquisition of Block 1 and access to McNaughton Road are to be dealt with prior to approval of this proposal. Conditions of draft approval have been included in this report to address these requirements.

#### The Toronto & Region Conservation Authority

The Toronto and Region Conservation Authority (TRCA) is reviewing the proposal. However, the Owner will be required to provide technical reports, including a stormwater management report, to the TRCA for review. The proposal must conform to the Oak Ridges Moraine Conservation Plan and address the conditions of draft plan approval included in Attachment #1.

#### Engineering Department

The Engineering Department has reviewed the proposed draft plan of subdivision and provides the following comments:

a) 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 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 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 of draft approval have been included in this report to address these requirements.

b) Engineering Services

The Official Plan requires all new industrial development to occur on the basis of the municipal water system, sanitary sewer system and stormwater management system. The Owner is required to provide a functional servicing report detailing how the subject lands as shown on Attachment #4 will be serviced by potable water, sanitary sewage disposal, storm sewers, hydro and other related utilities, as well as stormwater management. The report is to also indicate how this proposed development will coordinate with the Maple Valley Master Environmental Servicing Plan, dated May 2003, by Stantec Consulting Ltd. Further, a detailed water supply analysis on how the subject lands will connect to the existing water supply system in Pressure Districts #7, #8 and #9 is required for review.

c) Transportation

The Owner is required to submit a transportation management plan, which includes the accommodation of the transit system for the subject lands and the North Proposal. A noise and vibration report will be required, which is to be prepared using the greater of either the AADT volumes or the Region of York volumes.

The Engineering Department requires that the required reports be submitted for review. Conditions of draft approval with respect to the Engineering Department's requirements have been included in Attachment #1.

Parkland/Cash-in-Lieu

The parkland dedication for the draft plan of subdivision shall be dedicated and/or cash-in-lieu of the dedication of parkland paid, in accordance with the Planning Act and the City's approved "Cash-in-Lieu of Parkland Policy". The subdivision plan does not include a park within the subject lands. Therefore, cash-in-lieu of the dedication of parkland will be required for the subject lands. The Parks Department has no objections to the approval of the draft plan, subject to the conditions of approval in Attachment #1.

Archeological Assessment

The Cultural Services Department requires that prior to final approval of the subdivision or prior to the initiation of any grading, an archaeological evaluation is to be undertaken in accordance with the Ministry of Citizenship, Culture and Recreation's approved Archaeological Assessment Technical Guidelines, for approval by the City and Ministry. A condition of draft approval has been included in this respect.

The Region of York

The Region of York is reviewing the proposed subdivision. The Owner is required to submit reports such as a functional servicing report, transportation report, and noise report. The Region will be determining the servicing and/or allocation issues which may arise through the review of the proposal. Conditions of draft approval respecting the Region's requirements have been included in Attachment #1.

Agency Comments

Canada Post and Power Stream Inc. have advised that they have no objections to the draft plan of subdivision, subject to the conditions of approval, set out in Attachment #1.

## **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".

## **Conclusion**

The Development Planning Department has reviewed the proposed applications to amend the Zoning By-law and for approval of Draft Plan of Subdivision 19T-05V05(S) in accordance with the applicable policies of the Official Plan and the requirements of the Zoning By-law, and the area context. The proposed draft plan for an industrial and commercial plan of subdivision consisting of a total of 7 blocks comprised of 2 blocks for industrial/commercial uses and 5 blocks for industrial uses on 27.729ha, as shown on Attachment #4, is an appropriate form of development for the subject lands.

The subject lands are subject to a number of conditions, which are to be addressed prior to the enactment of any by-law, the lifting of any Holding Symbol (H) and final approval of any part of the draft plan of subdivision. These requirements include the proposal demonstrating conformity to the Oak Ridges Moraine Conservation Plan in accordance with OPA #604, the Ministry of the Environment amending Certificate of Approval No. A230610 to permit the uses and buildings/structures proposed and/or removing the lands from the Secondary Buffer Area of the closed Keele Valley Landfill Area, the Ministry of Natural Resources approving surrendered Aggregate Resources Act License 6513, and addressing the servicing requirements.

The Development Planning Department can support the approval of the Applications for the Zoning By-law Amendment and the Draft Plan of Subdivision, as red-lined, subject to the conditions of approval as set out in Attachment #1.

## **Attachments**

1. Conditions of Approval
2. Location/Zoning Map
3. OPA No. 332 – Land Use Schedule
4. Draft Plan of Subdivision – South
5. McNaughton Community Land Use Plan
6. OPA No. 6 – Aquifer Vulnerability

## **Report prepared by:**

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Respectfully submitted,

JOHN ZIPAY  
Commissioner of Planning

MARCO RAMUNNO  
Director of Development Planning

/LG

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**ATTACHMENT NO. 1**

**CONDITIONS OF APPROVAL**

**DRAFT PLAN OF SUBDIVISION 19T-05V05(S)  
YORK MAJOR HOLDINGS INC. & YORK CIRCLE HOLDINGS INC.  
PART OF LOTS 21 & 22, CONCESSION 3, CITY OF VAUGHAN**

**THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF SUBDIVISION 19T-05V05(S), ARE AS FOLLOWS:**

City of Vaughan Conditions

1. The Plan shall relate to the Draft Plan of Subdivision, prepared by KLM Planning Partners Inc., dated February 17, 2006, incorporating the following red-line revisions:
  - a) a 6m wide landscape strip for the subject lands where they abut McNaughton Road, the north and south sides of Street "1" and the east and west sides of Street "2";
  - b) a 6m wide pedestrian connection to the Maple Go Transit Station at the west end of Street "1"; and,
  - c) 0.3m reserves along the property lines of the Blocks where they abut McNaughton Road, Street "1", Street "2", Hill Street and Major Mackenzie Drive.
2. The lands within this Plan shall be appropriately zoned by a zoning by-law, which has come into effect in accordance with the provisions of the Planning Act. The existing zoning category/exception to be amended is as follows: M1(H) Restricted Industrial Zone, subject to Exception 9(1097).
3. The Owner shall provide any required reports and/or plans to the Ministry of the Environment for review and/or approval. The City shall not amend the zoning, lift the Holding Symbol (H) or provide final approval to any part of the Plan until the City is in receipt of the documentation from 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, to the satisfaction of the Ministry.
4. The Owner shall provide any required reports and/or plans to the Ministry of Natural Resources for review and/or approval. The City shall not amend the zoning, lift the Holding Symbol (H) or provide final approval to any part of the Plan until the City is in receipt of the documentation from the Ministry of Natural Resources approving surrendered Aggregate Resources Act License 6513, to the satisfaction of the Ministry.
5. The appropriate documents must be submitted in support of the Official Plan, Zoning By-law Amendment and Draft Plan of Subdivision applications to demonstrate conformity of the applications to the Oak Ridges Moraine Conservation Plan in accordance with OPA #604.
6. The Owner shall submit a market impact study in accordance with the Retail Warehouse policies of OPA #450, to the satisfaction of the City.
7. The Owner shall pay any and all outstanding application fees to the Development Planning Department, in accordance with Tariff of Fees By-law 89-2006.
8. The Owner shall enter into a subdivision agreement with the City to satisfy all conditions, financial or otherwise of the City, with regard to such matters as the City may consider necessary,

including payment of development levies, the provision of roads and municipal services, street lighting system, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.

9. The Owner shall acknowledge that parkland shall be dedicated and/or cash-in-lieu paid in accordance with Section 51 of the Planning Act and conform to the City's "Cash-In-Lieu of Parkland Policy".
10. The Owner shall provide a functional servicing report detailing how the lands within this Plan will be serviced by potable water, sanitary sewage disposal, storm sewers, hydro and other related utilities, as well as stormwater management to the City, Toronto and Region Conservation Authority, and Region of York. The report is to also indicate how this proposed development will coordinate with the Maple Valley Master Environmental Servicing Plan, dated May 2003 by Stantec Consulting Ltd.
11. Prior to final approval of the Plan, the Owner shall provide a detailed water supply analysis, which includes details on how the subject lands will connect to the existing water supply system in Pressure Districts #7, #8 and #9 for review and approval by the City and Region of York.
12. The Owner is required to submit a transportation management plan to the City and Region of York, which includes the transit system for the subject lands and Plan 19T-05V05(N). A noise report will be required which is prepared using the greater of either the AADT volumes or the Region of York volumes.
13. The road allowances included within this Plan shall be dedicated as public highways without monetary consideration and free of all encumbrances.
14. The road allowances within this Plan shall be named to the satisfaction of the City, in consultation with the Regional Planning and Development Services Department. Proposed street names shall be submitted by the Owner for approval by Council and shall be included on the first engineering drawings.
15. The road allowances included in the Plan shall be designed in accordance with City standards for road and intersection design, temporary turning circles, daylighting triangles and 0.3 m reserves. The pattern of streets, and the layout of lots and blocks shall be designed to correspond and coincide with the pattern and layout of abutting developments.
16. Any dead end or open side of a road allowance within the Plan shall be terminated in a 0.3 m reserve, to be conveyed to the City free of all charge and encumbrances, until required for a future road allowance or development of adjacent lands.
17. The Owner shall agree in the subdivision agreement that the final engineering design(s) may result in minor variations to the Plan (e.g., in the configuration of road allowances and lotting, number of lots etc.), which may be reflected in the final Plan to the satisfaction of the City.
18. The Owner shall agree in a subdivision agreement that the location and design of the construction access shall be approved by the City and the Region of York.
19. Prior to final approval, easements required for utility, drainage and construction purposes shall be created and granted to the appropriate authority(ies), free of all charge and encumbrances.
20. Prior to final approval, the Owner shall submit a geotechnical and soils report, and the Owner shall agree to implement the recommendations of such report, as approved by the City. The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations including look at quality of the fill and pavement design structure for ideal and non-ideal conditions to the satisfaction of the City.

21. Prior to the initiation of grading, and prior to registration of this Plan or any phase thereof, the Owner shall submit to the City for approval the following:
- a) a detailed engineering report that describes the storm drainage system for the proposed development within this Plan, which report shall include:
    - i) the manner in which stormwater will be conveyed from the site, including how this subdivision will be tied into existing development;
    - ii) plans illustrating how this drainage system will tie into the surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, how external flows will be accommodated, and the design capacity of the receiving system;
    - iii) the location and description of all outlets and other facilities;
    - iv) stormwater management techniques which may be required to control minor and major flows; and,
    - v) proposed methods of controlling or minimizing erosion and siltation on-site and in downstream areas during and after construction.

The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations set out in any and all of the aforementioned reports to the satisfaction of the City.

22. The Owner shall agree in the subdivision agreement that no building permits will be applied for or issued, until the City is satisfied that adequate road access, municipal water supply, sanitary sewer and storm drainage, fire service and emergency service inclusive, is provided for the proposed development to the satisfaction of the City.
23. Prior to final approval of the Plan, the Owner shall pay its proportionate share of the cost of any external municipal services, temporary and/or permanent built or proposed that have been designed and oversized by others to accommodate the development of the Plan.
24. Prior to final approval of the Plan, an environmental noise impact and vibration study prepared at the Owner's expense shall be submitted to the City for review and approval. The preparation of the noise report shall include the ultimate traffic volumes associated with the surrounding road network. The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations set out in the approved noise report to the satisfaction of the City.
25. Prior to final approval of the Plan, the Owner shall submit to the satisfaction of the City, a listing prepared by an Ontario Land Surveyor of all the lot and block areas, frontages and depths in accordance with the approved Zoning By-law for all the lots and blocks within the Plan.
26. Prior to the issuance of a building permit for any lot or block, the Owner's consulting engineering shall certify, to the satisfaction of the Engineering Department and the Building Standards Department that the lot grading complies with the City of Vaughan lot grading criteria and the driveway locations are as shown on the plan submitted for the construction of the building on that particular lot or block conforms in terms of location and geometry (i.e., width, etc.) with the approved or amended and subsequently approved Construction Drawings.
27. Prior to final approval of the Plan, the Owner shall provide confirmation that satisfactory arrangements have been made with a suitable telecommunications provider to provide their services underground at the approved locations and to the satisfaction of the City. The Owner

- shall provide a copy of the fully executed subdivision agreement to the appropriate telecommunication provider.
28. No building permit shall be issued until the Owner has provided proof that a restriction has been registered that prevents the transfer of the lot or block without the consent of the City where such transfer is to be restricted by any other provision of this agreement.
  29. The Owner shall agree that no building permit(s) will be applied for until the City is satisfied that adequate access, municipal water, sanitary and storm services are available.
  30. Prior to the issuance of a building permit for any lot or block within the Plan, including any walkway block, the Owner shall submit for review and approval a Phase II Environmental Site Assessment Report in accordance with the Ministry of Environment Ontario Regulation 153/04 "Soil, Groundwater and Sediment Standards", and the City's Guideline, Phase II Environmental Assessment, Proposed Parkland, City of Vaughan for the walkway block(s) located within the Plan to the satisfaction of the City. Required testing may include but not be limited to surface and subsurface soil, ground water, soil vapour, plant and aquatic species sampling and testing of building materials.
  31. In the event that remediation is required, a Remediation Action Plan will be submitted for review and approval by the City and an acknowledged Record of Site Condition shall be received from the Owner prior to issuance of a building permit.
  32. The Owner shall carry out or cause to be carried out the recommendations contained in the report(s) and ensure that adequate field inspection is provided to validate the recommendations in the Phase II Environmental Site Assessment to the satisfaction of the City.
  33. The Owner shall reimburse the City for the cost of the City's peer review of the environmental site assessment report(s).
  34. Prior to final approval of the Plan, the Owner shall covenant and certify to the City that they are not aware of any soil, groundwater or sediment contamination on or within lands to be conveyed to the municipality which could interfere with its intended use.
  35. Prior to final approval, the Owner shall submit a Record of Site Condition acknowledged by an Officer of the Ministry of the Environment, which is registered with the Environmental Site Registry.
  36. Prior to final approval of the Plan, the lots and/or blocks to be serviced by improvements beyond the interim allocation capacity shall be placed in a Holding Zone and identified as such on the Plan.
  37. Prior to the transfer of any lot or block on the Plan, the Owner shall submit to the City satisfactory evidence that the appropriate warning clauses required by the subdivision agreement have been included in the offers of purchase and sale or lease for such lot or block.
  38. Prior to final approval of the Plan, the City and Region of York Transportation and Works Department Water and Wastewater Branch shall confirm that adequate water supply and sewage treatment capacity are available to accommodate the proposed development.
  39. Prior to final approval of the Plan, or commencement of construction within the Plan, whichever comes first, the Owner shall submit a detailed hydrological impact study that identifies, if any, local wells that may be influenced by construction and, if necessary, outline a monitoring program to be undertaken before, during and after construction of the subdivision. The Owner shall agree in the subdivision agreement to reinstate a suitable potable water supply to any resident whose well is adversely impacted by development to the satisfaction of the City.



40. Prior to the initiation of grading or stripping of topsoil and prior to final approval, the Owner shall submit an Erosion and Sedimentation Control Plan including topsoil storage plan detailing the location, size, side slopes, stabilization methods and time period, for approval by the City. Topsoil storage shall be limited to the amount required for final grading, with the excess removed from the site, and shall not occur on walkway blocks.
41. Prior to final approval of the plan, the Owner shall confirm that the necessary provisions of the Environmental Assessment Act and the Municipal Class Environmental Assessment for Municipal Roads, Water and Wastewater Projects as they may apply to the proposed primary roads and related infrastructure matters, have been met.
42. The Owner shall agree that all disturbed lands within the subject Plan left vacant (6) months following completion of overall grading shall be topsoiled to a minimum depth of 100mm, seeded, maintained and signed to prohibit dumping and trespassing, to the satisfaction of the City.
43. The Owner shall agree to remove any driveways and buildings on site, which are not approved to be maintained as part of the Plan. Any modification to off-site driveways required to accommodate this Plan shall be co-ordinated and completed at the cost of the Owner.
44. No part of any noise attenuation feature or any other fence shall be constructed partly on or within any public highway, park or open space. Fences adjacent to public lands shall be constructed entirely on private lands. The maintenance of noise attenuation features or fencing shall not be the responsibility of the City or the Region of York and shall be maintained by the Owner until assumption of the services in the Plan. Thereafter, the maintenance by the noise attenuation fence shall be the sole responsibility of the lot owner. Landscaping provided on the Regional Road right-of-ways by the Owner or the City for aesthetic purposes shall be approved by the Region and maintained by the City with the exception of the usual grass maintenance.
45.
  - a) Prior to final approval, the Owner shall satisfy all technical, financial and other requirements of PowerStream Inc. (formerly Hydro Vaughan Distribution Inc.), its successors and assigns, regarding the design, installation, connection and/or expansion of electric distribution services, or any other related matters; the Owner shall enter into a development agreement with PowerStream Inc. which addresses the foregoing requirements.
  - b) The Owner shall agree to design, purchase materials, and install a buried hydro distribution system, compatible with the existing and/or proposed systems in surrounding Plans, all in accordance with the latest standards and specifications of PowerStream Inc. and the City.
46. The Owner shall cause the following warning clauses to be included in a schedule to all Offers of Purchase and Sale, or Lease for all lots/blocks:
  - a) within the entire Subdivision Plan:
    - "Purchasers and/or tenants are advised that roads within the Plan may have been constructed using Alternative Development Standards. In April 1995, the Ministry of Housing and the Ministry of Municipal Affairs published the Alternative Development Standards as a guideline to municipalities. The Province of Ontario has been promoting the use of these guidelines which provide for reduced pavement widths."
    - "Purchasers and/or tenants are advised that public transit routes have not been determined for the area within the Plan, however, internal streets may be subject to public transit bus traffic."

- "Purchasers and/or tenants are advised that the primary roads within the development area are expected to support more traffic than local roads and, if demand warrants, transit routes in the future."
- "Purchasers and/or tenants are advised that the planting of trees on City boulevards in front of employment units is a requirement of the subdivision agreement. A drawing depicting conceptual locations for boulevard trees is included as a schedule in this subdivision agreement. This is a conceptual plan only and while every attempt will be made to plant trees as shown, the City reserves the right to relocate or delete the boulevard tree without further notice."
- "Purchasers and/or tenants are advised that the City has not imposed a "tree fee", or any other fee, which may be charged as a condition of purchase, for the planting of trees. Any "tree fee" paid by a purchaser for boulevard trees does not guarantee that a tree will be planted on the boulevard adjacent to their employment unit."
- "Purchasers and/or tenants are advised that despite the inclusion of noise control features within both the development area and the individual building units, noise levels, including from construction activities, may be of concern and occasionally interfere with some activities of the building occupants."
- "Purchasers and/or tenants are advised that where Canadian National Railway company or GO Transit company or its assigns or successors in interest, has a right-of-way within 300 metres of the subject lands, and there may be future alterations or expansions to the rail facilities and/or operations which may affect the working environment of the users of the employment buildings in the vicinity, notwithstanding any noise and vibration attenuating measures included in the development and individual buildings; Canadian National Railway company or GO Transit company will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way."
- "Purchasers and/or tenants are advised that proper grading of all lots/blocks in conformity with the Subdivision Grading Plans is a requirement of this subdivision agreement."

The City has taken a Letter of Credit from the Owner for security to ensure all municipal services including, but not limited to lot grading, are constructed to the satisfaction of the City. Direct cash deposit from the Purchasers to the City and/or Owner, for lot grading purposes, is not a requirement of this subdivision agreement."

- "Purchasers and/or tenants are hereby put on notice that the Telecommunications Act and the CRTC authorize telephone and telecommunication facilities and services to be provided by telecommunication carriers other than traditional carriers for such services and that purchasers and tenants are advised to satisfy themselves that such carriers servicing the lands provide sufficient service and facilities to meet their needs."
- "Purchasers and/or tenants are advised that fencing and/or noise attenuation features along the lot lines of lots and blocks abutting public lands, including public highway, laneway, walkway or other similar public space, is a requirement of this subdivision agreement and that all required fencing and barriers shall be

constructed with all fencing materials, including foundations, completely on private lands and totally clear of any 0.3m reserve, as shown on the Construction Drawings.

- The City has taken a Letter of Credit from the Owner for security to ensure all fencing including, but not limited to privacy fencing, chain link fencing and acoustic fencing, are constructed to the satisfaction of the City. Direct cash deposit from the Purchasers to the City and/or Owner, for fencing, is not a requirement of this subdivision agreement.”
  - “Purchasers and/or tenants are advised that mail delivery will be from a centralized mail box for a multi unit building in accordance with Canada Post Multi Unit Policy which will be identified by the Owner prior to any closings.”
  - “Purchasers and/or tenants are advised that any roads ending in a dead end or cul-de-sac may be extended in the future to facilitate development of adjacent lands, without further notice.”
- b) abutting or in proximity of either a railway, primary roadway, collector roadway, arterial roadway or commercial block:
- “The buildings shall be designed and constructed with the required noise attenuation measures as approved by the City. No building permit shall be issued for a building and/or unit on any of the said lots and/or blocks unless the building plans includes required noise attenuation measures.”
- c) abutting or in proximity of a open space block/walkway:
- “Purchasers and/or tenants are advised that the lot and/or block abuts a pedestrian walkway, and that noise and lighting should be expected from the use of the walkway.”
47. Prior to final approval, the Owner shall provide a tree preservation study to the satisfaction of the City. The study shall include an inventory of all existing trees, assessment of significant trees to be preserved and proposed methods of tree preservation. The Owner shall not remove trees, without written approval by the City.
48. The Owner shall agree in the subdivision agreement to implement the approved Urban Design Guidelines and Landscape Master Plan for the McNaughton Community.
49. The Owner shall submit for the subject lands a comprehensive design scheme to be approved by Council, which is to identify vehicular and pedestrian linkages between the industrial area and surrounding community and provide for access to the railway line facilities.
50. The Owner shall agree in the subdivision agreement that:
- a) All development shall proceed in accordance with architectural design guidelines which are approved by Council;
  - b) Prior to the submission of individual building permit applications, the control architect shall have stamped and signed the drawings certifying compliance with the approved architectural guidelines; and,
  - c) The City may undertake periodic reviews to ensure compliance with the architectural design guidelines. Should inadequate enforcement be evident, the City may cease to

accept drawings stamped by the control architect and retain another control architect, at the expense of the Owner.

51. The Owner shall agree in the subdivision agreement to erect a permanent 1.5m high black vinyl chain link fence or approved equal along the limits of Blocks 1 and 5 that abut the walkway block(s) to the Maple GO Transit Station.
52. The Owner shall convey the walkway(s) to the City, free of all cost and encumbrances.
53. That prior to final approval of a Plan of Subdivision, and prior to the initiation of any grading to any lands included in the Plan of Subdivision, a preliminary archeological evaluation of the entire area within the proposed Plan of Subdivision shall be carried out at the Owner's expense, and the same report shall identify any significant archaeological sites found as a result of the assessment. The archaeological assessment report shall be carried out by a licensed archaeologist and prepared according to the Ministry of Citizenship, Culture and Recreation approved Archaeological Assessment Technical Guidelines, dated 1993. The archaeological assessment shall be submitted to the City and the said Ministry for review and approval.

Prior to final approval or registration of the development application or Plan of Subdivision, the Owner by way of development application or subdivision agreement, shall agree that no development or grading shall occur on any site identified as being archaeologically significant as a result of the archaeological evaluation carried out on the property, until such time as protective and mitigative measures of all significant archaeological sites have been fulfilled to the satisfaction of the Ministry of Citizenship, Culture and Recreation (Archaeological Unit) and the City.

#### Region of York Conditions

54. The road allowances included within the Plan shall be named to the satisfaction of the area municipality and the Regional Planning and Development Services Department.
55. The registration of the proposed Plan may occur in phases with allocation provided within the appropriate capacity assigned by the Region, as approved by the area municipality, in consultation with the Regional Municipality of York.
56. Prior to or concurrent with draft approval for lands where there is no sufficient water and sewer servicing capacity to service the proposed development, the Owner shall enter into an agreement with the Regional Municipality of York, agreeing not to "pre-sell" lots or blocks to end users until such time as the Regional Municipality of York confirms in writing that there is sufficient water and sewer servicing capacity to service the proposed development.
57. The Owner shall agree that the lands within this Draft Plan of Subdivision shall be appropriately zoned by a zoning by-law that has come into effect in accordance with the provisions of The Planning Act. The Holding provisions of Section 36 of The Planning Act may be used in conjunction with any zone category to be applied to the subject lands in order to ensure that development does not occur until such time as the Holding "H" symbol is removed in accordance with the provisions of The Planning Act. The "H" symbol shall be placed on any lands. The Zoning By-law amendment shall specify the terms under which Council may consider the removal of the Holding "H" symbol (in accordance with Official Plan policy/Pre-Paid Development Charge Agreement, or other requirements). Said terms shall include confirmation from the Regional Transportation and Works Department that there is adequate water and sanitary servicing capacity available to accommodate the draft plan or any phase thereof in accordance with the Vaughan Development Charge Credit Agreement executed by the City of Vaughan, the Region and the owner/developer.

58. The Owner shall agree in the subdivision agreement that he/she shall save harmless the area municipality and Regional Municipality of York from any claim or action as a result of water or sewer service not being available when anticipated.
59. Prior to registration, the Region shall confirm that adequate water supply capacity and sewage treatment capacity are available and have been allocated by the City of Vaughan for the development proposed within this Draft Plan of Subdivision or any phase thereof.
60. The following lands shall be conveyed to The Regional Municipality of York, for public highway purposes, free of all costs and encumbrances:
  - a) a widening across the full frontage of the site where it abuts Major Mackenzie of sufficient width to provide a minimum of 18m, or greater if required, from the centreline of construction of Major Mackenzie Drive;
  - b) a 15.0 m by 15.0 m daylight triangle at the northwest corner of McNaughton Road where it intersects Major Mackenzie Drive; and,
  - c) an additional widening, or lands required as required or any changes to Regional conditions concerning the conveyance of lands.
61. The Owner shall convey to The Regional Municipality of York a 0.3m reserve along the entire frontage of the site, adjacent to the above noted widening and daylighting triangles, free of all costs and encumbrances, to the satisfaction of The Regional Municipality of York Solicitor.
62. The Owner shall grant to The Regional Municipality of York, a good and valid easement, free of all costs and encumbrances, to the satisfaction of the Regional Solicitor, 5.0m wide, or greater if required, along the widened frontage of the site adjacent to Major Mackenzie Drive for grading purposes.
63. No direct access from Block 7 within this Plan of Subdivision shall be permitted to Major Mackenzie Drive. Access to Block 7 shall be determined by the Region.
64. The Owner shall submit detailed engineering drawings to the Regional Transportation and Works Department for review and approval, that include the subdivision storm drainage system, site grading and servicing, plan and profile drawings for the proposed intersections, construction access and mud mat design, utility location plans, traffic control/construction staging plans and landscape plans for verification that The Regional Municipality of York's concerns have been satisfied.
65. The intersections of Major Mackenzie Drive with McNaughton Road shall be designed and constructed to the satisfaction of the Regional Transportation and Works Department with any interim or permanent intersection works including turning lanes, profile adjustments, illumination and/or signalization as deemed necessary by The Regional Transportation and Works Department. No intersection or non-residential access will be permitted within 80.0m, or greater if required, of the centreline of Major Mackenzie Drive.
66. The Owner shall agree in the subdivision agreement, that prior to the issuance of any foundation permit for this Plan of Subdivision by the City of Vaughan, the intersection works at the intersection on McNaughton Road with Major Mackenzie Drive shall be designed, approved, secured and constructed to the satisfaction of the Regional Transportation and Works Department.
67. The location and design of the construction access for the subdivision work shall be completed to the satisfaction of The Regional Municipality of York Transportation and Works Department and illustrated on the engineering drawings.

68. Any existing driveway(s) along the Regional road frontage not part of the final approved lands of this subdivision must be removed as part of the subdivision work, at no cost to the Region.
69. The Owner shall engage the services of a consultant to prepare and submit for review and approval, a noise study to the satisfaction of The Regional Municipality of York Transportation and Works Department recommending noise attenuation features and the Owner shall agree to implement these noise attenuation features to the satisfaction of The Regional Municipality of York's Transportation and Works Department.
70. The Owner shall agree in the subdivision agreement, in wording satisfactory to the Regional Transportation and Works Department, that prior to the release of any security held by York Region for this Plan of Subdivision, the Owner shall certify that the as-constructed noise attenuation features immediately adjacent to the Regional right-of-way meet the Ministry of Environment guidelines.
71. The Owner shall agree in the subdivision agreement, in wording satisfactory to The Regional Municipality of York Transportation and Works Department, to provide for the installation of visual screening between Major Mackenzie Drive and McNaughton Road, consisting of either a screening fence or a combination of a berm and planting, to a maximum of 1.8m in height, to be located entirely within the right-of-way of McNaughton Road. The Owner shall submit to The Regional Municipality of York Transportation and Works Department for review and approval, landscape plans showing the proposed planting for headlight screening purposes.
72. Where noise attenuation features will abut a Regional right-of-way, the Owner shall agree in the subdivision agreement, in wording satisfactory to The Regional Municipality of York's Transportation and Works Department, as follows:
- a) that no part of any noise attenuation feature shall be constructed on or within the Regional right-of-way;
  - b) that noise fences adjacent to The Regional Municipality of York roads shall be constructed on the private side of the 0.3m reserve and may be a maximum 2.5m in height, subject to the area municipality's concurrence;
  - c) that maintenance of the noise barriers and fences bordering on The Regional Municipality of York right-of-ways shall not be the responsibility of The Regional Municipality of York; and,
  - d) that any landscaping provided on The Regional Municipality of York right-of-way by the Owner or the area municipality for aesthetic purposes must be approved by The Regional Municipality of York Transportation and Works Department and shall be maintained by the area municipality with the exception of the usual grass maintenance.
73. The Owner shall provide the necessary widenings to accommodate any inbound/outbound/through lane or turning lane or median island for the Plan.
74. Existing core-level transit services currently operate on the following roadways in the vicinity of the subject lands:
- Keele Street
  - Major Mackenzie Drive
- Future transit service may be planned and provided locally on the following roadways\* (or sections thereof:

- Street '1'
- Street '2'
- McNaughton Road

(\*For the purpose of this condition, these roadways will henceforth be referred to as the "planned transit roadways".)

As such, YRT would require that:

Subject to approval by the City of Vaughan and the Regional Municipality of York, the Owner shall agree in the subdivision agreement to construct sidewalks along the subject lands' frontage onto the planned transit roadways on both sides of the street. Such sidewalks shall be constructed on both sides of the planned transit roadways unless only one side of the street lies within the limits of the area designated as "Proposed Subdivision", in which case only this side of the street will require the sidewalk.

75. The planned transit roadways shall be designated and designed to accommodate transit vehicles to the satisfaction of the area municipality and York Region Transit. As such, York Region Transit is to be consulted with respect to any traffic-calming features, which may be considered for any of the planned transit roadways identified.
76. Further to the designation of the planned transit roadways (above), and subject to approval by York Region Transit, bus passenger standing areas/platforms are to be provided at no cost to the Region, concurrent with construction of necessary sidewalks. Required platform locations are to be determined by the Region
77. The Owner shall agree in the subdivision agreement that the bus passenger platforms identified above in Condition 76 shall be designed and constructed to the satisfaction of the area municipality and York Region Transit.
78. The Owner shall agree in the subdivision agreement to advise all potential purchasers of the planned introduction of transit service in/around the subject lands, as per above, and that the placement of any necessary bus-stops and/or passenger amenities will be placed accordingly to the satisfaction of York Region Transit and the City of Vaughan, as applicable. This would include potential transit routes, bus stops and shelter locations, as necessary. Notification should be achieved through sales offices, marketing materials, and appropriate notification clauses in purchase agreements.
79. Prior to final approval, the Owner shall provide a signed copy of the subdivision agreement to the Regional Transportation and Works Department, outlining all requirements of the Regional Transportation and Works Department.
80. The Owner shall provide a solicitor's certificate of title to the Region's Corporate and Legal Services Department, to the satisfaction of the Regional Solicitor, at no cost to the Region, with respect to the conveyance of lands to The Regional Municipality of York.
81. The Owner shall enter into an agreement with the Region of York, agreeing to satisfy all conditions, financial and otherwise, of the Regional Corporation; Regional Development Charges are payable prior to final approval in accordance with By-law DC-0005-2003-050.

#### Toronto and Region Conservation Authority Conditions

82. a) Prior to final approval and prior to any works commencing on the site, the Owner shall submit for approval by the City and the Toronto and Region Conservation Authority (TRCA), a detailed engineering report(s) that describes the storm drainage system for the proposed development, which shall include:

- i) plans illustrating how this drainage system will be tied into the surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, the design capacity of the receiving system and how external flows will be accommodated;
  - ii) the location and description of all outlets and other facilities;
  - iii) stormwater management techniques, which may be required to control minor and major flows;
  - iv) proposed methods of controlling or minimizing erosion and siltation on-site and in downstream areas during and after construction;
  - v) overall grading plans for the subject lands; and,
  - vi) stormwater management practices to be used to treat stormwater, to mitigate the impacts of development on the quality and quantity of ground and surface water resources as it relates to fish and their habitat.
- b) The Owner shall agree to implement the recommendations set out in the aforementioned report(s) to the satisfaction of the City and TRCA.
  - c) The Draft Plan of Subdivision shall be subject to red-lined revision in order to meet these requirements, if necessary.

#### GO Transit Conditions

- 83. The Owner shall provide the appropriate minimum building setbacks (up to 30m) will be required in conjunction with suitable safety mitigation measures (up to a 2.5m high safety berm). Specifications will vary depending on the nature of the land uses proposed adjacent to the rail corridor.
- 84. The Owner is required to install and maintain a chain link fence with a minimum height of 1.83m along the mutual property line.
- 85. The Owner shall conduct noise and vibration studies, and the appropriate noise/vibration mitigation measures should be provided as necessary to the satisfaction of GO Transit.
- 86. The Owner, for any proposed alterations to the existing drainage pattern affecting GO Transit property, shall have received prior concurrence from GO Transit, which shall be substantiated by a drainage report and a stormwater management report to the satisfaction of GO Transit.
- 87. The Owner shall arrange appropriate permits and flagging for work immediately adjacent to and/or within the rail corridor, by contacting Steve Donald at UMA Engineering (Mississauga Office) at 905-238-007 for more information/assistance with this matter and to arrange for a purchase order covering any subsequent costs for services to be paid by the Owner.

#### Canada Post Conditions

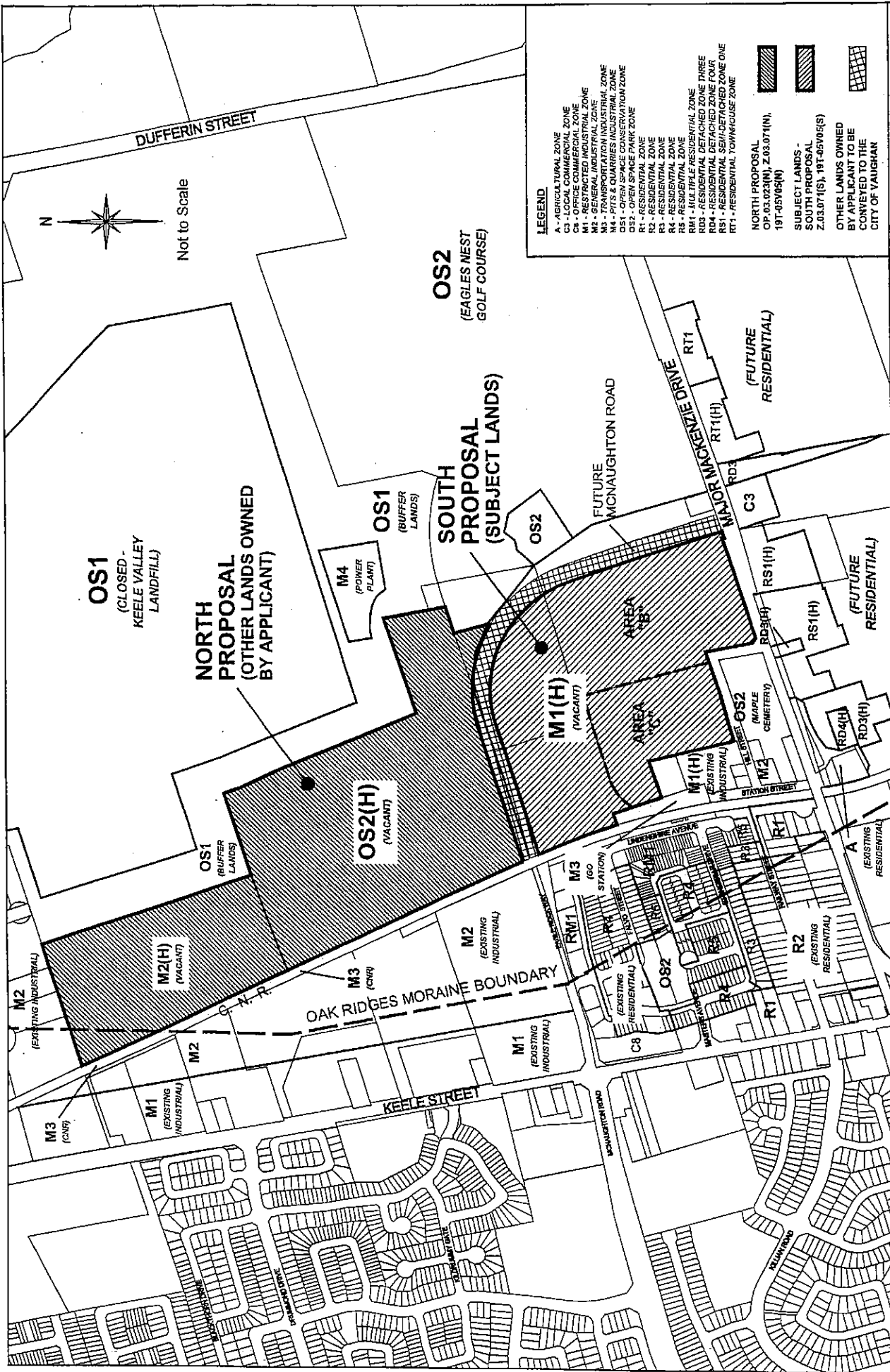
- 88. The Owner shall agree to:
  - a) provide the following, as shown on the servicing plans:
    - i) a sidewalk section (concrete pad), as per municipal and Canada Post standards, to support the mailboxes;



- ii) any required walkway across the boulevard, as per municipal standards; and,
- iii) any required curb depressions;
- b) provide the required information for multiple blocks in accordance with the applicable Canada Post Delivery Policy;
- c) purchase and maintain centralized mail boxes for multi unit buildings in accordance with Canada Post Multi Unit Policy;
- d) provide a suitable temporary community mailbox location(s) until the curbs, sidewalks and final grading have been completed at the permanent location(s); and,
- e) provide a copy of the executed subdivision agreement to Canada Post.

#### Other Conditions

- 89. Final approval for registration may be issued in phases to the satisfaction of the City, subject to all applicable fees provided that:
  - a) phasing is proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure, schools and other essential services; and,
  - b) all government agencies agree to registration by phases and provide clearances, as required in Conditions 90 to 94 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
- 90. The City shall advise that Conditions 1 to 53 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
- 91. The Region of York shall advise that Conditions 54 to 81 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
- 92. The Toronto and Region Conservation Authority shall advise that Condition 82 has been satisfied; the clearance letter shall include a brief statement detailing how the condition has been met.
- 93. GO Transit shall advise that Conditions 83 to 87 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
- 94. Canada Post shall advise that Condition 88 has been satisfied; the clearance letter shall include a brief statement detailing how the condition has been met.



# Attachment 2

FILE NO'S.:  
Z.03.071(S) &  
19T-05V05(S)

June 5, 2006

## City of Vaughan

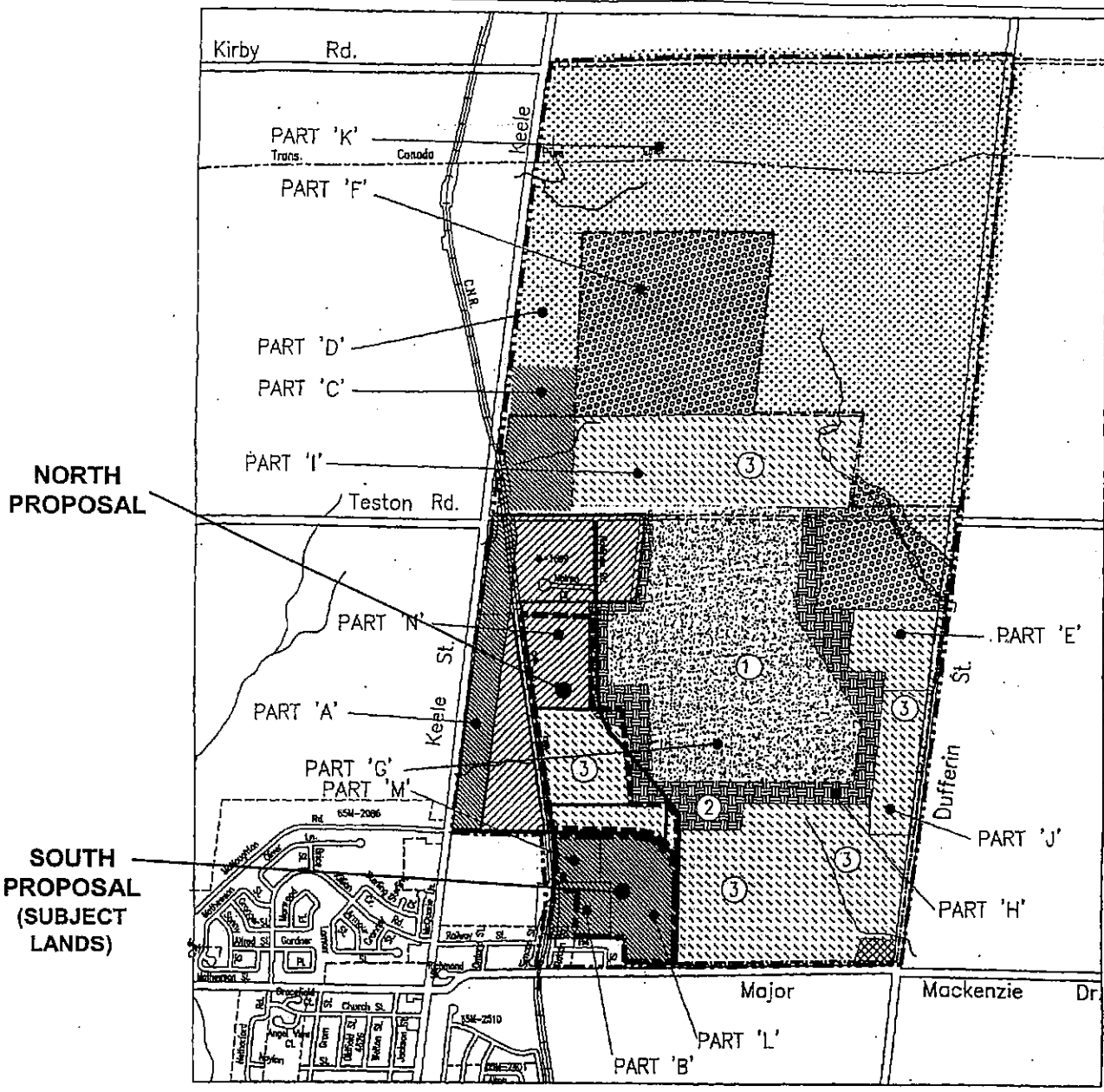
Development Planning Department

### Location / Zoning Map

Part of Lots 21 & 22,  
Concession 3

APPLICANT:  
YORK MAJOR HOLDINGS INC. &  
YORK CIRCLE HOLDINGS INC.

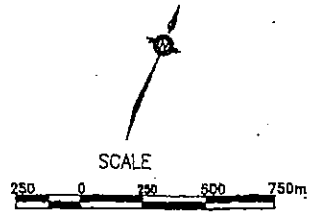
VA(DPT) - ATTACHMENTS\Y-03.071-19T-05V05



**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
- Open Space Special Policy Areas
- Special Policy Area 1
- Special Policy Area 2
- Special Policy Area 3
- Waste Disposal Assessment Area
- Area Subject To Amendment No. 332
- Roads**
- Existing Arterial
- Feeder
- Proposed 35m Arterial
- 23m Primory (Future)

**OPA No. 332,  
 As Amended**

APPLICANT:  
 YORK MAJOR HOLDINGS  
 INC. & YORK CIRCLE  
 HOLDINGS INC. Part of Lots 21 - 24  
 Concession 3



Development Planning Department

**Attachment**

FILE No's.:  
 Z.03.071(S) &  
 19T-05V05(S)

**3**

June 5, 2006

N:\DFT\1 ATTACHMENTS\Z\z.03.071\_19T-05V05

# SCHEDULE OF LAND USE

BLOCKS 1-3, 5 and 6	- INDUSTRIAL
BLOCKS 4 and 7	- INDUSTRIAL/COMMERCIAL
BLOCKS 8-14	- 0.3m RESERVE

BLOCKS	±Ha.
5	9.597
2.	16.021
7	0.016

STREETS	2.095
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TOTAL	14	27.729
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## LEGEND

- BLOCK ①
- SUBJECT LANDS Z.03.071(S), 19T-05V05(S)
- 6m LANDSCAPE BUFFER (RED-LINED)
- 0.3m RESERVE (RED-LINED)

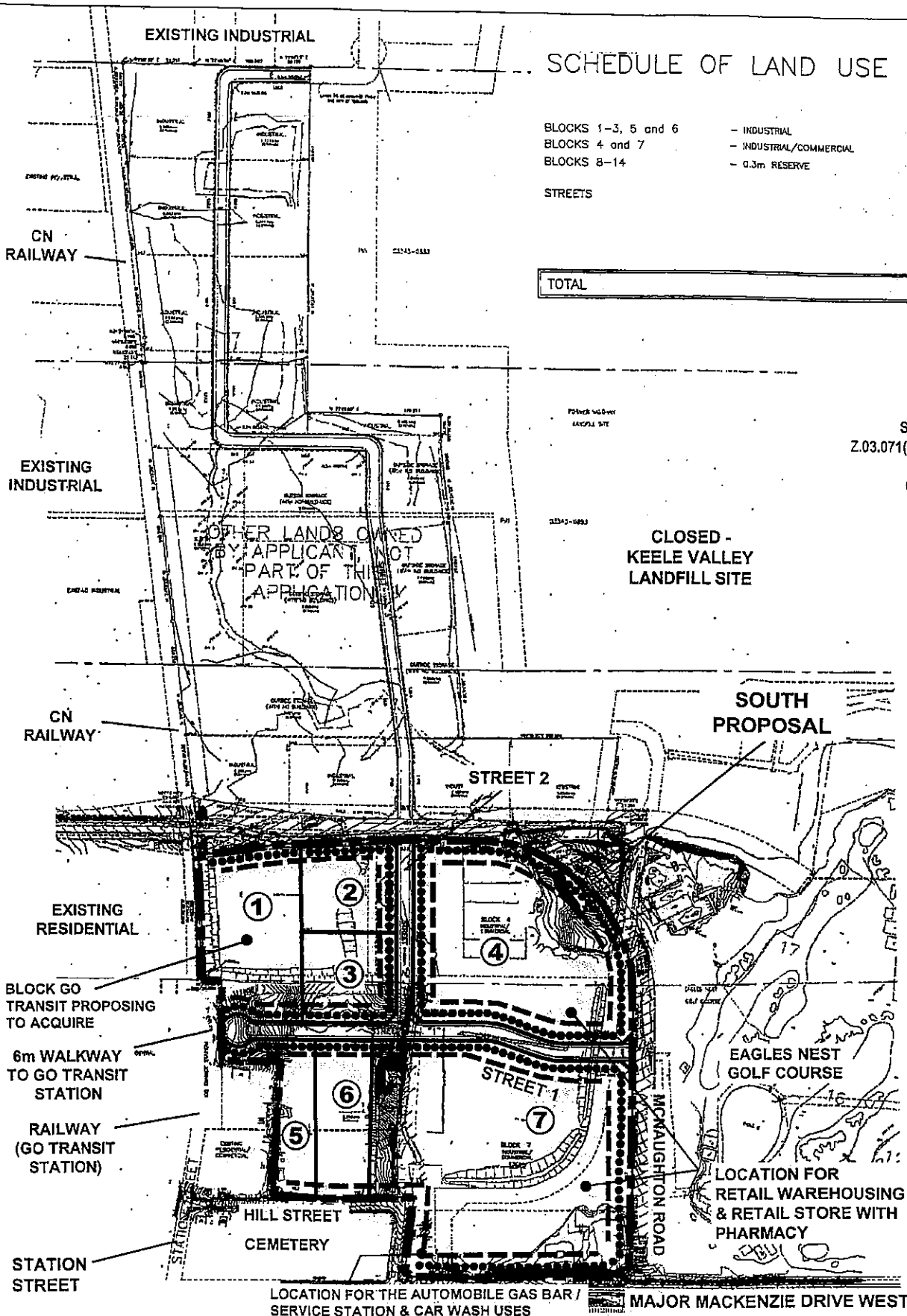
CLOSED -  
KEELE VALLEY  
LANDFILL SITE



Not to Scale

BLOCKS 1-4, 7:  
M1(H) Restricted  
Industrial Zone -  
Area "B"

BLOCKS 5 & 6:  
M1(H) Restricted  
Industrial Zone -  
Area "C"



## Red-Lined Draft Plan of Subdivision (South)



## Attachment 4

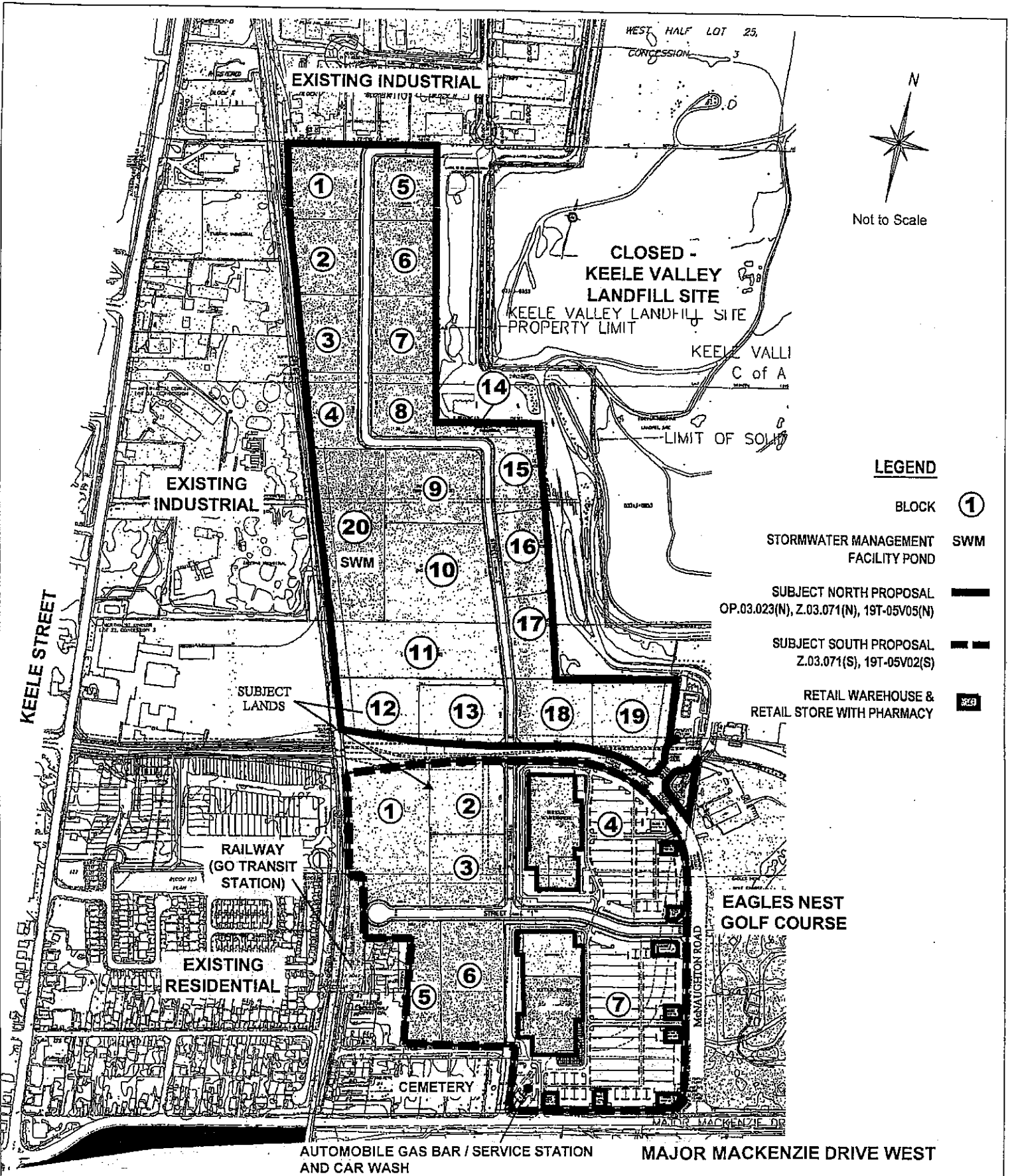
APPLICANT:  
YORK MAJOR HOLDINGS  
INC. & YORK CIRCLE  
HOLDINGS INC.

Part of Lots 21 & 22  
Concession 3

FILE No's.:  
Z.03.071(S) &  
19T-05V05(S)

June 8, 2006

Development Planning Department



**McNaughton Community  
Land Use Plan**

APPLICANT:  
YORK MAJOR HOLDINGS  
INC. & YORK CIRCLE  
HOLDINGS INC.

Part of Lots 21 - 24,  
Concession 3



Development Planning Department

**Attachment**

FILE No's:  
Z.03.071(S) &  
19T-05V05(S)

June 5, 2006

**5**

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



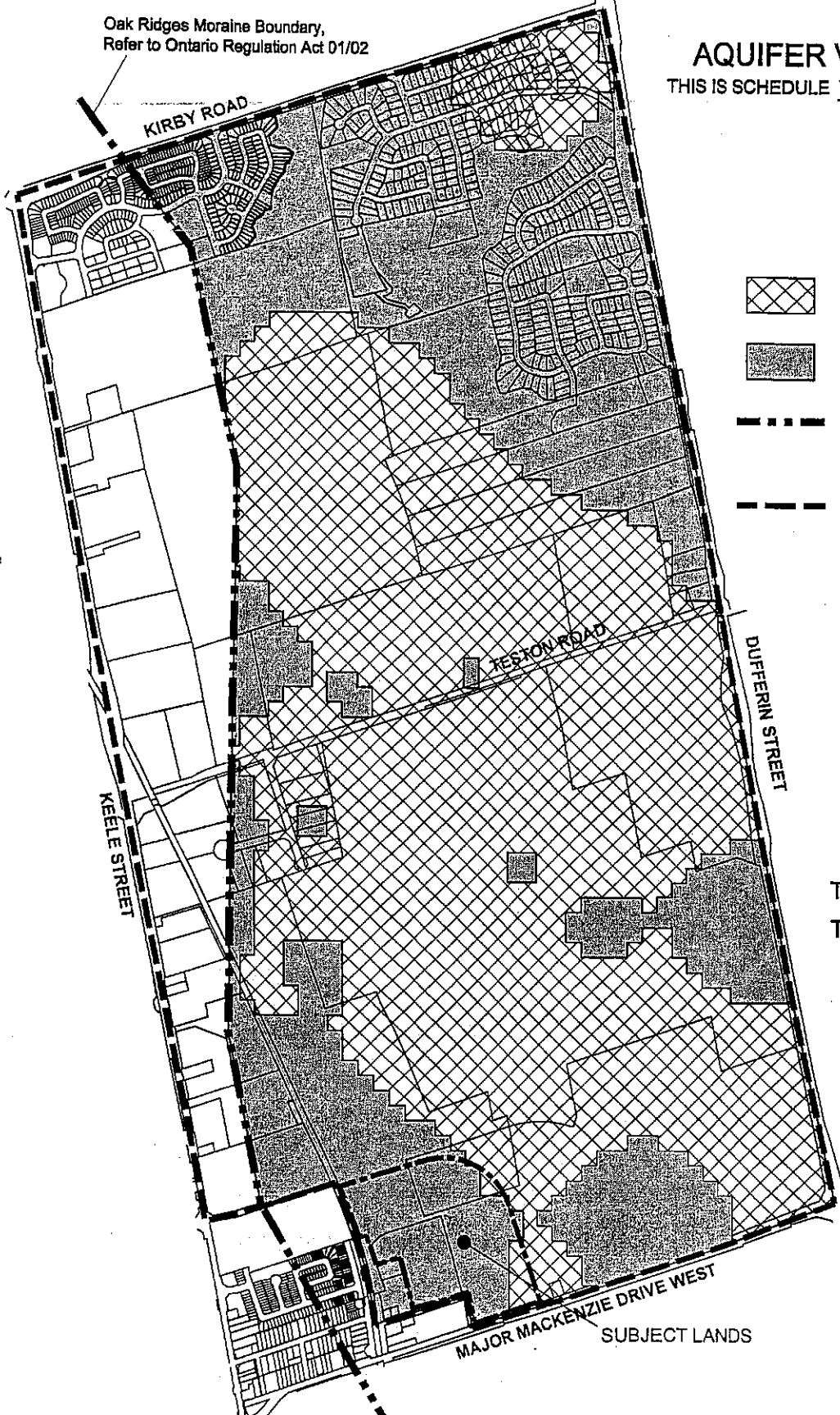
OAK RIDGES MORaine BOUNDARY -  
REFER TO ONTARIO REGULATIONS  
ACT 01/02



AREA SUBJECT TO  
AMENDMENT No. 332



Not to Scale



THIS IS SCHEDULE '10'  
TO AMENDMENT No. 332

### OPA #604 (Oak Ridges Moraine Conformity Plan)

APPLICANT:  
YORK MAJOR HOLDINGS  
INC. & YORK CIRCLE  
HOLDINGS INC.

Part of Lots 21 - 24,  
Concession 3

# City of Vaughan

Development Planning Department

## Attachment

FILE No's.:  
Z.03.071(S) &  
19T-05V05(S)

June 5, 2006

# 6