

SPECIAL COMMITTEE OF THE WHOLE – MONDAY, SEPTEMBER 12, 2011

COMMUNICATIONS

Distributed September 9, 2011

- C1. Memorandum from the Commissioner of Planning, dated September 12, 2011.**
- C2. Memorandum from the Commissioner of Planning, dated September 8, 2011.**
- C3. Mr. Frank Greco, dated September 8, 2011.**
- C4. Supplementary Report – Modifications to the Vaughan Official Plan – 2010 (Volume 1) File 25.1, dated September 12, 2011.**

Distributed September 12, 2011

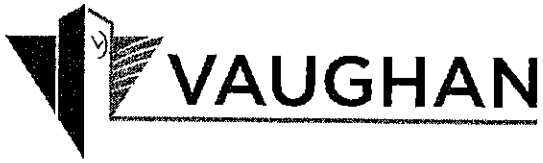
- C5. Ms. Rosemarie L. Humphries, Humphries Planning Group Inc., dated September 10, 2011.**
- C6. Ms. Rosemarie L. Humphries, Humphries Planning Group Inc., dated September 10, 2011.**
- C7. Mr. Joel D. Farber, Fobler, Rubinoff, LLP., dated September 9, 2011.**
- C8. Jean Roy, Canadian Petroleum Products Institute, dated September 12, 2011.**
- C9. Ms. Danielle Chin, BILD, dated September 12, 2011.**
- C10. Mr. Todd Trudelle, Goldberg Group, dated September 12, 2011.**
- C11. Mr. Jeffrey Streisfield, Land Law, dated September 12, 2011.**
- C12. Mr. Maurice Stevens, Castlepoint Investments Inc., dated September 12, 2011.**
- C13. T. W. Bermingham, Blakes, Cassels & Graydon LLP., dated September 12, 2011.**
- C14. Mr. Philip J. Stewart, Pound & Stewart Associates Limited, dated September 12, 2011.**
- C15. Mr. Ryan Guetter, Weston Consulting Group Inc., dated September 12, 2011.**
- C16. Mr. Alan Young, Weston Consulting Group Inc., dated September 12, 2011.**
- C17. Mr. Ryan Guetter, Weston Consulting Group Inc., dated September 12, 2011.**
- C18. Ms. Sandra K. Patano, Weston Consulting Group Inc., dated September 12, 2011.**
- C19. Mr. Yurij Michael Pelech, EMC Group Limited, dated June 17, 2011.**
- C20. Mr. Victor Labreche, Labreche Patterson & Associates Inc., dated September 12, 2011.**
- C21. Mr. Chris Barnett, Davis LLP, dated September 12, 2011.**

Cont'd . . .

SPECIAL COMMITTEE OF THE WHOLE – MONDAY, SEPTEMBER 12, 2011

- C22. Mr. Ryan Guetten, Weston Consulting Group Inc., dated September 12, 2011.**
- C23. Mr. James M. Kennedy, KLM Planning Partners Inc., dated September 12, 2011.**
- C24. Mr. Ryan Guetten, Weston Consulting Group Inc., dated September 12, 2011.**
- C25. Mr. Ryan Guetten, Weston Consulting Group Inc., dated September 12, 2011.**
- C26. Mr. Michael Melling, Davies Howe Partners LLP., dated September 12, 2011.**
- C27. Mr. Michael Melling, Davies Howe Partners LLP., dated September 12, 2011.**
- C28. Mr. Michael Melling, Davies Howe Partners LLP., dated September 12, 2011.**
- C29. Mr. Michael Melling, Davies Howe Partners LLP., dated September 12, 2011.**
- C30. Ms. Sandra Patano, Weston Consulting Group Inc., dated September 12, 2011.**
- C31. Mr. Gino Nave, DeNave Developments Inc., dated September 12, 2011.**
- C32. Mr. Michael Baker, EMBEE Properties Limited, dated September 12, 2011.**
- C33. Mr. Alan Young, dated September 12, 2011.**
- C34. Mr. Don Given, dated September 12, 2011.**
- C35. Mr. Michael Mendes, dated June 11, 2011.**
- C36. Mr. Roy Mason, dated June 8, 2011.**

Please note there may be further Communications.



memorandum

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| C | 1 |
| Item # | 1 |
| Report No. | 39 |
| Special Committee of the WHOLE | |
| - SEPT. 12, 2011 | |

TO: MAYOR AND MEMBERS OF COUNCIL
FROM: JOHN MACKENZIE, COMMISSIONER OF PLANNING
DATE: SEPTEMBER 12, 2011
RE: COMMITTEE OF THE WHOLE (SPECIAL) – SEPTEMBER 12, 2011

MODIFICATIONS TO THE VAUGHAN OFFICIAL PLAN – 2010 (VOLUME 1)
RESPONSE TO PUBLIC, GOVERNMENT AND AGENCY SUBMISSIONS
FILE 25.1

The attached information was inadvertently excluded and pertains to Attachment 4 of the above mentioned report.

This correction does not alter the conclusions or recommendations of the report.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'John Mackenzie', written over a horizontal line.

JOHN MACKENZIE
Commissioner of Planning

/lm

Copy To: Clayton Harris, City Manager
Jeffrey A. Abrams, City Clerk
Diana Birchall, Director of Policy Planning
Melissa Rossi, Planner I

June 30, 2011

Heather Konefat
Director, Community Planning
Regional Municipality of York
Planning Department
17250 Yonge Street, 4th Floor
Newmarket, Ontario
L3Y 6Z1

Dear Ms. Konefat,

Re: Requested Modification to Vaughan Official Plan 2010 - Provincially owned lands at Keele/407

We are writing to you with regard to lands owned by the Province of Ontario and managed by Infrastructure Ontario ("IO", formerly Ontario Realty Corporation) in the City of Vaughan. The subject lands are located at the southeast corner of Keele Street and Highway 407 (see attached Map 1). The site is part of a larger Provincially-owned parcel that is currently within the Parkway Belt West Plan area (see attached Map 2).

The Ministry of Transportation ("MTO") recently completed an Environmental Assessment ("EA") to identify the preferred alignment for the proposed Highway 407 Transitway at this location. The final Environmental Project Report ("EPR") proposes the Transitway to run along the north portion of the site and an emergency access road to run along the east portion, leaving approximately 10 acres hectares of unencumbered land with potential development opportunities (see attached Map 2).

As a result of the completion of the EPR, Infrastructure Ontario has applied to the Ministry of Municipal Affairs and Housing to remove the unencumbered lands from the Parkway Belt West Plan. That application was submitted on April 27, 2011. It is anticipated that the process for removing these lands will be completed by September 2011.

On September 7, 2010 the Council of the City of Vaughan adopted a new Official Plan – known as Vaughan Official Plan 2010 ("VOP2010"). VOP2010 has not yet been approved by York Region but we understand that its approval, with modifications, is expected prior to the end of 2011.

The Keele/407 lands are designated as *Parkway Belt West* in VOP2010 on both the Urban Structure Map (Schedule 1) and the Land Use Map (Schedules 13 and 13-s) – see attachment. Areas identified as 'Parkway Belt West' shall conform to the Parkway

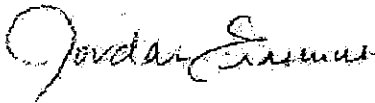
Belt West Plan land use and policies as VOP2010 recognizes that these lands are primarily reserved by the Province as 'Provincial Infrastructure and Complimentary Uses', as intended by the Parkway Belt West plan.

Given the application by Infrastructure Ontario to remove the Keele/407 lands from the Parkway Belt West Plan, we respectfully request a modification to VOP2010 such that the subject lands are identified on Schedule 1 as 'Employment Areas' and designated on Schedules 13 and 13-s as 'Prestige Employment'. Such a modification would be consistent with the identification and designation of adjacent lands identified in VOP2010.

Infrastructure Ontario intends to submit an application to the City of Vaughan for an Official Plan Amendment to the existing in-force OPA450 and a rezoning of the Keele/407 lands. Such application will be forwarded to York Region in support of this request to modify VOP2010.

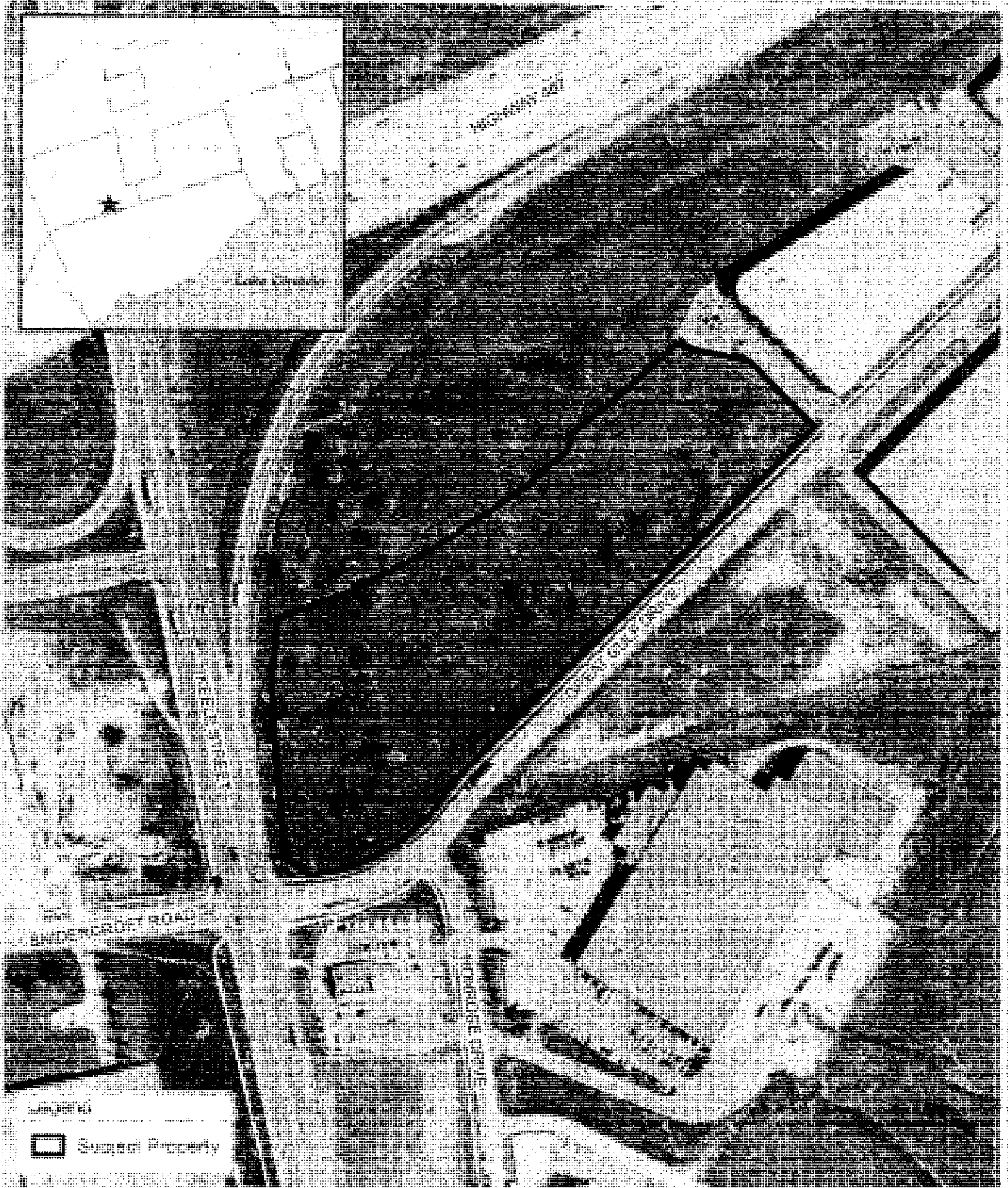
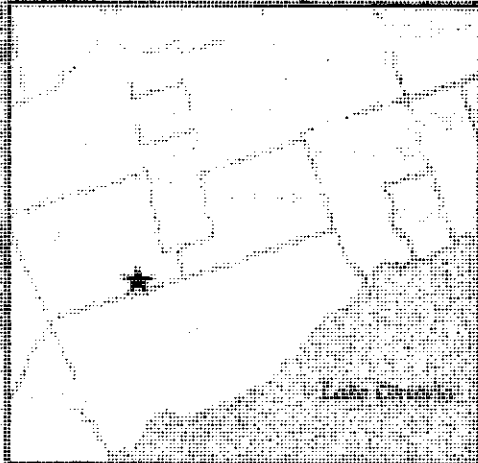
Thank you for your attention to this matter. Should you have any questions, please feel free to contact me directly at 416-327-8018 or jordan.erasmus@infrastructureontario.ca.

Yours truly,



Jordan Erasmus, MCIP, RPP
Planner

c.(email) John Waller, Region of York
 Augustine Ko, Region of York
 Grant Uyeyama, City of Vaughan
 Christina Napoli, City of Vaughan
 Jeremy Warson, Infrastructure Ontario
 Emily Riesman, Urban Strategies Inc.



Legend

Subject Property

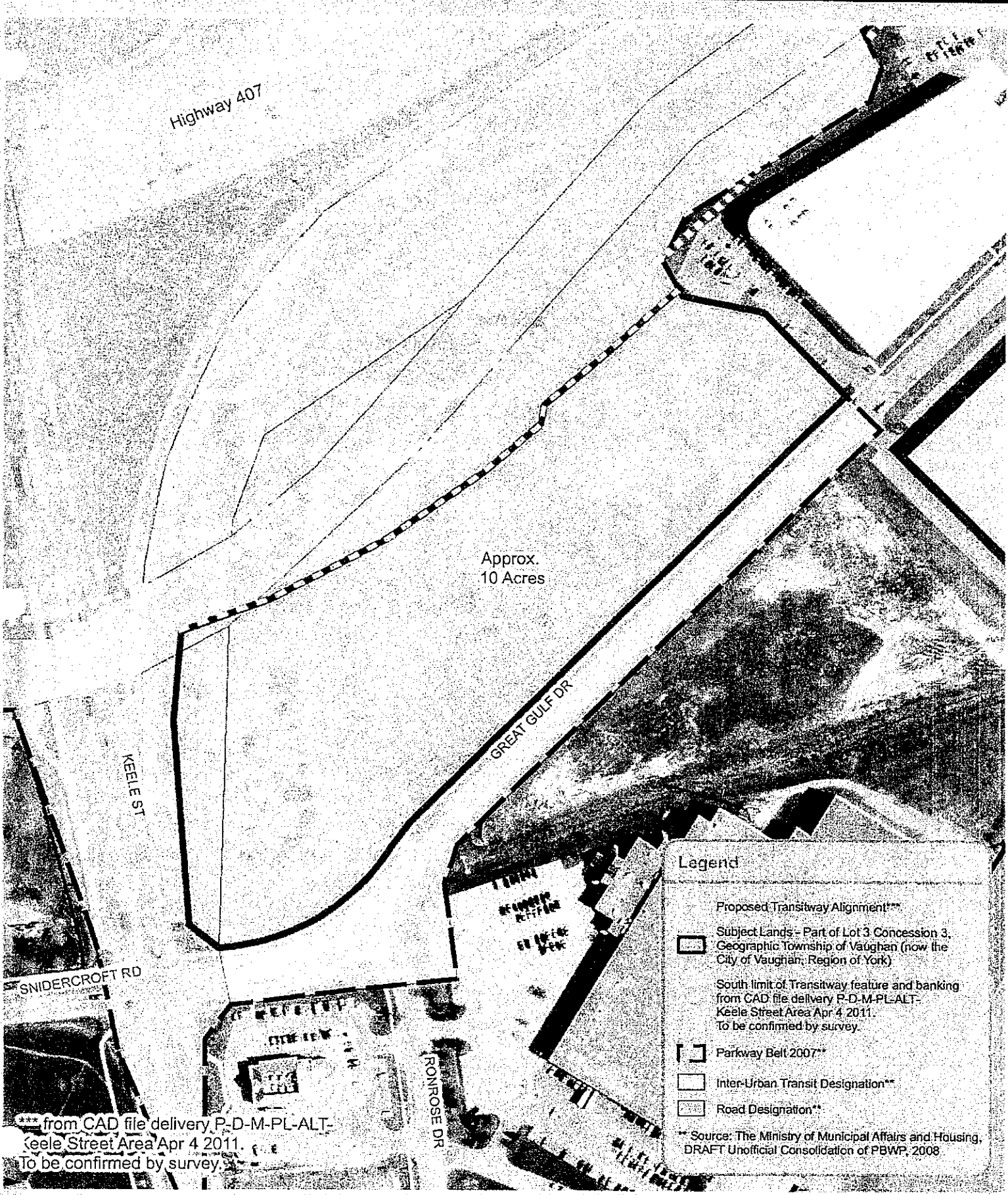


Meters









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 Accuracy and Liability are not guaranteed by the Province.

Map 2: Subject Property with Parkway Belt West Plan
overlay and 407 Transitway alignment



Approx.
10 Acres

Legend

-  Proposed Transitway Alignment***
-  Subject Lands - Part of Lot 3 Concession 3, Geographic Township of Vaughan (now the City of Vaughan; Region of York)
-  South limit of Transitway feature and banking from CAD file delivery P-D-M-PL-ALT- Keele Street Area Apr 4 2011. To be confirmed by survey.
-  Parkway Belt 2007**
-  Inter-Urban Transit Designation**
-  Road Designation**

** Source: The Ministry of Municipal Affairs and Housing, DRAFT Unofficial Consolidation of PBWP, 2008.

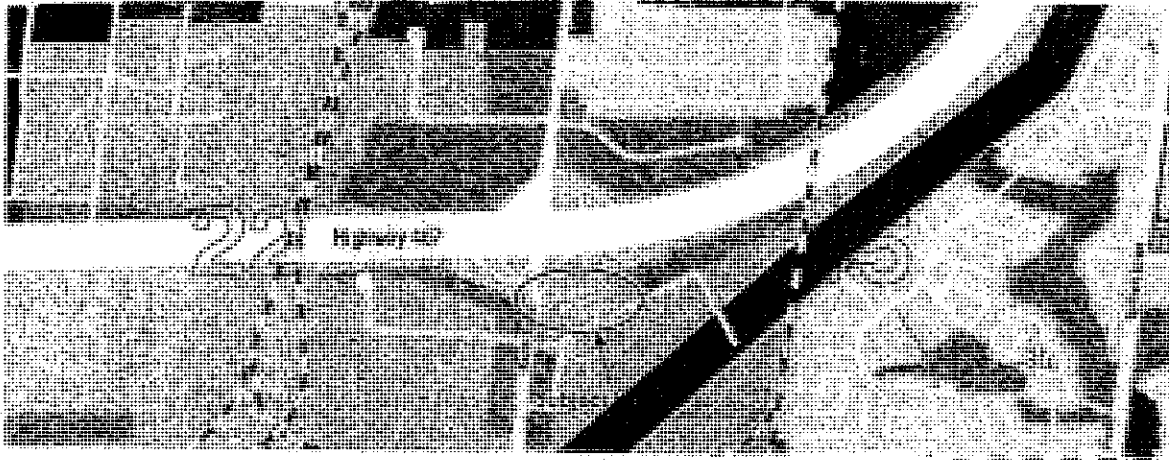
*** from CAD file delivery P-D-M-PL-ALT- Keele Street Area Apr 4 2011. To be confirmed by survey.








Vaughan OP Schedule 13-S: Land Use












City of Vaughan Official Plan (Adopted)







Schedule 13-S: Land Use



-  Natural Areas
-  Parks
-  Private Open Spaces

-  Agricultural
-  Rural Residential

-  Low-Rise Residential
-  Low-Rise Mixed-Use
-  Mid-Rise Residential
-  Mid-Rise Mixed-Use
-  High-Rise Residential
-  High-Rise Mixed-Use
-  Commercial Mixed-Use
-  Downtown Mixed-Use
-  General Employment
-  Prestige Employment
-  Major Institutional

-  New Community Areas
-  Theme Park and Entertainment
-  Parkway Belt West Lands
-  Infrastructure and Utilities
-  Roads
-  Railway

Ko, Augustine

From: Erasmus, Jordan (IO) [Jordan.Erasmus@infrastructureontario.ca]
Sent: June 30, 2011 11:41 AM
To: Konefat, Heather
Cc: Ko, Augustine; Waller, John; Napoli, Christina; Uyeyama, Grant; Emily Reisman; Warson, Jeremy (IO)
Subject: Requested Modification to Vaughan Official Plan 2010
Attachments: IO Modification Request Letter - Keele 407 lands - June 2011.pdf

Good morning Heather,

Please find attached a letter from Infrastructure Ontario (formerly Ontario Realty Corporation) regarding a request for modification to the Vaughan Official Plan for Provincially-owned lands at the southeast corner of Keele Street and Highway 407. A hard copy of the letter will follow in the mail.

Please feel free to contact me if you require any further information.

Best regards,
Jordan

Jordan Erasmus, MCIP, RPP
Planner
Infrastructure Ontario
1 Dundas St. W., Suite 2000
Toronto, ON M5G 2L5

Tel: 416.327.8018 | Fax: 416.212.1131
E-mail: Jordan.Erasmus@infrastructureontario.ca

www.infrastructureontario.ca

11/07/2011



memorandum

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| C | <u>2</u> |
| Item # | <u>1</u> |
| Report No. | <u>39</u> |
| Special Committee of the Whole | |
| <u>Sept. 12, 2011</u> | |

DATE: September 8, 2011

TO: COMMITTEE OF THE WHOLE

FROM: JOHN MACKENZIE
COMMISSIONER OF PLANNING

SUBJECT: ADDITIONAL INFORMATION
ITEM 534 (ATTACHMENT 1) - 7803 AND 7815 DUFFERIN STREET
SPECIAL COMMITTEE OF THE WHOLE MEETING –SEPTEMBER 12, 2011
MODIFICATIONS TO THE VAUGHAN OFFICIAL PLAN – 2010 (VOLUME 1)
RESPONSE TO PUBLIC, GOVERNMENT AND AGENCY SUBMISSIONS
FILE 25.1

In staff's response to the above-noted modification request (Item 534 in Attachment 1, Part B of the Special Committee of the Whole Report), it is recommended that the subject lands be reflected as "Low Rise Residential" on the land use map, until such time as the Centre Street Gateway study is completed and the appropriate land use designation for the lands is determined in a comprehensive approach. However, upon further review, it appears that the previous Official Plan, OPA 672, designated these properties as "General Commercial". Therefore the following revisions to the "comment" and "recommendation" sections for Item 534 are recommended:

Comment:

1. The subject lands were inadvertently left blank on Schedule 13-T of the VOP 2010. The lands should be reflected as Commercial Mixed-Use with a maximum height of 4 storeys and maximum density of 1.5 FSI (as per the northeast corner of Centre Street and Dufferin Street immediately south of the subject lands). In the previous OPA 672 these lands were designated General Commercial as per the northeast corner lands, and therefore they should retain their commercial designation at this time.
2. The subject lands are located within the Centre Street and Dufferin Street area, subject to a future Secondary Plan Study (Schedule 14-A). The proponent's request to have the lands re-designated to a low-rise mixed-use designation will be considered at the time that the Secondary Plan Study is undertaken for the Centre Street Gateway area.

Recommendation:

It is recommended that Schedule 13-T of the VOP 2010 be revised to reflect a "Commercial Mixed-Use" designation with a maximum height of 4 storeys and maximum density of 1.5 FSI.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'John MacKenzie', written over a horizontal line.

John MacKenzie
Commissioner of Planning

Copy to: Clayton Harris, City Manager
Jeffrey A. Abrams, City Clerk
Diana Birchall, Director of Policy Planning
Roy McQuillin, Manager of Policy Planning

Frank Greco

Property Management

| | |
|--------------------------------|----|
| C | 3 |
| Item # | 1 |
| Report No. | 39 |
| Special Committee of the Whole | |
| Sept. 12, 2011 | |

Mr. Jeffrey Abrams,
City Clerk,
City of Vaughan
2141 Major Mackenzie Drive,
Vaughan, ON
L6A 1T1

September 8, 2011

Attention: Mr. Abrams, City of Vaughan Clerk

Dear Mr. Abrams:

**RE: Special Committee of the Whole Meeting
Modifications to the City of Vaughan Adopted Official Plan
Official Plan Review- File 25.1
9560 Islington Ave., Woodbridge, ON
City of Vaughan**

Please find attached correspondence submitted to the City of Vaughan by Weston Consulting Group Inc. dated March 4, 2010 and subsequent letter from Frank Greco dated July 28, 2010. I have appeared before Vaughan Council during the Vaughan OP process on behalf of the property owners, Carmela & Andrea Greco.

We believe that the land use designation for the subject property in the Adopted City of Vaughan Official Plan (2010) is inappropriate for a range of planning reasons that have been described in the attached correspondence. The City of Vaughan city staff have declined to make the necessary changes to the new Official Plan to allow the proper development of the subject property. Based on this, we have been directed to pursue an appeal of the City of Vaughan Adopted Official Plan to the OMB.

We respectfully request to be notified when the Adopted Official Plan is approved by Regional Council so as to facilitate further action as necessary.

Yours truly,
Frank Greco Property Management

Frank Greco

Cc (via email) John MacKenzie, Commissioner of Planning, City of Vaughan
Diana Birchall, Director of Policy Planning, City of Vaughan
Tony Carella, Councillor Ward 2
Ted Cymbaly, Senior Associate, WCGI
Andrea & Carmela Greco (owners)



Weston Consulting Group Inc.

'Land Use Planning Through Experience and Innovation'

March 4, 2010
File No. 4963

City of Vaughan - Policy Planning Department
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

ATTENTION: Paul A. Robinson, Senior Planner

Dear Sir:

**Re: City of Vaughan Official Plan Review Process
Proposed Development
9560 Islington Avenue
City of Vaughan**

Weston Consulting Group Inc. (WCGI) is the planning consultant representing Mr. Andrea Greco and Mrs. Carmela Greco, owners of the above captioned property (herein referred to as the "subject property").

Description of Property and Surrounding Area

The subject property is located on Islington Avenue, between Sonoma Boulevard and Napa Valley Avenue, within the Community of Woodbridge, in the City of Vaughan. The site is approximately 1.8 acres (0.7 hectares) in size and has approximately 60 metres (200 feet) of frontage on the west side of Islington Avenue. The site is rectangular in shape and has an approximate lot depth of 120 metres (390 feet). The subject property is currently occupied by a single family dwelling located at the centre of the site with a hedgerow lining the perimeter of the property (see Attachment 1 – Aerial Photograph).

The Islington Village (shopping centre) adjoins the subject property to the north. The shopping centre is anchored by a large grocery store (Metro) and pharmacy (Pharma Plus Drugmart). The plaza also offers various take-out restaurants, a Blockbuster, Mac's Convenience Store, the Woodbridge Medical Centre and a Chiropractor's office. Clearly this plaza offers many services that would no doubt directly benefit adjacent residents within walking distance. To the south and west of the site are a mix of single-detached, semi-detached and townhouses, which comprise a low-density and medium-density residential community. To the east of the site and beyond Islington Avenue, is a large fire station and a significant amount of woodland, open space and parkland (see Attachments 1 and 2).

Planning and Urban Design Services

Proposed Development

Mr. Greco, our client, has also retained an architect who has designed a suitable 8-storey medium-density development concept (see Attachments 3 (Site Plan) and 4 (Rendering Drawings)), which proposes 181 units, with one and two bedroom suites. The condominium will feature an outdoor roof-top recreational area, a garden, dining lounge, swimming pool walking track and cabana with exercise and jungle gym.

The proposed density of the condominium will be **250.79 units per hectare**, with an **FSI of 2.53**. The proposed building incorporates a unique and attractive design, and is oriented towards Islington Avenue, with an appropriate setback from the existing low-rise residential community to the west and south of the site. Please note that the proposed eight-storey building was designed with consideration to the compatibility of the surrounding. The building heights are within the 45 degree plane line from all adjoining residential buildings. The proposed condominium will be accessed by a private driveway leading to an underground parking garage. This development will provide a high degree of urban design, foster a unique sense of place and prominent landmark for the surrounding area, and promote community sustainability. Its close proximity to the Islington Village shopping centre will be a functional asset not only to the new residents, but also support the shopping centre itself.

Please note, that although the current conceptual plan does not include limited commercial uses located at-grade along Islington Avenue, we request the City consider this site for mixed-uses as is permitted in the current site-specific Official Plan provisions. The owner has indicated that he may wish to incorporate limited commercial uses at-grade for the proposed development.

We anticipate development applications to be submitted in the future based on the above development concept, with modifications perhaps to incorporate the at-grade commercial uses.

Existing and Proposed Planning Framework

The new Region of York Official Plan (Regional OP) was recently approved by Regional Council in December 2009. The Provincial Policy Statement, 2005 (PPS) requires that upper and lower tier municipalities coordinate their land use planning efforts. The Regional OP designates the subject property as **Urban Area**. These areas are intended to accommodate the forecasted growth targets for the Region. The Regional OP plans to accommodate 90,720 additional units throughout the Region, of which, the City of Vaughan is to provide 29,300 (or 32.3%) of these units by the year 2031. This percentage is only second by a narrow margin to the Town of Markham, which is targeted for the majority of the residential growth throughout the Region.

With regards to the existing City of Vaughan Official Plan Amendment No. 600 (OPA 600), the plan identifies the subject property within the *Woodbridge Expansion Area*. As such, OPA 600 designates the site and the landholdings along Islington Avenue as **Medium Density Residential-Commercial Areas**. Notwithstanding the policies of this designation, Section 4.2.1.3.1 of OPA 600 provides the following site-specific provisions:

- "iv) *Within Medium Density Residential-Commercial areas a mix of lot sizes and building types is encouraged. The following uses shall be permitted:*
- *detached houses;*
 - *semi-detached houses;*
 - *street townhouses;*
 - *duplex, triplex and fourplex units;*
 - *stacked townhouses limited to three storeys in height;*
 - *apartment buildings limited to four storeys in height;*
 - *other residential building forms which would satisfy the density provisions of this Section of the Plan;*
 - *commercial uses in accordance with the policies of this Plan;*
 - *schools;*
 - *parks and open spaces;*
 - *community facilities;*
 - *other institutional uses;*
 - *places of worship, and*
 - *daycare and private home daycare.*
- v) *Within Medium Density Residential-Commercial areas the range of permitted densities shall be no less than 17 units per hectare and no more than 60 units per hectare. Within each Block Plan area the average density taken across all the Medium Density Residential-Commercial Areas shall not be less than 35-40 units per hectare."*

The subject property is currently zoned **Agriculture (A)**, according to Map7D of the City of Vaughan Zoning Bylaw No. 1-88. It is anticipated that a Zoning By-law Amendment Application will be necessary to permit the proposed development.

Vaughan Official Plan Review Process

WCGI has been monitoring the City's preparation of the new Official Plan since it began this process in 2007. With regards to the subject property, it is our opinion that there is potential for intensification in the form of a mid-rise, higher density residential condominium, with both surface and a one-level underground parking garage at this particular site.

On November 18, 2009, WCGI attended the City of Vaughan's open house on the status of the Official Plan review. WCGI has reviewed the information available with respect to the subject property, which includes a proposed urban structure map and the proposed land use structure map.

The subject property is proposed to be designated as **Neighbourhoods**, and seems to be further designated as **Low Rise Residential** on the draft Urban Structure Guides Land Use Map. To date, no specific policies have been released to the public, however a series of Master Plans and reports have been made public by the City and Urban Strategies Inc. We have reviewed these documents and on behalf of our client, we wish to provide the following recommendations.

Submissions

We believe that the draft urban structure land use map be modified to a designation more appropriate for the proposed development. We suggest the *Mid-Rise Residential Mixed-Use* designation is more appropriate, and is more in keeping with the existing site-specific *Medium-Density Residential-Commercial Areas* currently applicable to the subject property. The site is currently underdeveloped in the context of the surrounding area and such intensification would be appropriate adjoining the shopping centre.

We offer the following comments with respect to the City's Official Plan review process as it relates to the subject property:

1. The Provincial Policy Statement, 2005 (PPS) requires all municipal official plans to be consistent with its policies. The PPS supports intensification and more compact, transit-supportive land use patterns. The proposed development meets these criteria; therefore we recommend that the City provide policies in the new Official Plan to accommodate this proposed development as described as an appropriate intensification.
2. In addition to the above, the PPS also promotes healthy, liveable and safe communities by accommodating an appropriate range and mix of residential, employment, recreational and open space uses to meet the long-term needs.
3. The site is not within the *Regional Greenlands System*, or subject to similar natural environmental restrictions.
4. The *Places to Grow: A Growth Plan for the Greater Golden Horseshoe (2006)* (Growth Plan) promotes efficient use of existing infrastructure and directs growth at higher densities and with a mix of uses to those areas best able to accommodate it. It is our view that the proposed intensification of this site is consistent with good planning principles by utilizing the existing infrastructure allocated to the site.
5. We support a residential designation for the subject property in light of the recently adopted Regional OP and the contextual situation of the property being located within an "Urban Area". By the year 2031, the Regional OP forecasts an additional 577,000 residents will need to be accommodated throughout the Region. This growth is to be provided in Urban Areas, as well as other built-up areas. The subject property is currently underdeveloped, and the proposed development represents a significant redevelopment opportunity in the City.
6. While we are supportive of a residential designation for the subject property, the City's Official Plan draft policies should provide flexibility regarding the mix of residential and commercial uses on this site for marketability purposes.
7. *Urban Areas* within the Region of York are to accommodate the forecasted growth targets. We request that the City consider the subject property as an intensification area by providing official plan provisions that would allow for higher densities in areas that are underdeveloped, within *Urban Areas*, within close proximity to a proposed transit stop, commercial services, and designed to be compatible with adjacent land uses.

8. Section 5.3.3 of the Regional OP states that local municipalities shall complete their own intensification strategies to meet and/or exceed a residential intensification target of 29,300 units for the City of Vaughan. It is our submission that this subject property be interpreted as a "Local infill" site.
9. The site is approximately 0.9 km north of Rutherford Road, and approximately 1.4 km south of Major Mackenzie Drive West, which are both classified as a "*Regional Transit Priority Network*" by the Regional OP. In addition, the subject property is within 3.5 km of two proposed GO Stations. One of which is to be located on Rutherford Road west of Highway 27, and the other is proposed on Major Mackenzie Drive, east of Huntington Road. The proximity to these two proposed regional transit stations provides opportunities for medium to high density development within the community. We request that the City's Official Plan include policies that recognize the significance of public investment in rapid transit and transit supportive development.
10. We recommend the City recognize the significant redevelopment opportunities along Islington Avenue between Napa Valley Avenue and just south of Sonoma Boulevard, by providing provisions in the draft Official Plan to accommodate the development of medium and high-rise, mixed-use developments that is limited by a 45 degree plane from all adjoining residential property lines.
11. The "Where & How to Grow" report prepared by Urban Strategies Inc. indicates that the majority of the priority areas for intensification coincide with parts of the City that already have higher density development permissions. However, the report states on page 60 that,
"...a certain oversupply of intensification potential is necessary to allow for the market to select the most desirable of the priority areas. Factors which may impact the rate of intensification uptake include land owner willingness or interest to undertake redevelopment, market upswings/downturns, and ease of land assembly."

Although the subject property has not been included within an identified priority area, we request consideration be given to this site given its unique location and the willingness of the owner to redevelop the lands in consideration of the surrounding area.

Enclosed Materials

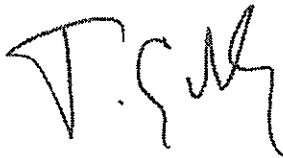
In support of the above submissions, as well as the proposed development, we have enclosed the following drawings to provide a visualization of the ultimate developability of the subject property:

- One (1) copy of the Air Photograph of the subject property, and surrounding area;
- One (1) copy of the Site Plan;
- One (1) copy of a Context Plan with the proposed concept plan shown on the subject property, and surrounding area; and
- One (1) copy of a computerized Rendering Drawing of the subject property, from Islington Avenue.

At this time, WCGI requests that we be placed on the City's mailing list in order that we may continue to participate in the City's Official Plan Review process. We request that the above noted comments be considered in the continued preparation of the City's Official Plan.

Should you have any questions or require clarification on this matter, please contact the undersigned.

Yours truly,
Weston Consulting Group Inc.
Per:

A handwritten signature in black ink, appearing to read 'T. Cymbaly', with a stylized flourish at the end.

Ted Cymbaly, BES MCIP RPP
Senior Associate

cc: Frank Greco, Client
Eugene Fera, City of Vaughan
Augustine Ko, Region of York
Mayor Linda Jackson, City of Vaughan
City Councillor Tony Carella (Ward 2), City of Vaughan
Regional Councillor Joyce Frustaglio, City of Vaughan
Regional Councillor Mario Ferri, City of Vaughan
Regional Councillor Gino Rosati, City of Vaughan
Pino DiMascio, Urban Strategies Inc.
Emily Reisman, Urban Strategies Inc.

Frank Greco

July 28, 2010

Mr. J. Zipay
Planning Commissioner
City of Vaughan
2141 Major Mackenzie Dr.,
Vaughan, ON L6A 1T1

Mr. J. Abrams, Clerk
City of Vaughan
2141 Major Mackenzie Dr.,
Vaughan, ON L6A 1T1

RE: **Formal Notice of Objection Letter**
City of Vaughan Official Plan Review
Committee of the Whole- July 28, 2010

Dear Mr. Zipay;

I represent Mr. Andrea Greco and Mrs. Carmela Greco, owners of 9560 Islington Ave., Woodbridge (City of Vaughan).

Our planning consultants, Weston Consulting Group Inc., submitted a letter dated March 4, 2010 with respect to this property and the Vaughan Official Plan Review policies affecting it. A copy of the above letter is attached.

Please be advised that I have had the opportunity to review Volume 1 of the draft Official plan for the City of Vaughan. I have also made deputations and sent numerous e-mails in the course of the OP Review process to consider opportunities for more density and building heights in the "Low-Rise Mixed-use" and "Low-Rise Residential" Land Use designated areas of the OP, where appropriate.

The property at 9560 Islington Ave., represents a site for potential intensification in the Official Plan for density and building height. Schedule 13 "Land Use" of the draft Official Plan designates 9560 Islington Ave as "Low Rise Mixed-Use". Schedule 13-M further designates a maximum building height of 4 stories and a density of 1.5 (FSI) for this site.

Please be advised by this letter that the owners of 9560 Islington Ave., Woodbridge object to both Schedule 13 and 13-M of the draft Vaughan Official Plan as it relates to 9560 Islington Ave., Woodbridge. Objections include but may not be limited to, the Land Use designation, maximum building height and density designated for this property. The proposed future development of this site, as submitted in conceptual form only by Weston Consulting Group Inc. requires that this site be designated "Mid-Rise Mixed-Use" permitting an 8 storey, 181 unit residential condominium having a density of 2.53 (FSI).

The owners are prepared to meet at any time with Vaughan Planning staff to discuss this site and the objections of the owners prior to final approval by Vaughan Council or Regional Council.

Letter to Commissioner of Planning, City of Vaughan, July 28, 2010

Regards,

Frank Greco

Frank Greco,
Representative for Owners
9560 Islington Ave., Woodbridge (City of Vaughan)

cc Mr. Ted Cymbaly, Weston Consulting Group Inc. (by e-mail)
Andrea & Carmela Greco, owners 9560 Islington Ave., Woodbridge
Ms. Mary Flynn-Guglietti, McMillan LLP (by e-mail)
Ms. Melissa Rossi, Policy Planner City of Vaughan (by e-mail)
Ms. Emily Reisman, Urban Strategies (by e-mail)

SPECIAL COMMITTEE OF THE WHOLE – SEPTEMBER 12, 2011

SUPPLEMENTARY REPORT - MODIFICATIONS TO THE VAUGHAN OFFICIAL PLAN - 2010
(VOLUME 1)
FILE 25.1

| | |
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| C | 4 |
| Item # | 1 |
| Report No | 39 |
| Special Committee of the Whole Sept 12/11 | |

Recommendation

The Commissioner of Planning recommends that:

1. The report entitled "Housing Analysis and Employment Land Needs - Addendum to the April 2010 Report" (September 2011), Hemson Consulting Ltd. be received;
2. The Vaughan Official Plan 2010, (Volume 1) be modified by adding the following policies to Section 2.2.4 "Employment Areas" by inserting the following after policy 2.2.4.1 and renumbering the remaining Section 2.2.4 accordingly:
 - 2.2.4.2 The lands designated "General Employment", "Prestige Employment" and "Commercial Mixed-Use" together constitute the City's "employment area" land supply as defined in the *Growth Plan* and the PPS.
 - 2.2.4.3 The City's employment area land supply is subject to the conversion policies of the *Growth Plan* and PPS.
 - 2.2.4.4 Any proposal for additional retail permissions that would exceed the 70/30 mix of 'retail' to 'non-retail commercial' or the addition of residential uses - would be considered a conversion under the *Growth Plan* and could only be permitted through a municipal comprehensive review conducted by the City in coordination with the Region of York;
3. The recommendations set out in Section B of the staff report in respect of the *Housing Analysis and Employment Land Needs Addendum to the April 2010 Report (September 2011)* be approved and that the required modifications be made to VOP 2010;
4. A Secondary Plan study be undertaken to determine the appropriate land use and, urban design framework for the lands generally located north of Major Mackenzie Drive, south west of McNaughton Road and, adjacent to the Maple GO station;
5. The recommendations set out in Attachment No. 3 "Supplementary Report: Vaughan Official Plan 2010 (Volume 1)" be approved and any required modifications be made to VOP 2010; and
6. This Supplementary Report be forwarded to the Region of York, in conjunction with Item 1 on the agenda of the September 12, 2011 Special Committee of the Whole (Modifications to the Vaughan Official Plan - 2010 (Volume 1), Response to Public, Government and Agency Submissions, File 25.1) as the City of Vaughan's recommended modifications to VOP 2010 and that the Region of York be requested to modify the plan accordingly.

Purpose

To report and obtain direction on additional modifications to the Vaughan Official Plan 2010 (VOP 2010). This report contains supplementary information and recommendations in respect of Item 1 of the September 12, 2011 Special Committee of the Whole agenda. The Council ratified report and recommended modifications will be forwarded to the Regional Municipality of York with the

request that the modifications be incorporated into VOP 2010 as part of the Region's official plan approval process.

Background – Analysis and Options

Location

The recommendations set out in this report apply to various lands within the City of Vaughan as discussed herein.

A) Evaluation of Additional Correspondence Requesting Modifications to VOP 2010

In compiling the matrix for the "Summary of Respondents Requests/Staff Comments and Recommendations" (Attachment No. 1, Part B) for the September 12, 2011 report to the Special Committee of the Whole meeting, staff have been endeavouring to track and address all submissions that have been forwarded from the Region of York as a result of its review of VOP 2010. Staff recently received the latest submissions to the Region. For the purpose of up-dating and completing the response matrix (Attachment 1, Part B) this Supplementary Report provides responses to the later submissions, in a matrix format, which forms Attachment 3. It will be forwarded to the Region of York as part of the Supplementary Report for consideration in finalizing VOP the 2010.

B) Follow-Up Evaluation of Additional Employment Land Conversions to Alternative Uses (Addendum to April 2010 Housing Analysis and Employment Land Needs Report, by Hemson Consulting)

The Region of York has noted that a number of site specific re-designations from "Employment" to other land use designations have not been justified by Hemson Consulting in their employment land use conversion review report entitled "Housing Analysis and Employment Land Needs (April 2010)".

The conversion from employment use to a non-employment use requires compliance with Section 2.2.6.5. (Employment Lands) of the Growth Plan for Greater Golden Horseshoe. In order to comply with the Provincial requirements an analysis must demonstrate:

- there is a need for the conversion;
- the municipality will meet the employment forecasts allocated to the municipality pursuant to this Plan (Growth Plan);
- the conversion will not adversely affect the overall viability of the employment area, and achievement of the intensification target, density targets, and other policies of this Plan;
- there is existing or planned infrastructure to accommodate the proposed conversion;
- the lands are not required over the long term for the employment purposes for which they are designated; and
- cross-jurisdictional issues have been considered.

The Hemson addendum report (2011) reinforces an objective of the VOP 2010 which is that an "Employment Area" (as defined by the *Growth Plan* and PPS) includes the "*Commercial Mixed-use*" designation. Even though the VOP 2010 has shifted some permissions on lands within employment areas to a primarily retail form, it is Hemson's and staff's view that this does not constitute a conversion within the meaning of the Growth Plan. Therefore to clarify the approach taken in the VOP 2010, it is recommended that "employment areas" comprise: 1) *General and Prestige Employment* designations, and; 2) *Commercial Mixed-Use* Designations (not inclusive of retail warehouses permitting large-format retail).

The "Commercial Mixed-use" designation in the Plan applies to lands which have *existing* or are *planned* to have retail concentrations and does not apply to lands where additional retail permissions could have a destabilizing effect on the more industrial type of employment lands. Residential uses are not permitted in the "Commercial Mixed-use" designation as the designation typically forms an "edge" to and a transition from the more industrial type of employment to more sensitive land uses.

Both the *Growth Plan* and PPS maintain a broad definition of employment areas in order to allow municipalities the discretion and flexibility to establish land use designations that best meet the needs of the community. An "employment area" is defined in both the *Growth Plan* and the PPS as:

Areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

In Hemson's view, neither the *Growth Plan* nor the PPS requires that *all* employment areas be designated to include *all* of the listed uses, only that those uses are provided for in some location within the community. The matter of which uses should be permitted in which locations is a local and regional land use planning matter. Under the *Growth Plan* definition, a use within an employment area that is already permitted or has been established under the local and regional official plan, requires no conversion. If a new or proposed use is not permitted or established under the current plans, then a municipal comprehensive employment land conversion review is required.

The policy provisions in VOP 2010 for "Commercial Mixed-Use" areas require a minimum of 30% gross floor area of all new uses on the lot to consist of uses other than retail, including offices, hotels and gas stations.

The Hemson report recommends new policies that clarify the intent of the VOP 2010 as follows:

- The lands designated "General Employment", "Prestige Employment" and "Commercial Mixed-use" constitute the City's employment area land supply as defined in the *Growth Plan* and Provincial Policy Statement;
- The City's employment area land supply is subject to the conversion policies in the *Growth Plan* and PPS;
- Any proposal for additional retail permissions that would exceed the 70/30 percent mix or addition of residential use would be considered a conversion and require a municipal comprehensive conversion review.

In the case of the City's proposed "Commercial Mixed-use" areas, the pre-existing official plan designations for these areas allowed for both general employment and retail uses, as the case may be. The change, therefore, is not generally to add retail permissions but rather to recognize existing or planned retail concentrations.

However, for the purposes of analysis, the tests set out in Section 2.2.6.5 of the *Growth Plan* are used to discuss the appropriateness of the change from General and Prestige Employment to Commercial Mixed-Use (which in our view does not represent a conversion) and to a mixed-use residential designation (which does represent a conversion). The conclusion of the full discussion and analyses (contained in Attachment 1) is provided below and includes the parcels in question and the recommendation as to whether the designation should remain as shown in the VOP 2010 or revert to the existing designation.

| Parcel | Recommendation |
|--|---|
| 1. Jane Street Corridor (between Applewood Crescent and Rutherford Road); | That lands are not appropriate for "Commercial Mixed-Use" designation and, that the lands retain their current designation of "Prestige and General Employment". |
| 2. Steeles Avenue Corridor (east of the Humber River to Jane Street, and east of Keele Street to Dufferin Street); | That the lands are considered appropriate for the "Commercial Mixed-use" designation. |
| 3. South East Corner of Langstaff and Weston Road Intersection; | That the lands are considered appropriate for the "Commercial Mixed-use" designation. |
| 4. 77 & 87 Woodstream Blvd (south of Highway 7, east of Martin Grove Rd.); | That these lands are not appropriate for "Mid-Rise Mixed use", and, that the lands retain the current designation of "General Employment". |
| 5. Lands immediately north of Major Mackenzie, south west of McNaughton Road (adjacent to Maple GO station); | That these lands be subject to a Secondary Plan study to determine the future land use and urban design framework. The lands are considered appropriate for a wider range of uses, however, due to proximity of the former Keele Valley landfill, further land use, urban design and environmental analysis is required. |
| 6. South West quadrant of Langstaff Road, and Highway 27 north of Milani Blvd.; | That the lands immediately south of Langstaff Road between the Hydro Corridor and Highway 27, as outlined on Map 4 of Attachment 1 are partially appropriate for "Commercial Mixed-use"; and the residual lands should retain their existing "Prestige Employment" designation fronting Langstaff Road, with the interior as "General Employment" as per OPA 450; and that the lands south west abutting the Hydro Corridor are not appropriate for "Commercial Mixed-use" and should retain the "General Employment" designation. For the designation of areas generally refer to Map 4 in Attachment 1. |
| 7. Lands north of Rutherford Road, east of Melville Road (Vaughan Joint Operations Centre); | That the lands are not appropriate for "Commercial Mixed-use", and that the current "Prestige Employment" designation be retained. |
| 8. Lands on the east side of Dufferin Street, north of Racco Parkway | That the lands are appropriate for "Commercial Mixed-use" designation. |
| 9. Lands on the west side of the Highway 7 and Highway 27 Intersection. | That the lands were originally included as part of OPA 660 permitting mixed-uses along the Highway 7 corridor. The "Prestige Employment" designation shown in the VOP 2010 is a mapping error and the designation of "Commercial Mixed-use" should be shown instead. |

C) Secondary Plan Requirement for Lands North of Major Mackenzie Drive East of Keele Street, south of the Keele Valley Landfill site

The Hemson Report recommends that lands located north of Major Mackenzie Drive, East of Keele Street, south of the Keele Valley Landfill site require further study to

determine the land uses that would be most appropriate. The subject lands have an "employment designation" with a site specific by-law to permit retail uses.

In Hemson's and staff's views the area is appropriate for change to a wider range of uses, however further study is recommended to determine the specific land uses, particularly whether a *Commercial Mixed-use* designation or a mixed-use residential designation is appropriate. Therefore it is staff's recommendation that a Secondary Plan study be undertaken to determine the appropriate land uses based on the following reasons:

- Lands are removed from the City's major employment concentrations and abutted by mostly residential uses;
- Permissions for large-format retail are already in place and there is a low probability of industrial development taking place on the residual lands;
- Lands are within close proximity to the Maple GO Station, providing additional opportunity for intensification and more efficient use of land and transit infrastructure.
- The subject lands are in close proximity to the former Keele Valley Landfill site, and further examination of environmental regulations would be required to determined appropriateness of other "non-employment" uses.

Conclusion

Based on the rationale set out in the 'Housing Analysis and Employment Land Needs – Addendum to the April 2010 Report (September 2011) it is recommended that the recommendations of the report are approved.

Attachments

1. "Housing Analysis and Employment Land Needs - Addendum to the April 2010 Report" (September 2011), Hemson Consulting Ltd.;
2. Location Map: Lands Under Evaluation;
3. Supplementary Report: Vaughan Official Plan 2010 (Volume 1) - Summary of Respondents Requests/Staff Comments and Recommendations.

Report prepared by:

Melissa Rossi, Senior Policy Planner x. 8320
Roy McQuillin, Manager of Policy Planning x. 8211

Respectfully submitted,



John MacKenzie
Commissioner of Planning



Diana Birchall
Director of Policy Planning

**HOUSING ANALYSIS AND EMPLOYMENT LAND NEEDS
Addendum to the April 2010 Report**

Prepared for:

Vaughan Tomorrow

O U R C I T Y . O U R V O I C E .

HEMSON
Consulting Ltd.

September 2011

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I BACKGROUND AND INTRODUCTION

The City of Vaughan recently prepared a new official plan that was adopted by Council on September 7, 2010. As input to the preparation of the new plan Hemson Consulting Ltd. in conjunction with Urban Strategies Inc., undertook an analysis of the City's long-term residential and employment land needs, including a municipal comprehensive review of employment land conversions.

The results of that analysis are set out in the *Housing Analysis and Employment Land Needs* report which was completed in April 2010 (the "April 2010 report"). In the April 2010 report, a total of seven employment land sites were recommended for a change in designation. These sites are proposed to be designated in the new official plan for either residential or retail use, as the case may be.

Since the completion of the April 2010 report, City staff have received requests for further employment land conversions. The Region of York has also requested that additional justification be provided for some changes in employment land designations that are proposed in the new official plan but were not addressed in the Hemson report. Accordingly, the purpose of this report is to present a follow-up evaluation of these lands.

Most of the additional employment lands requiring evaluation comprise those for which a *Commercial Mixed-Use* designation is being proposed. As shown on the following map, these lands include:

- The Jane Street corridor from Portage Parkway north to Rutherford Road;
- Two sections of the north side of Steeles Avenue; one between Islington Avenue and Jane Street and the other between Keele and Dufferin streets;
- An area at the southwest corner of Langstaff Road and Highway 27;
- The west side of the Highway 7 and Highway 27 intersection;
- An area at the southeast corner of Langstaff Road and Weston Road;
- An area on the north side of Rutherford Road below the CN rail line "tail track", east of Jane Street;
- An area on the north side of Major Mackenzie Drive, generally east of Keele Street and south of McNaughton Road; and
- An area just south of Highway 407, east of Dufferin Street along Caraway Drive and Racco Parkway.



Not to Scale

LEGEND

PROPERTIES EXAMINED THROUGH
APRIL 2010 "HOUSING ANALYSIS
& EMPLOYMENT NEEDS STUDY"



PROPERTIES EXAMINED THROUGH
SEPTEMBER 2011 "HOUSING
ANALYSIS & EMPLOYMENT LAND
NEEDS ADDENDUM TO APRIL 2010
REPORT"



Lands Under Evaluation

Location:
City Wide
Applicant:
City of Vaughan



Policy Planning Department

Attachment

File: 25.5.3

Date:
September 13, 2011

2

The remaining lands comprise two smaller parcels in the Highway 7 corridor in the general vicinity of Martin Grove Road, as well as a small parcel located north of Steeles Avenue West, west of Islington Avenue. All three parcels are being proposed for a *Mid-Rise Mixed-Use* designation, which permits commercial and residential uses.

A follow up evaluation of the additional lands is necessary because they are considered by the Region of York to be conversions of employment land to non-employment uses within the meaning of the 2006 *Growth Plan for the Greater Golden Horseshoe* (the *Growth Plan*). The additional lands have therefore been analyzed using the *Growth Plan* conversion tests in order to provide the Region with the requested justification and to maintain consistency with the approach taken in the April 2010 report.

Notwithstanding this approach, there remains some question as to whether or not all the City's proposed land use changes represent a conversion within the meaning of the *Growth Plan*. The two parcels proposed for a mixed-use designation, which permits residential use, are clearly conversions. It is less clear that the lands proposed for a *Commercial Mixed-Use* designation are conversions. In our view, these lands are not considered to be conversions within the meaning of the *Growth Plan*. Our reasons are set out below.

1. Issue of Conversion Must be Considered Within the Context of Existing Official Plan Policy

The *Growth Plan* and *Provincial Policy Statement* (PPS) are broad policy documents that provide general direction on matters of Provincial interest. As such, both the *Growth Plan* and PPS maintain a broad definition of employment areas in order to allow municipalities the discretion and flexibility to establish land use designations that best meet the needs of the community.

Specifically, an "employment area" is defined in both the *Growth Plan* and the PPS as :

Areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

In our view, neither the *Growth Plan* nor the PPS requires that *all* employment areas be designated to include *all* of the listed uses, only that those uses are provided for in some location within the community. Specific areas within the City's employment areas may be planned, at the discretion of the municipality, to include one, some or all of the uses listed in the above definition.

The matter of which uses should be permitted in which locations is a local and regional land use planning matter. Therefore, the issue of employment land conversion and non-employment uses must be considered within the context of local and regional official plans, in this case those of the Region of York and City of Vaughan.

2. The New Official Plan Takes a More Restrictive Approach to Retail in Employment Areas

The City of Vaughan's existing official plan permits a wide range of non-residential uses within employment areas, including large-scale retail under certain circumstances. The effects of existing retail permissions are clearly apparent in the pattern of development, either in the form of stand-alone sites or along major arterial frontages.

As a result, under the existing official plan retail uses are at a minimum contemplated within current employment land designations. To implement the *Growth Plan* and new Regional policies, however, the City's new official plan is proposing a more restrictive set of land use designations with respect to retail uses within employment areas. It is made up of two key elements

- the *General* and *Prestige Employment* designations; and
- the *Commercial Mixed-Use* designation.

Within the employment designations, *Retail Warehouses*¹ are not permitted. Within the meaning of the Plan, retail warehouses are what are commonly referred to as "large-format" or "big box" retail.

¹ A *Retail Warehouse* is defined in Chapter 10 of the new official plan as "A building or part of a building in which goods and merchandise are displayed, stored and sold in a warehouse format in accordance with the City of Vaughan Zoning By-Law."

Retail uses are permitted within the *Commercial Mixed-Use* designation. The designation does not permit the industrial-type uses, which are allowed in both the *General* and *Prestige Employment* designations, but is not intended to be purely retail in nature in respect of new development. A minimum of 30% of the gross floor area of all new uses on the lot must consist of uses other than retail, including offices, hotels and gas stations under certain circumstances.

The purpose of the *Commercial Mixed-Use* designation is to distinguish between the major existing or planned retail concentrations within employment areas from the more general-industrial areas, which themselves will continue to contain scattered retail uses. Over time, one of the intended outcomes is to focus new retail and other more intensive non-residential development at strategic nodes and along the edges of major employment areas where higher-order transit either exists or is being planned.

3. Proposed Changes Are Not a Conversion within the Meaning of the Growth Plan

In our view, under the *Growth Plan* definition of an employment area, if a use within an employment area is already permitted or has been established under the local and regional official plan, then no conversion would be required to permit that use under a new designation. If a new or proposed use is not so permitted or established under current plans, then a conversion would be required.

In the case of the City's proposed *Commercial Mixed-Use* areas, the pre-existing official plan designations for these areas allowed for both general employment and retail uses, as the case may be. The change, therefore, is not generally to add retail permissions but rather to recognize existing or planned retail concentrations. It may be argued that in some areas retail permission are in fact being reduced by way of the 30% non-retail use requirement.

Therefore, although the City's new official plan is proposing to shift some permissions on lands within employment areas to a primary retail form, this does not constitute a conversion within the meaning of the *Growth Plan*. The *Commercial Mixed-Use* areas should remain as part of the employment areas, as currently proposed in the new official plan. However, in order to ensure that these areas function as intended, it is recommended that new policies be added to the plan which clarify that:

- The lands designated *General Employment*, *Prestige Employment* and *Commercial Mixed-Use* together constitute the City's employment area land supply as defined in the *Growth Plan* and PPS;
- The City's employment area land supply is subject to the conversion policies of the *Growth Plan* and PPS; and, therefore
- Any proposal to permit additional retail permissions that would exceed the 70/30 mix — or the addition of residential use — would be considered a conversion under the *Growth Plan* and could only be permitted through a municipal comprehensive review conducted by the City in coordination with the Region.

These new policies could be contained in the Urban Structure or Land Use Designation chapter in order to strengthen the protection for these areas and address the Region's concerns. Within this context, the conclusions of our evaluation of the additional employment lands is provided in the next section. It has been prepared to read as a continuation of Chapter IV: *Employment Land Conversion* of the April 2010 report.

It is important to reiterate that in our opinion the change from the existing official plan employment land designations to *Commercial Mixed-Use* does not constitute a conversion under the *Growth Plan*. However, for the purposes of analysis, the tests set out in Section 2.2.6.5 of the *Growth Plan* are used to discuss the appropriateness of the change from the existing land use designation.

II FOLLOW-UP EVALUATION OF ADDITIONAL EMPLOYMENT LAND CHANGES

Consistent with the method used in the April 2010 report, and in response to York Region's request for additional justification, the proposed additional employment land changes are considered within the context of the City's long-range land requirements and the tests set out in Section 2.2.6.5 of the *Growth Plan*, which states that:

Municipalities may permit conversion of lands within employment areas, to non-employment uses, only through a municipal comprehensive review where it has been demonstrated that –

- a) there is a need for the conversion
- b) the municipality will meet the employment forecasts allocated to the municipality pursuant to this Plan
- c) the conversion will not adversely affect the overall viability of the employment area, and achievement of the intensification target, density targets, and other policies of this Plan
- d) there is existing or planned infrastructure to accommodate the proposed conversion
- e) the lands are not required over the long term for the employment purposes for which they are designated
- f) cross-jurisdictional issues have been considered.

For the purposes of this policy, major retail uses are considered non-employment uses.

It remains our view that the vast majority of the City's employment land supply should be retained for continued employment use for the reasons set out in the April 2010 report. Changes in designation are only appropriate for compelling site-specific reasons and it is within this context that the additional lands have been evaluated. Conclusions are provided below, organized into three groups:

- *Commercial Mixed-Use* corridors, which includes Jane Street and the two sections fronting on the north side of Steeles Avenue West;
- *Commercial Mixed-Use* areas, which include;
 - The area at the southwest corner of Langstaff Road and Highway 27;
 - The area at the southeast corner of Langstaff Road and Weston Road;
 - The west side of the Highway 7 and Highway 27 intersection;
 - The area on the north side of Rutherford Road below the CN rail line "tail track" east of Jane Street;

- The area on the north side of Major Mackenzie Drive, generally east of Keele Street and south of McNaughton Road; and
- The area just south of Highway 407, east of Dufferin Street along Caraway Drive and Racco Parkway.
- And the *Mid-Rise Mixed-Use* parcels, which include;
 - The northerly portion of lands northwest of Martin Grove Road and Highway 7, referred to as "5770 & 5732 Highway 7";
 - The parcel south of Highway 7 on Woodstream Boulevard, referred to as "77&87 Woodstream Boulevard" as well as the parcel to the north; and
 - The parcel located west of Islington Avenue north of Steeles Avenue West.

A. COMMERCIAL MIXED-USE CORRIDORS

There are two corridors in Vaughan that have been identified for a change in designation: the Jane Street corridor from Rutherford Road to Portage Parkway; and two sections fronting on the north side of Steeles Avenue West. The proposed change for the lands in the Jane Street corridor is not appropriate. The lands are not currently in significant retail use and they occupy a central, accessible and highly competitive location within a major industrial area.

In our view, the corridor lands are more appropriately designated *Prestige Employment* in the new official plan.

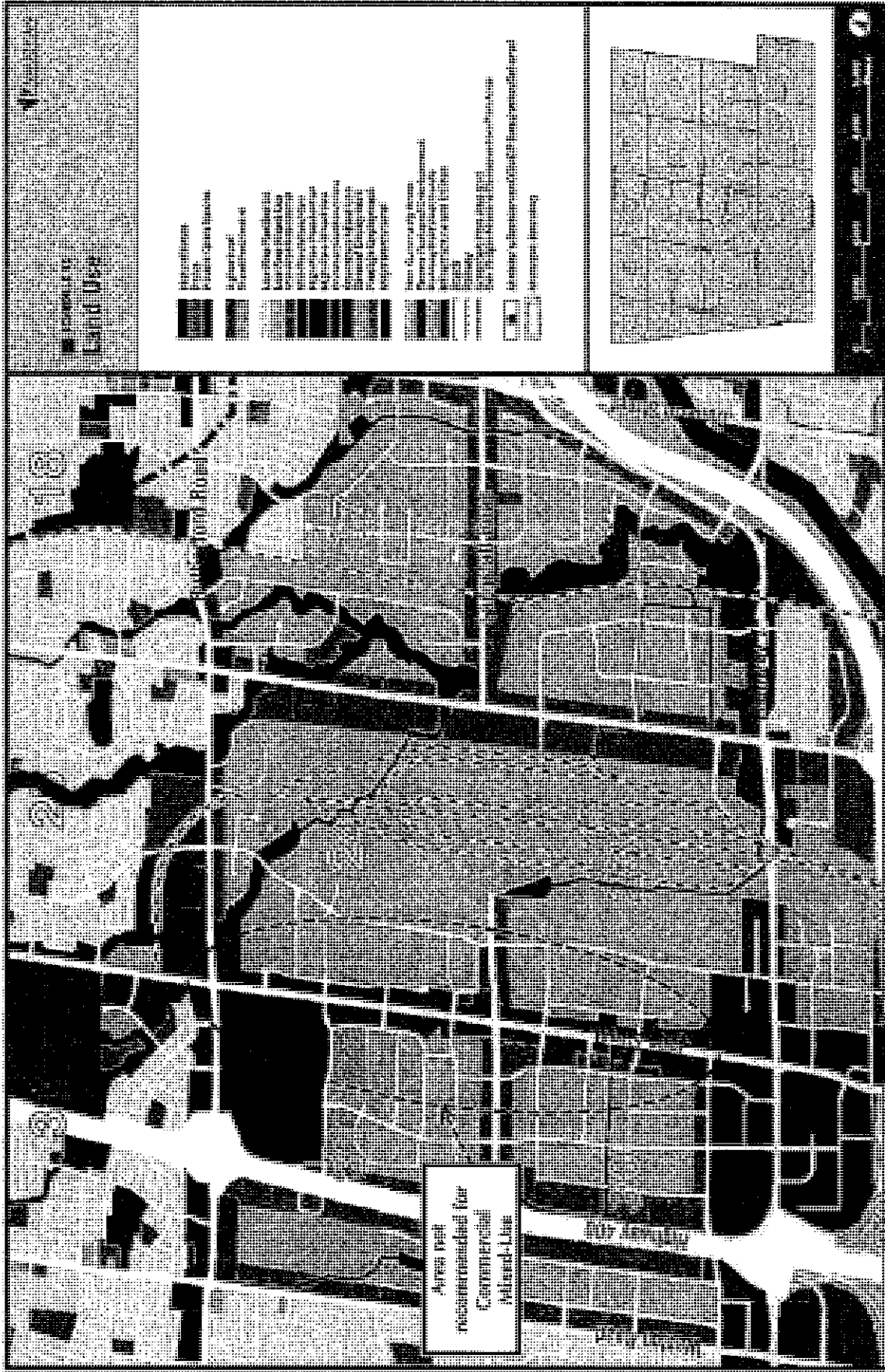
The proposed changes for the two sections fronting on the north side of Steeles Avenue West, on the other hand, are considered to be appropriate. The proposed designation recognizes the pattern of existing retail uses and will support a more intensive pattern of non-residential development along a major transit corridor.

1. Jane Street Corridor Lands

The lands proposed for change to *Commercial Mixed-Use* are shown on the map on the following page. They are located generally along Jane Street north from Portage Parkway to Rutherford Road. In our view, the lands are not appropriate for the proposed *Commercial Mixed-Use* designation for a number of reasons:

- The lands are located within a larger and almost fully developed employment area around the CN Concord Yard. As noted in the April 2010 report, this area contains a major concentration of economic activity and is healthy and competitive for continued employment land use.
- The lands occupy a central position within the larger area, traversing both the Vaughan 400 and Vaughan 400 North Employment Areas. As also noted in the April 2010 report, no change is recommended for interior portions of the major employment areas due to the risk of area destabilization.

MAP 1: JANE STREET CORRIDOR



- The predominant pattern of development along the Jane Street corridor lands is in the form of new, large scale industrial facilities. The lands are not currently developed with significant retail uses, notwithstanding the major retail concentration at the southwest corner of Jane Street and Rutherford Road.
- It is possible that the Jane Street corridor lands could function as a long-term structural element of the City, evolving to link the retail and residential areas to the north with future high density residential and office development in the Vaughan Metropolitan Centre (VMC) to the south.
- This possibility, however, is a long-term proposition and in our view would not be advanced by the proposed change in land use designation for the current planning period. Land use designations in the Jane Street Corridor are better reviewed at the time of next 5-year official plan review and in the context of the performance of the VMC relative to the City's goals and objectives for the area.
- As a result, and within the context of the City's overall employment land requirements, there is no need to designate the lands for commercial uses. For the current planning period, the lands should remain in an employment land designation. A *Prestige Employment* designation is recommended to reflect their industrial locational and competitive advantages.

Based on the *Growth Plan* tests, change of the Jane Street Corridor lands to a *Commercial Mixed-Use* designation is not considered good planning and does not meet the tests set out in Section 2.2.6.5 of the *Growth Plan*:

- a) there is a need for the conversion
The lands are nearly fully developed and are highly competitive and marketable for employment land. They should be retained in that type of designation to maintain the existing industrial base.
- b) the municipality will meet the employment forecasts allocated to the municipality pursuant to this Plan
The Jane Street corridor lands are included as part of the base supply in the April 2010 analysis of employment land need and are therefore required to meet the employment forecasts allocated by York Region to 2031 within the proposed 2031 urban envelope.
- c) the conversion will not adversely affect the overall viability of the employment area, and achievement of the intensification target, density targets, and other policies of this Plan
Considering the scale and central location of the corridor lands, permitting *Commercial Mixed-Use* development would have a destabilizing effect, which could adversely affect the overall viability of the abutting industrial areas.

d) there is existing or planned infrastructure to accommodate the proposed conversion

There is existing and planned infrastructure to accommodate either residential, retail or employment uses. Transit upgrades are proposed to serve both residential, retail and employment uses in appropriate locations.

e) the lands are not required over the long term for the employment purposes for which they are designated

The area is included as part of the base supply in the April 2010 analysis of employment land need and is therefore required to meet the allocated employment forecasts.

f) cross-jurisdictional issues have been considered.

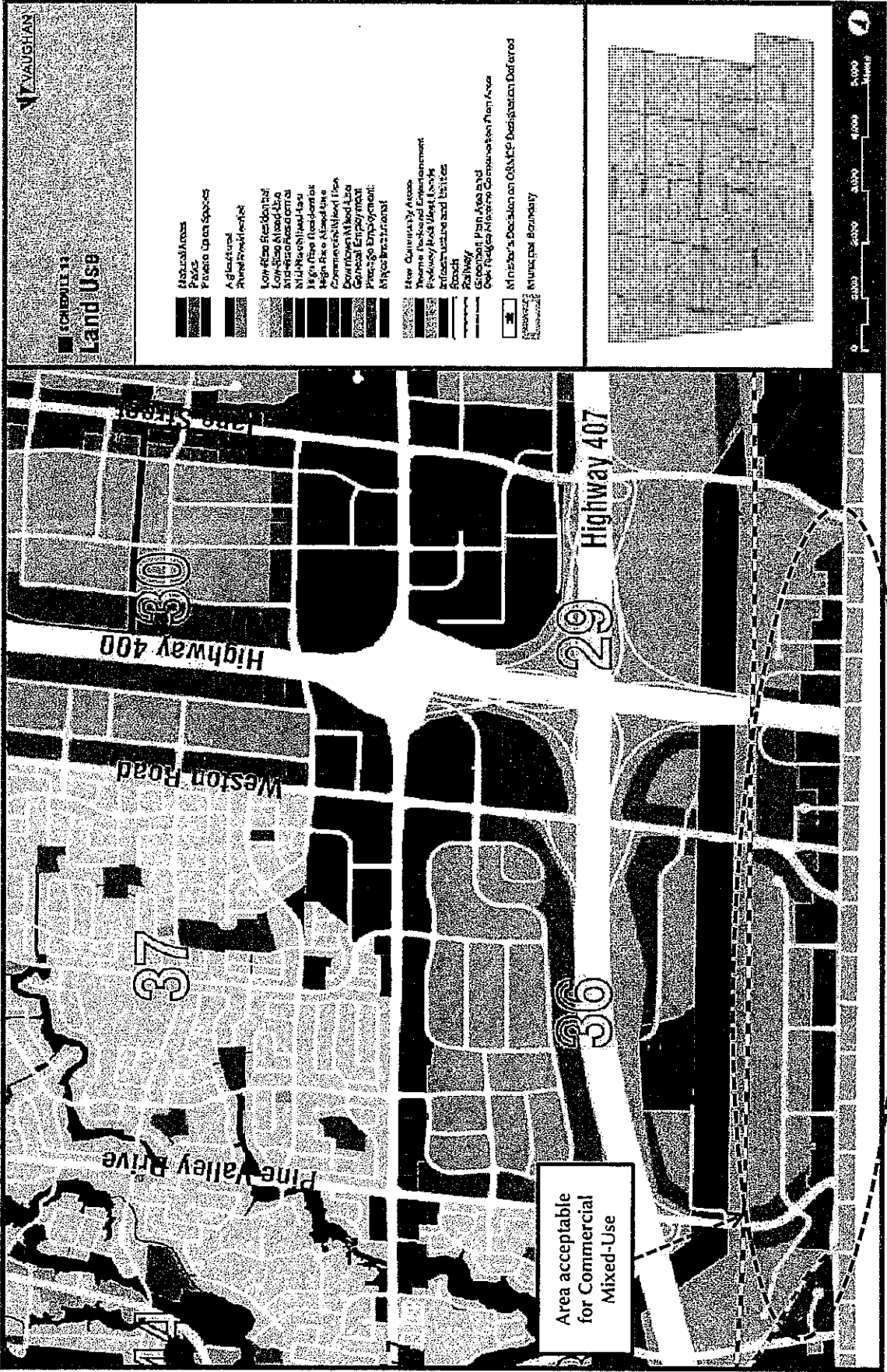
Cross-jurisdictional issues are not relevant.

2. Steeles Avenue From Islington Avenue to Jane Street

The lands are located between Islington Avenue to the west and Jane Street to the east on the north side of Steeles Avenue west and are shown on the map on the following page. This section is considered appropriate for the proposed *Commercial Mixed-Use* designation, mainly due to the existing pattern of development:

- The lands are fully developed, mainly with retail and related service commercial uses, including activities catering to the wedding industry such as banquet halls, dress makers, caterers and others.
- Two notable exceptions include: a large stand-alone manufacturing facility and showroom (Ganz Toys) at Pearce Road and a small pocket of mainly industrial uses to the west of Pine Valley Drive, south of the railway tracks along Vinyl Court.
- The pattern of development is otherwise mainly commercial in nature and mirrors the types of uses found on the south side of Steeles Avenue West in the City of Toronto. The proposed designation reflects this pattern of development.
- The new designation is a recognition of the existing uses on these lands which are predominantly retail and service commercial. Neither the *General* or *Prestige Employment* designations in the new official plan would be appropriate because, among other matters, they seek to be much more restrictive to retail uses than current official plan designations.
- While there is a change in use permissions associated with the new designation — mainly the removal of industrial-type permissions — this is not considered to be a conversion from the perspective that the lands are already in almost entirely retail and service commercial use. Retail uses also tend to be of higher value, making redevelopment of the frontage lands for industrial-type use unlikely from a market perspective.

MAP 2: STEELES AVENUE WEST CORRIDOR (ISLINGTON AVENUE TO JANE STREET)



The Steeles Avenue West lands are considered appropriate for the proposed change, not only because of the existing pattern of mainly retail use, but also because they form an important urban structure element within the community. In other words, the presence of an existing retail use, in and of itself, is not a justification for land use change.

Unlike a stand-alone retail development site, the Steeles Avenue West lands form part of a major arterial corridor at the edge of an established employment area where more intensive non-residential development is being encouraged to, among other goals, support transit. Within this context, and based on the *Growth Plan* tests, the proposed change for the employment land on the north side of Steeles Avenue from Islington Avenue to Jane Street satisfies the tests set out in Section 2.2.6.5 of the *Growth Plan*:

a) there is a need for the conversion

There is a need for the change from a site-specific planning perspective to recognize the existing use. Most of the lands are occupied with existing retail uses. The lands form part of an existing corridor and mirror the pattern of development on the south side of Steeles Avenue West in the City of Toronto.

b) the municipality will meet the employment forecasts allocated to the municipality pursuant to this Plan

Change to *Commercial Mixed-Use* in this location will not impair the City's ability to achieve its economic objectives. The proposed designation reflects the existing pattern of development. Redevelopment with new industrial facilities is extremely unlikely.

c) the conversion will not adversely affect the overall viability of the employment area, and achievement of the intensification target, density targets, and other policies of this Plan

The frontage lands are already in primarily retail use. Change in designation for the frontage lands will primarily serve to solidify the existing pattern of retail uses. Buffering of the employment uses to the north, however, will need to be a priority.

d) there is existing or planned infrastructure to accommodate the proposed conversion

Existing and planned transportation infrastructure is in place to accommodate either residential, retail or employment uses, including planned rapid transit. A more intensive form of non-residential development will support the planned transit upgrades.

e) the lands are not required over the long term for the employment purposes for which they are designated

Most of the existing development is already in retail use. As such, the frontage lands have already been effectively removed from employment land use. A sufficient supply of employment land is being provided to accommodate long-term growth, particularly the Highway 400 north lands.

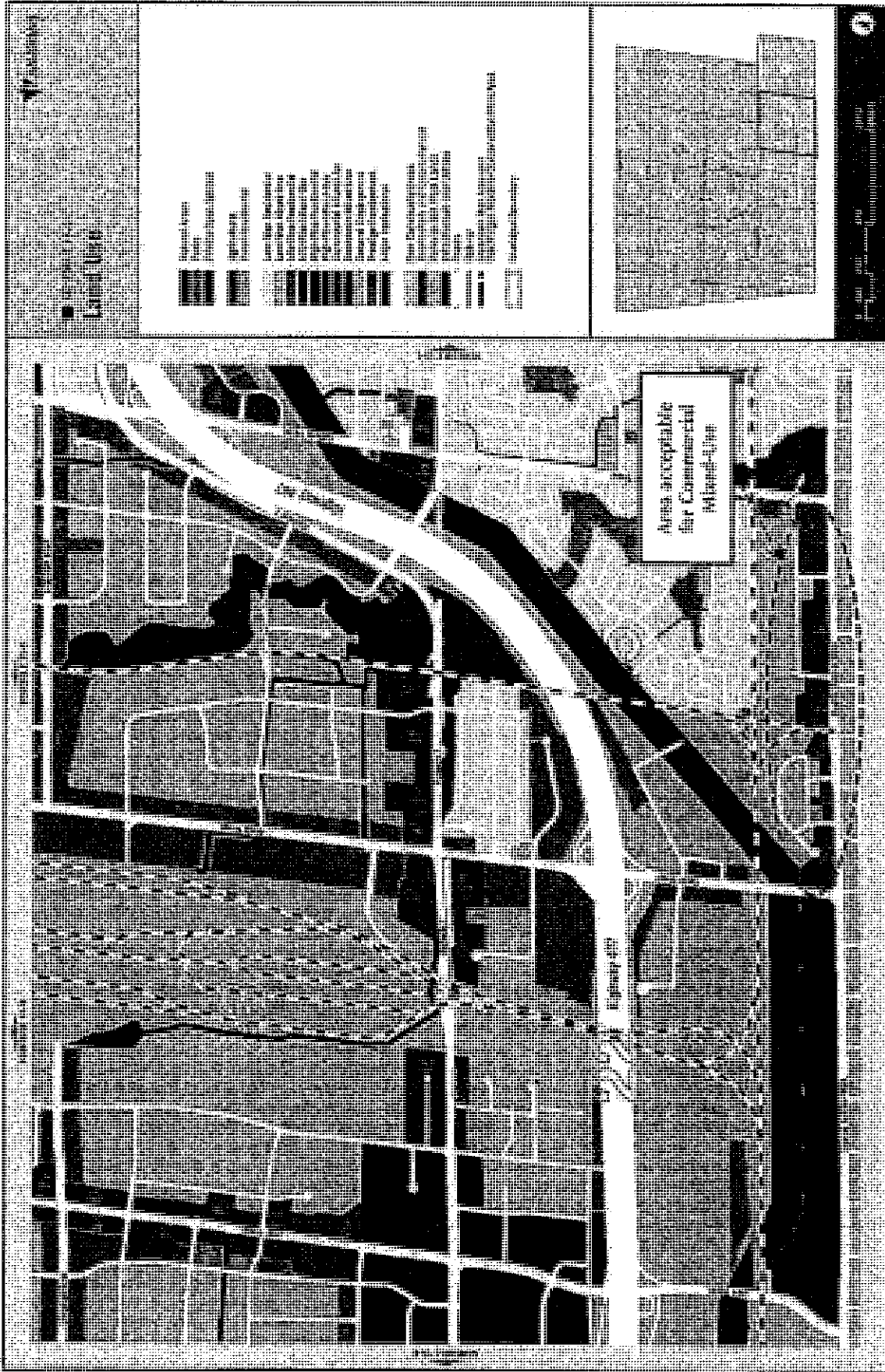
- f) cross-jurisdictional issues have been considered.
- A similar pattern of mainly retail development can be observed in the City of Toronto. Solidifying the mixed commercial use pattern in the corridor therefore has regard to cross-jurisdictional issues.
- 3. Steeles Avenue From Keele Street to Dufferin Street**
- The second section of the Steeles Avenue West lands are located between Keele Street to the west and Dufferin Street to the East and are shown on the map on the following page. Like the lands above, this section of Steeles Avenue West is also considered appropriate for the proposed *Commercial Mixed-Use* designation:
- The lands are developed mainly with commercial uses, including gas stations, restaurants banks and other population serving activities.
 - The proposed designation reflects the primarily commercial character of the frontage lands; and
 - The nature of the land use mirrors the pattern of use on the Steeles Avenue West in the City of Toronto which, in this case, is characterized by relatively newer and large-scale retail development. Relatively higher retail land values also limit the likelihood of redevelopment with industrial-type uses.

Based on the *Growth Plan* tests, change for the employment land along Steeles Avenue West from Keele to Dufferin satisfies the tests set out in Section 2.2.6.5 of the *Growth Plan*:

- a) there is a need for the conversion
- There is a need for the change from a site-specific planning perspective. Most of the lands are occupied with existing retail uses. The lands also form part of an existing corridor:
- b) the municipality will meet the employment forecasts allocated to the municipality pursuant to this Plan
- Change to the employment land in this location will not impair the City's ability to achieve its economic objectives. The proposed designation reflects the existing pattern of development. Redevelopment with new industrial facilities is unlikely.
- c) the conversion will not adversely affect the overall viability of the employment area, and achievement of the intensification target, density targets, and other policies of this Plan

The frontage lands are already in primarily retail use. Change in designation for the frontage lands will primarily serve to solidify the existing pattern of retail uses already. Buffering of the employment uses to the north will need to be a priority.

MAP 3: STEELES AVENUE WEST CORRIDOR (KEELE STREET TO DUFFERIN STREET)



d) there is existing or planned infrastructure to accommodate the proposed conversion

Existing and planned transportation infrastructure is in place to accommodate either residential, retail or employment uses, including planned rapid transit. A more intensive form of non-residential development will support the planned transit upgrades.

e) the lands are not required over the long term for the employment purposes for which they are designated

Most of the existing development is already in retail use. As such, the frontage lands have already been effectively removed from employment land use.

f) cross-jurisdictional issues have been considered.

A similar pattern of mainly retail development can be observed in the City of Toronto. Solidifying the mixed commercial use pattern in the corridor therefore has regard to cross-jurisdictional issues.

Unlike the Jane Street corridor lands, both sections fronting on the north side of Steeles Avenue West are largely commercial, especially for the western area. The proposed designation recognizes the existing pattern of development and is therefore considered to be appropriate and good planning in the context of existing land uses within both the City of Vaughan and City of Toronto.

B. COMMERCIAL MIXED USE AREAS

With regard to the proposed area changes to a *Commercial Mixed-Use* designation;

- The area at the southwest corner of Langstaff Road and Highway 27 is partially appropriate to recognize existing uses;
- The area at the southeast corner of Langstaff Road and Weston Road is appropriate to recognize currently permitted uses;
- The west side of the Highway 7 and Highway 27 intersection is appropriate to correct a mapping error in the new official plan;
- The area on the north side of Rutherford Road below the CN rail line “tail track” is not appropriate for change;
- The area on the north side of Major Mackenzie Drive, generally east of Keele Street and south of McNaughton Road is appropriate for change. Further study, however, is required to determine the specific land uses; and
- The area just south of Highway 407, east of Dufferin Street along Caraway Drive and Racco Parkway is appropriate for change.

1. The Area at the Southwest corner of Langstaff Road and Highway 27

The lands in question are made up of a large triangular parcel at the southwest corner of Langstaff Road and Highway 27; and a smaller narrow parcel located south of the hydro-electric corridor and north of Milani Boulevard. Both parcels are proposed for a *Commercial Mixed-Use* designation.

In our view, the proposed change is only appropriate for the lands located along the Highway 27 frontage to recognize the existing and planned pattern of development, which includes gas stations, a banquet hall, a Wal Mart and other uses such as banks and restaurants.

The balance of the lands are largely vacant and should be assigned a *Prestige* or *General Employment* designation. These lands are located within the Highway 427 East Employment Area, which is one of the City's most successful business parks. The lands also form part of a relatively limited supply of vacant parcels in west Vaughan that are not dependent on the Highway 427 extension to provide the transportation access necessary for short-term development.

A *Prestige Employment* designation is recommended for the lands within the large triangular parcel that are not occupied by retail uses including the lands along Innovation Drive that have recently been developed with new industrial facilities. A *General Employment* designation is recommended for the smaller narrow parcel south of the hydro-electric corridor.

The lands in question are shown on the map on the following page, distinguishing between the area that is considered acceptable for *Commercial Mixed-Use* and the areas that should be *Prestige* or *General Employment*. In our view, the proposed change to recognize existing retail is appropriate, and satisfies the tests set out in Section 2.2.6.5 of the *Growth Plan*:

- a) there is a need for the conversion

There is a need for the change from a site-specific planning perspective. The lands are occupied with existing retail uses.
- b) the municipality will meet the employment forecasts allocated to the municipality pursuant to this Plan

Change of employment land in this location will not impair the City's ability to achieve its economic objectives. The proposed designation reflects the existing pattern of development. Redevelopment with new industrial facilities is unlikely.
- c) the conversion will not adversely affect the overall viability of the employment area, and achievement of the intensification target, density targets, and other policies of this Plan

The frontage lands are already in primarily retail use. Change in designation for the frontage lands will serve to recognize the existing pattern of use. Buffering between other categories of employment land uses will need to be a priority.

- d) there is existing or planned infrastructure to accommodate the proposed conversion
- There is existing and planned transportation infrastructure to accommodate either residential, retail or employment uses, including access to York Region transit.
- e) the lands are not required over the long term for the employment purposes for which they are designated
- The frontage lands are already in retail use. As such, the lands have been effectively removed from an employment land designation.
- f) cross-jurisdictional issues have been considered.
- Cross-jurisdictional issues are not relevant.
- In our view, the proposed change for the remaining lands along Innovation Drive, south of the hydro-electric corridor and north of Milani Boulevard is not appropriate, and does not satisfy the tests set out in Section 2.2.6.5 of the *Growth Plan*:
- a) there is a need for the conversion
- The remaining lands are highly competitive and marketable for industrial-type uses and should be retained in that designation to maintain the existing industrial employment base and potential in this location.
- b) the municipality will meet the employment forecasts allocated to the municipality pursuant to this Plan
- The lands are included as part of the base supply in the April 2010 analysis of employment land need and required to meet the allocated employment forecasts.
- c) the conversion will not adversely affect the overall viability of the employment area, and achievement of the intensification target, density targets, and other policies of this Plan
- Permitting *Commercial Mixed-Use* development on the interior lands could produce a destabilizing effect, which could adversely affect the overall viability of the remaining and abutting industrial areas.
- d) there is existing or planned infrastructure to accommodate the proposed conversion
- There is existing and planned infrastructure to accommodate either retail or employment uses. Recent industrial development is an indication of the market attraction of the employment lands.
- e) the lands are not required over the long term for the employment purposes for which they are designated
- The area is included as part of the base supply in the April 2010 analysis of employment land need and required to meet the allocated employment forecasts.
- f) cross-jurisdictional issues have been considered.

Cross-jurisdictional issues are not relevant

2. The Area at the Southeast Corner of Langstaff Road and Weston Road

The lands are subject to a site-specific designation in Official Plan Amendment (OPA) 374 permitting a *Neighbourhood Commercial Centre*. In our view, the proposed *General Employment* designation in the new official plan would not be appropriate as it seeks to be restrictive to retail uses. The proposed change is therefore considered appropriate as a “housekeeping” matter in the new plan so that the new designation in the plan reflects the current designation as closely as possible.

3. The West Side of the Highway 7 and Highway 27 Interchange

The lands are within the Official Plan Amendment (OPA) 660 area, which forms part of the broader Highway 7 amendments adopted by the City in 2007 and approved by York Region, in part, in 2008.

As explained in the April 2010 report, the intent of the Highway 7 amendments is to encourage a shift towards a more mixed-use, pedestrian friendly and transit-supportive pattern of development within the Highway 7 corridor, including the lands in question. The lands are part of the continuous *Commercial Mixed-Use* frontage along Highway 7 east and west of the site. Since the site is currently approved for mixed use commercial development, the *Prestige Employment* designation shown in the new official plan is a mapping error and should be corrected.

4. The Area North of Rutherford Road below the CN Rail Line “Tail Track”

The lands in question about the Jane North Employment Area and are bounded by the CN Rail line to the north, Rutherford Road to the south and lands designated *Natural Area* in the new official plan to the west.

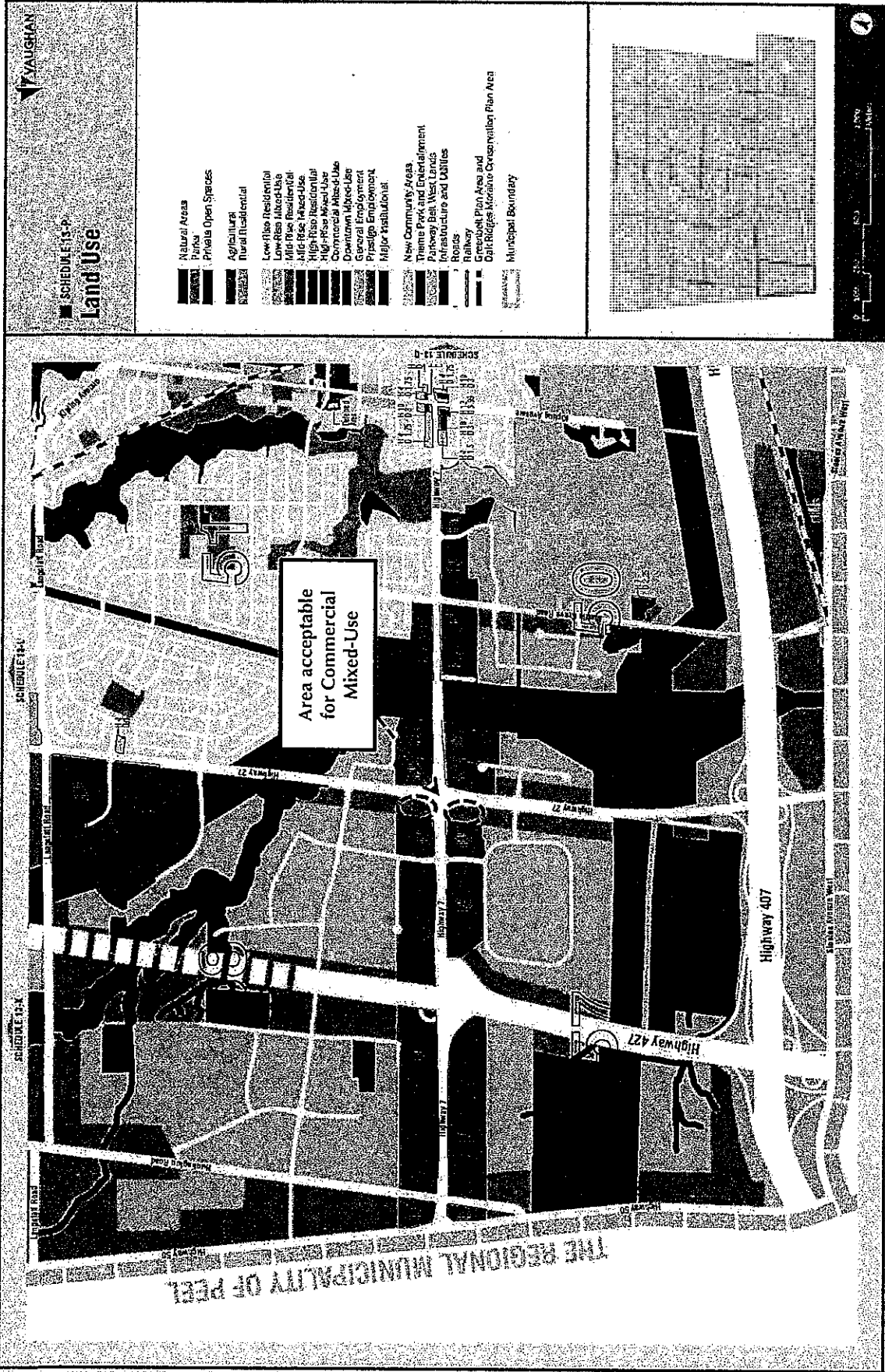
The area is characterized predominantly by municipal uses, including the York Region Police District 4 Headquarters, the Vaughan Household Hazardous Waste Depot and a municipal works yard. A small portion of the area east of Melville Avenue is developed with a gas station and the balance of the lands in this location is vacant.

The lands were not included in the base supply for the employment land analysis undertaken in the April 2010 report. However, upon further review and analysis it has been determined that the lands are designated for employment use and should have been included in the inventory, especially given that the lands about a major employment area and most are in industrial-type municipal use, including a works yard and waste transfer station.

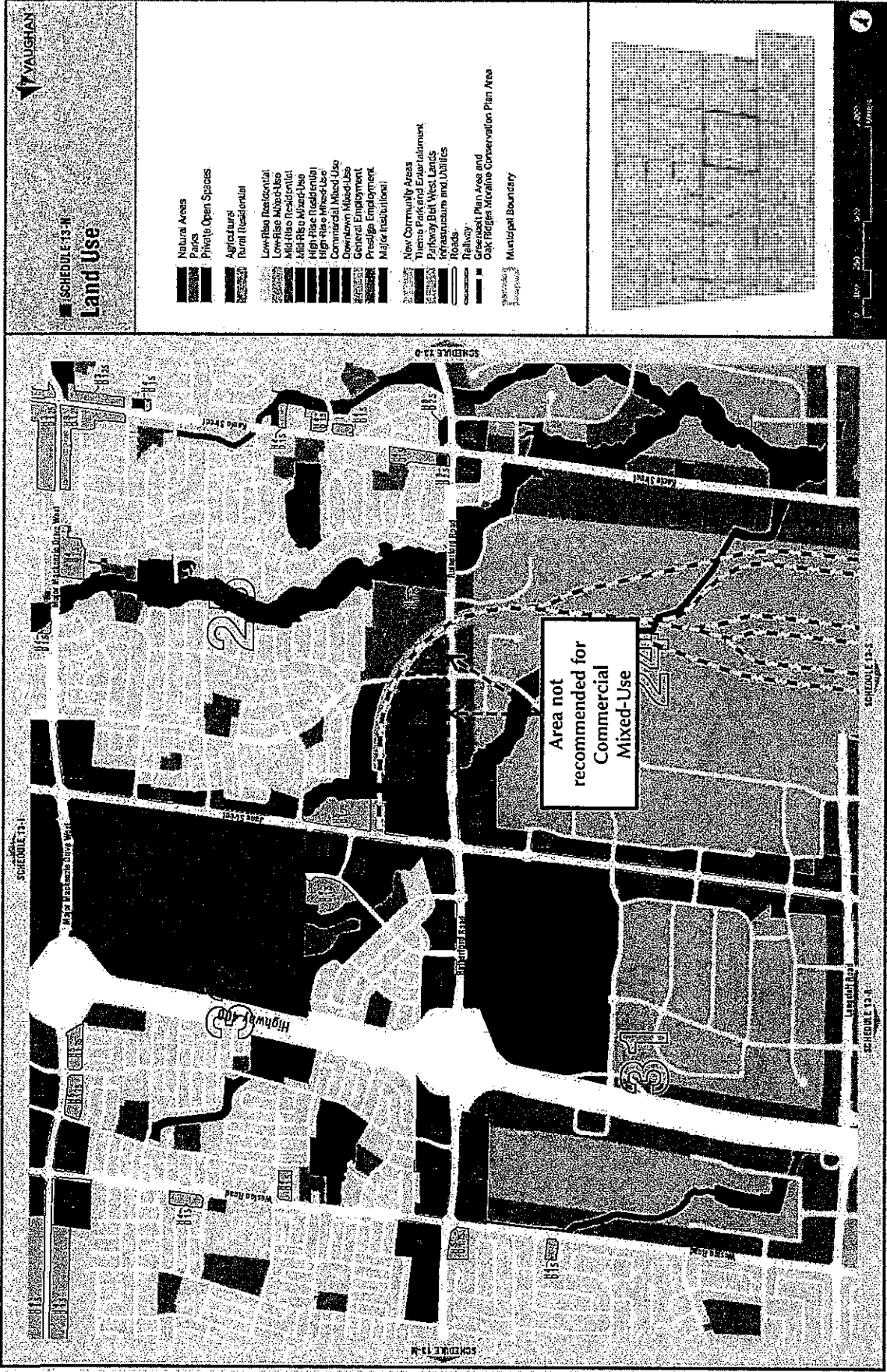
In our view, the proposed change is therefore not appropriate. No change to the existing zoning for the gas station and vacant lands to the east is recommended. The area is competitive and viable for industrial-type use. In our view, the introduction of new retail permissions is not necessary and could produce a destabilizing effect. A *Prestige Employment* designation is recommended.

The location of the above three parcels is illustrated on the series of maps that follows.

MAP 6: WEST SIDE OF THE HIGHWAY 7 & HIGHWAY 27 INTERSECTION



MAP 7: NORTH OF RUTHERFORD ROAD BELOW CN RAIL LINE



Particularly with respect to the lands south of the CN rail line “tail track”, in our view the proposed change is not appropriate and does not satisfy the tests set out in Section 2.2.6.5 of the *Growth Plan*:

a) there is a need for the conversion

The lands are nearly fully occupied and accommodate largely municipal uses which provide important services to the broader community. The lands should be retained in an employment designation to maintain their current function.

b) the municipality will meet the employment forecasts allocated to the municipality pursuant to this Plan

The lands should have been included as part of the base supply in the April 2010 analysis of employment land need and therefore required to meet the allocated employment forecasts.

c) the conversion will not adversely affect the overall viability of the employment area, and achievement of the intensification target, density targets, and other policies of this Plan

Permitting *Commercial Mixed-Use* development on the lands east of Melville Avenue may generate a destabilizing effect in the larger area. This could adversely affect the overall viability of the remaining area and existing functions.

d) there is existing or planned infrastructure to accommodate the proposed conversion

There is existing and planned infrastructure to accommodate either residential, retail or employment uses as appropriate.

e) the lands are not required over the long term for the employment purposes for which they are designated

The area should have been included as part of the base supply in the April 2010 analysis of employment land need and is therefore required to meet the allocated employment forecasts.

f) cross-jurisdictional issues have been considered.

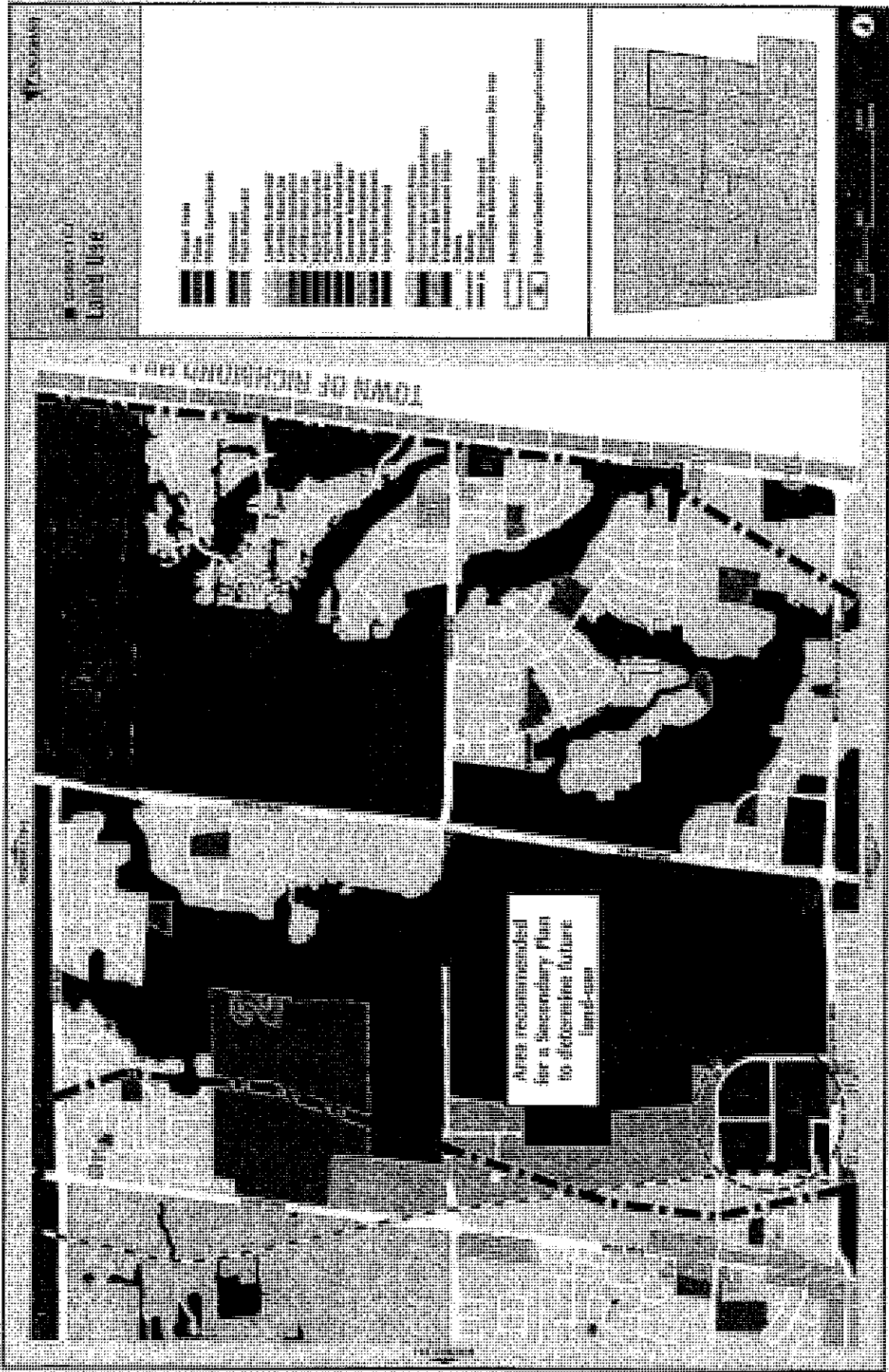
Cross-jurisdictional issues are not relevant

5. The Area on the North side of Major Mackenzie Drive east of Keele Street.

The lands in question are located north of Major Mackenzie Drive, East of Keele Street, and south of the Keele Valley Landfill site and shown on the map on the following page. The lands are partially developed with retail uses, including a home improvement centre located generally in the northeast quadrant of the parcel.

In our view, the area is appropriate for change to a wider range of uses, however further study is recommended to determine the specific land uses, particularly whether a *Commercial Mixed-Use* designation or a mixed use residential designation is appropriate.

MAP 8: NORTH OF MAJOR MACKENZIE DRIVE, EAST OF KEELE STREET



Like the previous parcel, these lands were not included within the base employment land supply for the April 2010 report but it has now been determined that they are in an underlying employment designation with site-specific permission for the recently built retail. However, unlike the previous parcel, these lands are considered appropriate for a wider range of uses for a number of reasons:

- The lands are well-bounded, somewhat removed from the City's major concentrations of employment land and abutted by residential uses to the south and west, creating the potential for land use conflicts;
- As noted, the lands are also located within a broader area where a wider range of use was recommended in the April 2010 report to address conflicts between existing industrial uses and abutting neighbourhoods.
- On the parcel itself, the permission for large-format retail is already in place. The likelihood of new industrial development occurring on the remaining vacant lands is considered to be limited; and
- As a result of these conditions, a wider range of uses, including potentially residential, may be appropriate. The lands are also in close proximity to the Maple GO Station, which presents an opportunity to make more efficient use of the existing urban land supply at this location.

- A more detailed planning study, however, should be undertaken to determine the specific land use because residential may or may not be appropriate for a number of reasons, particularly due to environmental regulations respecting the former Keele Valley Landfill site. Consideration of appropriate land uses will require further detailed study in this regard.

In our view, the proposed change of these lands to a *Commercial Mixed-Use* designation satisfies the tests set out in Section 2.2.6.5 of the *Growth Plan*:

- a) there is a need for the conversion
 There is a need for the change to recognize existing retail uses and minimize the potential for land use conflicts with abutting residential areas.
- b) the municipality will meet the employment forecasts allocated to the municipality pursuant to this Plan
 Change to the employment land designation in this location will not impair the City's ability to achieve its economic objectives. The parcel is already partially developed with retail uses and considered unlikely to develop with industrial-type uses.
- c) the conversion will not adversely affect the overall viability of the employment area, and achievement of the intensification target, density targets, and other policies of this Plan

The lands are already partially in retail use. Change in designation for the balance of the parcel will primarily serve to recognize the existing pattern of use and take advantage of higher-order transit in this location.

- d) there is existing or planned infrastructure to accommodate the proposed conversion

There is existing and planned transportation infrastructure to accommodate either residential, retail or employment uses, including GO Transit.

- e) the lands are not required over the long term for the employment purposes for which they are designated

A portion of the lands are already in retail use. Given their location, relatively small size and well-defined boundaries, the lands have been effectively removed from an employment land use.

- f) cross-jurisdictional issues have been considered.

Cross-jurisdictional issues are not relevant.

6. The Area South of Highway 407 East of Dufferin Street Along Caraway Drive and Racco Parkway

The lands are shown on the map on the following page. Similar to the lands located at the southwest corner of Langstaff Road and Highway 27, the lands fronting on to Dufferin Street are developed primarily with retail commercial use, including a health club and a Canadian. The area also accommodates a York Region Emergency Medical Services (EMS) facility.

In our view, the proposed change is appropriate for the lands fronting on to Dufferin Street, as well as the York Region EMS facility, in order to recognize the current pattern of use. The balance of the area, including the parcel to the west of Dufferin which is currently vacant, should remain in a *Prestige Employment* designation.

In our view, the proposed change is appropriate to recognize existing retail and community uses is appropriate and satisfies the tests set out in Section 2.2.6.5 of the *Growth Plan*:

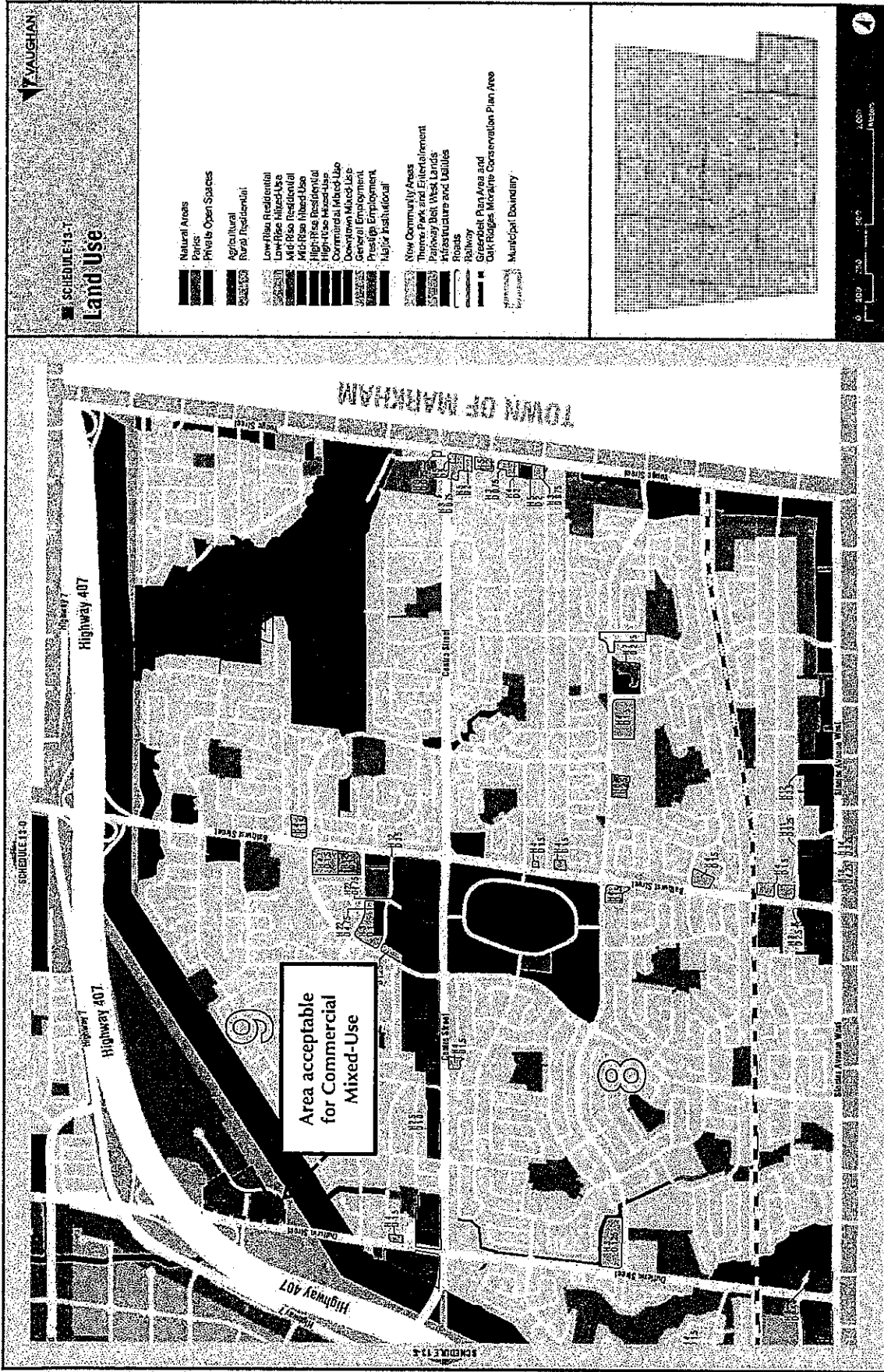
- a) there is a need for the conversion

There is a need for the change from a site-specific planning perspective. The lands are occupied with existing retail uses in a planned retail centre.

- b) the municipality will meet the employment forecasts allocated to the municipality pursuant to this Plan

Change of employment land in this location will not impair the City's ability to achieve its economic objectives. The proposed designation reflects the existing pattern of development, all of which is relatively new. Redevelopment with new industrial facilities is unlikely.

MAP 9: CARAWAY DRIVE AND RACCO PARKWAY



c) the conversion will not adversely affect the overall viability of the employment area, and achievement of the intensification target, density targets, and other policies of this Plan

The frontage lands are already in primarily retail use. Change in designation for the frontage lands will primarily serve to recognize the existing pattern of use.

d) there is existing or planned infrastructure to accommodate the proposed conversion

There is existing and planned transportation infrastructure to accommodate either residential or employment uses.

e) the lands are not required over the long term for the employment purposes for which they are designated

The lands are already in retail use. As such, the lands have been effectively removed from an employment land use.

f) cross-jurisdictional issues have been considered. Cross-jurisdictional issues are not relevant.

The proposed area changes are appropriate to recognize existing or planned retail developments. Others are appropriate to correct mapping errors or as "housekeeping" matters. Areas that contain competitive and viable industrial lands, however, are generally not appropriate for the proposed change within the context of the City's overall land requirements and *Growth Plan* policies that encourage the designation of an appropriate employment land supply.

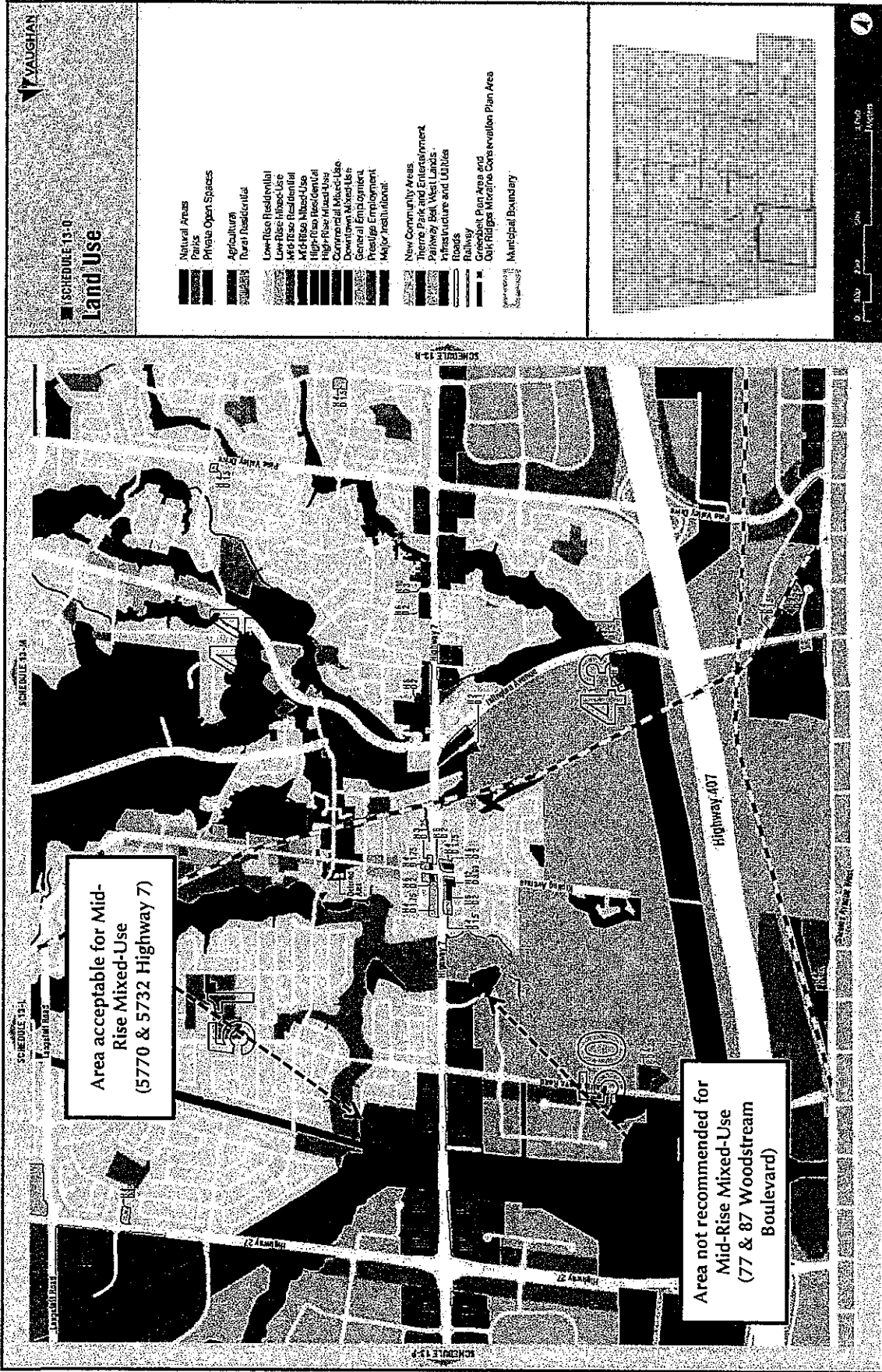
C. MID-RISE MIXED-USE PARCELS

The proposed conversions to *Mid-Rise Mixed-Use* in the general vicinity of Martin Grove Road and Highway 7 are shown in the map on the following page:

- The proposed conversion of the northern portion of the lands northwest of Martin Grove and Highway 7 is appropriate as a housekeeping correction.
- The proposed conversion of the lands at the southerly end of Woodstream Boulevard, however, is not considered to be appropriate. It is not consistent with OPA 661 and could set a precedent for more widespread conversions in the area and along the Highway 7 corridor in general.

The proposed conversion of the parcel located west of Islington Avenue north of Steeles Avenue West is considered to be appropriate to recognize existing uses and current permissions for mixed use development.

MAP 10: MID-RISE MIXED-USE PARCELS



1. The Northern Portion of the Lands Northwest of Martin Grove and Highway 7

The lands comprise a parcel occupied with a banquet hall and two relatively new industrial facilities. To the east are additional retail uses, and together with the lands in question, the area is firmly bounded by major roads, parks and a hydro-electric corridor.

The parcel has been identified as having potential for long-term intensification as part of the Highway 7 amendments. Technically, the Highway 7 amendments would only apply to the front portion of the lands — generally to a maximum depth of 200 metres, subject to local conditions including land use compatibility and transportation impacts.

From a site-specific planning perspective, however, the entire parcel should be included. Including only the frontage lands would isolate the rear portion of the site from direct public road access and over time could potentially result in land use conflicts between residential and industrial employment use. As such, the proposed conversion as identified in OPA 661 is appropriate as a housekeeping correction to encompass the complete property.

2. The Southern Portion of the Woodstream Boulevard Property

On the east side of Woodstream south of Highway 7 there is an existing retail centre fronting Highway 7 that extends approximately 200 metres in depth. To the south of that is an existing industrial multiple building and, south of that, a third parcel known as 77&87 Woodstream Boulevard. This parcel is occupied by a banquet hall.

It is on this southerly parcel that the owner has requested the change in designation to *Mid-Rise Mixed-Use*. The middle parcel was included for continuity. In our view, the proposed conversion of these lands is not appropriate. The northerly parcel is appropriately designated for *Commercial Mixed-Use* in accordance with OPA 661. The subjects of the conversion discussion are the southerly two parcels, 77&87 Woodstream Boulevard.

These parcels are located within an Employment Area which is nearly fully developed and characterized by a range of older but stable industrial uses. There is no clear boundary between the lands in question and the abutting employment land areas, suggesting that the potential for destabilization would be particularly high. The depth of the proposed conversion also runs afoul of the intent of OPA 661, which is to broaden the range of permitted uses only for the frontage lands within the Highway 7 corridor.

For these reasons, in our view, the proposed conversion of the two parcels is not appropriate. A *General Employment* designation is recommended for both.

In their comments regarding the proposed redesignation of the parcel to *Mid-Rise Mixed-Use*, City of Vaughan staff indicated that the change was considered appropriate for a number of reasons, including:

- The location of the lands abutting a valley system and other lands designated for *Mid-Rise Mixed-Use*;
- The current pattern of development, which includes a banquet hall and convention centre; and
- The proximity of the lands to transit along Highway 7 and Martin Grove Road.¹

While the presence of the valley lands may indeed be a residential amenity, in our view it is not in and of itself a sufficient justification for the proposed change in land use designation. The existing use also does not justify the conversion and, while proximate to Highway 7, both parcels are beyond the 200 metres envisioned for immediate proximity to transit upgrades on Highway 7.

Based on the *Growth Plan* tests for conversion, conversion of this area to non-employment use is not considered to be good planning and does not meet the tests set out in Section 2.2.6.5 and is therefore contrary to the *Growth Plan*:

- a) there is a need for the conversion
The area is competitive and marketable as industrial land and should be retained in that designation to accommodate long-term growth.
- b) the municipality will meet the employment forecasts allocated to the municipality pursuant to this Plan
The lands are included as part of the base supply in the analysis of employment land need and therefore required to meet the allocated employment forecasts.
- c) the conversion will not adversely affect the overall viability of the employment area, and achievement of the intensification target, density targets, and other policies of this Plan
Considering the location of the lands and lack of a clear separation from the abutting area, permitting residential mixed-use development is very likely to have a destabilizing effect, which could adversely affect the overall viability of the abutting employment areas to the west.
Both parcels also extend beyond the maximum depth contemplated by OPA 661. As a result, the proposed conversion would likely set a precedent for other similar conversions not only within the immediate vicinity but more broadly along the Highway 7 corridor.

¹ Item 164A, Report 39 Special Committee of the Whole on July 28, 2010 as approved by Council September 7, 2011.

- d) there is existing or planned infrastructure to accommodate the proposed conversion
- There is existing and planned infrastructure to accommodate either residential, retail or employment uses.
- e) the lands are not required over the long term for the employment purposes for which they are designated
- The lands are included as part of the base supply in the analysis of employment land need and is therefore required to meet the allocated employment forecasts.
- f) cross-jurisdictional issues have been considered.
- Cross-jurisdictional issues are not relevant.

3. The Parcel West of Islington Avenue North of Steeles Avenue

The parcel is shown on the map on the following page and is made up of two components:

- A parcel shown as *Mid-Rise Mixed-Use* in the new official plan, which is currently occupied by a gas station; and
- A parcel shown as *General Employment*, which is proposed to be converted to *Mid-Rise Mixed-Use* through a revision to the official plan. The parcel is currently occupied primarily by a restaurant within a former residential dwelling.

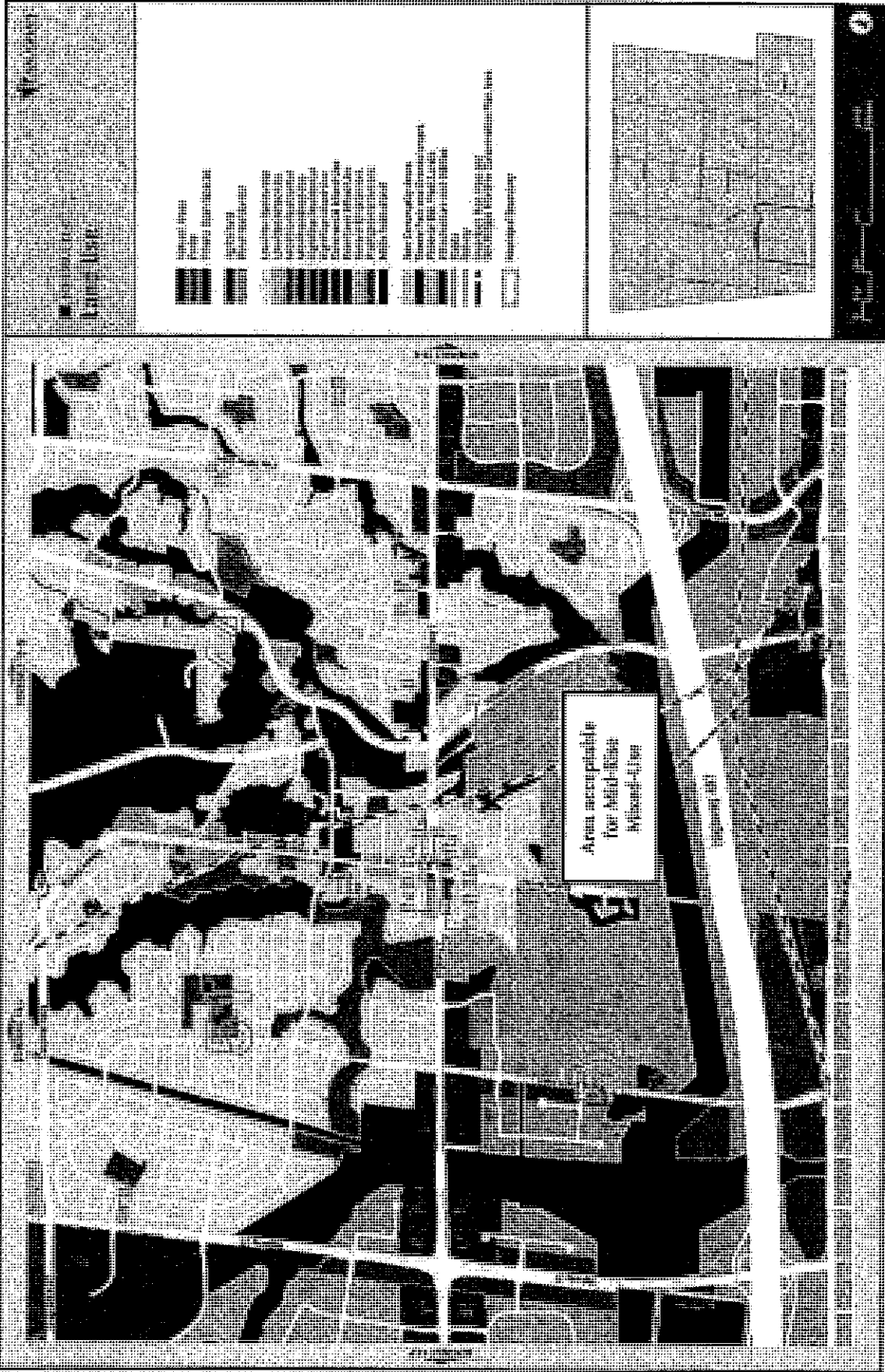
Both parcels were excluded from the base supply in the April 2010 analysis because they were considered to be scattered remnant sites that did not contain any significant amount of the existing base or future growth potential.

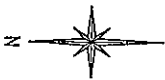
The parcels also abut a much larger area to the north, which is already approved for *High Density Residential/Commercial Use* under OPA 650. Given that the lands are currently occupied by retail and residential uses and abut a future high density residential area, the proposed conversions are therefore considered to be appropriate from a site-specific planning perspective.

In conclusion, the proposed additional employment land changes are considered appropriate, primarily as they recognize existing or planned retail concentrations within industrial areas. The major exception is the Jane Street Corridor lands, which in our view should be assigned a *Prestige Employment* designation to reflect their strong industrial locational and competitive advantages.

The proposed residential permissions for parcels in the Highway 7 corridor that extend beyond the maximum depth contemplated by the series of Highway 7 OPAs are not considered to be appropriate. We trust that this addendum report is of assistance to the City as it continues to implement its new official plan.

MAP 11: NORTH OF STEELES AVE WEST AND WEST OF ISLINGTON AVENUE





Not to Scale

LEGEND

PROPERTIES EXAMINED THROUGH
APRIL 2010 "HOUSING ANALYSIS
& EMPLOYMENT NEEDS STUDY"



PROPERTIES EXAMINED THROUGH
SEPTEMBER 2011 "HOUSING
ANALYSIS & EMPLOYMENT LAND
NEEDS ADDENDUM TO APRIL 2010
REPORT"



Lands Under Evaluation

Location:
City Wide
Applicant:
City of Vaughan

M:\DPA\ATTACHMENTS\25125.5.3-rev.dwg



Policy Planning Department

Attachment

File: 25.5.3

2

Date:
September 13, 2011

SUPPLEMENTARY REPORT

VAUGHAN OFFICIAL PLAN 2010 (VOLUME 1) –

SUMMARY OF RESPONDENTS REQUESTS/STAFF COMMENTS AND RECOMMENDATIONS

**Attachment 3
Supplementary Report:
Vaughan Official Plan 2010 (Volume 1) - Summary of Respondents Requests/Staff Comments and Recommendations**

| Item | Submission | Issue | Comments | Recommendation |
|-------|---|---|---|--|
| 71YR2 | <p>DATE: August 09, 2011 D06.2010.V.01.119</p> <p>RESPONDENT: Sandy Little Labreche Patterson & Associates Inc.</p> <p>LOCATION: Vaughan</p> | <p>1. Copy of previous letter submitted to the City of Vaughan in regard to drive-through facilities/gas stations.</p> <p>2. Request to receive notification.</p> | <p>1. Refer to Item #71YR. It is noted that in the main body of the report a number of changes to the policies for drive-through facilities and gas stations have been recommended.</p> | <p>1. Refer to Item #71YR and the covering staff report.</p> <p>2. No action required. The Region of York will notify respondents upon issuing a decision.</p> |
| 72YR | <p>DATE: July 26, 2011 D06.2010.V.01.116</p> <p>RESPONDENT: Peter J. Smith Weston Consulting Group Inc.</p> <p>LOCATION: 8334 Islington Avenue</p> | <p>Request increased coverage, an FSI of 1.5 and building heights of up to 6 stories for subject land, as per related OMB decision (Feb. 22, 2011) for surrounding lands.</p> | <p>This Regional letter (D06.2010.V.01.116) is a duplicate of Item 72C. This pertains to the Woodbridge Centre Secondary Plan and will be addressed in a future report on Volume 2.</p> | <p>Refer to Item #72C. No change recommended.</p> |
| 77YR | <p>DATE: July 18, 2011 D06.2010.V.01.115</p> <p>RESPONDENT: Ryan Guetter Weston Consulting Group Inc.</p> <p>LOCATION: Part 1, 64R-3136, Lot 16, Concession 9</p> | <p>Request revision to Natural Areas mapping to define the development limit on east side of subject property based on the most recent approved staking by Weston and TRCA.</p> | <p>This Regional letter (D06.2010.V.01.115) is a duplicate of Item #77B.</p> | <p>Refer to Item #77B. No change is recommended.</p> |

Attachment 3
 Supplementary Report:
 Vaughan Official Plan 2010 (Volume 1) - Summary of Respondents Requests/Staff Comments and Recommendations

| Item | Submission | Issue | Comments | Recommendation |
|-------|--|--|--|---|
| 83YR3 | DATE: August 10, 2011 D06.2010.V.01.120 RESPONDENT: Peter Cipriano Goldpark Group LOCATION: Block 40/47 | <p>The respondent would like to affirm the position of development potential as related to the 'peninsula' lands in Block 40/47 and seek acknowledgement from the City that these lands may have development potential based on a series of previous meetings, discussions and site visits.</p> <p>The respondent is of the opinion that VOP 2010 should recognize the lands as having a "special status", similar to policy 4.8 of the North Kleinburg-Nashville Secondary Plan recognizing lands within a 'Special Study Area' as being subject to further review for development potential.</p> | <p>Staff comments for Items 83C and 83YR2 of the September 12, 2011 report to Special Committee of the Whole Report should be noted.</p> <p>The applicant submitted a Secondary Plan and Block plan application prior to the VOP 2010 being approved. The OPA application and Block Plan are in process, and issues of land use designations are being addressed and further refined.</p> <p>There are active Secondary Plan and Block Plan applications in place for Block 40/47 which include the 'peninsula' parcel. Refinements to the land use designations and their location will be contemplated through this site specific process, based on any necessary technical analysis required. The request for a special policy area can be considered as part of the Secondary Plan/Block Plan process.</p> <p>The lands will continue to be subject to their respective "natural area" land use designation, until such time as the required technical analysis is completed to the satisfaction of the City, TRCA, Region and respective Provincial Ministries, to prove whether the lands are developable. The TRCA has provided correspondence dated September 7, 2011 to inform site specific studies for the 'peninsula' lands.</p> <p><u>OPA 600</u></p> <p>The 'Urban Villages and Woodbridge</p> | <p>No change is recommended at this time.</p> |

Attachment 3
 Supplementary Report:
 Vaughan Official Plan 2010 (Volume 1) - Summary of Respondents Requests/Staff Comments and Recommendations

| Item | Submission | Issue | Comments | Recommendation |
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| | | | <p>Expansion Area' designation of OPA 600, noted on Schedule 'A', does not extend to the 'peninsula' piece.</p> <p>Schedule 'A' of OPA 600 designates the subject lands as "Major Open Space and Valley Lands" while Schedule B of OPA 600 designates the subject lands as "Valley Lands". Policy 5.9.2. of OPA 600 states, "the precise limits of the Valley Land designation...will be established to the satisfaction of the City, TRCA through the Block Planning process based upon the criteria set out in Policy 5.9.1.2 (i – iv).</p> <p>Policy 4.2.1.2. ii in OPA 600 (Urban Area- Blocks 40 & 47) requires that lands designated "Urban Area" shall be the subject of a comprehensive plan providing the technical basis to support secondary plan land use designations consistent with the planning approach of OPA 600. Subsequent detailed planning of the area shall address requirements of the Block Plan process."</p> | |
| 107YR | <p>DATE: August 06, 2011 D06.2010.V.01.118</p> <p>RESPONDENT: Luch Ognibene The Remington Group</p> <p>LOCATION: Various properties in</p> | <p>The respondent submitted the following concerns relating to previous matters for various properties in the City:</p> <p>Block 60 East Elder Mills:</p> <p>1a. Lands are currently depicted as a water body in the VOP land use schedules, which is not consistent with the York Region land use schedules.</p> <p>1b. Request that the lands be included</p> | <p>1a. The body of water is no longer shown on the schedules for VOP 2010. No further action is required.</p> <p>1b. The subject lands are designated Low Rise Residential. The policies are being incorporated into VOP 2010 to provide for the development of lands like these through a Block Plan process. The City or owners may initiate Official Plan Amendments as required to</p> | <p>1a. No change is recommended.</p> <p>1b. No change is recommended.</p> <p>1c. No change is recommended.</p> <p>2. That the pertinent schedules be adjusted to reflect the current OS1 Open Space Zone, as required.</p> <p>3a – f. No change is recommended at this time.</p> |

**Attachment 3
 Supplementary Report:
 Vaughan Official Plan 2010 (Volume 1) - Summary of Respondents Requests/Staff Comments and Recommendations**

| Item | Submission | Issue | Comments | Recommendation |
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| | Vaughan | <p>on Schedule 14-A as requiring a Secondary Plan.</p> <p>1c. Concern with the extent of the Enhancement Areas as shown on Schedule 2.</p> <p>Jan-Sil Property:</p> <p>2. Previous comments pertaining to these lands have been addressed; however the lands are still shown as "Natural Areas" on Schedules 2, 13 and 13-T.</p> <p>Carville District Centre:</p> <p>3a. Concern regarding the use of the term "Transit Facility" and the lack of a proper definition or understanding as to what is intended or required.</p> <p>3b. Believe the building height of 4-6 storeys and FSI of 3-3.5 for the development block situated on the south side of Marc Santi Boulevard in Block 11 may be inaccurate.</p> <p>3c. Remain concerned with the amount of parkland identified within the CDC, as well as the anticipated programming for the parks, given the extensive amount of parkland and greenspace within the adjoining low-rise residential communities.</p> <p>3d. The extent of the "Local Centre Intensification Area" for the northeast quadrant of the CDC on Schedule 1 does not properly reflect the approved boundaries.</p> | <p>implement any land use changes.</p> <p>1c. Enhancement Areas will be refined through the development review process.</p> <p>2. Schedules will be adjusted to reflect the current OS1 Open Space Zoning, as required.</p> <p>3a – f. These are Volume 2 issues that will be addressed in a future report.</p> | |

Attachment 3
 Supplementary Report:
 Vaughan Official Plan 2010 (Volume 1) - Summary of Respondents Requests/Staff Comments and Recommendations

| Item | Submission | Issue | Comments | Recommendation |
|--------|---|--|---|---|
| 157YR | DATE: July 26, 2011 D06.2010.V.01.117 RESPONDENT: Peter J. Smith Weston Consulting Group Inc. LOCATION: Northwest corner of Teston and Hwy 400 | 3f. It appears as though the proposed park block has been included as part of the Natural Area associated with the woodlot feature in the same quadrant. It is requested that policies be added to Section 3.2.3.4 that allow for flexibility to the 10 metre and 30 metre buffer requirements for vegetation protection zones and for lands abutting the ORM or Greenbelt. | This Regional letter (D06.2010.V.01.117) is a duplicate of Item 157B. | Refer to Item #157B. No change recommended. |
| 175YR2 | DATE: July 12, 2011 D06.2010.V.01.114 RESPONDENT: Shaylagh McLaren MMM Group Ltd FOR: Bell Canada LOCATION: Vaughan | Further to their previous correspondence, the respondent has raised the following concerns: 1. How to incorporate the proposed policy wording related to ensuring that sufficient utility services are or will be in place to serve growth and development. 2. How to adequately integrate communications/telecommunications into the definition of "public utility". | These concerns are addressed in the response to Item #175YR. | Refer to Item #175YR. No change is recommended. |

**Attachment 3
 Supplementary Report:
 Vaughan Official Plan 2010 (Volume 1) - Summary of Respondents Requests/Staff Comments and Recommendations**

| Item | Submission | Issue | Comments | Recommendation |
|-------|---|---|--|--|
| 289YR | DATE: August 10, 2011 D06.2010.V.01.121 RESPONDENT: Chris Barnett Davis LLP LOCATION: 10390 Pine Valley Drive | 1. The respondent is re-iterating concerns written to the City on July 28, 2010 pertaining to policies in the Official Plan regarding archaeological resources, commemoration of sites and First Nations consultation. 2. Request to receive notification. | 1. The respondent's concerns were addressed in a report to the Committee of the Whole on August 31, 2010. Detailed comments and their associated recommendations can be found in Attachment 1 – Part B of that report, under Item 289. | 1. No change is recommended. 2. No action required. The Region of York will notify respondents upon issuing a decision. |

To: Gloria Hardycheak

HUMPHRIES PLANNING GROUP INC.

September 10, 2011
HPGI File: 08172

Clerks Department, City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

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| Item # | <u>1</u> |
| Report No. | <u>39</u> |
| SPECIAL COMMITTEE OF THE WHOLE | |
| Sept. 12/11 | |

Attn: Mr. Jeffrey Abrams

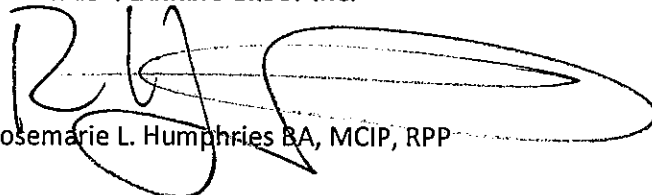
Re: City of Vaughan Official Plan Review, Modifications to Vaughan OP – 2010 Volume 1
KK Holdings – North West Quadrant of Kirby Road & Keele Street

On behalf of KK Holdings, Humphries Planning Group has reviewed staffs most recent report and response to the modification request as related to submissions made on behalf of KK Holdings. Staff response as contained within Reference Item 168 R indicates that as a new zoning by-law will not be in place for a number years, there is no reason to provide for a site specific policy for the subject site. We continue to remain concerned regarding staffs approach to this unique site circumstance.

Land Use Mapping and policy continues to designate the entirety of the subject land holding as "Agricultural". The property has municipal services and has been developed with a gas bar, car wash, drive-thru restaurant, truck and farm machinery sales and repair centre. A vacant area of approximately 3 ha is left on the subject site for which similar type of development and/or institutional uses including a private school and church is logically expected to occur. To designate and expect agricultural uses for this urbanized location is inappropriate and not representative of good planning.

We continue to object to the proposed Agricultural Designation and associated policies. A We request that an urban boundary designation and/site specific policy for this site be applied given its unique circumstances.

Yours truly,
HUMPHRIES PLANNING GROUP INC.


Rosemarie L. Humphries BA, MCIP, RPP

cc. KK Holdings- Mr. Nick Cortellucci
Mayor and Members of Council
Mr. John Mackenzie, Commissioner of Planning
Ms. Diana Birchall, Director of Policy Planning
Mr. Augustine Ko, Region of York

216 Christlea Road
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Vaughan, ON
L4L 8S5

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SEP 14 2011
CLERK'S DEPT.

| Item | Submission | Issue | Comments | Recommendation |
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| 164C | <p>DATE: October 05, 2010</p> <p>RESPONDENT: Rosemarie L. Humphries Humphries Planning Group</p> <p>LOCATION: 77 Woodstream Boulevard</p> | <p>Mapping indicates the land use designation does not apply to the entire subject land. As of January 28, wants to confirm that the City will be proceeding with a modification to correct the designation on the 77 Woodstream property to include the entirety of the property and revise the schedule to reflect a height of 8 stories and 2.5 FSI.</p> | <p>These lands are located within an Employment Area which is nearly fully developed and characterized by a range of older but stable industrial uses.</p> <p>It has been noted by the Region that any site specific re-designations from "Employment" to a "non-employment use" require compliance with Section 2.2.6.5. (Employment Lands) of the Growth Plan for Greater Golden Horseshoe requiring a comprehensive employment conversion review. The subject lands will be reviewed in the context of the requirements in Section 2.2.6.5. as required by the Provincial policy.</p> <p>The results of this assessment and the final recommendations for these lands will be included in an additional information item (addendum) to Committee of the Whole scheduled for September 12, 2011.</p> | <p>No change recommended at this time</p> |
| 168YR | <p>DATE: January 29, 2011</p> <p>D06.2010.V.01.076</p> <p>RESPONDENT: Rosemarie L. Humphries Humphries Planning Group</p> <p>LOCATION: 2480 Kirby Road</p> | <p>Previous correspondence requested subject land be included within the urban boundary designation as the lands are currently municipally serviced and have land use approvals for service commercial uses inclusive of gas station and car wash, drive-thru eating establishment and motor vehicle sales and repair for farm/heavy equipment/trucks. Also indicated to staff that a place of worship and other institutional uses may also be considered for the vacant portion of the site. The balance of</p> | <p>The existing uses at the time of the approval of the Official Plan are deemed to conform to the Plan on the basis of Policy 10.2.1.3. In addition, the current by-law for the subject lands will be in effect until such time as the City enacts a new Zoning By-law to implement VOP 2010. It is unlikely that a new City By-law will be enacted in the near future, as the new Official Plan must be finally approved and the necessary steps taken to develop and enact the implementing Zoning By-law.</p> | <p>No change is recommended.</p> |

To: Gloria Hardy Chubb

HUMPHRIES PLANNING GROUP INC.

September 10, 2011
HPGI File: 10236

City of Vaughan
Clerks Department
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

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| C | 6 |
| Item # | 1 |
| Report No. | 39 |
| SPECIAL CW | |
| Sept. 12/11 | |

Attn: Mr. Jeffrey Abrams

Re: City of Vaughan Official Plan Review – Modifications to VOP 2010 (Volume 1)
September 12, Special Committee of the Whole Meeting
77-87 Woodstream Boulevard –La Primavera Banquet Hall

On behalf of La Primavera Banquet Hall located at 77-87 Woodstream Boulevard, Humphries Planning Group has reviewed City of Vaughan staff report materials prepared for consideration at the September 12 2011 Special Committee of the Whole as related to 77-87 Woodstream Avenue.

We do not support staff recommendations which propose to reverse previous staff recommendations of land use change supporting a Mid-Rise Mixed Use Land Use Designation which was subsequently adopted by Council on September 7, 2010.

We recommend that Committee of the Whole adopt a motion to “maintain the present Mid-Rise Mixed Use land use designation as adopted by the City of Vaughan on September 7, 2010 for 77-87 Woodstream Boulevard with the understanding that the equivalent ground floor area of the existing banquet hall will be maintained and/or increased in the proposed development for the subject site. In addition, construction of a pedestrian crossover bridge which provides direct access to the school and soccer centre facility on Martingrove Road for the community west of Rainbow Creek will also be undertaken by the developer.”

In support of the above, a review of document (addendum to April 2010 Housing Analysis and Employment Lands Needs Study)prepared by Hemson Consulting dated September 2011 which examines and discusses the conversion of the Woodstream site was

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SEP 12 2011

CLERK'S DEPT.

undertaken. The document does not appear to provide comprehensive consideration of all the merits associated with the redesignation of the subject site for Mid-Rise Mixed Use land uses.

The Hemson review has suggested that the proposed conversion at 77-87 Woodstream Boulevard:

1. Is not consistent with OPA 661

Discussions with staff have indicated that the City of Vaughan Proposed Draft Official Plan proposes to designate lands alongside Highway 7 as Mid-Rise Mixed Use to reflect the limits and designation as approved by OPA 661. Review of OPA 661 as approved and the draft Land Use Schedule 13-Q for the City's new draft official Plan indicate that there are inconsistencies with mapping in this regard. We have determined that there are lands which were included in OPA 661 that are no longer designated in the new Official Plan and other lands which were not included within the boundary of OPA 661 as it was approved now benefit by former OPA 661 policies within the New Draft Official Plan. The boundary of OPA 661 is not consistently setback the same distance from Highway 7. Further, densities and heights as approved in OPA 661 have not necessarily been carried through into the new draft Official Plan.

2. Could be precedent setting

The conversion of the subject site would not be precedent setting as a comprehensive review is required in order to designate employment lands for non-employment uses per applicable policy contained in the Growth Plan and Provincial Policy Statement.

3. Provides no clear boundary between the lands in question and the abutting employment land areas, suggesting that the potential for destabilization would be particularly high.

The current Official Plan land use map as specifically related to other lands in the vicinity of Highway 7 Woodstream and Martingrove Road area indicate that there is no clear boundary between employment and mixed uses areas at all. Mid-Rise Mixed Use land use designated lands directly abut employment use area designations. The subject site at 77-87 Woodstream Boulevard is more clearly defined than other areas in the vicinity as the site has frontage on Woodstream Boulevard and backs onto the Rainbow Creek Valley system.

4. Runs afoul with the intent of OPA 661 as related to depth from Highway 7.

There are numerous areas in OPA 661 where the depth of the mixed use land use designation runs deeper and shallower than as opposed to being at one consistent depth. Hemson, has in fact recommended the inclusion of lands at greater depth than 200m in other locations.

5. Is located beyond 200m envisioned for immediate proximity to transit upgrades on Hwy 7

The site is approximately 225m from the intersection of Highway 7 and Woodstream Boulevard intersection which is a negligible exceedance of 200m. It is our professional opinion that the subject site is well within a reasonable walking distance to transit facilities. Walking distances from residential areas to transit stops of 400m are widely accepted.

Review of the Growth Plan:

6. Section 2.2.6.5 of the Growth Plan

a) there is a need for the conversion.

Hemson has stated that the area is competitive and marketable as industrial land and should be retained in that designation to accommodate long-term growth. Hemson has not considered the characteristics of the subject site and its current development. There is an extensive underground parking area which would not be conducive to many types of employment uses. In addition, the conversion of the existing building to offices or other employment type uses would not be easily undertaken.

The land in question is 3.8 acres in area which is marginal by comparison to the City of Vaughans overall industrial land base. The City has identified new industrial lands as part of its Official Plan Review exercise in addition to future strategic employment land areas. This site is located on the fringe area of an existing employment area which is immediately adjacent to a significant open space system, recreational use area, institutional uses and across from a well established residential community. Further, employment currently generated by the existing use is marginal.

b) The municipality will meet the employment forecasts allocated to the municipality

Hemson has indicated that the subject land has been included in the base supply in the analysis and employment land need and therefore is required to meet the allocated employment forecasts. The subject land has an area of 3.8 acres, is currently used as a banquet hall, would not be easily converted to pure employment uses or office uses and therefore is insignificant in its importance of be included as part of the base supply by Hemson in its analysis. Further the City adopted a new Official Plan policy that restricts commercial /retail uses within its employment areas to 30% thereby guaranteeing a higher amount of real employment uses in all employment areas City wide.

In addition to the above, reports and documents provided respecting employment forecasting indicate that the Highway 7 corridor is one area where growth must be concentrated in order to meet overall growth targets. In terms of employment targets, Highway 400 North, Vaughan West Enterprize Zone are key areas that

have been identified by the City and its Official Plan review process. Future employment areas have also be targeted by the City. These areas being along the western boundary of the City east of Highway 50, north of Nashville Road.

c) conversion will not adversely affect the overall viability of the employment area, and achievement of the intensification target, density targets and other policies of the plan

Hemson has indicated that the conversion of the subject site will likely have a destabilizing effect which could adversely affect the viability of the abutting employment area to the west. We do not envision such to be the case given the existing nature of uses which occupy the area today include industrial condominiums with offices and other light employment uses. These uses are located to the north, south and west of the subject site. We consider the proposed conversion which would allow residential and office/commercial/retail uses to be compatible and complementary with existing uses in the area and have no affect on the overall viability of the employment area.

d) there is existing or planned infrastructure to accommodate the proposed conversion

Hemson has not considered to be this to be a relevant factor in the analysis.

e) the lands are not required over the long term for the employment purposes for which they are designated

Hemson has only indicated that the subject 3.8 acres is considered as part of the base area. Please refer to response to b) above.

f) cross-jurisdictional issues have been considered

Hemson has not considered this to be a relevant factor in the analysis.

In addition to the above, Hemson has not considered other site specific matters which provide merit for the conversion of the subject site and are outlined below.

Existing Open Space System:

The easterly limit of the site directly interfaces with the Rainbow Creek Valley System therefore providing various open space opportunities. To the south of the subject property organized recreational uses and school facilities also exist. Opportunities for facilitating pedestrian connections(ie. Bridge structure) between the existing well established residential neighbourhood located on the east side of Rainbow Creek with recreational and institutional uses on the west side of the Creek are possible with the cooperation of the subject land.

Existing Use:

The subject site is currently developed with a banquet hall facility with extensive underground parking garage structure. Limited employment is generated by this existing

Attn: Mr. Jeffrey Abrams
Re: 77 Woodstream Boulevard
September 10, 2011
Page 5 of 5

use. Use of the facility for other employment uses is not foreseen without substantial redevelopment of the property.

Banquet Hall Uses:

Current City policy as contained within OPA 450 permits Banquet Hall uses in all employment designations. Review of the new Draft Official Plan policies indicate that Banquet Hall uses would no longer be permitted in industrial designated areas. Given that this is the only use on the subject land and with its proximity to Highway 7 along with a Mid-Rise Mixed Use designation proposed for land immediately to the north, a Mid Rise Mixed use land use designation is warranted.

Surrounding Uses:

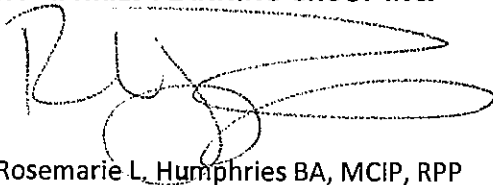
Surrounding uses include general employment in industrial condominium format, commercial uses in multi-tenant buildings. However, OPA 661 and private land use planning applications as approved by the City of Vaughan for adjacent lands to date provide for high density residential uses immediately to the north of the subject site and facing Highway 7.

Proposed Land Uses:

Land Use Planning Application submissions have been made and a public hearing has been held in consideration of Mid-Rise Mixed Use land uses which specifically contemplate two residential towers and three stacked townhouse complexes with retail/office commercial uses located on Woodstream Boulevard. A pedestrian bridge crossing is also being pursued to provide direct access across Rainbow Creek for the neighbouring community to the west. It is our estimation that the jobs generated by the proposed land use would generate higher numbers of employment opportunity than that of the current banquet hall facility as a result of office commercial/retail component of the project.

Yours truly,

HUMPHRIES PLANNING GROUP INC.



Rosemarie L. Humphries BA, MCIP, RPP
President

- cc. La Primavera Banquet Hall
Mayor and Members of Council
Mr. John Mackenzie, Commissioner of Planning
Ms. Diana Birchall, Director of Policy Planning
Mr. Augustine Ko, Region of York



Fogler,
Rubinoff
LLP

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September 9, 2011

Reply To: Joel D. Farber
Direct Dial: 416.365.3707
E-mail: jfarber@foglers.com
Our File No. 08/2531

VIA EMAIL

Jeffrey A. Abrams, City Clerk
Office of the City Clerk
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

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| C | <u>7</u> |
| Item # | <u>1</u> |
| Report No. | <u>39</u> |
| SPECIAL CW | |
| Sept. 12/11 | |

Dear Mr. Abrams:

Re: New City of Vaughan Official Plan - Committee of the Whole, September 12, 2011

We are the solicitors for 2107683 Ontario Ltd., RioCan PS Inc. and SRF Vaughan Property Inc., owner and developer of commercial lands at the northwest corner of Milani Boulevard and Hwy 27.

This letter is submitted to the Committee of the Whole for its Special Meeting to be held on September 12, 2011 to consider modifications to the new City of Vaughan Official Plan arising out of the Regional approval process.

Our clients' planning consultant made previous submissions to the City of Vaughan and to the Region of York, setting out our clients' concerns with the City's adopted plan as it relates to their lands at the north west quadrant of Highway 27 and Milani Boulevard.

Our client has a designated and zoned site which allows for and is occupied by major retail uses. We therefore can not agree with or accept the staff recommendation that our client's proposed modifications seeking to recognize these existing land use permissions should be subject to a Comprehensive Employment Conversion Review in accordance with Section 2.2.6.5 of the Growth Plan.

As major retail permissions already exist on the site, no issue of employment land conversion is raised for our clients' site. Note that the OMB has confirmed that our interpretation is correct in *Home Depot Holdings Inc. v. Toronto*, and the Divisional Court has confirmed the OMB's ruling on this very point.

For the purposes of Section 2.2.6.5 of the Growth Plan, major retail uses are deemed to be non-employment uses. Therefore, since non-employment uses are already permitted in both the land use designation and zoning of the site, the proposal to recognize these existing permissions can

not amount to a conversion of employment lands to non-employment uses. Therefore, Section 2.2.6.5 of the Growth Plan has no application to the proposed modifications our clients have requested and the staff recommendation is therefore in error.

We therefore re-iterate our request that the modifications proposed in its January 14, 2011 letter to the Region, a copy of which is attached for your reference.

Yours truly,

FOGLER, RUBINOFF LLP

"Joel D. Farber"

Joel D. Farber
JDF/ay

cc. clients



KITCHENER
WOODBRIDGE
LONDON
MILTON
BARRE

January 14, 2011

Augustine Ko
Planning Services
Region of York
17250 Yonge Street
Newmarket, ON
L3Y6Z1

Dear Mr. Ko:

**RE: ADOPTED VAUGHAN OFFICIAL PLAN
2107683 ONTARIO LTD., RIOCAN PS INC., AND SRF VAUGHAN PROPERTY INC.
NORTHWEST OF HIGHWAY 27 AND MILANI BOULEVARD
OUR FILE: 9922 BN**

We are the planning consultants for 2107683 Ontario Ltd. Riocan PS Inc., and SRF Vaughan Property Inc. Our client's solicitor submitted letters to the City of Vaughan on April 27, 2010 on behalf of our clients regarding concerns with the new Vaughan Official Plan (see attached letter for your reference).

The subject site is currently designated General Commercial (OPA451), Employment Area General in the current City of Vaughan Official Plan. This designation permits retail warehousing, as well as limited retail uses as prescribed in site specific OPA 450. Our client obtained approvals for a zoning by-law amendment to rezone a portion of the subject lands Retail Warehouse Employment Area (EM3) Zone to facilitate a retail warehouse development. Additional Zoning By-law Amendment and Site Plan approval applications have also been submitted (September 2009) and our client has been working with the City since then to facilitate these approvals.

We had reviewed the draft Official Plan and all staff reports relative to the plan, and had offered several recommended modifications to recognize the existing and proposed development approvals in the new Official Plan.

We have now reviewed the Official Plan as adopted by Vaughan Council on September 7, 2010, and find that the adopted Official Plan does not satisfy the concerns raised relative to our client's site. There are still several outstanding issues with the adopted Official Plan relative to these sites. Our concerns are discussed in detail below.

Concerns with Adopted Official Plan

The proposed Official Plan designates the subject lands "Commercial Mixed Use" and "Infrastructure and Utilities" with an "Employment Areas" overlay designation. While the Commercial Mixed Use designation permits retail uses, it restricts the uses to a mid-rise building format. The Employment Areas overlay further prohibits major retail uses (greater than 10,000 square metres).

Given the existing and proposed major retail uses on our client's lands, City staff recognized that a site specific exception would be appropriate for the lands as noted in the City of Vaughan Committee of the Whole report dated July 28, 2010 as per Attachment 1, Part B, Item 61 to the staff report (attached for your convenience). Unfortunately, this special exception was never implemented in the final Council adopted version of the Vaughan Official Plan.

We request that the Region of York modify the proposed City of Vaughan Official Plan by implementing a site specific policy as was recommended in City's Committee of the Whole Report. Accordingly, we recommend the following modifications be made:

- 1) Redesignate the subject lands from Employment Area to Primary Centres on Schedule 1 of the new City of Vaughan Official Plan.
- 2) Add a site specific policy:
 - a. Notwithstanding policy, 9.2.2.7(b), in addition to the existing permitted uses, Major Retail uses are permitted.
 - b. Notwithstanding policy, 9.2.2.7(c), there will be no required amount of gross floor area other than retail required.
 - c. Notwithstanding policy 9.2.2.7(e), in addition to the building types permitted, low-rise buildings will also be permitted.
 - d. Notwithstanding policy 9.2.2.19(b), low rise buildings may be located within the Infrastructure and Utilities designation, subject to review/approval from the appropriate utility provider.

We would be pleased to meet with you to discuss the foregoing.

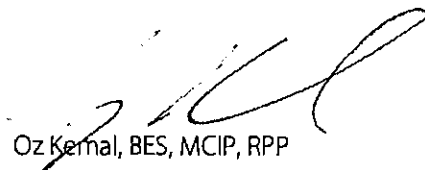
Thank you,

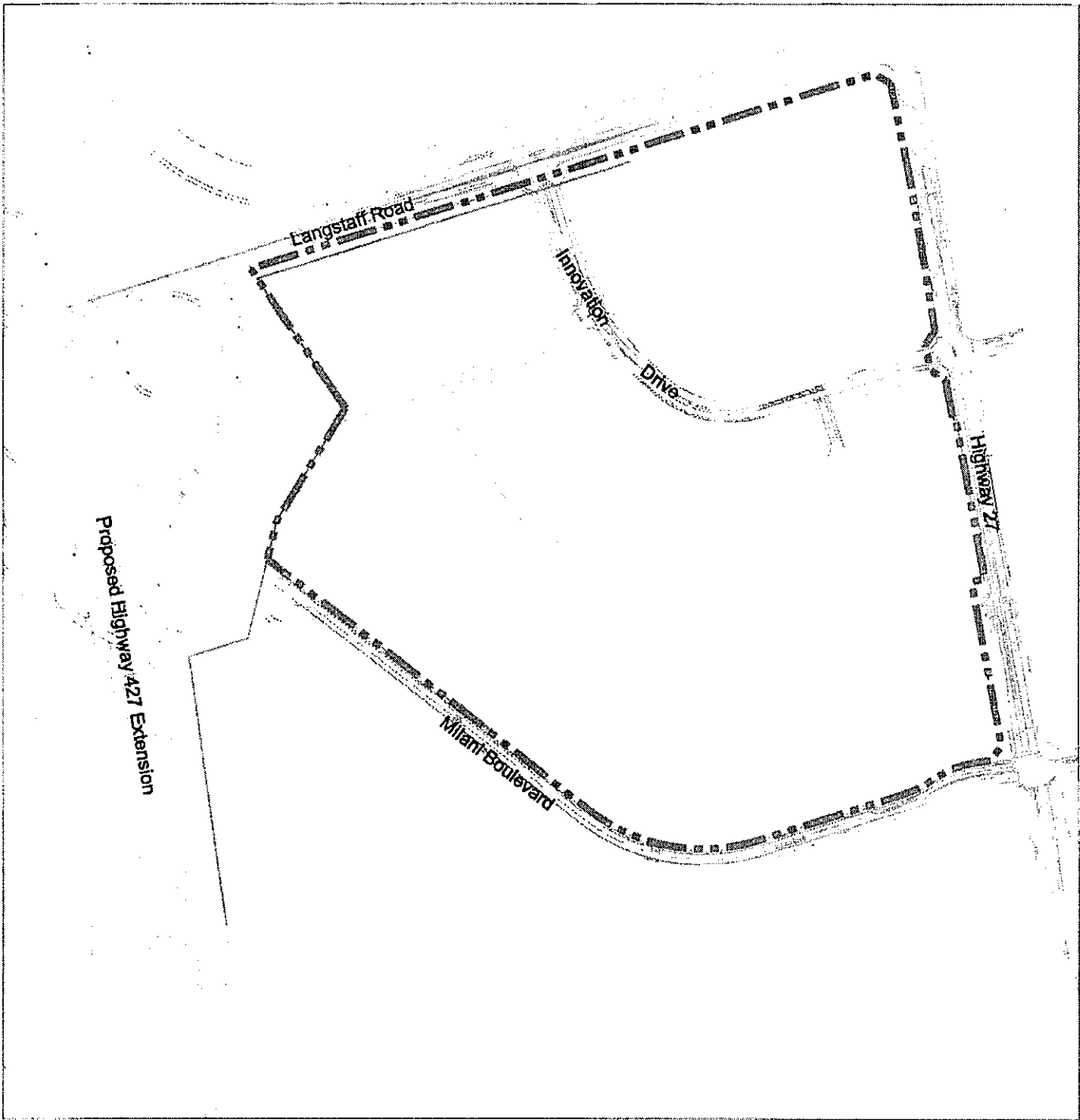
Yours truly,

MHBC


David A. McKay, MSc, MCIP, RPP

cc. J. Farber, J. Beausoleil, M. Peverini


Oz Kernal, BES, MCIP, RPP



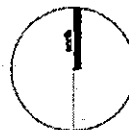
KEY PLAN

LEGEND

 Subject Lands

Trinity Development Group Inc.
 Highway 27 & Milant Boulevard
 Vaughan, ON
 Region of York

DATE: November 24, 2010 SCALE 1 : 6,000

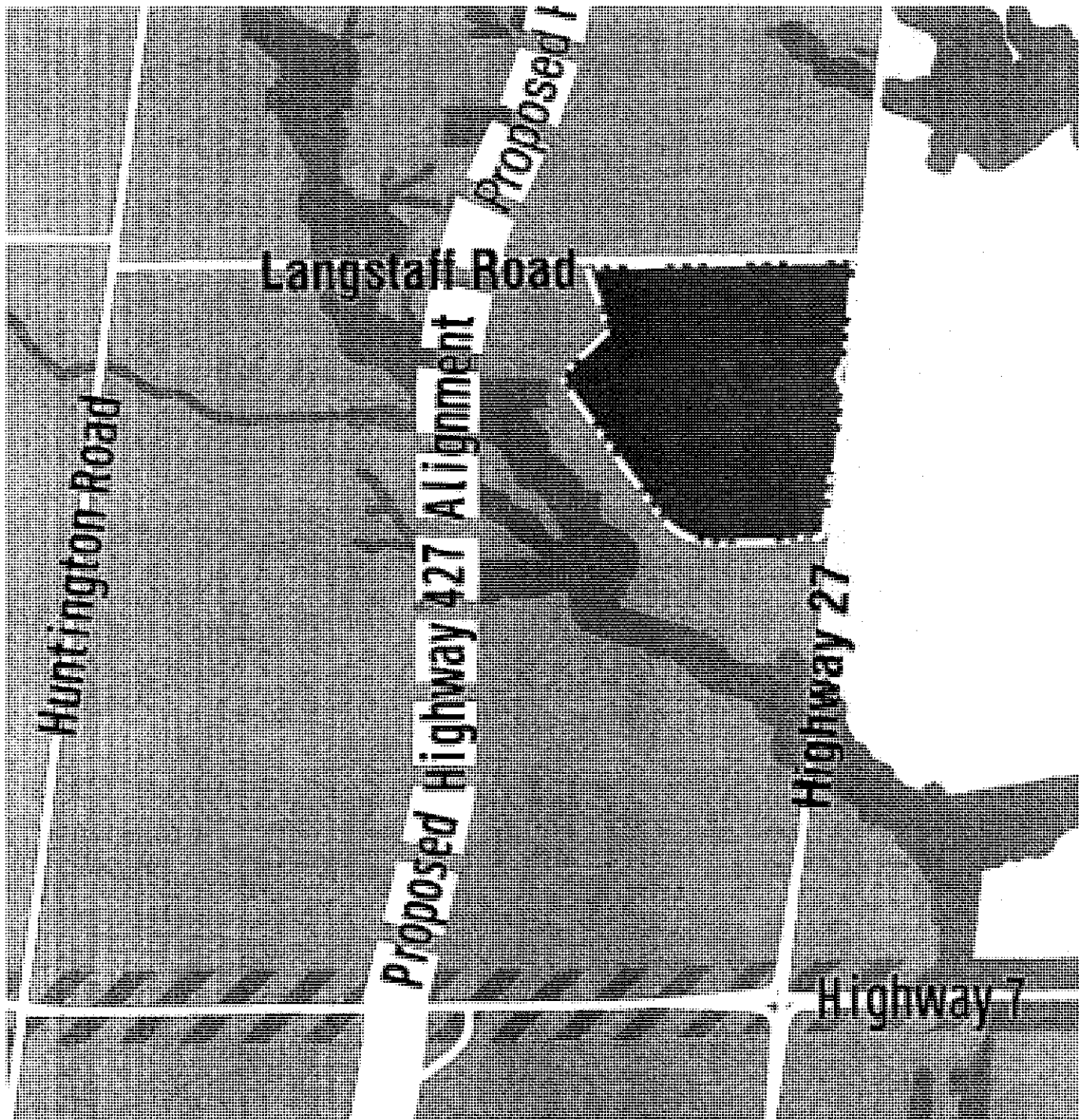


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MHBC PLANNING
 URBAN DESIGN
 & LANDSCAPE
 ARCHITECTURE

220/7000 WESTON AVENUE WOODBRIDGE, ON L4L 1G7
 P: 905 761 3388 F: 905 761 9989 | WWW.MHBCPLAN.COM



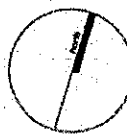
Map Data Source: Vaughan Official Plan (September 2010), Schedule 1: Urban Structure

**Vaughan Official Plan
(September 2010)
Schedule 1:
Urban Structure**

LEGEND

- | | | | | | |
|--|---|--|------------------|--|---|
| | Subject Lands to be redesignated from Employment Areas to Primary Centres | | Employment Areas | | Primary Intensification Corridors with Employment Areas |
| | Natural Areas and Countryside | | Primary Centres | | Primary Intensification Corridors |
| | Community Areas | | | | |

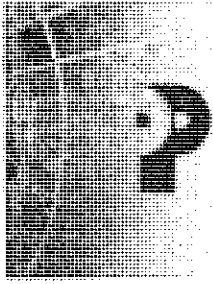
DATE: November 24, 2010 SCALE 1 : 15,000



**Trinity Development Group
Inc.**
Highway 27 & Milani Boulevard
Vaughan, ON
Region of York

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MHBC PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE
250 JUBILEE AVENUE, SUITE 200, WOODBRIDGE, ONT. L4B 3G7
P: 905.761.5501 F: 905.761.5509 | WWW.MHBCPLAN.COM



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| SPECIAL CW | |
| Sept. 12/11 | |

September 12, 2011

By E-mail to: clerks@vaughan.ca
jeffrey.abrams@vaughan.ca

Mr. Jeffrey Abrams
Clerk's Department
City of Vaughan Civic Centre Main Floor
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

Dear Mr. Abrams:

**Re: File number OP.25.1 Vaughan New Official Plan (Volume 1)
September 12, 2011 Special Committee of the Whole
Item # 16YR**

I am writing this letter on behalf of the Canadian Petroleum Products Institute ("CPPI"), Ontario Division regarding the above topic. CPPI represents the member companies which include Husky Energy, Imperial Oil (Esso), Shell, and Suncor (Petro-Canada). We are submitting this letter on behalf of our member companies. The majority of automobile service stations ("Gas Stations") within the City of Vaughan ("City") are owned by CPPI member companies. While CPPI members are competitors in the market place, the member companies work together with Federal, Provincial and Municipal governments under the CPPI umbrella on various issues which may be common to the industry.

This letter on the topic of the New Vaughan Official Plan is a follow up to our letters to the City dated June 7, 9, 2010 and July 5, 27, 2010.

We are pleased to have had the opportunity to also meet and discuss our issues and concerns with City Staff ("Staff") on June 24, 2010. We welcome some of the proposed revisions to the New Official Plan ("VOP 2010") as indicated in the September 12, 2011 Staff Report, which is being submitted to the City Special Committee of the Whole. However many issues still remain for our industry in this proposed revised New Official Plan document and we wish to have those issues properly addressed prior to the final approval of the New Official Plan.

Issue # 1

Vaughan September 12, 2010 Staff report:

The section Policy Areas – Analysis and Recommended Modifications of the September 12, 2011

Staff Report:

- m) Requests for the Site Specific Recognition of Existing Rights under the New Official Plan
- n) Recognition of Legally Existing Uses
- o) The Implementing Zoning By-law

Policy 10.2.1.3 of the VOP 2010 states:

“To recognize legally existing land uses as they exist at the time this Plan is adopted. These land uses shall be deemed to conform to this Plan. Minor extensions or expansions of such uses shall be permitted without amendment to this Plan...”

CPPI comments:

We welcome this provision for minor extensions or expansions of the uses however Gas Stations are somewhat different from typical uses as they are as much a piece of equipment as a building facility. Their facilities are comprised of dispensing pumps, underground storage equipment, kiosks, canopies and other equipments which need to be replaced or rebuilt periodically. They are also mainly outdoor operations which are subjected to wear and tear over the years from items such as weather, road salt and busy traffic. For these reasons and in order to also meet evolving customer demands, existing Service Stations need to be rebuilt or redeveloped from time to time. In addition to minor extensions or expansions, **we solicit the inclusion of some provisions in this policy which would allow Gas Stations sites to also be rebuilt or redeveloped.**

Issue # 2

Vaughan September 12, 2010 Staff report::

- p) Regulation of Automobile Oriented Uses: Gas Stations and Drive-Through Facilities

The first paragraph of this section indicates that Vaughan has a higher number of Gas Stations uses compared to other municipalities.

CPPI comments:

We wonder how and where the City obtained such information as this above statement is unsubstantiated, in correct and should be deleted from the report.

As indicated in our letter dated July 5, 2010, the current number of Gas Stations within Vaughan is quite in proportion with the market demand. There is a need here to differentiate between perception and facts.

To illustrate this point, the following table shows that the Gas Stations in Vaughan have the highest gasoline annual throughput per station compared with other surrounding municipalities. This data was extracted from surveys provided by the firm Kent Marketing Services Limited (<http://www.kentmarketing.on.ca/>) which specializes in gathering market data relative to the Gas Station industry. This data is a clear indication of a strong gasoline demand in Vaughan being well balanced with an adequate number of Gas Stations. As this market demand is expected to continue to grow with the increasing population within Vaughan, the New Official Plan needs to take these factors into

consideration to ensure that the population continues to be adequately served by the Gas Station industry.

Table showing the number of Gas Stations by municipality:

| Municipality | Number of Gas Stations | Average annual throughput per Gas Station (kl) |
|------------------------------|-------------------------------|---|
| Vaughan | 57 | 8129 |
| Markham/R.Hill/W.Stouffville | 64 | 8060 |
| Brampton | 71 | 7103 |
| Mississauga | 121 | 6833 |
| Newmarket | 21 | 6690 |

The above information demonstrating a higher average throughput per Gas Station in Vaughan provides the evidence that there aren't too many Gas Stations in Vaughan in comparison to other municipalities.

Issue # 3

Vaughan September 12, 2010 Staff report:

In respect of Automobile-Oriented Uses, replace Policy 5.2.3.7 regarding Drive-through Facilities with:

Automobile-Oriented Uses such as gas stations and drive-through facilities should...

CPPI comments:

The section 5.2.3.7 in the 2010 VOP was specific to only Drive-through Facilities. This section in the proposed September 12, 2011 document is now adding Gas Stations to the Drive-through Facilities. This would now make the VOP much more restrictive in respect of Gas Stations and introduces some unfair requirements for this specific type of retail operation versus other types of retail operations.

The subsection "f" which indicates: "*be oriented such that buildings are located close to the public street with direct pedestrian access from the public sidewalk*" would be difficult to achieve for Gas Stations and would be inconsistent with the current proposed removal of clause 9.2.3.9 c which previously stated: "*Where a Gas Station contains a retail building greater than 100 square metres, the retail building shall front onto at least one public street, with no driveways or parking spaces located between the building and the public street*".

We therefore request the removal the reference to Gas Station from section 5.2.3.7 as per the existing 2010 VOP.

Issue # 4

Vaughan September 12, 2010 Staff report:

p) Subsection "f".s tates: "*Comply with City-initiated urban design guidelines to support the development of automobile-oriented uses in a manner consistent with the policies of this Plan.*"

CPPI comments:

This subsection “f” should read “h”. We welcome the proposed introduction of urban design guidelines to support the development of Gas Stations and would be happy to participate and share our expertise in this area with the City.

It should however be recognised that the words “comply with” are not appropriate in the above statement. Guidelines are guidelines and compliance is not necessarily mandatory. **Some other words such as or similar to: “Take into consideration”... would be more appropriate wording to recognize them as guidelines.**

Issue # 5

Vaughan September 12, 2010 Staff report:

p) States: *“In respect of permitted uses and restrictions on the location of gas stations in the following designations, the policies set out below be modified to read:*

9.2.2.4 b ix (Mid-Rise Mixed-Use) Gas Stations, subject to the criteria of policies 9.2.3.9 and 5.2.3.9.

9.2.2.6 b ix (High-Rise Mixed-Use) Gas Stations, subject to the criteria of policies 9.2.3.9 and 5.2.3.9.

9.2.2.7 b iv (Commercial Mixed-Use) Gas Stations, subject to the criteria of policies 9.2.3.9 and 5.2.3.9.

9.2.2.10 c v (Prestige Employment) Gas Stations, subject to the criteria of policies 9.2.3.9 and 5.2.3.9.

CPPI comments:

Section 5.2.3.9 doesn't exist in the New Vaughan Official Plan (Volume 1).

This section should likely be revised to 5.2.3.7

Issue # 6

Vaughan September 12, 2010 Staff report:

That policy 9.2.3.9 “Gas Stations” be replaced by the following:

9.2.3.9

The following policies and development criteria apply to Gas Stations:

b. The following shall apply to the location of Gas Stations:

iii. Such use is limited to one per intersection.

CPPI comments:

This tem 9.2.3.9 b. iii specifically recommends limiting “one Gas Station per intersection”. There doesn't appear to be any valid justification or rationale within the report to support such a restriction and **we are opposed to this restriction**. This would significantly restrict accessibility of the Gas Stations by the traveling public. Many of those Gas Stations are located on busy streets where driving across an incoming traffic would be impossible due to the road median or would create potential safety issues. At some intersections, a single

Gas Station could not provide adequate and safe service for the total motor vehicle traffic passing in both directions at this intersection.

Gas stations sites are located by the member companies following company specific rigorous market research which include demographic studies and traffic studies. Gas Stations are not road traffic generators but are located to provide a vital service to the existing passing-by traffic. We fail to understand why the VOP should be singling Gas Stations for such restriction while other Automobile Oriented Uses such as retail establishments with large parking areas are not subjected to a similar restriction.

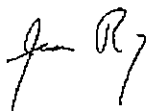
In addition to the above comments, there are a significant number of intersections today in the City where more than one Gas Station exist per intersection. It would be unacceptable for those Gas Stations to simply become "Legal Non-conforming" because of their number at any such intersection.

A few examples of those existing Gas Station sites where more than one Gas Station per intersection already exist and which could potentially become "Legal Non-conforming" are as follows:

Petro-Canada:
3733 Hwy 7/Weston Rd.
5260 Hwy 7/Kipling
5241 Hwy7/Kipling
8480 Hwy 27/Langstaff
Esso
3764 Hwy 7/Weston Rd.

We solicit your cooperation in taking the above items into consideration and we will be pleased to participate in any further discussions which may help resolve the issues associated with the above items.

Sincerely,



Jean Roy P.Eng.
CPPI Ontario Division

Cc: John MacKenzie, Commissioner of Planning john.mackenzie@vaughan.ca
Diana Birchall, Director of Policy Planning diana.birchall@vaughan.ca
Clement Chong, Policy Planner Clement.Chong@vaughan.ca
Melissa Rossi, Policy Planner Melissa.Rossi@vaughan.ca
Augustine Ko, York Region Senior Planner Augustine.Ko@york.ca
Don Dussault, Imperial Oil don.l.dussault@esso.ca
Dominique Ménard, Shell Canada Dominique.Menard@shell.com
Vince Serratore, Suncor Energy Inc. vserratore@suncor.com
Paul Park, Suncor Energy Inc. ppark@suncor.com
Claudio Brutto, Husky Energy cbrutto@bruttoconsulting.ca
Eric Bristow, CPPI Director, Government & Stakeholder Relations, ericbristow@cppei.ca



BUILDING A GREATER EM
 Building Industry and Land
 Development Association

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| Sept. 12/11 | |

September 12, 2011

Mr. John Mackenzie, Commission of Planning
 City of Vaughan
 2141 Major Mackenzie Drive
 Vaughan, Ontario
 L6A 1T1

Dear John,

Re: Special Committee of the Whole – September 12th

**Staff Report regarding Modifications to the Vaughan Official Plan – 2010
 (Volume 1) response to Public, Government, and Agency Submissions File 25.1 and
 the supplementary attachments**

The Building Industry and Land Development Association (BILD) is in receipt of the Special Committee of the Whole Staff Report regarding Modifications to the Vaughan Official Plan – 2010 (Volume 1) response to Public, Government, and Agency Submissions File 25.1 and the supplementary attachments, and we submit the following comings for your review and consideration.

BILD would like to take this opportunity to re-submit our original comments on the City's Official Plan, April 2010 Draft Version, please refer to the attached letter dated June 7, 2010. We would like to highlight and reiterate a specific section of our original letter in regards to Parkland Dedication, section 7.3.3.2 where we indicate that;

BILD is concerned that employing the Provincial maximum of 5 per cent parkland dedication or cash-in-lieu requirement proves feasibly difficult when developing smaller sites, and as such we request that flexibility be added to this provision to allow a reduced per cent required and the mechanism of 'capping' that the City of Toronto utilizes which maximizes the parkland dedication based on the size of the development site. This capping methodology supports the City policies for competitiveness and intensification. This would promote Provincial and Regional intensification targets and would support good planning, and Growth Plan objectives.

In order to avoid a punitive charge to a new homeowner or business owner in the City, the City may consider a more realistic costing approach to collection of parkland dedication requirements. In terms of the discussion around intensification, affordability considerations are paramount, especially when the price points of new condominiums range from \$175,000 to \$350,000 when compared to new non-hi-rise product.

Examples specific to the high-rise sector could include:

- (a) implement a reduced parkland dedication requirement for hi-rise developments. The City of Toronto reduced its parkland requirement by 60%, so as not to penalize new developments and to place a better correlation between land required for parkland and considerations of affordability;
- (b) implement a parkland policy where the maximum payable by a hi-rise development is not more than the cash-in-lieu value for single family parkland dedication values; and,
- (c) where hi-rise developments provide their own facilities, such as open space, exercise equipment, etc., a tax rebate could be provided back to the homeowner or a discount in parkland levies could be provided back to the developer.

We also note in *Attachment No. 1, Part B: Vaughan Official Plan 2010 (Volume 1) – Summary of Respondents Requests/Staff Comments and Recommendations, page 5 of 94*, this concern was raised in other submissions, and the response from staff indicate that “the City is currently reviewing its cash-in-lieu of parkland dedication standards.”

At this time, BILD has not been formally notified of this pending review. We trust that, as interested and affected stakeholders that staff will consult with the industry through BILD, in advance of any report being presented to Committee or Council. BILD would be happy to host a consultation meeting through our regularly scheduled BILD York Chapter meetings or our newly formed BILD / City of Vaughan Builders & Developers Liaison Committee.

We trust that you will take these comments into consideration and we look forward to working with you on this and other mutually significant matters of concerns. If you have any questions or concerns, please do not hesitate to contact the undersigned.

Sincerely,



Danielle Chin, MCIP, RPP
Municipal Government Advisor

Cc: *Michael Pozzebon, BILD York Chapter Chair*
Paula Tenuta, Vice President, Policy and Government Relations, BILD
BILD York Chapter Members



BUILDING A GREATER GTA
Building Industry and Land
Development Association

June 7, 2010

Mr. Jeffery Abrams
Clerk's Department
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

Re: City of Vaughan Official Plan, April 2010 Draft version

The Building Industry and Land Development Association (BILD) is in receipt of the *City of Vaughan Official Plan, April 2010 Draft version* and submits the following comments for your review and consideration.

General Comments

BILD appreciates the work of the collaborative team at the City of Vaughan in preparing this Official Plan (OP) in conformity with York Region's Official Plan (YROP) and the associated Provincial Legislation. Furthermore, BILD supports the strategic direction contained within the OP in an effort to provide for future growth, for both population and employment. Furthermore, we ask you to consider this context in your overall completion of the OP to ensure that the policies (as set out) do not compromise your ability to implement the plan for growth in the City of Vaughan.

The *BILD Vaughan Official Plan Working Group* would like to request a meeting with staff to review this submission, subsequent to the June 7th public comment closing. BILD staff would be pleased to set-up this meeting and we anticipate your response in this regard.

BILD requests that additional provisions be added to clarify how applications that have received conditional approvals or are in the process of public hearings will be treated in the context of this new policy framework. As a suggestion, the YROP provides such methodical and helpful transition provisions.

BILD notes that in several instances the City of Vaughan delegates or defers their authority to commenting agencies of the municipal government (i.e. Toronto and Regional Conservation Authority). BILD requests that approval decisions rest solely with the City and outsourced opinions are reiterated as *'advisory only.'*

BILD request a typographical review of this OP for clarification purposes. For example, throughout the OP words that are defined are found in *italics*, this is a helpful thread throughout the OP, however there are some instances where a word is italicized, later found not to be italicized (i.e. *adjacent*). This presents confusion to the reader and should be clarified. Defined words such as *development* and *permits* could also benefit from a review, as they are used in various instances as a noun and a verb which is also confusing to the reader. BILD would also suggest that explicit definitions of *natural heritage feature*, *woodlawn* and *wetland* be provided, as the OP is ambiguous in this respect.

The Provincial and Regional Context (1.3)

This section of the OP reiterated the requirements of the Provincial Policy Statement (PPS) yet omits to discuss the importance of providing “an appropriate range of housing types and densities required to meet projected requirements of current and future residents”, including low density ground related housing. (PPS Policy 1.4.1). The message throughout the document appears to have missed the importance of this housing type in the City and focuses on intensification and higher densities at the expense of ground related family housing. BILD suggests that this Section and other related sections be revised to reflect the existing demand for the type of housing stock.

Defining Vaughan’s Transformation: Key Planning Objectives (2.1.3)

In an effort to manage future growth, the OP lists policy direction for forthcoming “green development standards” and “City-wide urban design guidelines” to support land-use planning decisions. This Plan’s direction was also reiterated at the May 25th City of Vaughan Environmental Committee meeting, BILD notes that at this meeting measures have already been taken to proceed with this OP policy direction.

BILD acknowledges and appreciates this proactive initiative outlined in the Staff Report entitled “*Measuring Environmental Sustainability Performance of Development – Progress Update, File 22.24.1*” and we support the priorities previously set by Council in *Green Directions Vaughan, the City’s Community Sustainability* and *Environmental Master Plan*. Specifically, Objective 2.3 in *Green Directions Vaughan* speaks to creating a City with sustainable built form. Action Item 2.31 refers to developing criteria to measure sustainability performance of development, specifically to develop “sustainable development evaluation criteria, supported by provisions in Bill 51 and Places to Grow, that can be applied from neighbourhoods to sites and includes these five areas: (1) development form/sustainable sites; (2) resource efficiency; (3) transportation; (4) public realm; and (5) greenspace and wildlife.”

It is expected that there is also recognition beyond these five areas to ensure that growth in the City occurs in a sustainable manner, and in a way that acknowledges consumer choice, delivery costs and market demands – all in a way that the home building and development industry can deliver. BILD is committed to promoting sustainable development and green building (new and renovation) and to housing affordability and choice, which is an objective that impacts our philosophical approach to sustainable development and green building. For BILD, the key word is voluntary.

Ontario’s Building Code is mandatory and everything else should be voluntary. The purpose of a uniform Ontario Building Code is to ensure that developers, new home builders and professional

renovators do not have to operate in a fragmented regulatory environment where each municipality has different requirements. As well, the Ontario Building Code benefits from a transparent process which emphasizes objective research and public consultations. On that basis, BILD will resist any municipality's efforts to mandate any particular green program/label apart from a municipality's own buildings and lands. The mandatory Ontario Building Code together with voluntary, market-driven green labelling programs is working effectively as witnessed by the number of builders and units registered with the various programs. BILD recommends that the energy and green-building standards be 'encouraged' as opposed to required.

In the City's Staff Report, this initiative is noted as being consistent with the *Region of York Sustainability Strategy 2007*, particularly Section 2 regarding healthy communities and Section 4 regarding a sustainable natural environment. We also noted in the Staff Report that background research was produced for LEED as an option of this initiative.

As you may or may not be aware, last year BILD in cooperation with York Region undertook an extensive consultation process during their YROP exercise in reference to the sustainability component of the OP. Effectively, York Region was contemplating the implementation of LEED Criteria. However, through BILD York Chapter's extensive dialogue with the Region, the Region recognized that there are alternatives to LEED.

York Region recognized that projects that *choose* to participate in any program must be assessed over a longer period in order to realize both the benefits and the areas for improvement. Setting workable and flexible guidelines, as opposed to mandating standards, will likely enhance the probability of the best projects being built within appropriate timeframes, and at reasonable costs.

York Region also recognized that if the LEED Criteria became mandatory, the review of sustainable building materials and design at the site plan control process will be a duplication, creating additional delay and paperwork for the applicant as they move through the municipal approvals process. The industry cannot sustain any more of this layering on of regulatory review in addition to the already existing multitude of requirements. The culmination of this recognition meant that York Region did not include LEED Criteria as part of their YROP exercise.

BILD welcomes the opportunity to discuss municipal incentives to promote sustainable development and green building. Any discussion of Green programs should be part of an incentive package where the builder or developer can make the proper business decision for their customer. These incentives could range, for example, from streamlined approvals, the prioritization of "green applications", to reduced or deferred development charges or building permit fees for voluntary LEED, Energy Star or GreenHouse developments.

For example, BILD would recommend a preferred mixed-use development charge directed to transit oriented high-rise developments. This would relieve pressure off of the flow-through costs associated to green infrastructure, and would also allow for a return on investment for the intensification of uses. This would serve as a beneficial policy incentive which would hopefully encourage the planning of high-rise, mixed used communities which fit in to the City's vision for sustainability. This is just one

example of several that BILD members would be able to provide. If the home building and development industry is provided with various incentives, this approach will assist the City with its objectives, while not forcing LEED on those who choose not to use LEED as their parameter for building. BILD would be pleased to continue discussion on these types of incentive-based initiatives.

Natural Areas and Countyside (2.2.2)

BILD requests that *Natural Areas* and *Countryside Areas* not be amalgamated into a single designation or shown on maps as the same colour. It is understood that they are related; however, based on the Growth Plan and YROP, lands outside settlement areas which may accommodate future growth should be identified in an appropriate manner. By establishing a framework now that may preclude future development, the OP would cause problems in the future as the public's expectations may be unrealistically set out. The easiest way to address this concern is to decouple the designations and show them as two distinct colours on all mapping.

Natural Areas and Countyside (2.2.2.4)

The discouragement of the sale of public land by other levels of government should not be a policy within the OP. Land ownership, especially table land or land suitable for other uses, is not a planning issue it is an economic one. Furthermore, in future rounds of urban expansion these lands may be included in the Region's land budget as developable and should therefore not be subject to a policy which dissuades their ability to be designated for their highest and best use. BILD requests that this policy be removed.

Vaughan's Natural Heritage Network (3.2.1.2)

This section of the OP notes that Schedule 2 "may not identify all the natural heritage features in Vaughan" and that precise limits and "any additions" will be determined through appropriate study in accordance with criteria provided by the TRCA and Province. BILD requests that this policy should also provide for the opportunity to make any necessary deletions or reductions if there are features mapped that are either (1) non-existent or (2) over-represented. This would appear to apply to some of the areas mapped as *Core Features* and *Enhancement Areas* on Schedule 2.

Core Features (3.2.3.4)

BILD does not support blanket minimum setbacks as a means to protect critical ecosystem functions, rather we suggest that the application of setbacks is determined through the block plan process, whereby the application of science determines what is appropriate and site specific considerations can be addressed.

BILD recognizes the policy direction that projects will not result in a negative impact on *Core Features* and will not negatively impact ecosystem functions. We would request that additional language be added to include that this direction will be balanced against the needs of the community planning process, as we may enter scenarios such as road crossings, whereby the policies in the OP lack flexibility and, in turn, results in poor community road networks.

Core Features (3.2.3.6)

This section of the OP indicates that within the Greenbelt the *Core Features* depicted on Schedule 2 represent the *Key Natural Heritage* (KNH) and *Key Hydrological Features* (KHF) as defined by the Greenbelt Plan. Since the Province does not delineate or map these features within the *Natural Heritage System* (NHS) of the Greenbelt Plan, this implies that the City has undertaken to map these features through the application of the Provincial Greenbelt definitions. BILD does not support mapping these features through the OP, rather BILD believe these features should be groundtruthed on a site-specific basis.

Enhancement Areas (3.2.3.10)

This section prohibits new development and/or site alteration in *Enhancement Areas*. *Enhancement Areas* have been identified in the form of *Natural Heritage Expansion Areas* and *Natural Heritage Linkages*. *Natural Heritage Expansion Areas* are intended to provide opportunities to add to the *Natural Heritage Network* through restoration or re-naturalization of specific natural features. *Natural Heritage Linkages* have been identified to join together natural features in order to provide connectivity for the movement of flora and fauna. BILD requests that an exception be added to this list which permits new development and/or site alteration if the landowner can prove no overall net ecological loss to the *Enhancement Area*.

Master Environment and Servicing Plan (3.2.4.11)

BILD is concerned that landowners currently pay a fee per hectare upon submission of a block plan which includes the review of all related reports and a Master Environmental and Servicing Plan (MESP) which is considered a report related to the block plan. Therefore, BILD does not agree with landowners paying again for a peer review at a subsequent stage in the development approvals process. BILD requests that the additional fee borne by the landowners be removed.

Flooding Hazards (3.6.2)

BILD recommends that stormwater management ponds are to be allowed below top-of-bank in a valley corridor *Core Features* provided they are outside of the 1:100 flood lines and do not impact on any sensitive environmental features. BILD requests that this section be revised to include this exception.

Stormwater Management (3.7.1.17)

The OP often refers to the use of stormwater management Low Impact Development (LID) techniques. If these techniques are part of the treatment train then they will reduce reliance upon the stormwater management facility, thereby, reducing its required size. Consequently, BILD requests that the OP be amended to reflect that stormwater management facilities shall not be required to be sized as Level 1 facilities if they are part of a LID treatment train approach.

Stormwater Management (3.7.18)

BILD would request this provision be revised such that a stormwater management facility is allowed in a valley and stream corridor subject to the following:

1. Outside of 1:100 year flood line;
2. Allows regional storm to pass through without impacting regional floodlines;
3. Does not impact any environmentally sensitive natural features.

Parking (4.3.2.3)

BILD is very concerned with the provision to consider developing guidelines for cash-in-lieu of parking in *Intensification Areas* (Section 4.3.2.3) as this may lead to maintaining current parking ratios which may not support future intensification targets and as a result – the City may have conflict policies (parking standards) with the provincial and regional policy direction to plan for intensification. BILD requests early and on-going consultation for this provision as a primary stakeholder of this policy.

Economic Growth and Diversification (5.1.1)

BILD firmly supports the policy direction to promote economic growth and diverse employment opportunities in order to ensure the long-term economic health and financial stability of the City and we appreciate the direction to provide a supportive municipal framework for this growth.

Directing Economic Activity (5.1.2)

In an effort to create complete communities, we request that additional wording be added in this section to endorse that other economic activities such as retail – be directed to all areas and not only *Intensification Areas*.

Non-designated Heritage Properties (6.2.3)

BILD is strongly opposed to the conservation of cultural heritage resources that are not designated under the Ontario Heritage Act, as this leaves too much up to subjectivity. We request that the City avoid arbitrary blanket policy statements such as this.

Parkland Dedication (7.3.3.2)

BILD is concerned that employing the Provincial maximum of 5 per cent parkland dedication or cash-in-lieu requirement proves feasibly difficult when developing smaller sites, and as such we request that flexibility be added to this provision to allow a reduced per cent required and the mechanism of ‘capping’ that the City of Toronto utilizes which maximizes the parkland dedication based on the size of the development site. This capping methodology supports the City policies for competitiveness and intensification. This would promote Provincial and Regional intensification targets as well as Goal 3: A Diverse Economy from this Official Plan.

In order to avoid a punitive charge to a new homeowner or business owner in the City, the City may consider a more realistic costing approach to collection of parkland dedication requirements. In terms of the discussion around intensification, affordability considerations are paramount, especially when the price points of new condominiums range from \$175,000 to \$350,000 when compared to new non-hi-rise product.

Examples specific to the high-rise sector could include:

- (a) implement a reduced parkland dedication requirement for hi-rise developments. The City of Toronto reduced its parkland requirement by 60%, so as not to penalize new developments and to place a better correlation between land required for parkland and considerations of affordability;
- (b) implement a parkland policy where the maximum payable by a hi-rise development is not more than the cash-in-lieu value for single family parkland dedication values; and,
- (c) where hi-rise developments provide their own facilities, such as open space, exercise equipment, etc., a tax rebate could be provided back to the homeowner or a discount in parkland levies could be provided back to the developer.

Ensuring a Range of Housing Options (7.5.1.6)

BILD is concerned that the direction to protect existing *rental housing*, does not consider the ability for the stock of rental housing to be replaced or potentially increased through private investment units/housing. Therefore, we would request that additional wording be added to suggest that demolition and conversation may occur if the developer/builder can exemplify no net loss of the rental stock or no depletion of the rental stock to be less than the designated vacancy rate in the OP of 3 per cent.

The Public Realm (9.1.1.4)

BILD notes that the City is promoting an interconnected grid-like pattern of streets and blocks that is walkable and cyclable through a means of limiting and discouraging cul-de-sacs and window streets. BILD is concerned that with respect to arterial road, these connections will not be encouraged by York Region and as such this section of the OP should reflect this potential reality.

General Land Use Policies (9.2.1.9)

The list of uses that are precluded from the identified designations should be revised as many of these uses currently exist in these areas or would be desirable in the identified areas. As an example, golf courses designated as Private Open Spaces have storm water management facilities included in their design.

Prestige Employment (9.2.2.10)

BILD is concerned that many of the provisions in this section of the OP would be better served in the City's Zoning By-Law by allowing any future changes to be made to these provisions in a more timely fashion (for example, c. the ancillary office use is limited to no more than 7,500 square metres or 40% of the total gross floor area of the primary use, whichever is greatest). This level of detail does not need to be explicitly determined in an Official Plan. Furthermore, BILD strongly requests that *High-Rise Buildings* should also be included in the list of permitted building types in *Prestige Employment* areas.

New Community Areas (9.2.2.13)

BILD reiterates our comments from our May 17th deputation to Council at the Public Meeting for this OP that we support the modest 3% urban boundary expansion, as this decision supports the principle of balanced growth and the need to provide a continuum of housing supply and employment lands. BILD supports this because we recognize that this expansion beyond the urban boundary is in keeping with the Regional and Provincial policy direction. As per the *Vaughan Tomorrow Plan* – 45 per cent of new development will be in the form of intensification, 5 per cent greater than the Provincial Policy direction. We also recognize that a full 40 per cent of Vaughan will be protected as natural areas and countryside – a significant achievement in a growing City.

New Community Areas (9.2.2.13)


This section includes the requirement that 75% of a particular phase of development must be built or under construction before a subsequent phase can be registered. BILD is concerned that this requirement is extremely onerous on the part of the landowner and adversely affects the timing of development. BILD requests that this requirement be revised.

Building Types and Development Criteria (9.2.3)

BILD is concerned with the level of detail in this section, as this section provided details for angular planes and setbacks related to each building type. BILD requests that this requirement be reconsidered in its entirety. BILD suggests that this section of the OP would be better served on a site specific basis through the secondary plan process.

We trust that you will take these comments into consideration and we look forward to working with you on this and other mutually significant matters of concerns. If you have any questions or concerns, please do not hesitate to contact the undersigned.

Best regards,



Danielle Chin, BURPI
Municipal Government Advisor

- cc. *Councillor Peter Meffe, Chair of the Official Plan Review Committee*
- John Zipay, Commissioner of Planning*
- Diana Birchall, Director, Policy Planning Department*
- Mauro Peverini, Acting Manager of Policy Planning*
- Clement Chong, Policy Planner*
- Melissa Rossi, Policy Planner*
- Fraser Nelson, BILD Chapter Chair*
- Joe Vaccaro, BILD*
- BILD York Chapter*

GOLDBERG GROUP LAND USE PLANNING AND DEVELOPMENT
2171 AVENUE ROAD, SUITE 301, TORONTO, ONTARIO M5M 4B4
TEL: 416-322-6364 FAX: 416-932-9327

**GOLDBERG
GROUP**

September 12, 2011

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| C | <u>10</u> |
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| Report No. | <u>39</u> |
| SPECIAL CW | |
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TODD TRUELLE BA
ttruelle@goldberggroup.ca
TEL: (416) 322-6364
EXT. 2103

Mr. Jeffrey Abrams
Clerk's Department
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON, L6A 1T1

**RE: File No. OP.25.1 - City of Vaughan New Official Plan, Volume 1
September 12, 2011 Special Committee of the Whole**

Goldberg Group has been retained by Imperial Oil Limited (IOL) to review the City's responses to comments on the New Official Plan (New OP) as it relates to policies affecting gas stations. IOL has worked in tandem with the Canadian Petroleum Products Industry (CPPI) who have appeared before Council and provided correspondence on policies affecting all gas companies and their concerns mirror those of IOL. The release of the September 12, 2011 Staff Report still does not address some of the fundamental concerns that IOL has respecting the policies of the New OP.

September 12, 2011 Staff Report

The concerns relating to this staff report are in regard to the following sections:

m) Requests for the Site Specific Recognition of Existing Rights Under the New Official Plan

In the instance of IOL, the sites referred to fall under the "existing uses and standards permitted in the current OP, and reflected in the zoning by-law, which are no longer compliant with the new Plan". Staff identifies correctly the "fear" that when the OP and implementing by-law are in place, sites will become legal non-conforming. This is true. The City is concerned with development inconsistent with the long-term vision and competitive advantages to having existing and new standards to pick and choose which apply. Sections (n) and (o) in the report try to address how these can be treated.

n) Recognition of Legally Existing Uses

Proposed Policy 10.2.1.3 is inserted into the New OP in an effort to address and recognize existing uses. Existing uses are deemed to conform to the Plan. The report goes on to state that the purpose of this policy is to allow "extensions or expansions" without an amendment to the

Plan, and further states that "*Eventually, the affected lands would be expected to redevelop in a manner that conforms to the new Plan and the new implementing by-law*".

Once the new OP is approved (i.e., 2 years down the road as suggested by the Staff Report) and the land use designations and policies are in force, what is to prevent the City from requiring an OP Amendment for a full site redevelopment? The proposed policies of 10.2.1.3 relate to "minor extensions and expansions" and once a full site redevelopment (replacement of gas station with updated gas station) is contemplated the amendment process may be initiated. Even if it is an existing site that is recognized as a legal non-conforming use, the need for an amendment will be at the discretion of the City should a "replacement facility" be deemed to conflict with the "long term vision".

It is our position that policies should be included within the New OP recognizing that Gas Stations may be rebuilt or replaced without the need for an amendment to the New OP.

o) The Implementing Zoning By-law

The rationale the Staff Report uses is that the implementing by-law will not be in place until 2015 so there is time to re-develop sites and get appropriate permits before the implementing by-law is adopted and approved. The lifespan of a gas station and its various components is typically about 20 years. Gas Stations that were built in 1995 to 2000 will be due for replacement in 2015 to 2020. What happens in 2020 when a site like Pine Valley and Highway 7 needs updating and a full site redevelopment takes place? OP policies and zoning would then be in place that recognizes it as a legal non-conforming use and the zoning provisions would do the same. When redevelopment is sought, the City will then require an OP Amendment, Zoning By-law Amendment with no comfort of approval if the site is in an area with a "different" long-term vision than a gas station at this location or any others. The inclusion of a more comprehensive policy as it relates to existing Gas Stations, or recognizing existing Gas Stations as fully permitted uses (not legal non-conforming) would address the concerns of IOL as to how existing sites will be treated.

p) Regulation of Automobile Oriented Uses: Gas Stations and Drive-Through Facilities

Some of the commentary used within the report is questionable. For example, does Vaughan really have more gas stations and drive throughs than other municipalities? "Automobile-oriented uses have the potential to erode the public realm"....Statements such as these would benefit from some empirical evidence and studies in support.

Discussion within the report regarding pedestrian-friendly, transit-supportive mixed use urban form seems to suggest that people will be living immediately adjacent to their work, ride transit everywhere and will not need a car, and result in a reduction of the number of gas stations needed. As population continues to increase, so will demand and travel needs of the residents of Vaughan.

The proposed change to Policy 5.2.3.7 from the Report has been made more restrictive by adding "Automobile-Oriented Uses such as gas stations" whereas the adopted new OP applied this policy only to drive-throughs. The concern with this approach is that as a legal-non-conforming use, a Gas Station could be deemed to "adversely affects the goals of intensification, pedestrianization, attractive streetscapes, transit supportiveness or have an adverse impact on

residential neighbourhoods" when it comes time for a full site replacement/redevelopment. Is a gas station transit supportive? Is the failing of this one attribute enough for a redevelopment or new application to be refused? The previously adopted OP applied this to drive-through facilities and the addition of Gas Stations to this list is not warranted. We respectfully request the removal of reference to Gas Stations from Policy 5.2.3.7.

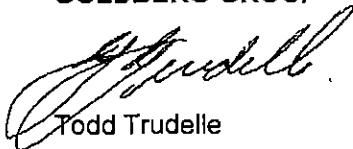
The proposed changes to Policy 9.2.3.9 essentially move the previous Gas Station policies found in the "Use" provisions to one specific location. It is noted that the restriction of not locating at the intersection of 2 arterial roads has been removed and is welcomed, however, policies respecting 1 Gas Station per intersection still remain with no supporting justification from the City as to this requirement.

Last and not least, proposed clause f) of the revised Policy 5.2.3.7 identifies that the "Automobile-Oriented Uses" are to "comply" with City-initiated urban design guidelines. Guidelines are guidelines and compliance is not mandatory, though IOL is happy to work with the City in developing and implementing a set of Urban Design Guidelines for Gas Stations that are reasonable and achievable from an industry perspective.. "Regard" should be had for the guidelines or "consideration of the guidelines" is more appropriate wording that should replace "comply with" in Policy 5.2.3.7 (f).

The policies of the Draft OP and the revisions proposed in the September 12, 2011 Staff Report do not adequately address the concerns of IOL put forward in our earlier correspondence to the City of August 27, 2010 and to the Region of York on October 26, 2010. The correspondence of September 12, 2011 to the City from CPPI also reflects the concerns of IOL.

We would be happy to further discuss an appropriate treatment of existing and future gas station policies for adoption in the New OP. In addition, we ask that the identified IOL sites (from the August 27, 2010 correspondence) be exempt from the policies of the OP until such time as appropriate policies can be implemented that better reflect the treatment of existing and future Gas Stations.

Sincerely
GOLDBERG GROUP



Todd Trudelle

- cc. J. Mackenzie, Commissioner of Planning
D. Birchall, Director of Policy Planning & Urban Design
C. Chong, Policy Planner
M. Rossi, Policy Planner
A. Ko, Region of York Planning Department
Region of York Clerk's Department
D. Dussault, Imperial Oil Ltd.
J. Roy, CPPI Ontario Division
E. Bristow, CPPI Director, Government & Stakeholder Relations

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| C | 11 |
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| SPECIAL CW | |
| Sept. 12/11 | |

Hardychuk, Gloria

From: Magnifico, Rose
Sent: Monday, September 12, 2011 12:05 PM
To: Hardychuk, Gloria
Subject: FW: Proposed Modifications to VOP - 2010, Vol 1, Town File 25.1 (submissions to Committee of the Whole)
Attachments: RoyalOrchardStation re 8100 Yonge.pdf

From: Jeffrey Streisfield Land Law [mailto:jeffrey@landplanlaw.com]
Sent: Monday, September 12, 2011 11:59 AM
To: clerk@vaughan.ca; Magnifico, Rose
Cc: mplanning@rogers.ca
Subject: Proposed Modifications to VOP - 2010, Vol 1, Town File 25.1 (submissions to Committee of the Whole)

Chair and Members of the Committee;

I represent the owner of 8100 Yonge Street, Vaughan. Our client continues to have concerns with VOP 2010, Volume 1 and the Volume 2 provisions for the Yonge Street Corridor as noted in our earlier communications to the City.

The staff report relating to tonight's meeting indicates that a further report regarding volume 2 will be brought forward and dealt with separately. I wish to be notified of this.

Comments Regarding Vol 1

Our client still has concerns with the proposed parkland dedication rate policies - a matter which has not been addressed both in terms of the rates and cash in lieu policies. This concern is premised on the PPS 2005, in particular, section 1.4.3 (d) and (e). Subsection (e) requires that planning authorities develop standards which minimize the cost of housing and facilitate compact form. Minimizing the cost of housing would include reduced parkland dedication rates and reduced parking standards in order to create zero car households. I also draw your attention to section 42(6.2) of the Planning Act - a matter which has not been considered by Council to date as part of its Green vision.

It is clear from the staff report that the Region has directed Vaughan to identify Key Development Areas since this direction flows from the YROP. I agree with this direction and would suggest that our client's lands be considered for this designation now in light of its strategic location along the Yonge Street corridor and proximity to a future subway station and access (see attachment).

I do not agree with the policy language proposed by way of a revision to the OP since it amounts to a deferral of the requirement to define Key Development Areas within Vaughan's urban structure.

I will not be in attendance tonight and would ask that this communication be provided to the Committee.

I would ask for notice of any further meetings as well as notice of any decision taken in connection with Volumes 1 and 2 of the Vaughan's OP.

My address for notice is set out below.

Thanks,

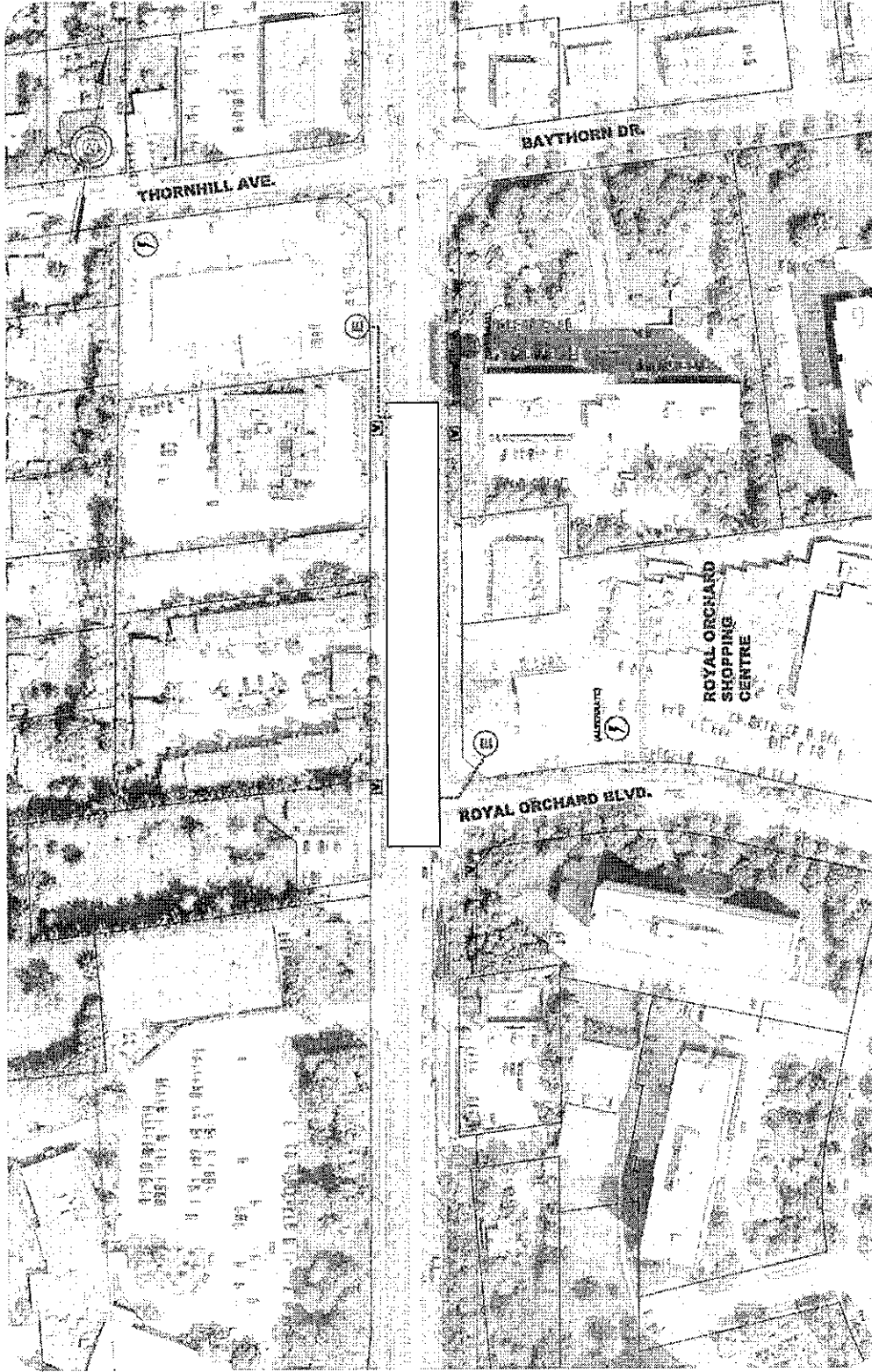
Jeffrey E Streisfield, BA LLB MES
Land Lawyer & Development Manager
310 Hillhurst Blvd., Toronto, ON M6B 1N1

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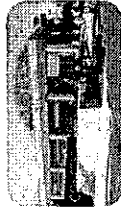
416 460 2518
www.landplanlaw.com

Royal Orchard station



Legend

-  Subway station
-  Subway line
-  Electrical substation
-  Entrance
-  Limit of surface elements
-  Underground walkway
-  Full property acquisition
-  Partial property acquisition for surface elements only
-  Vent structure





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| SPECIAL CW | |
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The City of Vaughan
2181 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

September 12, 2011

Attention Jeffrey Abrams, City Clerk

Re: Report to Committee of the Whole for September 12 on Modifications to Vaughan Official Plan

Dear Sir:

We have read with interest the subject report, and while we are very pleased with the overall changes, there appears to be some inconsistency in Section 3, Environment. I refer specifically to the following:

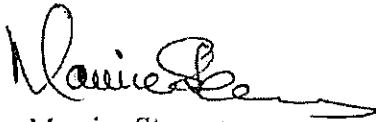
Section 3.2.3.7 sets out the criteria for development and site alteration within Core Features. However, in other parts of the plan such developments or site alterations are totally prohibited. As an example, Section 3.3.2.1(a) prohibits any such activity within wetlands and their minimum vegetation protection zones.

We feel that the provisions of Section 3.2.3.7 should also apply here. Similarly in Section 3.3.1.1(a) regarding valley and stream corridors, only Section 3.2.3.7(c) is applied. This inherently would prevent even low-intensity and passive recreational activities such as municipal trail systems in these areas that are permitted under 3.2.3.7(d).

There are many other places in Section 3 where activities permitted under Section 3.2.3.7 appear to be prohibited. We therefore request that further modifications be made to enable the provisions of 3.2.3.7 to apply throughout the entire Section 3, with the caveat as expressed in Section 3.2.3.13 that where standards of other agencies or levels of government exceed the standards related to the core features in this Plan.....the most restrictive provision or standard applies.

I have attached a summary of the areas of concern together with suggested text changes and request that this correspondence be forwarded to the Committee of the Whole.

Yours Truly
Castlepoint Investments Inc.

A handwritten signature in black ink, appearing to read "Maurice Stevens", with a long, sweeping underline.

Per Maurice Stevens

c.c. John Mackenzie, Commissioner of Planning
Diana Burchall, Director of Policy Planning
Roy McQuillin, Manager of Policy Planning
Tony Iacobelli, Senior Environmental Planner
Clayton Harris, City Manager

Vaughan Official Plan, Section 3 Environment:

Subsections dealing with development and site alteration restrictions/prohibitions

3.2.3 Components of Vaughan's Natural Heritage Network

In the first paragraph of the outlined box on Page 6 it states:... **Development and/or site alteration will not be permitted in such areas, and significant alteration of any existing development in such area will not be permitted.**

This is a statement that suggests an outright ban on such activities (except for modifications in existing developed areas)

Suggested change... Except as specifically set out in the Plan, development and or site alteration will not be permitted in such areas. Significant alteration or expansion of any existing development in such areas will not be permitted except as specifically set out in this Plan.

3.2.3.7 states ...**That development and/or site alteration in Core Features are prohibited except for the following...**

Subsections 3.2.7.3 (a) to 3.2.3.7(d) categorizes the types of developments that may be permitted (conservation, flood or erosion control, transportation, infrastructure, utilities, low intensity and passive recreational activities) and sets out the tests that must be met if such works are to be permitted.

No change required.

3.2.3.13 has a caveat, that where other agencies or levels of government have stricter standards related to the Core Features in this Plan, then those stricter standards shall govern.

No change required.

3.3.1.1 (a) states...**prohibiting development or site alteration in valley and stream corridors and their required vegetation protection zones except as permitted as per the provisions of policy 3.2.3.7(c).**

This also would therefore prohibit conservation and flood or erosion control and also low intensity and passive recreational activities

Suggested change, reword 3.3.1.1(a) to read...prohibiting development and or site alteration in valley and stream corridors and their required vegetative protection zones except as permitted per the provisions of policy 3.2.3.7.

3.3.2.1(a) states.. **prohibiting development or site alteration on wetlands or their minimum vegetation protection zones.**

Suggested change, reword 3.3.2.1(a) to read... prohibiting development or site alteration on wetlands or their minimum vegetative protection zones except as permitted per the provisions of policy 3.2.3.7.

3.3.3.1 states.. **prohibiting development or site alteration in woodlands and their vegetation protection zones.**

Suggested change, reword 3.3.3.1 to read ... prohibiting development or site alteration in woodlands and their vegetative protection zones except as permitted per the provisions of policy 3.2.3.7.

3.3.4.1 states... **prohibiting development or site alteration within significant habitat of endangered and threatened species, as identified on the Species at Risk in Ontario list.**

Suggested change, reword 3.3.4.1 to read ...prohibiting development or site alteration within significant habitat of endangered and threatened species, as identified on the Species at Risk in Ontario list except as permitted per the provisions of policy 3.2.3.7.

3.3.5.1 states... **prohibiting development or site alteration in areas identified as fish habitat except in accordance with provincial and federal requirements**

No change required.

3.3.6.1 states... **To protect and enhance Environmentally Significant Areas (ESAs) and both Earth and Life Science Areas of Natural and Scientific Interest (ANSIs), as identified on Schedule 3, by prohibiting development or site alteration in ESA's and ANSI's.**

No change required.

3.3.7.10 states.. **That no development or site alteration is permitted within key natural heritage features or hydrologically sensitive features or their related minimum vegetative protection zones except for those activities identified in policy 3.2.3.7.**

No Change Required.

3.3.8.6 states... **Development or site alteration is not permitted in key hydrologic features and key natural heritage features within the Natural Heritage System, including any associated vegetative protection zone with the exception of:**

a) Forest, fish and wildlife management

b) Conservation and flood or erosion control projects, but only if they have been demonstrated to be necessary in the public interest and after all alternatives have been considered; or

c) Infrastructure, aggregate, recreational shoreline and existing uses, as described by and subject to the general policies of Section 4 of the Greenbelt Plan and interpreted in Section 3.5 of this Plan.

No change required.

3.8.2.1 states... That any proposal for development or site alteration in the Natural Heritage Network, or within lands adjacent to the Natural Heritage Network (generally 120 metres) shown on Schedule 2 shall be supported by an Environmental Impact Study.

No Change Required.

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Blake, Cassels & Graydon LLP
Barristers & Solicitors
Patent & Trade-mark Agents
199 Bay Street
Suite 4000, Commerce Court West
Toronto ON M5L 1A9 Canada
Tel: 416-863-2400 Fax: 416-863-2653

September 12, 2011

T. W. Bermingham
Partner
Dir: 416-863-2946
tim.bermingham@blakes.com

VIA E-MAIL AND FACIMILE

Reference: 24580/799

Mayor and Members of Council
Commissioner of Planning
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, Ontario
L6A 1T1

Re: City of Vaughan, New Official Plan
Re: Steeles West Secondary Plan Area
Re: Special Committee of the Whole, September 12, 2011

We represent United Parcel Service Canada Ltd. ("UPS"). We have been corresponding and meeting with Staff with regard to the City of Vaughan's New Official Plan.

The comments recorded on pages 19 and 20 of Part B, Attachment 1 (Items 53YR and 53YR2) to the Committee's materials for today partially, but does not completely, capture the concerns of UPS. Those concerns were identified in our letters dated May 17, 2010, July 20, 2010 as well as the letters dated October 4 and October 18 identified in the chart.

The Staff response correctly notes that the Ontario Municipal Board approved version of OPA 620 was not correctly carried forward into Volume 2 of the OP 2010. We have made progress with Staff in resolving this and look forward to reviewing the next iteration of the Part II Plan.

However, UPS's most fundamental and original concern was with the change in the designation of its lands.

For many years, the UPS site at the corner of Steeles Avenue and Jane Street has been designated as an employment area. Given the essentially industrial nature of UPS's operations, this is essential in order to protect UPS's existing and proposed operations from encroachment from sensitive uses.

UPS intends to continue its existing uses, and to intensify and expand them, for a very long time, certainly long beyond the planning horizon of the Official Plan.

For this reason, we have consistently objected to any proposal to dilute or qualify the employment use designation that currently exists and upon which the OMB approved version of OPA 620 was predicated.

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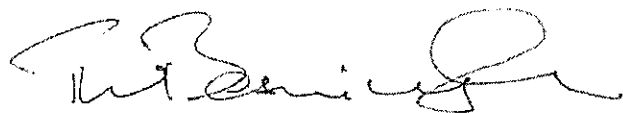
Blakes

Page 2

If the City of Vaughan's revised strategy is to remove all land use designations from Part 1 of the Plan for lands which are covered by secondary plans, we are willing to explore whether our concerns can be addressed in that manner. However, in any case it will be essential to UPS to be assured that its lands clearly and unambiguously have the full benefit and protection of an employment use designation.

We look forward to working with Staff to resolve this, hopefully before the matter proceeds to Council on October 27, 2011. We are available to meet with your Staff at their convenience.

Yours very truly,



T. W. Bermingham
TWB/mg

c: Robert Dragicevic
UPS Canada Ltd.

22150382.1

NEW YORK CHICAGO LONDON BAHRAIN AL-KHOBAR* BEIJING SHANGHAI*

* Associated Office

MONTRÉAL OTTAWA TORONTO CALGARY VANCOUVER

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POUND & STEWART

PLANNING CONSULTANTS • CITYPLAN.COM

September 12, 2011

BY EMAIL & DELIVERED

City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

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| C | 14 |
| Item # | 1 |
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| Sept. 12/11 | |

Attn: Mayor Bevilacqua & Members of the Committee of the Whole

**Re: Official Plan Review – File 25.1
Special Committee of the Whole Meeting – September 12, 2011
Modifications to the Vaughan Official Plan – 2010 (Volume 1)
City of Vaughan, Regional Municipality of York
Our File: 1710**

We are the Planners of Record for OPGI Management LP and Royal Group, Inc., being active participants in the City's Official Plan Review Program. Our clients' lands are generally located south-east of Highway Nos. 427 & 7. As well, 'OPGI' and 'Royal' maintain Parkway Belt West Plan (PBWP) Amendment applications, MMAH File Nos. 19-PBA-028-203 and 19-PBA-028-208 in process.

To support the objectives of the above noted PBWP Amendment applications, private Environmental and Flood Study programs are underway at the request of Toronto and Region Conservation Authority (TRCA), in accordance with their Terms of Reference. The results of these studies will yield professional recommendations on the necessity and/or extent of the land use designations as outlined below, per the Adopted Vaughan Official Plan (September 7, 2010). Please refer to Figures 1, 2 and 3 illustrating Schedule excerpts concerning this matter.

- Schedule 1: Urban Structure, the "Natural Areas and Countryside" designation;
- Schedule 2: Natural Heritage Network per the "Core Features" designation;
- Schedule 11: Wellhead Protection Areas of the "Watercourses" designation.

Figure 4 is a composite map which shows the context of the proposed Core Features designation and a Survey Plan overlay, providing scale and context.

Please also note the Ministry of Transportation (MTO) is conducting a Highway 427 Class Environmental Assessment (EA) Study from Albion Road to Highway 7. The purpose of this EA is to address the interim and ultimate needs of Highway 427. The EA has set Study Limits which are also inclusive of the lands subject of this submission.

POUND & STEWART ASSOCIATES LIMITED

205 BELSIZE DRIVE, SUITE 101, TORONTO, ONTARIO, CANADA M4S 1M3 • 416 482 9797
305 RENFREW DRIVE, SUITE 101, MARKHAM, ONTARIO, CANADA L3R 9S7 • 905 305 9797
1 800 250 9056 • WWW.CITYPLAN.COM • INFO@CITYPLAN.COM

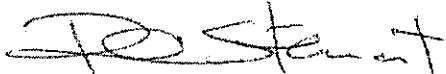


With the benefit of detailed research and professional recommendations for consideration by TRCA and related governmental agencies, we look forward to confirming the necessity and/or extent of these specific land use designations per the City's new Official Plan.

We ask that the City and Region consider an appropriate modification which will preserve the right to eliminate or refine these specific designations, pending the satisfactory completion and processing of the above noted studies; without requiring a future amendment to the new Official Plan.

Thank you for your consideration of this matter and if you have any questions or comments please advise.

Yours truly,
Pound & Stewart Associates Limited



Mr. Philip J. Stewart, MCIP, RPP

/la

1710tr.Vaughan.Scpt.12.11

Attachments: Figure 1: Excerpt of Schedule 1: Urban Structure
Figure 2: Excerpt of Schedule 2: Natural Heritage Network
Figure 3: Excerpt of Schedule 3: Wellhead Protection Areas
Figure 4: Composite Map - Schedule 2 & OLS Survey 98-080-47

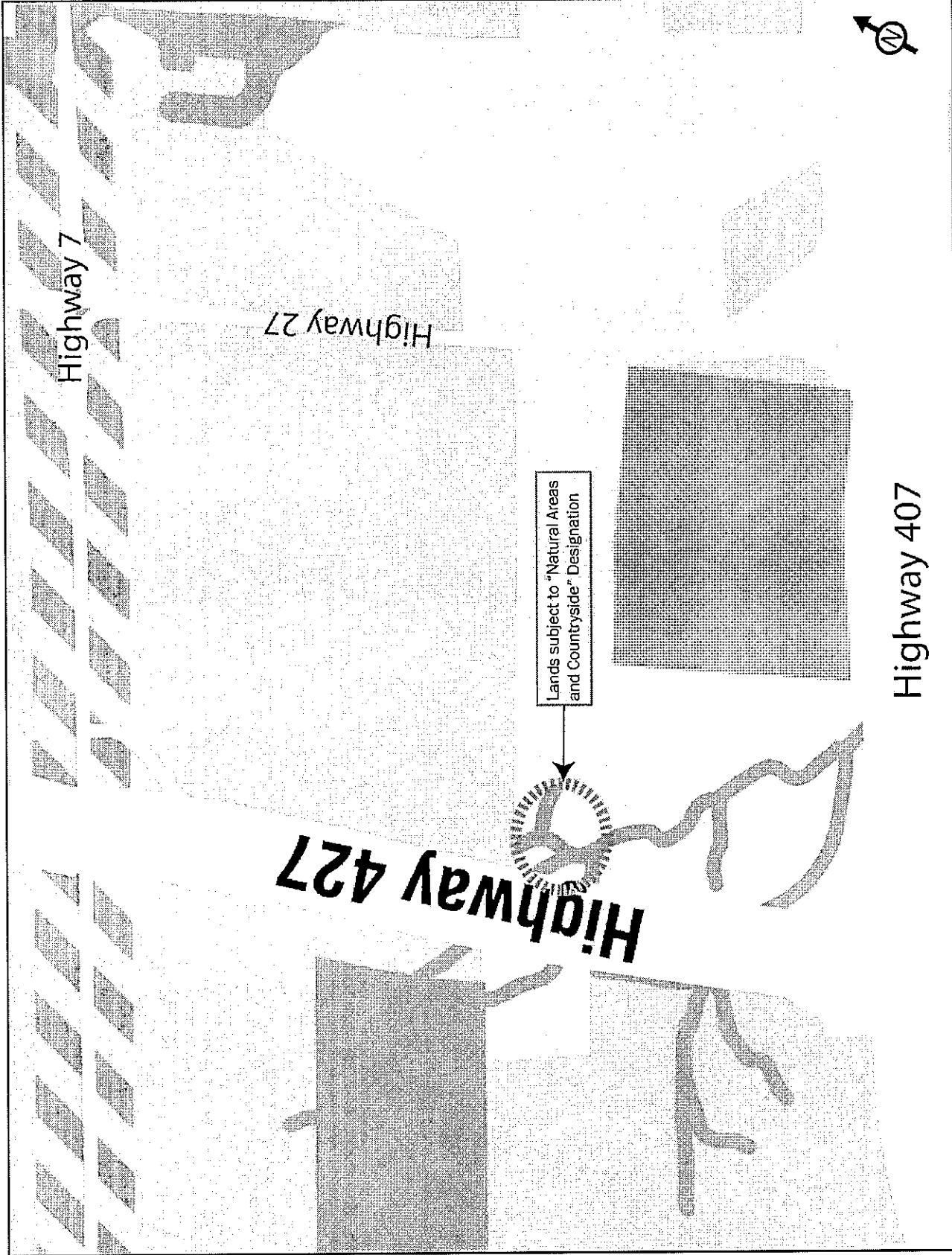
cc. Mr. J. Abrams, City Clerk, City of Vaughan
cc. Mr. J. MacKenzie, MCIP, RPP, Commissioner of Planning, City of Vaughan
cc. Mr. A. Sun, Planner, TRCA
cc. Mr. D. Kelly, Clerk, Region of York
cc. Ms. H. Konefat, MCIP, RPP, Director - Community Planning, Region of York
cc. Ms. K. Ho, Planner, Ministry of Municipal Affairs and Housing
cc. Ms. J. Erasmus, MCIP, RPP, Infrastructure Ontario
cc. Clients

POUND & STEWART ASSOCIATES LIMITED

205 BELSIZE DRIVE, SUITE 101, TORONTO, ONTARIO, CANADA M4S 1M3 · 416 482 9797
305 RENFREW DRIVE, SUITE 101, MARKHAM, ONTARIO, CANADA L3R 9S7 · 905 305 9797
1 800 250 9056 · WWW.CITYPLAN.COM · INFO@CITYPLAN.COM



Figure 1: City of Vaughan Adopted Official Plan, September 7, 2010, Schedule 1, Urban Structure



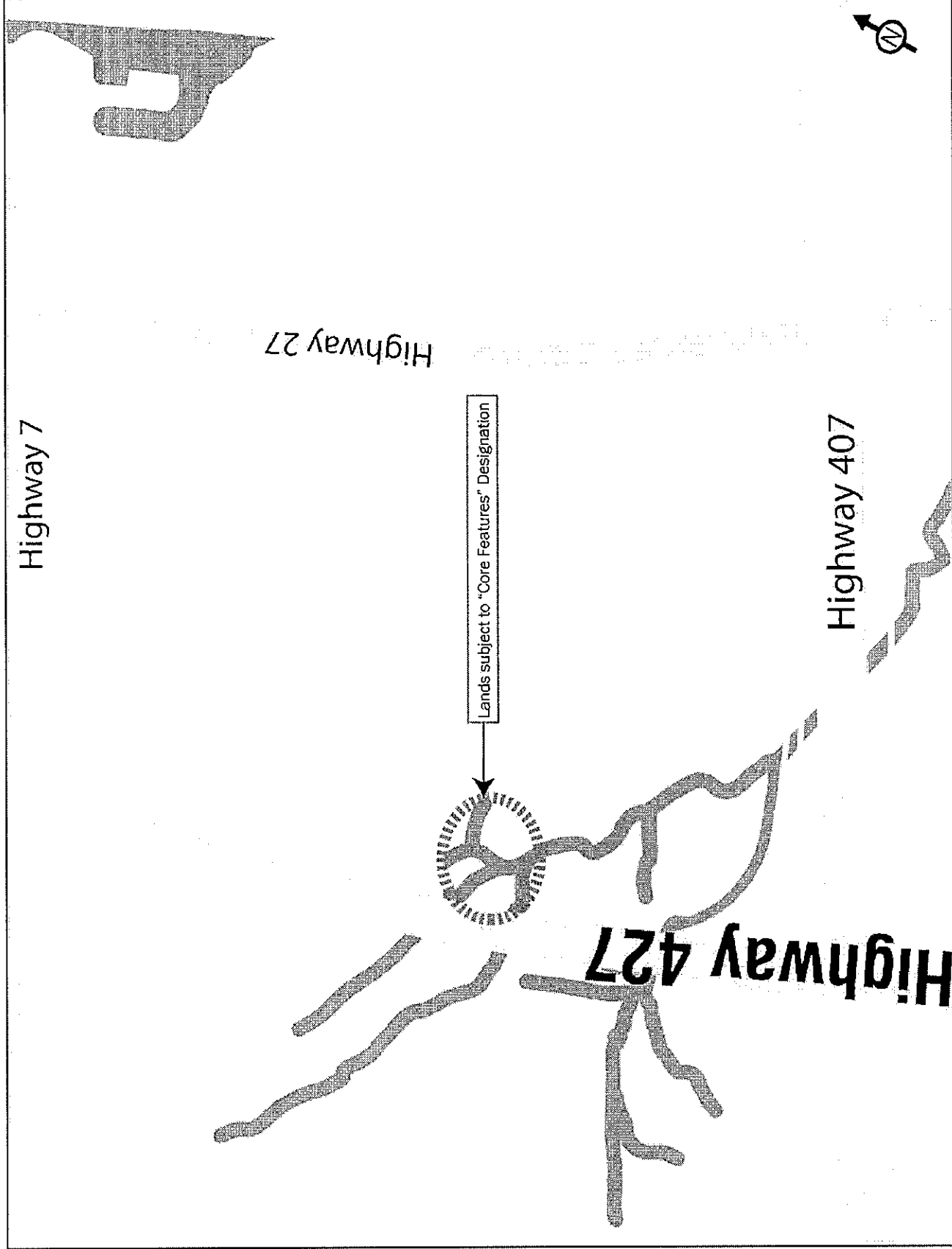
Source: City of Vaughan Adopted Official Plan

1710_Figure1_Sep.09.11

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| | |
|-------------------------------|---|
| Stable Areas | Intensification Areas |
| Natural Areas and Countryside | Primary Intensification Corridors within Employment Areas |
| Community Areas | Other |
| Employment Areas | Parkway Belt West Lands |

Figure 2: City of Vaughan Adopted Official Plan, September 7, 2010, Schedule 2, Natural Heritage Network



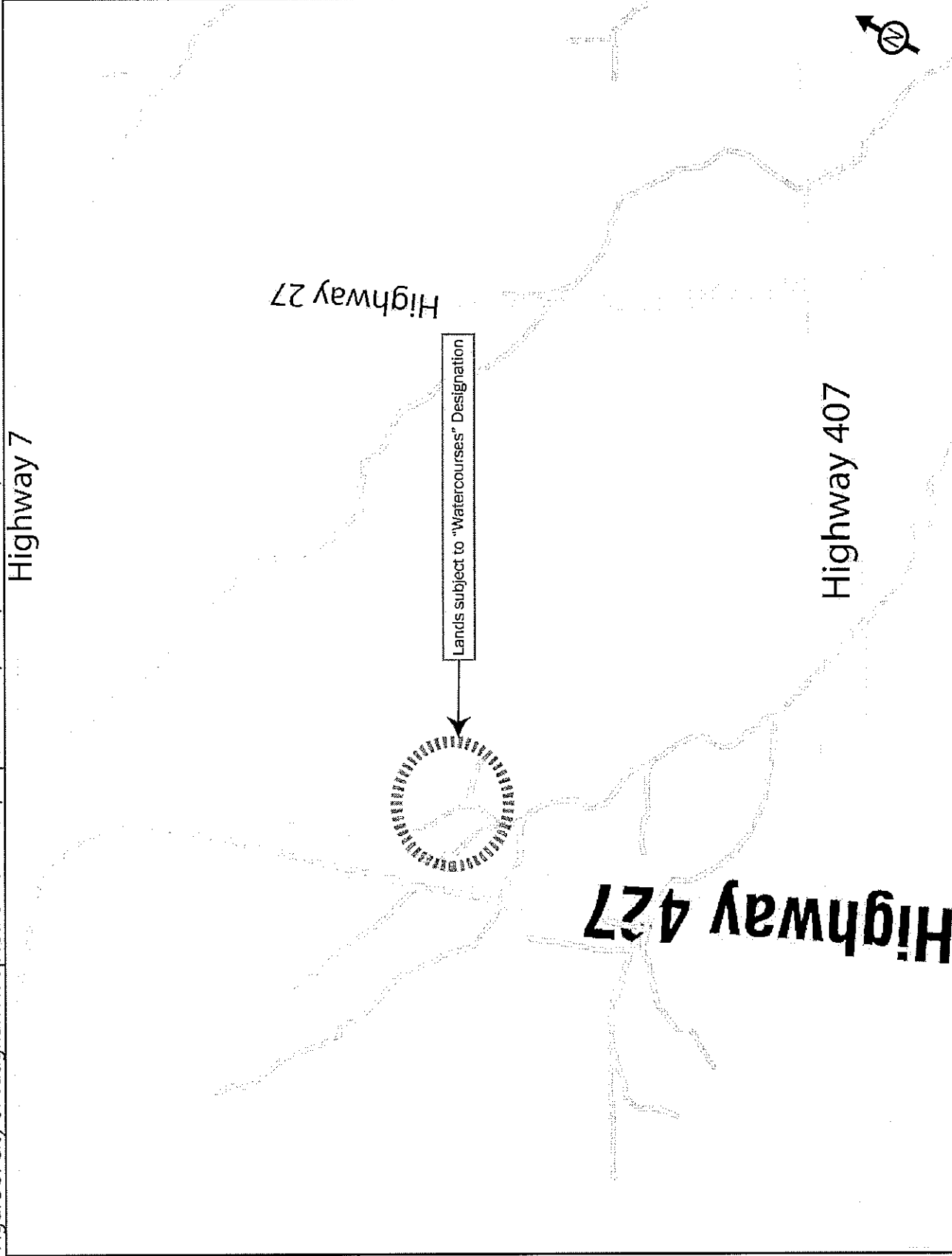
Source: City of Vaughan Adopted Official Plan

1710_Figure2_Sep.09.11

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LEGEND
Core Features

Figure 3: City of Vaughan Adopted Official Plan, September 7, 2010, Schedule 11, Wellhead Protection Areas



Source: City of Vaughan Adopted Official Plan

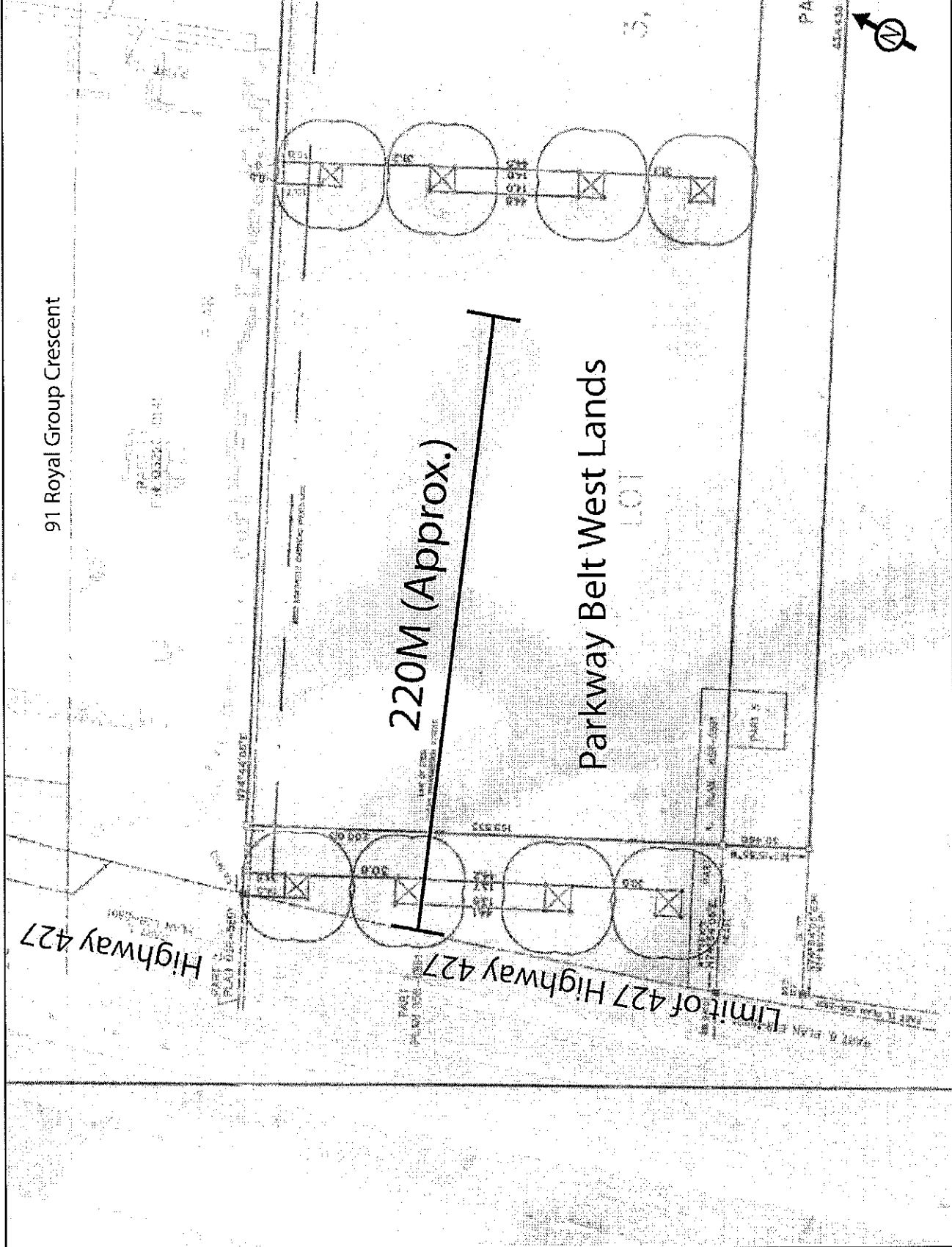
1710_Figure3_Sep.09.11

LEGEND

- Watercourses

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Figure 4: City of Vaughan Adopted Official Plan, September 7, 2010, Schedule 2, Natural Heritage Network, with Survey No. 98-080-47 Overlay



1710_Figure4_Sep.09.11 Sources: City of Vaughan Adopted Official Plan, Schaeffer Dzalidov Bennett, O.L.S. & Google Earth

LEGEND



Core Features (from Schedule 2, Natural Heritage Network)

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AERIAL PORTFOLIO SERVICES



WESTON CONSULTING GROUP INC.

'Land Use Planning Through Experience and Innovation'

September 12, 2011

File No. 4517

City Clerk

City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

| | |
|-------------|-----------|
| C | <u>15</u> |
| Item # | <u>1</u> |
| Report No. | <u>39</u> |
| SPECIAL CW | |
| Sept. 12/11 | |

Dear Sir:

**Re: Vaughan Official Plan – 2010 (Modifications to Volume 1)
10056 and 10068 Keele Street
1559586 Ontario Inc.
File No. OP.25.1**

Weston Consulting Group Inc. (WCGI) is the planning consultant for 1559586 Ontario Inc., the registered owner of properties municipally known as 10056 and 10068 Keele Street in the City of Vaughan. WCGI made submissions to the City of Vaughan and Region of York in relation to the new Vaughan Official Plan prior to its adoption by Council.

A revised zoning by-law amendment application and site development application have been submitted to the Development Planning Department for a mixed-use development consisting of 3-storey townhouses and live/work units.

The following comments are provided in relation to the Special Committee of the Whole – September 12 Staff Report and the proposed modifications to the adopted Official Plan Volume 1. We have also had discussions with City Staff and Regional Staff in relation to our concerns with the adopted Official Plan.

It is our opinion that there should be policies in VOP 2010 that address transitional matters associated with site specific applications in process that may conflict with certain provisions of the adopted Official Plan. These site specific applications should be permitted to continue their course through the approval process and should be considered based on their merit based on the policy framework in force at the time the applications were filed. In our opinion, existing and approved land uses should be recognized in the adopted Official Plan and should be deemed to conform to the plan. We suggest that there needs to be a clear policy framework or protocol in place to address these matters. We note that the Region of York has used a similar approach in their Official Plan to recognize existing and "approved" land uses.

In addition, based on Staff's response to our request for consideration of a density of 1.5 FSI for the subject lands, we request that a site-specific policy be introduced in the adopted Official Plan to permit a density of 1.5 FSI for the subject property. If the land use designation and density information for the subject lands is to be contained within Volume 2 of the Official Plan, this site specific policy could be contained therein.

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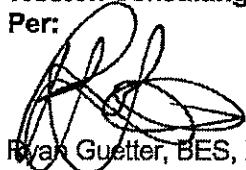
Main Office: 201 Millway Avenue, Unit 19,
Vaughan, Ontario, L4K 5K8
Tel. 905-738-8080

Oakville Office: 1660 North Service Road East, Suite 114,
Oakville, Ontario, L6H 7G3
Tel. 905-844-8749

We would be pleased to discuss these matters further with Staff as required and request that we be notified of future meetings and reports concerning the adopted Official Plan. For further information please contact the undersigned or Mark Jacobs at extension 286.

Yours truly,
Weston Consulting Group Inc.

Per:

A handwritten signature in black ink, appearing to read 'R. Guetter', written over a circular stamp or seal.

Ryan Guetter, BES, MCIP, RPP
Vice President

- cc. J. MacKenzie, City of Vaughan
D. Birchall, City of Vaughan
R. McQuillin, City of Vaughan
G. Uyeyama, City of Vaughan
A. Ko, Region of York
M. Sokolowski, Oskar Group



WESTON CONSULTING GROUP INC.

'Land Use Planning Through Experience and Innovation'

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| C | 16 |
| Item # | 1 |
| Report No. | 39 |
| SPECIAL CW | |
| Sept. 12/11 | |

September 12, 2011
File No. 4742

City Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

Dear Sir:

Re: City of Vaughan Official Plan - September 2010
Casertano Development Corporation ("Casertano") and Sandra Mammone "Mammone")
Vaughan Mills Secondary Plan Area
File 25.1
D06.2010.V.01.048 – Attachment 1, Item 7YR, page 1 of 94

In response to our clients' concerns regarding the new Official Plan's built form and urban design regulations, the Planning Department has stated that "matters pertaining to the detailed nature of the development within the Vaughan Mills Centre Secondary Plan Area will be addressed comprehensively in the Secondary Plan Study".

On this basis, and to ensure that the approach to built form and urban design is not pre-determined by Volume 1 of the Official Plan, we would request that the Official Plan be modified to include the following policy:

"The built form and urban design regulations in Sections 9.2.3 and 9.2.2.6 do not apply to the Vaughan Mills secondary plan area. Guidelines relating to these matters will be established through the secondary plan process."

Thank you for your consideration of the foregoing.

Yours truly,
Weston Consulting Group Inc.
Per:

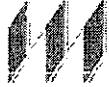
Alan Young, BES MSc MCIP RPP
Senior Associate

Cc Ted Wine and Joe DiGiuseppe, Casertano
Sandra Mammone
Mary Flynn-Guglietti, McMillan LLP
John Mackenzie, Commissioner of Planning
Diana Birchall, Director of Policy Planning
Roy McQuillin, Manager of Policy

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Vaughan, Ontario, L4K 5K8
Tel. 905-738-8080

Oakville Office: 1660 North Service Road East, Suite 114,
Oakville, Ontario, L6H 7G3
Tel. 905-844-8749



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| C | 17 |
| Item # | 1 |
| Report No. | 39 |
| SPECIAL CW | |
| Sept. 12/11 | |

September 12, 2011
File No. 3660

City Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Dear Sir:

Re: Vaughan Official Plan – 2010 (Modifications to Volume 1)
7301 Major Mackenzie Drive
File No. OP.25.1

Weston Consulting Group Inc. (WCGI) is the planning consultant representing Apra Truck Lines in relation to the above noted property in the City of Vaughan.

WCGI made a submission to the City of Vaughan and the Region of York in relation to the Vaughan Official Plan following its adoption by Council in response to Policy 9.2.2.9.e. of the plan. In our submission we requested that a site-specific policy be applied to the subject property to recognize the site-specific permissions for a truck terminal and trailer parking consistent with OPA 509 and Zoning By-law 88-99.

We acknowledge the City's recommendations in the Special Committee of the Whole – September 12, 2011 Report that indicate no changes are recommended. Based on this response, we suggest that the Volume 1 policies be modified to address transitional matters associated with previous site specific approvals. We suggest that Volume 1 policies be modified to recognize existing and approved land uses. This would recognize the above noted site specific permissions for the subject property, which is desired by our client. We note that the Region of York has used a similar approach in their Official Plan to recognize existing and "approved" land uses.

We would be pleased to discuss these matters further with Staff as required and request that we be notified of future meetings and reports concerning the adopted Official Plan. For further information please contact the undersigned or Mark Jacobs at extension 286.

Yours truly,
Weston Consulting Group Inc.

Per:

Ryan Guetter, BES, MCIP, RPP
Vice President

Since
1981

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Vaughan, Ontario, L4K 5K8
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1-800-363-3558 Fax. 905-738-6637 www.westonconsulting.com

- cc. J. MacKenzie, City of Vaughan
- D. Birchall, City of Vaughan
- R. McQuillin, City of Vaughan
- G. Uyeyama, City of Vaughan
- A. Ko, Region of York
- J. Singh, Apra Truck Lines



WESTON CONSULTING GROUP INC.
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| C | <u>18</u> |
| Item # | <u>1</u> |
| Report No. | <u>39</u> |
| SPECIAL CW Sept. 12/11 | |

September 12, 2011
File No. 5029

City Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

Dear Sir:

Re: City of Vaughan Adopted Official Plan – September 7, 2010
1500 Centre Street – Northeast corner of Centre Street and Dufferin Street
2090396 Ontario Limited c/o Arthur Fisch
City of Vaughan

Weston Consulting Group Inc. (WCGI) is the planning consultant for 2090396 Ontario Limited c/o Arthur Fisch, the owner of the above noted property in the Community of Thornhill in the City of Vaughan.

The new Official Plan identifies the subject property as being located within a "Primary Intensification Corridor" (Schedule 1) and is designated "Commercial Mixed Use" (Schedule 13-T and Map 12.10.A) with a maximum height of 4 storeys and maximum density of 1.5 FSI. The Official Plan does not permit residential uses on the subject property and requires conformity with OPA 672. The Official Plan further identifies the subject property and the 4 corners of Dufferin and Centre Street, for a future secondary plan preparation.

WCGI has monitored and participated in the City's preparation of the new Official Plan as it relates to the subject lands indicated above. Submission letters and/or deputations were made to the City of Vaughan and Region of York expressing our opinion that there is potential for residential intensification on the subject property, which is currently not allowed by the Official Plan (OPA 210/672). Please see our attached submission letters dated February 9, 2010, May 27, 2010, August 31, 2010 and October 27, 2010.

We have reviewed the Committee of the Whole Staff Report, dated September 12, 2011 and note that Staff has not recommended any modifications to respond to our submissions.

At this time, we wish to reiterate our concerns and request that further consideration be given to a modification to the City of Vaughan Official Plan to address the following issues:

- Designating the property "Commercial Mixed Use", the new Official Plan does not recognize the potential for residential intensification. The subject property should be designated "Mid-Rise Mixed Use". This is consistent with earlier drafts of the Official Plan which proposed a "Mid-Rise Mixed Use" designation with a maximum FSI of 3.0 and a maximum height of 10 storeys. There appeared to be

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Tel. 905-844-8749

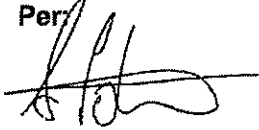
some review and acceptance at a staff level that residential intensification would be appropriate on the property.

- The new Official Plan should recognize the significance of this node as a gateway within a Primary Intensification Corridor suitable to accommodate a mix of residential and commercial use at heights and densities that are consistent with York Region's Official Plan policies for the upgrading of Centre Street as a transit related residential intensification Corridor.
- There were no limitations on density and height in OPA 672, only a minimum height of 2 storeys for buildings at key corner locations and now there are limitations.
- The Dufferin/Centre Street Secondary Plan area is the only secondary plan area designated for a secondary plan preparation that has maximum height and density assignments. Designating the property "Commercial Mixed Use" not only rules out the consideration for residential intensification but the introduction of density and height limits in the new Official Plan could prejudice the outcome of the future Secondary Plan process.

We request that consideration be given to modifications to the City Official Plan to address the above issues.

Yours truly,
Weston Consulting Group Inc.

Per:



Sandra K. Patano, MES, MCIP, RPP
Senior Planner

Cc: Dr. Arthur Fisch
Councillor Alan Shefman, City of Vaughan
John Mackenzie, City of Vaughan
Diana Birchall, City of Vaughan
Anna Sicilia, City of Vaughan
Augustine Ko, York Region



WESTON CONSULTING GROUP INC.

'Land Use Planning Through Experience and Innovation'

October 27, 2010
File No. 5029

Mr. Bryan W. Tuckey, MCIP, RPP
Commissioner of Planning and Development
The Regional Municipality of York
17250 Yonge Street
Newmarket, Ontario
L3Y 6Z1
Canada

ATTENTION: Augustine Ko

Dear Sir:

**Re: City of Vaughan Adopted Official Plan – September 7, 2010
1500 Centre Street – Northeast corner of Centre Street and Dufferin Street
2090396 Ontario Limited c/o Arthur Fisch
City of Vaughan**

Weston Consulting Group Inc. is the planning consultant for 2090396 Ontario Limited c/o Arthur Fisch, the owner of the above noted property in the Community of Thornhill in the City of Vaughan.

Site Description and Policy Background

The subject property has a gross area of approximately 0.20 ha (0.5 ac) and is located on the northeast corner of Centre Street and Dufferin Street. The subject property is currently vacant, and was previously occupied by a gas bar. A commercial plaza exists directly north of the subject lands.

The subject property is designated "General Commercial" under City of Vaughan OPA's 210 and 672; and is within the "Western Gateway" area under OPA 672. OPA 672 indicates that corner sites should be defined with more intense development to serve as landmark or gateway entry points and that development density shall be concentrated close to the Dufferin/Centre intersection, and along the frontages of Dufferin Street and Centre Street. The minimum height for buildings at key corner locations is two storeys. There is no maximum height or density.

The subject property is zoned *Highway Commercial Zone (C6)* by the City of Vaughan Zoning Bylaw 1-88.

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Tel. 905-738-8080

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Tel. 905-844-8749

1-800-363-3558 Fax. 905-738-6637 www.westonconsulting.com

Potential for Residential Intensification

WCGI has monitored and participated in the City's preparation of the new Official Plan as it relates to the subject lands indicated above. Submission letters and/or deputations were made to the City of Vaughan expressing our opinion that there is potential for residential intensification on the subject property, which is not currently allowed by the Official Plan (OPA 210/672). Please see our attached submission letters dated February 9, 2010, May 27, 2010, and August 31, 2010.

The new Official Plan places the subject property and adjoining lands within a "Primary Intensification Corridor" (Schedule 1). The text indicates that the land use designations in Chapter 9 determine what form the intensification would take, i.e. either "mixed use" or "employment related" (2.2.5.7).

In this case, the subject property and adjoining lands are designated "Commercial Mixed Use" (Schedule 13-T) and "Commercial Mixed Use Area C" (Map 12.10.A). Residential uses are not allowed in these designations, and accordingly the Official Plan rules out the consideration of residential intensification as part of the mandated secondary plan process. Our client objects to lack of direction provided for residential intensification on the subject property.

We note that the first draft Official Plan (April 2010) did propose a Mid-Rise Mixed Use designation with a maximum Floor Space Index of 3.0 FSI and a maximum height of 10 storeys (Schedule 13-T). We considered these assignments consistent with the City's general objectives relating to residential intensification, and, in particular, the upgrading of Centre Street as a transit-related, residential intensification corridor. The draft schedule however, was withdrawn shortly after its release, and was replaced with a new draft schedule that removed the density and height notations assigned to the property, but kept the designation Mid-Rise Mixed Use and the requirement for a Secondary Plan. Therefore, there would appear to be some review and acceptance at a staff level that residential intensification should occur on the subject property in the future, but this is not reflected in the Official Plan as adopted.

The Official Plan as adopted differs significantly with the earlier draft in that (1) it deletes the residential permissions (i.e. the Mid-Rise Mixed Use designation); and (2) it requires conformity with OPA 210/672, the existing Official Plan documents. Given the history, we find this outcome unusual and hope to be able to secure a resolution through discussion and modification to the document.

Comprehensive Development

The new Official Plan contains several development policies for the lands within "Commercial Mixed Use Area C", which includes the subject property. Policy 12.10.6.5 requires "comprehensive development plans for all new development" within each Area C. Based on this policy, and even if his proposal conforms completely with the land use and other

development policies in the Official Plan, our client would not be able to obtain a rezoning of his property except in combination with a rezoning of the adjoining lands, which appear to comprise a total of five separate parcels. Our client objects to this significant, and probably insurmountable, encumbrance on his ability to develop his lands.

Commercial Mixed Use - Maximum Density and Height

The new Official Plan designates the subject lands "Commercial Mixed-Use Area "C" providing for a maximum height of 4 storeys and a maximum density of 1.5 FSI (Map 12.10.A). There were no limitations on density and height in OPA 672. Our client objects to the introduction of these limits at this time, which could prejudice the outcome of the secondary plan review process. We note that other areas assigned for secondary plan preparation have had no interim assignments of maximum density and height.

Secondary Plan Process

As indicated in our attached submission letters, we requested that the required secondary plan for the Dufferin and Centre Street area be initiated and completed expeditiously as not to delay the redevelopment and intensification of this site.

It is our opinion that the policy framework provided in the new Vaughan Official Plan does not adequately address our submissions. The new Official Plan does not provide policy direction on the timing of Secondary Plans and the items requested for this site through a secondary plan have not been adequately considered. The subject property has been placed in a Secondary Plan Study and is subject to the Volume 2 Centre Street Corridor policies (Section 12.10), without any policy direction on the timing of the secondary plan and/or the significance of this node as a gateway suitable to accommodate a mix of residential and commercial uses at heights and densities that will help to achieve transit supportive development along a Regional Rapid Transit Corridor.

Conclusion

Our client is very concerned with regard to the City's new Official Plan and Volume 2 Centre Street Corridor policies. The document in its current form is unacceptable and accordingly, we would request that consideration be given to modifications to address the above issues.

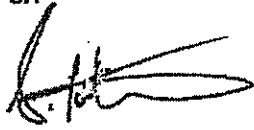
We would be pleased to meet with you to discuss the above in further detail.

We request to be provided with a notice of the York Region's decision with respect to the City of Vaughan Official Plan.

Please contact me if you have any questions or require additional information.

Yours truly,
Weston Consulting Group Inc.

Per:

A handwritten signature in black ink, appearing to read 'S. Patano', with a long horizontal flourish extending to the right.

Sandra K. Patano, MES, MCIP, RPP
Senior Planner

Cc: Dr. Arthur Fisch
John Zipay, City of Vaughan
Diana Birchall, City of Vaughan



Weston Consulting Group Inc.

'Land Use Planning Through Experience and Innovation'

August 31, 2010
File No. 5029

City Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

Dear Sir:

Re: **Draft City of Vaughan Official Plan: Volume 2 – August 2010**
1500 Centre Street, Northeast Corner of Centre Street and Dufferin Street
File # OP.25.1.1

Weston Consulting Group Inc. (WCGI) is the planning consultant for Dr. Arthur Fisch, the owner of the above captioned lands.

Submissions were made to the City on February 9, 2010 and on May 27, 2010 regarding the draft Official Plan Volume 1 document (April 2010). At the time of these submissions, the City proposed that a Secondary Plan be prepared for the lands at the Centre/Dufferin Street intersection. Based on this approach, we requested that the City initiate the Secondary Plan process immediately and that it be completed in a timely manner. We did not object to OPA 672 continuing to apply pending the adoption of the Secondary Plan with the understanding that the new Secondary Plan would be completed expeditiously and would establish a new policy framework.

Based on our review of the August 31, 2010 Special Committee of the Whole staff report for Volume 2 – Lands Subject to Existing Secondary Plan Policies and Sites and Area Specific Policies and Section 12.10 of Volume 2 (August 2010), we note that these documents indicate that a Secondary Plan is no longer required for the Centre/Dufferin Street intersection and the Centre Street Corridor (OPA 672) policies are being carried forward.

While we are supportive of a policy framework that would allow for the subject lands to be developed in the near future, we do not support the policies of OPA 672 governing the ultimate development of the lands. Consequently, should a Secondary Plan not be required for this area, we wish to express our concern and objection to the policies of OPA 672 applying to the subject lands. The proposed policy framework does not address the comments made in our previous submissions to our satisfaction.

Should you have any questions or require clarification on this matter, please contact the undersigned.

Yours truly,
Weston Consulting Group Inc.

Per:



Sandra K. Patano, BES MES MCIP RFP
Senior Planner

Cc: Dr. Arthur Fisch
John Zupay, City of Vaughan
Diana Birchall, City of Vaughan
Melissa Rossel, City of Vaughan
Pino DiMasolo, Urban Strategies
Emily Reisman, Urban Strategies



Weston Consulting Group Inc.

'Land Use Planning Through Experience and Innovation'

May 27, 2010
File No. 5029

City Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L8A 1T1

Dear Sir:

Re: Draft City of Vaughan Official Plan - April 2010
1500 Centre Street, Northeast Corner of Centre Street and Dufferin Street
Centre Street Primary Intensification Corridor
File # OP 25.1

Weston Consulting Group Inc. (WCGI) is the planning consultant for Dr. Arthur Fisch, the owner of the above captioned lands. The subject property has an area of 0.14 ha (0.35 ac) and is located on the north east corner of Centre Street and Dufferin Street, in the community of Thornhill (see attached air photo). The subject property is currently vacant, and was previously occupied by a gas bar.

The subject property is designated "General Commercial" under City of Vaughan OPA 672 and is within the "Centre Street Spine" as identified in the Thornhill Centre Street Study. OPA 672 implements policies recommended by the Thornhill Centre Street Study and include the subject property within the "Western Gateway" area, which functions as the entry point to the Thornhill community from the west and north. OPA 672 indicates that corner sites should be defined with more intense development to serve as landmark or gateway entry points and that development density shall be concentrated close to the Dufferin/Centre intersection, and along the frontages of Dufferin Street and Centre Street. The minimum height for buildings at key corner locations is two storeys. There is no maximum height or density.

The subject property is zoned *Highway Commercial Zone (C0)* by the City of Vaughan Zoning Bylaw 1-88.

WCGI has been monitoring the City's preparation of the new Official Plan as it relates to the subject property. A submission was made to the City on February 9, 2010, expressing the owner's interest in pursuing a mixed use development. On Monday, May 3, 2010, WCGI attended the City of Vaughan's Statutory Public Open House on the draft Official Plan. WCGI has also reviewed the draft Official Plan Volume 1 document (April 2010).

On behalf of Dr. Fisch, WCGI offers the following comments on the draft Official Plan as it relates to the subject property:

1. We support the Mid-Rise Mixed-Use designation assigned to the subject lands (Land Use Schedule 13-T). This designation is appropriate in light of the adopted York Region Official Plan and the contextual situation of the property being located in an Intensification Area along a "Regional Rapid Transit Corridor". These areas are generally intended to attract medium- and high-density urban development and a mix of residential and commercial uses.
2. Schedule 14 indicates that a Secondary Plan is required for the lands at the Centre/Dufferin Intersection. Accordingly, there is no proposed maximum height or density applicable to these lands. Policy 10.1.1.4 indicates that "no amendments to the Plan or the Zoning By-law be permitted without prior or concurrent adoption of the Secondary Plan". This policy will delay the redevelopment and intensification in this location. We request that the City initiate this process immediately and that it be completed in a timely manner. We further request that the City include provisions in the draft Official Plan that would allow for the existing permissions in OPA 672 to continue to apply pending the adoption of the Secondary Plan.
3. Taking into consideration that the City has identified that a Secondary Plan is required for this area, we request the following:
 - a. That the Secondary Plan contain provisions that allow for higher densities in areas that are located at a designated "gateway", are in close proximity to a proposed transit stop, and are compatible with adjacent land uses.
 - b. That the Secondary Plan recognize that the subject property is a suitable location to accommodate heights and densities that will help achieve compact urban form and transit-supportive development. Higher building densities and heights at this location will help to achieve the targeted intensification and provide for landmark buildings that will distinguish this key corner site as a Western Gateway into the Thornhill Community. The Secondary Plan policies should recognize that the establishment of the Western Gateway will entail more significant massing and built form so that the gateway becomes visible and recognizable.
 - c. That the Secondary Plan recognize the subject property as forming part of a Key Development Area in a Regional Corridor, as contemplated by the York Region Official Plan. We support the principles in the York Region Official Plan that Key Development Areas are intensification areas along Regional Corridors that are intended and planned for the most intensive and widest range of uses.
 - d. In the draft Official Plan Volume 1 document, the built form parameters regarding the policies and development criteria for Mid-Rise Buildings (s. 9.2.1.2 and 9.2.3.5) are too specific for an Official Plan and should take the form of guidelines and not requirements when reviewing site specific development applications. In consideration of the subject property and gateway sites in general, we support the inclusion of urban design policies in the Official Plan and Secondary Plan that encourage zero

setbacks from major streets. Such policies will help achieve streetscapes that are vibrant and pedestrian-oriented.

- f. We support the inclusion of policies in the Official Plan that allow reduced site-specific parking requirements that recognize the need to reduce parking requirements to encourage transit ridership (s.4.3.2.2).

Attached are preliminary architectural drawings prepared by Robert Sama Designs, dated September 11, 2009 that illustrate the type of development that can be considered appropriate for the subject property. The proposal contemplates the development of the subject property for a mixed-use project comprising a mid-rise (8-storey) residential and retail/office building. The commercial uses, consisting of 621.6 m² (6,693.0 ft²) are located on the ground and second floors. The ground floor commercial uses face Centre Street to animate the street and encourage pedestrian activity. In total, there are 48 residential units which are contained on floors 3 through 8. The gross floor area as shown on the site plan is 3.88 FSI. The proposed parking plan provides for 90 spaces (1.2/unit plus 0.2/unit for visitor parking and 4.8 spaces/100 m² for the commercial uses). It is noted that the parking layout plan will be revisited to allow for less underground parking levels.

We request that the City consider these drawings, together with the above noted comments in the preparation of the City's Official Plan.

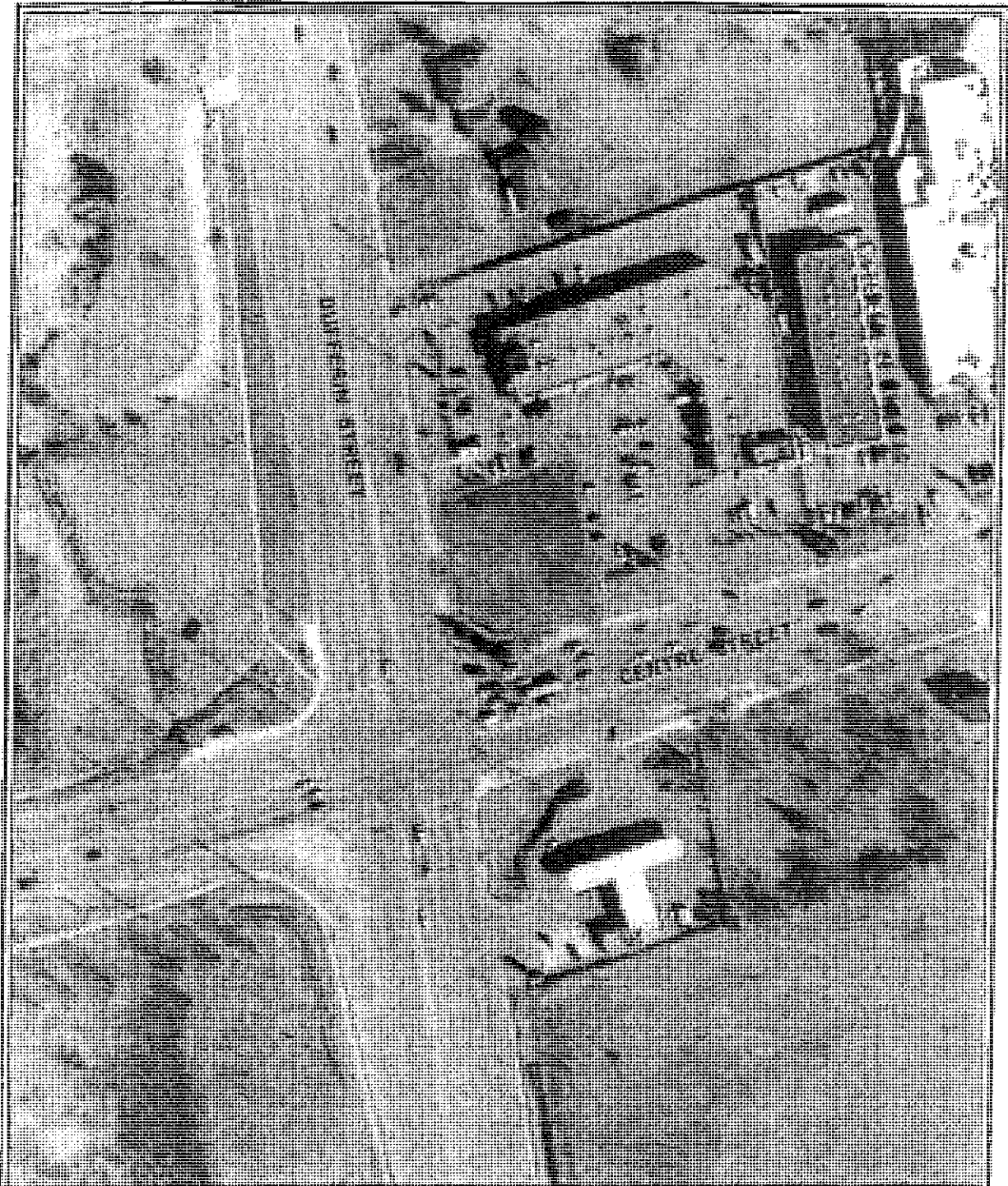
Should you have any questions or require clarification on this matter, please contact the undersigned.

Yours truly,
Weston Consulting Group Inc.
Per:



Sandra K. Patano, BES MES MCIP RPP
Senior Planner

Cc: Dr. Arthur Fisch
John Zipay, City of Vaughan
Diana Birchall, City of Vaughan
Melissa Rossi, City of Vaughan
Pino DiMaecio, Urban Strategies
Emily Reisman, Urban Strategies



W WILSON CONSULTING GROUP INC.



File No. _____
 Date Issued Feb. 4, 1998
 Project No. 40
 Location 40
 Scale 1:1000
 City of York
 1000 CENTRE STREET

LEGEND

SUBJECT AREA

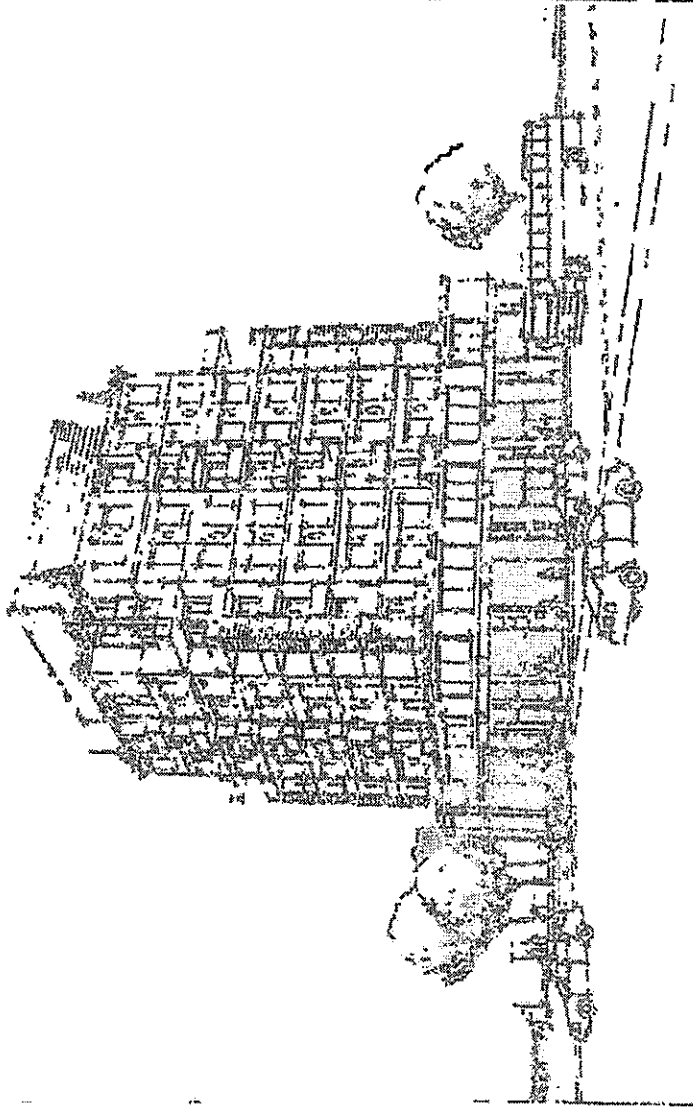
SUBJECT AREA

SUBJECT AREA

AIR PHOTOGRAPH

1000 CENTRE STREET
 CITY OF YORK
 REGIONAL MUNICIPALITY OF YORK

BUFFERIN + CENTRE
VAUGHAN, ONTARIO



ROBERT SARRA DESIGNS
SEPTEMBER 11, 2003

ROBERT
SARRA

PROFESSIONAL
ENGINEER
REGISTERED IN
THE STATE OF CALIFORNIA

00000000000000000000

Professional Description

Project No.

Sheet No.

Scale

Date

Drawn by

Checked by

Approved by

Project Name

Location

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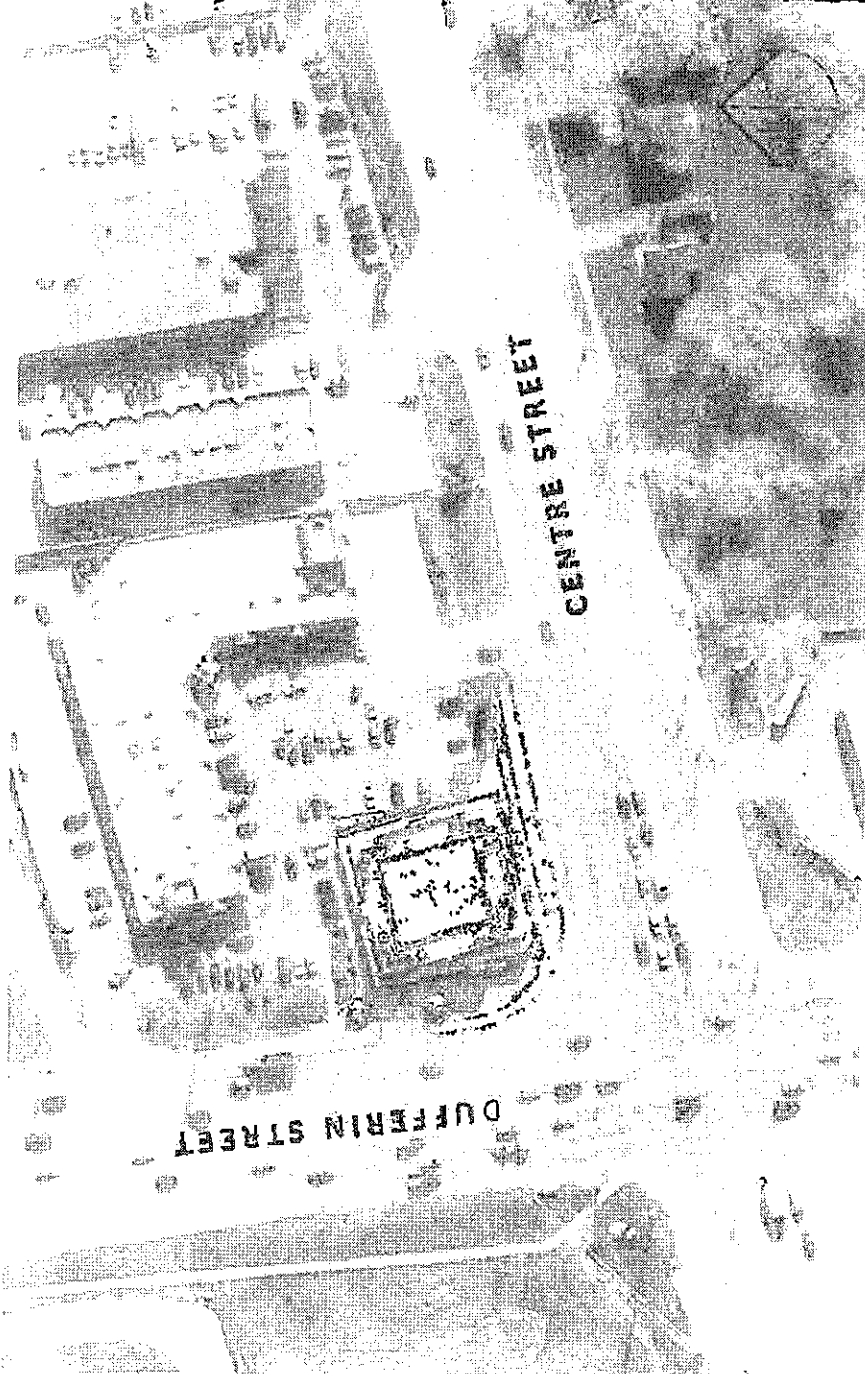
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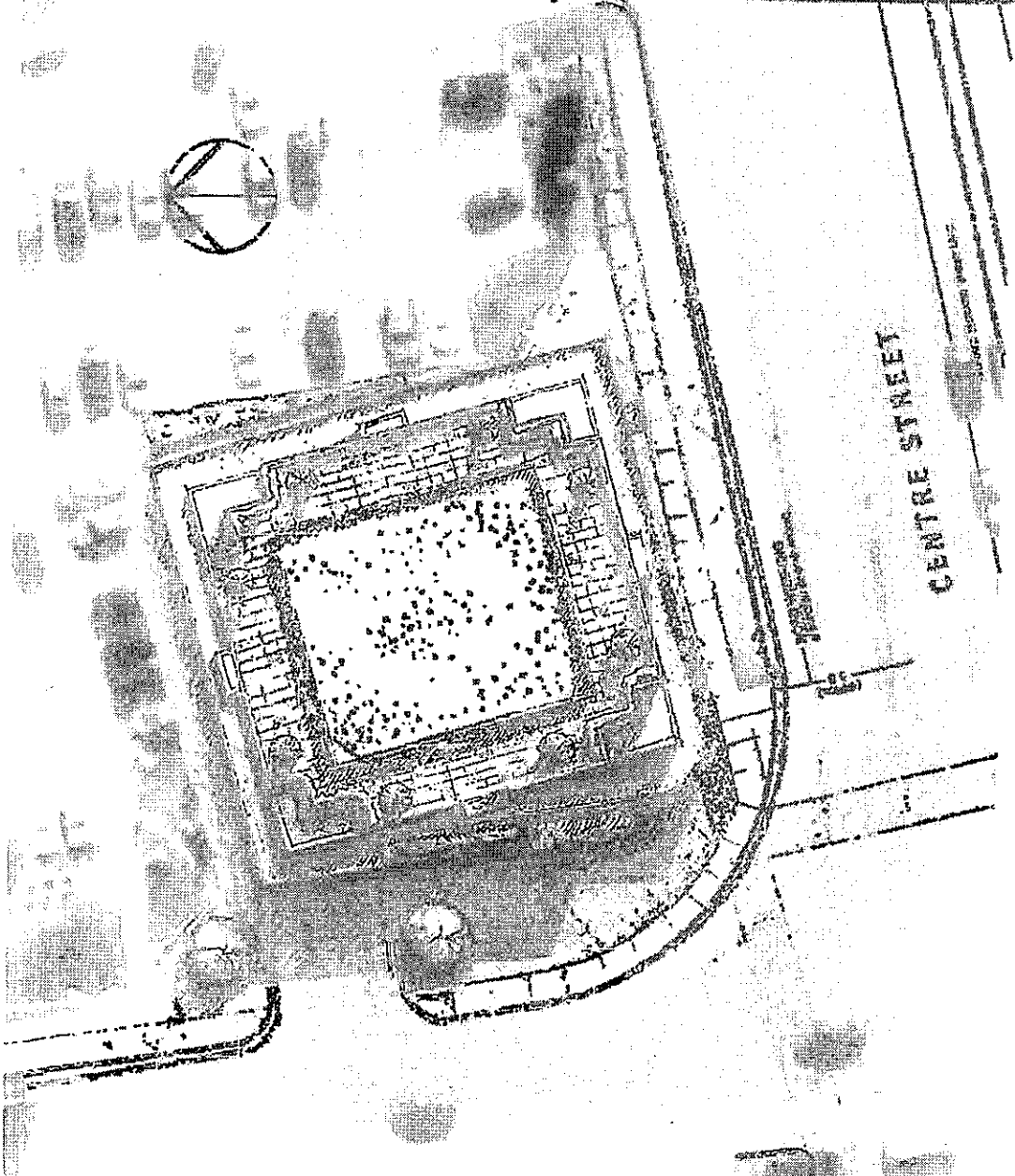
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DUFFERIN STREET

CENTRE STREET

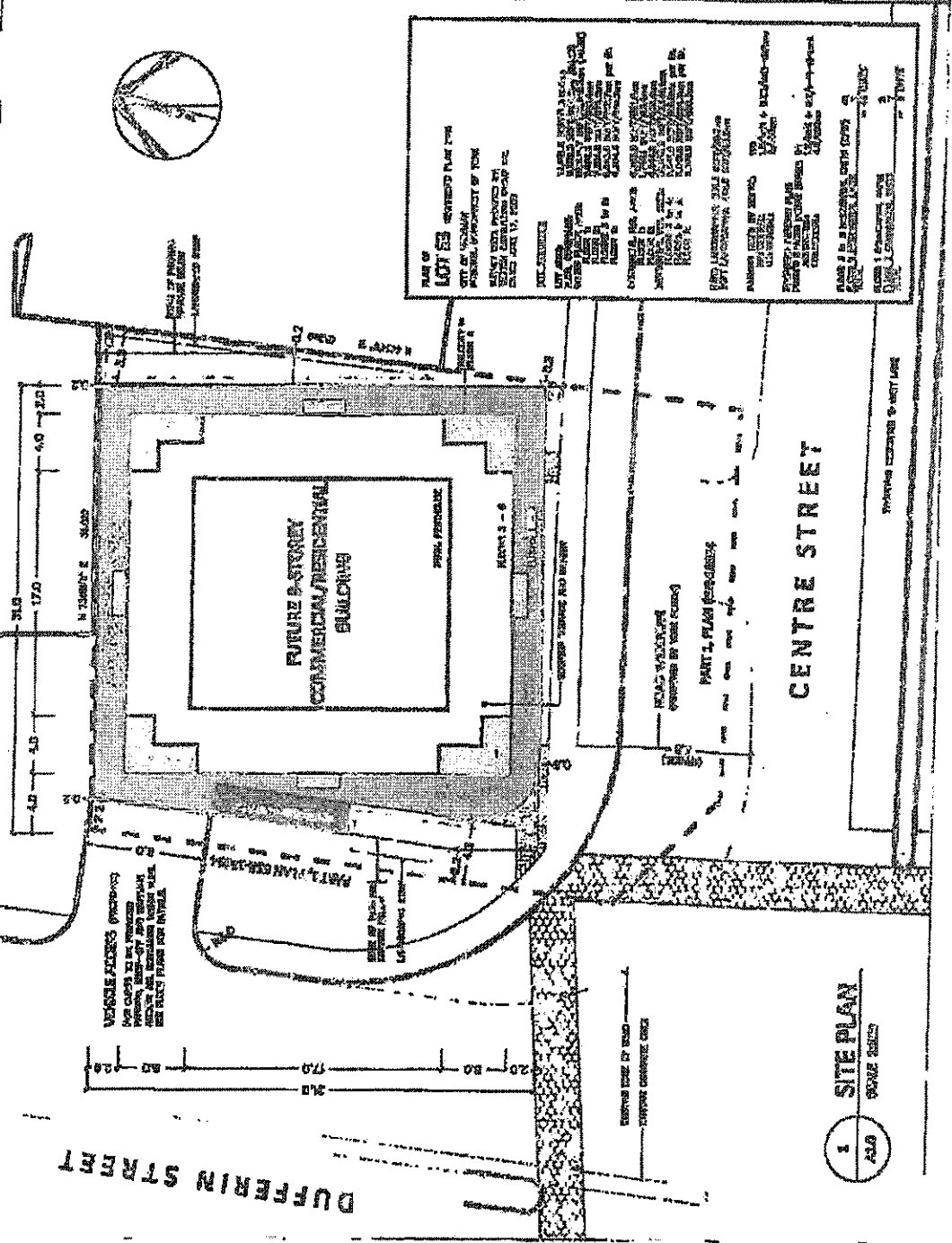
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| ROBERT SARRA | | <small> Prepared by Checked by Date Scale Project No. </small> | |
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CENTRE STREET

DUFFERIN STREET

| | | | | | | | | | | |
|---|---|-----------|-------------|----|-------------|--|--|--|--|---|
| <p>ROBERT SARNA</p> <p>110 WEST 20th ST NEW YORK, N.Y. 10011</p> <p>ARCHITECT</p> | <table border="1"> <tr> <td>REVISIONS</td> <td>DATE</td> <td>BY</td> <td>DESCRIPTION</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table> <p>DATE: 10/10/88</p> | REVISIONS | DATE | BY | DESCRIPTION | | | | | <p>PROPOSED SUBDIVISION</p> <p>PLANNED BY ROBERT SARNA</p> <p>APPROVED BY DAUFFERIN ST CENTRE</p> <p>PROJECT SITE PLAN</p> <p>SCALE: 1" = 100'</p> <p>A1.0 Sheet No.</p> |
| REVISIONS | DATE | BY | DESCRIPTION | | | | | | | |
| | | | | | | | | | | |



PLAN OF LOT 65 (SECTION 128) DISTRICT 10 (OF THE CITY OF NEW YORK), MUNICIPALITY OF NEW YORK CITY, PROPOSED BY THE ROBERT SARNA ARCHITECTURE P.C., 110 WEST 20th STREET, NEW YORK, N.Y. 10011.

DESCRIPTION:

LOT 65 (SECTION 128) DISTRICT 10 (OF THE CITY OF NEW YORK), MUNICIPALITY OF NEW YORK CITY, PROPOSED BY THE ROBERT SARNA ARCHITECTURE P.C., 110 WEST 20th STREET, NEW YORK, N.Y. 10011. THE PROPOSED SUBDIVISION IS A PLANNED SUBDIVISION OF LOT 65 (SECTION 128) DISTRICT 10 (OF THE CITY OF NEW YORK), MUNICIPALITY OF NEW YORK CITY, AND IS DESCRIBED AS FOLLOWS:

PLAN 1. FUTURE 8-STORY COMMERCIAL/MERCHANDISE BUILDING AND ASSOCIATED PARKING (ENCL. 2.0)

PLAN 2. FUTURE 8-STORY COMMERCIAL/MERCHANDISE BUILDING AND ASSOCIATED PARKING (ENCL. 3.0)

PLAN 3. FUTURE 8-STORY COMMERCIAL/MERCHANDISE BUILDING AND ASSOCIATED PARKING (ENCL. 4.0)

PLAN 4. FUTURE 8-STORY COMMERCIAL/MERCHANDISE BUILDING AND ASSOCIATED PARKING (ENCL. 5.0)

PLAN 5. FUTURE 8-STORY COMMERCIAL/MERCHANDISE BUILDING AND ASSOCIATED PARKING (ENCL. 6.0)

PLAN 6. FUTURE 8-STORY COMMERCIAL/MERCHANDISE BUILDING AND ASSOCIATED PARKING (ENCL. 7.0)

PLAN 7. FUTURE 8-STORY COMMERCIAL/MERCHANDISE BUILDING AND ASSOCIATED PARKING (ENCL. 8.0)

PLAN 8. FUTURE 8-STORY COMMERCIAL/MERCHANDISE BUILDING AND ASSOCIATED PARKING (ENCL. 9.0)

PLAN 9. FUTURE 8-STORY COMMERCIAL/MERCHANDISE BUILDING AND ASSOCIATED PARKING (ENCL. 10.0)

PLAN 10. FUTURE 8-STORY COMMERCIAL/MERCHANDISE BUILDING AND ASSOCIATED PARKING (ENCL. 11.0)

PLAN 11. FUTURE 8-STORY COMMERCIAL/MERCHANDISE BUILDING AND ASSOCIATED PARKING (ENCL. 12.0)

PLAN 12. FUTURE 8-STORY COMMERCIAL/MERCHANDISE BUILDING AND ASSOCIATED PARKING (ENCL. 13.0)

PLAN 13. FUTURE 8-STORY COMMERCIAL/MERCHANDISE BUILDING AND ASSOCIATED PARKING (ENCL. 14.0)

PLAN 14. FUTURE 8-STORY COMMERCIAL/MERCHANDISE BUILDING AND ASSOCIATED PARKING (ENCL. 15.0)

PLAN 15. FUTURE 8-STORY COMMERCIAL/MERCHANDISE BUILDING AND ASSOCIATED PARKING (ENCL. 16.0)

PLAN 16. FUTURE 8-STORY COMMERCIAL/MERCHANDISE BUILDING AND ASSOCIATED PARKING (ENCL. 17.0)

PLAN 17. FUTURE 8-STORY COMMERCIAL/MERCHANDISE BUILDING AND ASSOCIATED PARKING (ENCL. 18.0)

PLAN 18. FUTURE 8-STORY COMMERCIAL/MERCHANDISE BUILDING AND ASSOCIATED PARKING (ENCL. 19.0)

PLAN 19. FUTURE 8-STORY COMMERCIAL/MERCHANDISE BUILDING AND ASSOCIATED PARKING (ENCL. 20.0)

PLAN 20. FUTURE 8-STORY COMMERCIAL/MERCHANDISE BUILDING AND ASSOCIATED PARKING (ENCL. 21.0)

PLAN 21. FUTURE 8-STORY COMMERCIAL/MERCHANDISE BUILDING AND ASSOCIATED PARKING (ENCL. 22.0)

PLAN 22. FUTURE 8-STORY COMMERCIAL/MERCHANDISE BUILDING AND ASSOCIATED PARKING (ENCL. 23.0)

PLAN 23. FUTURE 8-STORY COMMERCIAL/MERCHANDISE BUILDING AND ASSOCIATED PARKING (ENCL. 24.0)

PLAN 24. FUTURE 8-STORY COMMERCIAL/MERCHANDISE BUILDING AND ASSOCIATED PARKING (ENCL. 25.0)

PLAN 25. FUTURE 8-STORY COMMERCIAL/MERCHANDISE BUILDING AND ASSOCIATED PARKING (ENCL. 26.0)

PLAN 26. FUTURE 8-STORY COMMERCIAL/MERCHANDISE BUILDING AND ASSOCIATED PARKING (ENCL. 27.0)

PLAN 27. FUTURE 8-STORY COMMERCIAL/MERCHANDISE BUILDING AND ASSOCIATED PARKING (ENCL. 28.0)

PLAN 28. FUTURE 8-STORY COMMERCIAL/MERCHANDISE BUILDING AND ASSOCIATED PARKING (ENCL. 29.0)

PLAN 29. FUTURE 8-STORY COMMERCIAL/MERCHANDISE BUILDING AND ASSOCIATED PARKING (ENCL. 30.0)

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PLAN 43. FUTURE 8-STORY COMMERCIAL/MERCHANDISE BUILDING AND ASSOCIATED PARKING (ENCL. 44.0)

PLAN 44. FUTURE 8-STORY COMMERCIAL/MERCHANDISE BUILDING AND ASSOCIATED PARKING (ENCL. 45.0)

PLAN 45. FUTURE 8-STORY COMMERCIAL/MERCHANDISE BUILDING AND ASSOCIATED PARKING (ENCL. 46.0)

PLAN 46. FUTURE 8-STORY COMMERCIAL/MERCHANDISE BUILDING AND ASSOCIATED PARKING (ENCL. 47.0)

PLAN 47. FUTURE 8-STORY COMMERCIAL/MERCHANDISE BUILDING AND ASSOCIATED PARKING (ENCL. 48.0)

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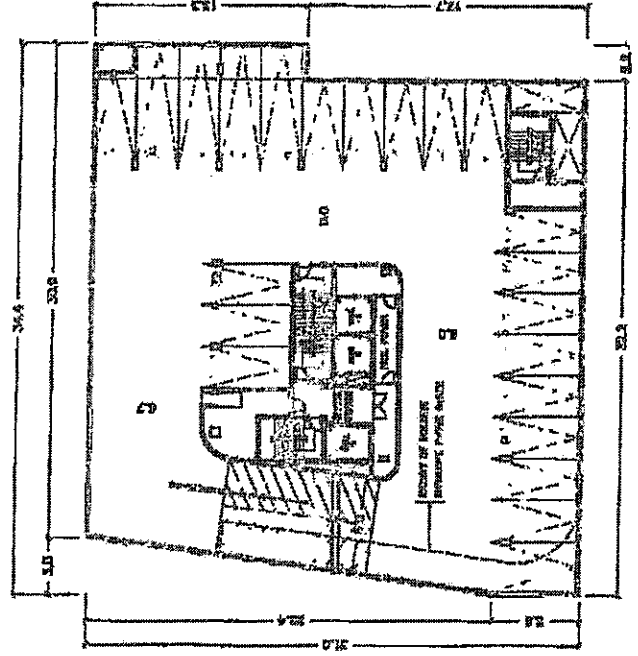
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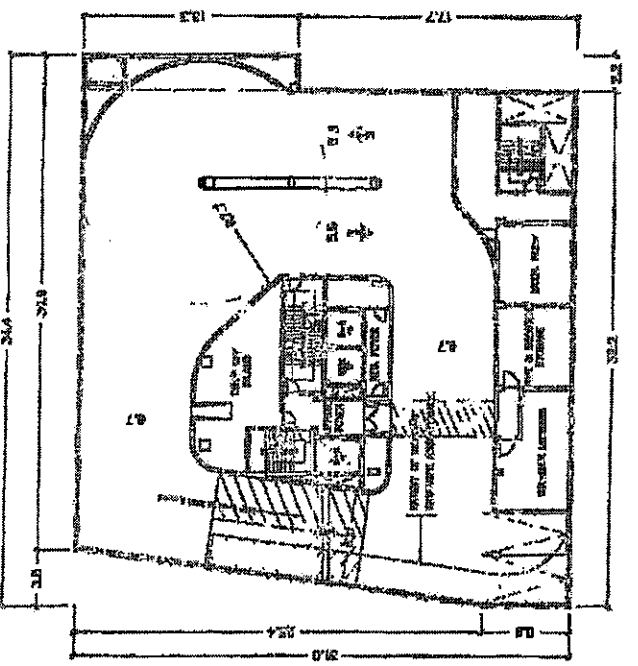
ARCHITECTURE
 CONSULTING OFFICE
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| 1 | GENERAL | 1/20 |
| 2 | PLANNING | 1/20 |
| 3 | STRUCTURE | 1/20 |
| 4 | MECHANICAL | 1/20 |
| 5 | ELECTRICAL | 1/20 |
| 6 | WATER SUPPLY | 1/20 |
| 7 | SEWERAGE | 1/20 |
| 8 | LANDSCAPE | 1/20 |
| 9 | INTERIOR | 1/20 |
| 10 | EXTERIOR | 1/20 |

Method of Scale: mm
 Project No.
 Scale: 1:100
 Date: 10.10.1974
 Author: S. J. JEFFERY & CENTRE
 Revision No.
 Project: PARKING LEVEL PLANS
 Drawing No. A2.0
 Date: 10.10.1974



3 TYPICAL PARKING LEVEL PLAN
 A2.0 SCALE 1:200



1 PARKING LEVEL 1 PLAN
 A2.0 SCALE 1:200

NOTE:
 IN CASE OF CHANGE OF DESIGN
 ALL DIMENSIONS SHALL BE RECHECKED FOR MS
 PROJECTS ONLY

ROBERT SARRA

2000 University Ave
 Suite 100
 San Francisco, CA 94115
 (415) 774-1100

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| 1 | PROVISIONAL DESIGN | 10/1/78 |
| 2 | REVISED DESIGN | 10/1/78 |

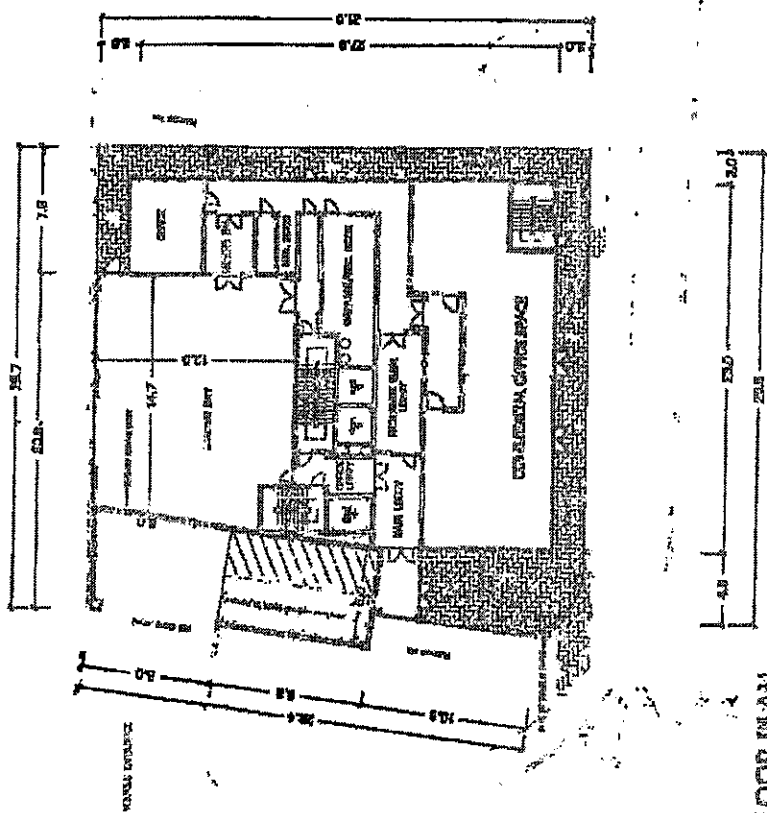
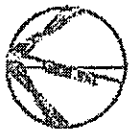
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 Client: UNIVERSITY OF CALIFORNIA
 Architect: ROBERT SARRA
 Date: 10/1/78

UNIVERSITY OF CALIFORNIA
 GUYTON G.
 CENTRE

Project No. 2000-1000
 Client: UNIVERSITY OF CALIFORNIA
 Architect: ROBERT SARRA
 Date: 10/1/78

Project No. 2000-1000
 Client: UNIVERSITY OF CALIFORNIA
 Architect: ROBERT SARRA
 Date: 10/1/78



1 GROUND FLOOR PLAN
 SCALE 1/8" = 1'-0"

SEAN SANA

1. Introduction
2. Basis of Design
3. Design Assumptions
4. Design Criteria

CONTENTS

| No. | Description | Rev. | Date | Drawn By |
|-----|------------------|------|------------|-----------|
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Technical Certificate No.

Issued by

Approved by

Project No.

Project Name

DUFFERIN & CENTRE

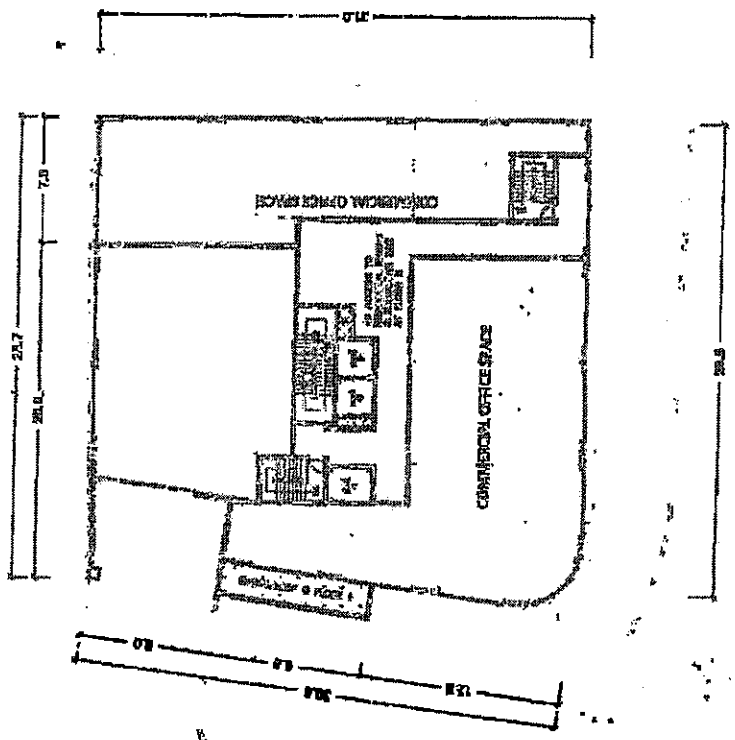
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Scale: 1:200

A2.2

Sheet No.



1 SECOND FLOOR PLAN
SCALE 1:200

A2.2

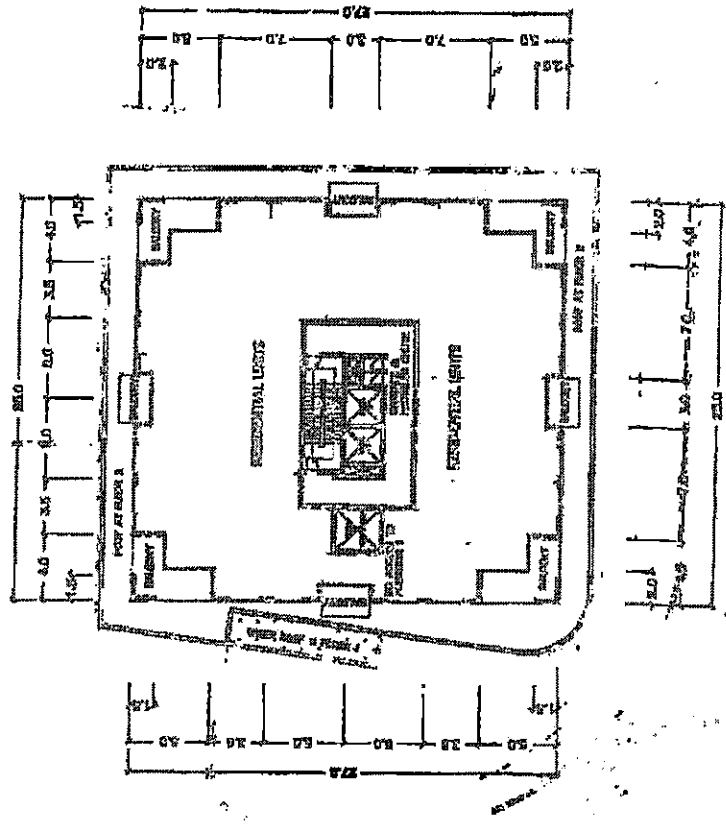
ROBERT
SARA

ALL DIMENSIONS
UNLESS OTHERWISE
NOTED ARE IN METERS

| NO. | REVISION | DATE |
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| 1 | ISSUED FOR PERMITS | 11/11/03 |
| 2 | REVISED | 11/11/03 |

Professional Description:
 Project:
 Location:
 Client:
 Architect:
 Engineer:
 Designer:
**RUFFENIN &
 CENTRE**

Version: 01
 Project:
FLOORS 3 TO 4 TYPICAL
 Date:
 Drawn By:
AZ.3
 Checked By:



1 FLOORS 3 TO 4 TYPICAL PLAN
 SCALE 1:250

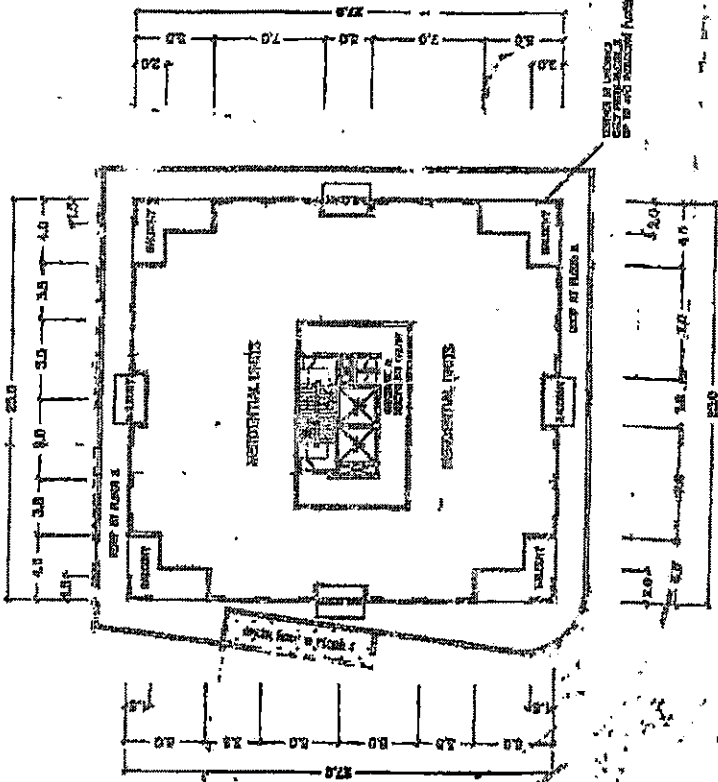
BOBBY
SARCA

CONSTRUCTION
NO. 100 100 100

| | | |
|---|-----------|----------------------|
| 1 | Structure | Reinforced Concrete |
| 2 | Roof | Flat |
| 3 | Finishes | As per specification |

Reinforced concrete
Roof
Floor
Walls
Columns
Beams
Stairs
DUFFERIN &
CENTRE

Scale: 1/4" = 1'-0"
PLAN
GENERAL
A2.4



1 FLOORS 5 TO 6 TYPICAL PLAN
SCALE 1/4" = 1'-0"

ROBERT
SARRA

APPROVED FOR
CONSTRUCTION
THIS 28th day of May

PROFESSIONAL

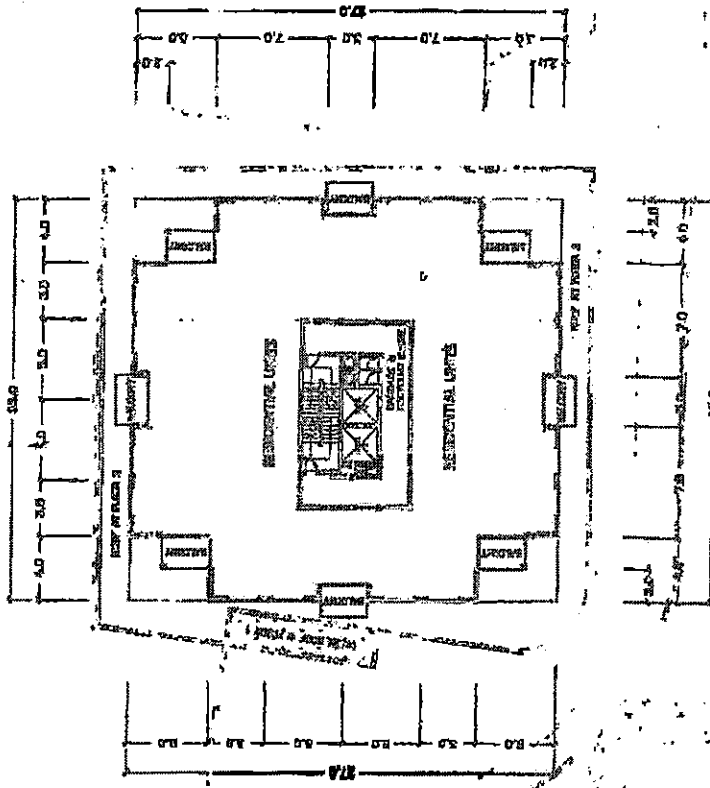
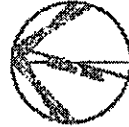
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| 1 | 10/10/19 | Issue for |
| 2 | 10/10/19 | Issue for |
| 3 | 10/10/19 | Issue for |
| 4 | 10/10/19 | Issue for |

Professional Engineer
No. 10000
Name: ROBERT SARRA
Firm: SARRA ENGINEERING
Address: 10000
City: DUFFERIN IS.
Province: ONT.
Country: CANADA

Project: CENTRE

Version: 01
Scale: 1/8" = 1'-0"
Drawing No.: NINTH FLOOR PLAN

Date: 10/10/19
Sheet No.: A2.5
Total No. of Sheets: 2



1
725
NINTH FLOOR PLAN
SCALE: 1/8" = 1'-0"



Weston Consulting Group Inc.

'Land Use Planning Through Experience and Innovation'

February 9, 2010
File No. 5026

City of Vaughan
Policy Planning Department
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

**ATTENTION: Paul A. Robinson MCIP, RPP
Senior Planner - Policy**

Dear Sir:

Re: **Official Plan Review
1500 Centre Street, Northeast Corner of Centre Street and Dufferin Street
City of Vaughan**

Weston Consulting Group Inc. (WCGI) is the planning consultant representing Dr. Arthur Fleck, the owner of the above captioned lands. The subject property is located on the north east corner of Centre Street and Dufferin Street, in the community of Thornhill, in the City of Vaughan (see attached air photo). The subject property is currently vacant, and was previously occupied by a gas bar.

The subject property is designated "General Commercial" under City of Vaughan OPA 672 and is within the "Centre Street Spine" as outlined in the Thornhill Centre Street Study. OPA 672 implements policies recommended by the Thornhill Centre Street Study and identify the subject property to be within the Western Gateway, which functions as the entry point to the Thornhill community from the west and north. The subject property is zoned *Highway Commercial Zone (C6)* in the City of Vaughan Zoning Bylaw 1-88.

WCGI has been monitoring the City's preparation of the new Official Plan and it is our opinion that there is potential for intensification in the form of mixed use development at this particular site. On Wednesday November 18, 2009, WCGI attended the City of Vaughan's open house on the status of the Official Plan review. WCGI has reviewed the information available with respect to the subject lands, which includes the proposed Urban Structure Map and the proposed Land Use Structure Map.

The subject lands are designated as "Local Centre" on the draft Urban Structure Map and are further identified as 'Mid Rise Residential Mixed Use' on the draft Land Use Structure Map.

On behalf of our client, we are writing to support the designation of the subject lands for intensification in the form of mixed use development. Applications will be submitted in the future.

We offer the following comments with respect to the City's Official Plan review process as it relates to the above noted subject property:

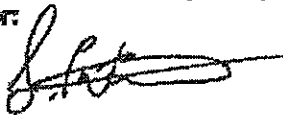
1. We support a mixed-use designation for the subject lands in light of the recent approval and adopted York Region Official Plan and the contextual situation of the property being located within a "Local Centre" along a "Regional Corridor". The York Region Official Plan indicates that intensification should occur in Regional Corridors and considers Local Centres appropriate areas to accommodate intensified, mixed-use developments.
2. Regional Corridors are to accommodate the highest density and scale of development with an overall density target of 2.5 FSI. While we support this density target and suggest that the City incorporate the same for the Centre Street Corridor, we recommend that the official plan contain provisions that would allow for higher densities in areas that are located at a designated "gateway", are in close proximity to a proposed transit stop, are compatible with adjacent land uses, and have minimal impact on the surrounding land uses. The adjoining land uses for this particular site (i.e. commercial plaza and vacant lands) would also permit higher densities because the uses are compatible and the impacts are therefore lessened in comparison to adjoining land uses that are not compatible. These areas may appropriately exceed a density of 2.5 FSI.
3. In order to achieve the targeted intensification, appropriate heights and densities must be implemented. The subject property is a suitable location to accommodate heights and densities that will help achieve compact urban form and transit-supportive development. Higher building densities and heights at this location will help to achieve the targeted intensification and provide for landmark buildings that will distinguish this key corner site as a Western Gateway into the Thornhill Community. The official plan policies should recognize that the establishment of the Western Gateway will entail more significant massing and built form so that the gateway becomes visible and recognizable.
4. We support the consideration of the subject property as a Key Development Area in a Regional Corridor according to the policies in the York Region Official Plan and suggest that the subject site be identified as such in the City's Official Plan. We support the principles in the York Region Official Plan that Key Development Areas are intensification areas along Regional Corridors that are intended and planned for the most intensive and widest range of uses.

5. The York Region Official Plan incorporates the work of the Transportation Master Plan update (2009). The Transit Network map (Map 11) shows Centre Street as a "Regional Rapid Transit Corridor" which is generally intended to direct medium- and high-density urban development. The subject property's close proximity to the Highway 407 Transit Way and proposed GO station also makes it a suitable site for higher density mixed use development. We request that the City's Official Plan include policies that recognize the significance of public investment in rapid transit and transit supportive development.
6. While we are supportive of a mixed use designation that incorporates both residential and commercial uses for the subject site, the City's Official Plan policies should provide flexibility regarding the types and distribution of land uses in a development for marketability purposes.
7. We support the Regional Official Plan's parking management strategies to reduce parking requirements for development along transit corridors to encourage transit ridership and request the inclusion of similar policies in the City's Official Plan.
8. We support the inclusion of urban design policies in the Official Plan that will provide for zero lot line building setbacks in consideration of gateway sites. Development density should be concentrated along the frontages of Dufferin Street and Centre Street. Such policies will aid in achieving a better relationship to the street, and supports a vibrant streetscape that promotes pedestrian oriented development.

At this time, WCGI requests that we be placed on the City's mailing list in order that we may continue to participate in the City's Official Plan Review process. We request that the above noted comments be considered in the preparation of the City's Official Plan.

Should you have any questions or require clarification on this matter, please contact the undersigned.

Yours truly,
Weston Consulting Group Inc.
Per:



Sandra K. Patano, BES MES MCIP RPP
Senior Planner

Cc: Dr. Arthur Fisch
Pino DiMascio, Urban Strategies
Emily Reisman, Urban Strategies

EMC File No.: 206199-PL
September 7, 2011

C19

Via Email john.mackenzie@vaughan.ca**Community Planning Department
City of Vaughan**
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1**Attention: John MacKenzie
Commissioner of Planning**

Dear Sir:

**Re: Vaughan Official Plan (2010)
Land Use Designation 'Modification' Request
Anland Group Inc.
7386 Islington Avenue
Part of Lot 4, Registrar's Compiled Plan 9831
Community of Woodbridge, City of Vaughan
Regional Municipality of York**

| | |
|------------|-------------|
| C | 19 |
| Item # | 1 |
| Report No. | 39 |
| Special | CW |
| | Sept. 12/11 |

Further to our review of the Planning Department staff report entitled "Modifications to the Vaughan Official Plan – 2010 (Volume 1: Response to Public, Government and Agency Submissions" being tabled at the September 12, 2011 Special Committee of the Whole meeting, please be advised as follows with respect to further written comments relative to the above-noted property:

1. submissions dated May 24th and June 17th (attached for easy reference) requested a land use designation 'modification' from the "Low-Rise Mixed-Use" designation to a more appropriate "High-Rise Residential" designation;
2. the staff response appended to the September 12th Committee report (attached for easy reference) recommended a revision to a "Low-Rise Residential" designation, indicating that the property was not considered nor identified as an area for greater intensification or density as part of the municipality's "Where and How to Grow Report";
3. at the June 13th modification request review meeting convened with both City and York Region Planning staff, there appeared to be consensus that a "Low-Rise" designation whether "Mixed-Use" or "Residential" in nature was inappropriate and that while "High-Rise Residential" was perhaps inappropriate, the more appropriate designation may in fact be "Mid-Rise Residential"; and
4. based on our May 24th planning justification and rationale in support of a "High-Rise Residential" land use designation within it's geographic and policy context, coupled with the location of the future Woodbridge Go Transit Station (i.e. in close proximity and within walking distance as measured by 400 metres and a 5-minute walking distance radii), the property is most appropriate for a "High-Rise Residential" (or alternatively a "Mid-Rise Residential") designation and associated building form typologies, along with associated height and density policy provisions.

Locational plans (attached for easy reference) for the future Go Transit Station (as reported in a City staff report and Metrolinx presentation at the May 17th Committee of the

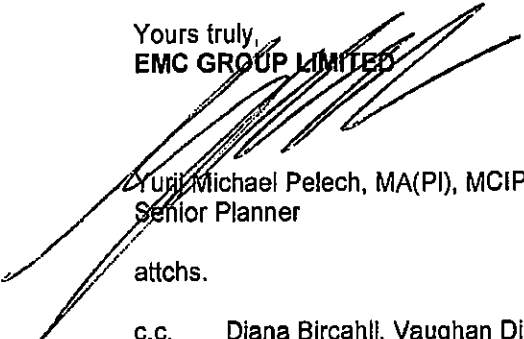
Whole (Working Session) and the May 4th York Region Planning & Economic Development Committee meetings) provide the relevant locational context, as well as reiterate the locational attributes of the subject lands for a more appropriate land use designation than the recommended "Low-Rise Residential" revision.

As such, we respectfully request that further consideration be given to the most appropriate land use designation for the subject lands, being "High-Rise Residential" as per our 'modification request', revising Schedule 13-Q accordingly, while attaching the concomitant height and density provisions. In the alternative, a "Mid-Rise Residential" land use designation would also be more appropriate than the proposed "Low-Rise Residential" designation.

Given our continued concerns with respect to the 'adopted' City of Vaughan Official Plan (2010) document and the September 12th staff recommendation as it affects the subject lands, we reserve the right to provide further submissions, review comments and deputations at the appropriate point in time and prior to the overall process culminating with issuance of any approvals by the Region of York. We further reserve our 'right of appeal' should the matter not be addressed nor resolved to the satisfaction of the property owner.

Thank you very much for your attention to this matter and we look forward to further deliberations and discussions with City and Regional Planning staff accordingly.

Yours truly,
EMC GROUP LIMITED


Yuri Michael Pelech, MA(PI), MCIP, RPP
Senior Planner

attchs.

c.c. Diana Bircall, Vaughan Director of Policy Planning Diana.Bircall@vaughan.ca
Roy McQuillin, Vaughan Manager of Policy Planning Roy.McQuillin@vaughan.ca
Heather Konefat, York Region Director Community Planning heather.konefat@york.ca

Z:\206199\206199 PlgDept VOP ltr Sept0711.doc

EMC File No.: 206199-PL
May 24, 2011

Via Email bryan.tuckey@york.ca and Mail

**Planning and Development Services Department
Regional Municipality of York
17250 Yonge Street
Newmarket, ON
L3Y 6Z1**

**Attention: Bryan Tuckey, MCIP, RPP
Commissioner, Planning and Development Services**

Dear Sir:

**Re: 'Adopted' City of Vaughan Official Plan (2010)
Anland Group Inc.
3687 Islington Avenue
Part of Lot 4, Registrar's Compiled Plan 9831
(north-west quadrant of Islington Avenue North and Highway 407)
Community of Woodbridge, City of Vaughan
Regional Municipality of York**

Please be advised that we act as the land development planning consultants on behalf of the owner of the above-note holdings within the City of Vaughan. Subsequent to the September 7, 2010 'adoption' of the new City of Vaughan Official Plan (VOP) document by City Council, we requested receiving the 'notice of decision' associated with Region of York approval of the local Official Plan, with the October 12, 2010 letter to Denis Kelly, Regional Clerk attached for easy reference (Attachment 1).

Background

A review of the 'draft' April 2010 Official Plan document (as per Attachment 2) designated the subject lands as "Low-Rise Mixed-Use" with a height provision of four (4) storeys (H4) and a density provision of 1.5 coverage (D1.5). Subsequently, the 'adopted' September 2010 Plan document retained the "Low-Rise Mixed-Use" designation, while carrying forward both previous height and density permissions (as per Attachment 3), however adding a further "Natural Areas" land use designation over a significant portion of the lands.

Land Use Designation 'Modification' Request

As the Region of York deliberates on the new proposed City of Vaughan Official Plan (2010) document as part of the review and approvals process, and prior to approving the document, we respectfully request that the lands be subject to a 'modification' associated with Schedule 13-Q: Land Use, including:

1. redesignated to a more appropriate "High-Rise Residential (H16; D4)" land use designation; and

2. revised to a more accurate delineation for the "High-Rise Residential" and "Natural Areas" designations.

Planning Justification and Rationale

The land use planning justification and rationale in support of the above-noted requested modifications is two-fold:

1. "High-Rise Residential" Designation

From a broader provincial and regional land use planning policy context, the subject lands:

- are situated within the "Designated Built-Up Area" (2006) boundary of the local municipality and are located along an "arterial corridor" with public transit service; and
- represent a candidate site for intensification purposes under the "Places to Grow: Growth Plan for the Greater Golden Horseshoe" (2006).

From the local land use planning context, coupled with the locational attributes, the subject lands:

- represent a key location for development, and are contemplated and envisioned for a residential built form (albeit low-rise mixed-use in nature) under the new Official Plan;
- provide an opportunity to create and implement an Islington Avenue gateway entrance to Woodbridge along a major arterial roadway;
- are situated in a peripheral location, being self-contained and isolated (regardless of whether low, mid or high-rise designation) and would not impose any negative impact on adjacent community land uses thus precluding any issues of compatibility or transition;
- are supported by existing servicing infrastructure, while intensification would benefit from the existing urban and transit infrastructure;
- dictate special land use and site planning consideration, as well as design treatment ('tower in the park'); and
- are located within close proximity (+/- 400 metres / 5 minute walking distance radius) to the future proposed Metrolinx (Bolton rail service) GO Transit Woodbridge station.

2. "High-Rise Residential" and "Natural Areas" Delineation

With respect to the delineation between the "High-Rise Residential" and "Natural Areas", the subject lands:

- provide suitable physical, topographic and vegetative support for a broader depiction of the developable area, as illustrated in the attached aerial photo and site feature plan schematics (Attachment 4); and
- are misrepresented on the current version of "Schedule 13-Q: Land Use with respect to site characteristics and concomitant development potential, and therefore need to be revised accordingly.

The preliminary conceptual development plan for the holdings, which has been evolving over the last several years, envisions a 16 storey point tower utilizing a stepped or terraced design. A preliminary top of bank has been identified and a 10 metre buffer strip along the valley lands has been incorporated to frame the potential development envelope. Site area coverage would reflect the height provision, while parking would be underground, with allocated visitor surface parking. The preliminary analysis to date illustrates a developable land area of approximately 2.5 acres (1.01 hectares) in size.

Access would be by means of a driveway connection to Islington Avenue at the north-end of the site and would also include an easement for purposes of shared access to serve the adjoining property to the north in order to functionally integrate, as part of a comprehensive development plan, the future development of the abutting external lands.

The development limit of the "Natural Areas" portion of the property and the required setbacks (10 metres from top of bank and edge of environmental feature) would however be formally delineated and staked to the satisfaction of both the Toronto Region Conservation Authority (TRCA) and the City of Vaughan at some future point in time and as part of the subsequent formal development application and regulatory approvals process.

The "High-Rise Residential" designation being requested would therefore be supported by appropriate height (H16) and density (D4) policy provisions, and indicated as such on the requested Schedule 13-Q: Land Use 'modification', as per Attachment 5.

We understand that the local Vaughan Official Plan as adopted by City Council on September 7, 2010 has now been forwarded to the Region of York, as the approval authority, for review, modification and approval purposes. We have also been advised by Regional Planning staff that the VOP (2010) document is scheduled to be the subject of a staff report which will be tabled with Regional Planning & Economic Development Committee sometime in the Fall of 2011. As such, we formally request:

1. being notified of the preparation, as well as receiving any City of Vaughan and Regional Planning Department staff reports, as well as the Region of York 'draft notice of decision' (proposed modifications and deferrals) related to the proposed City of Vaughan Official Plan;
2. being notified in advance of scheduled dates as to City of Vaughan Committee of the Whole and/or City Council, as well as Regional Planning & Economic Development Committee and/or Council consideration of the Plan document; and
3. an opportunity to convene a review meeting relative to the subject lands and the requested land use designation 'modification' with both Regional and City Planning staff to address our submission comments.

Given our current concerns with respect to the 'adopted' City of Vaughan Official Plan (2010) document as it affects the subject lands, we reserve the right to provide further submissions and review comments at the appropriate point in time and prior to the overall process culminating with issuance of any approvals by the Region of York. We further reserve our 'right of appeal' should the matter not be addressed nor resolved to the satisfaction of the property owner.

Thank you very much for your attention to this matter and we look forward to further deliberations and discussions with both Regional and City Planning staff.

Yours truly,

EMC GROUP LIMITED



Yuri Michael Pelech, MA(Pl), MCIP, RPP
Senior Planner

attchs.

c.c. John Zipay, City of Vaughan Commissioner of Planning (John.Zipay@vaughan.ca)
Jason Gabriele, Anland Group Inc. (jagabriele@rogers.com)

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EMC File No.: 204101-PL
October 12, 2010

Via Fax 1-905-895-3031



**Regional Municipality of York
Corporate Services Department
York Region Administration Building
17250 Yonge Street
4th Floor
Newmarket, ON
L3Y 6Z1**

**Attention: Denis Kelly
Regional Clerk**

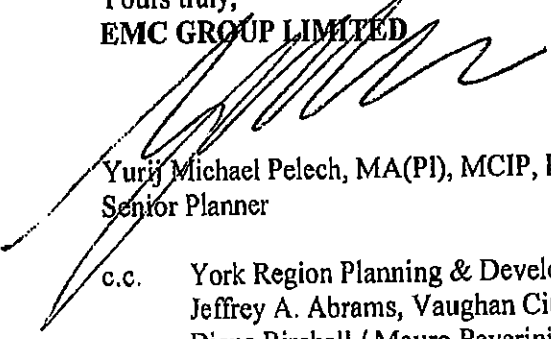
Dear Sir:

Re: Official Plan for the City of Vaughan (2010)

Further to the recent September 7, 2010 'adoption' by City of Vaughan Council of the new and updated *City of Vaughan Official Plan 2010*, coupled with submission to the Regional Municipality of York as the approval authority, please be advised that as per the circulated 'notice of City Council adoption', we respectfully request receiving a copy of the 'notice of decision' associated with Regional approval of the Official Plan document.

Thank you very much for your attention to and cooperation with our request.

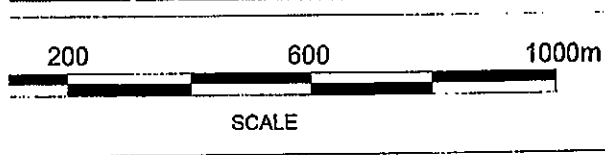
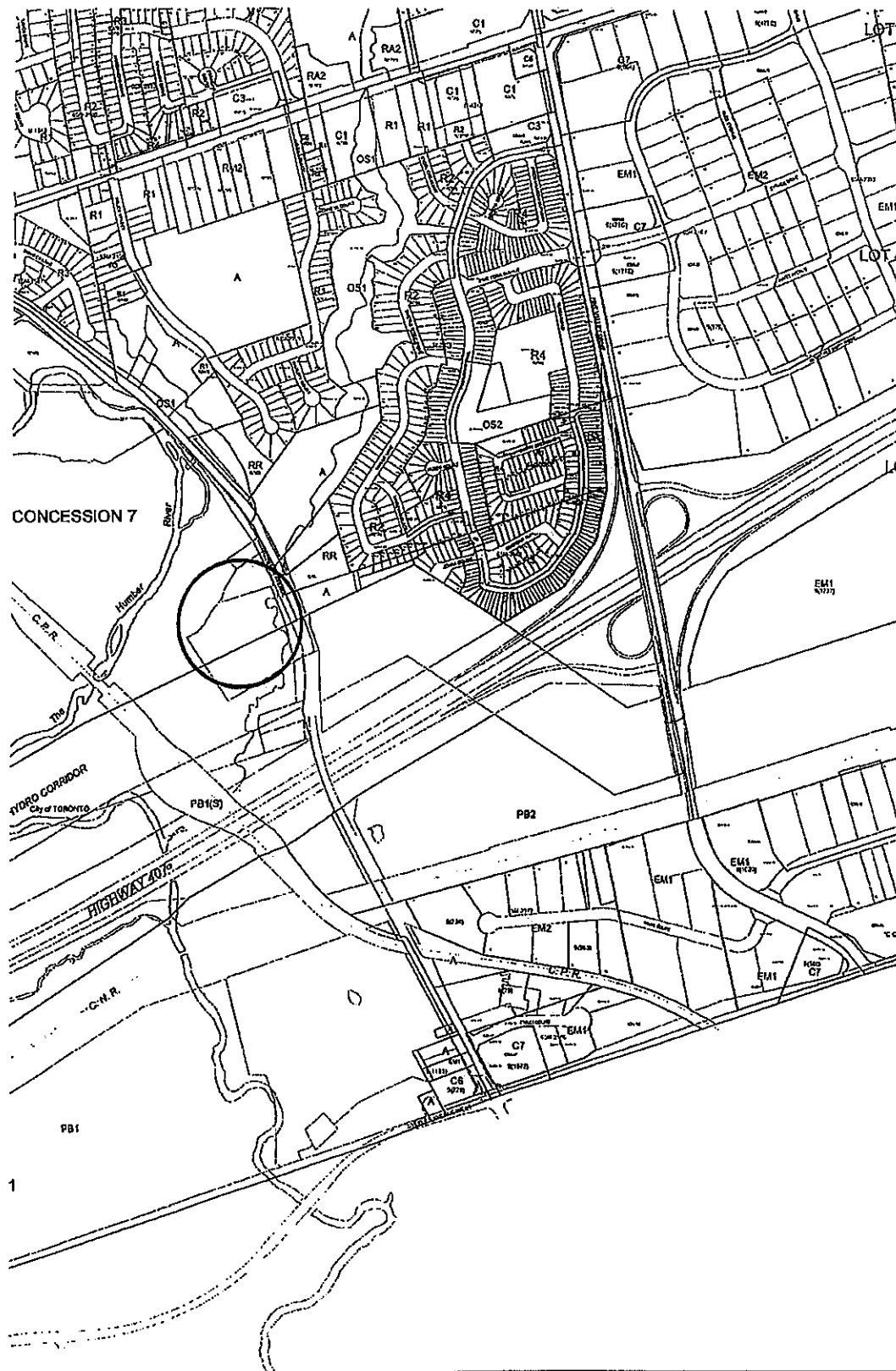
Yours truly,
EMC GROUP LIMITED



Yurij Michael Pelech, MA(Pl), MCIP, RPP
Senior Planner

c.c. York Region Planning & Development Services (Fax #1-905-895-3482)
Jeffrey A. Abrams, Vaughan City Clerk (Fax #905-832-8535)
Diana Birchall / Mauro Peverini, Vaughan Policy Planning (Fax #905-832-8545)

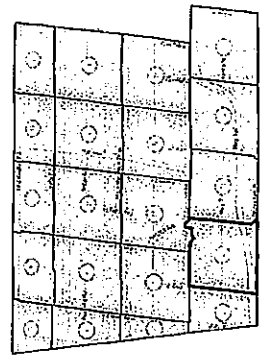
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KEY MAP 7A
TO BYLAW 1-88
REVISED JUNE 2006

**SCHEDULE 33-Q
Land Use**

- Natural Areas
- Parks
- Private Open Spaces
- Agricultural
- Rural Residential
- Low-Rise Residential
- Low-Rise Mixed-Use
- Mid-Rise Residential
- Mid-Rise Mixed-Use
- High-Rise Residential
- High-Rise Mixed-Use
- Commercial Mixed-Use
- Downtown Mixed-Use
- General Employment
- Precise Employment
- Major Institutional
- New Community Areas
- Theatre Park and Entertainment
- Parkway Belt West Landis
- Infrastructure and Utilities
- Roads
- Railway
- Greenbelt, Plain Area and Oak Ridge Moraine Conservation Plain Area



SCHEDULE 33-M

SCHEDULE 73-L
Proposed Road

SCHEDULE 79-P

Shawnee Avenue West



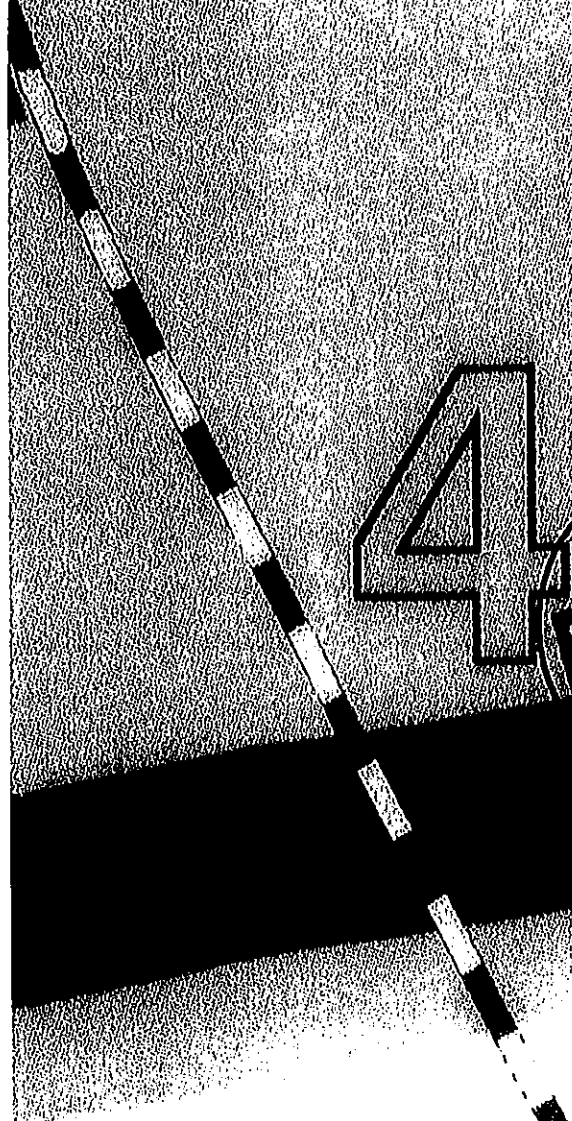
Highway 7

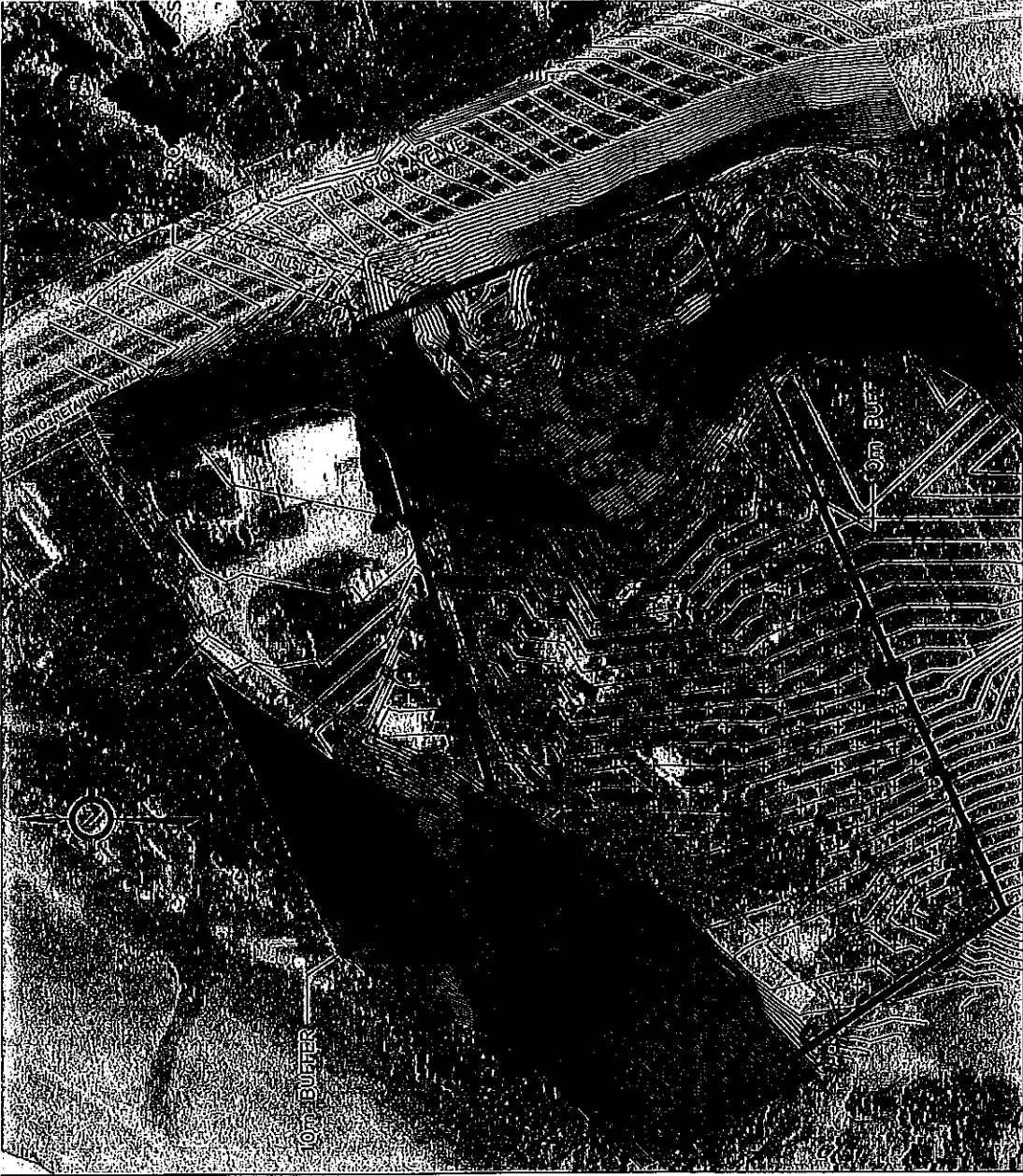
H2
D1

Islington Avenue




43

H4
D1.5

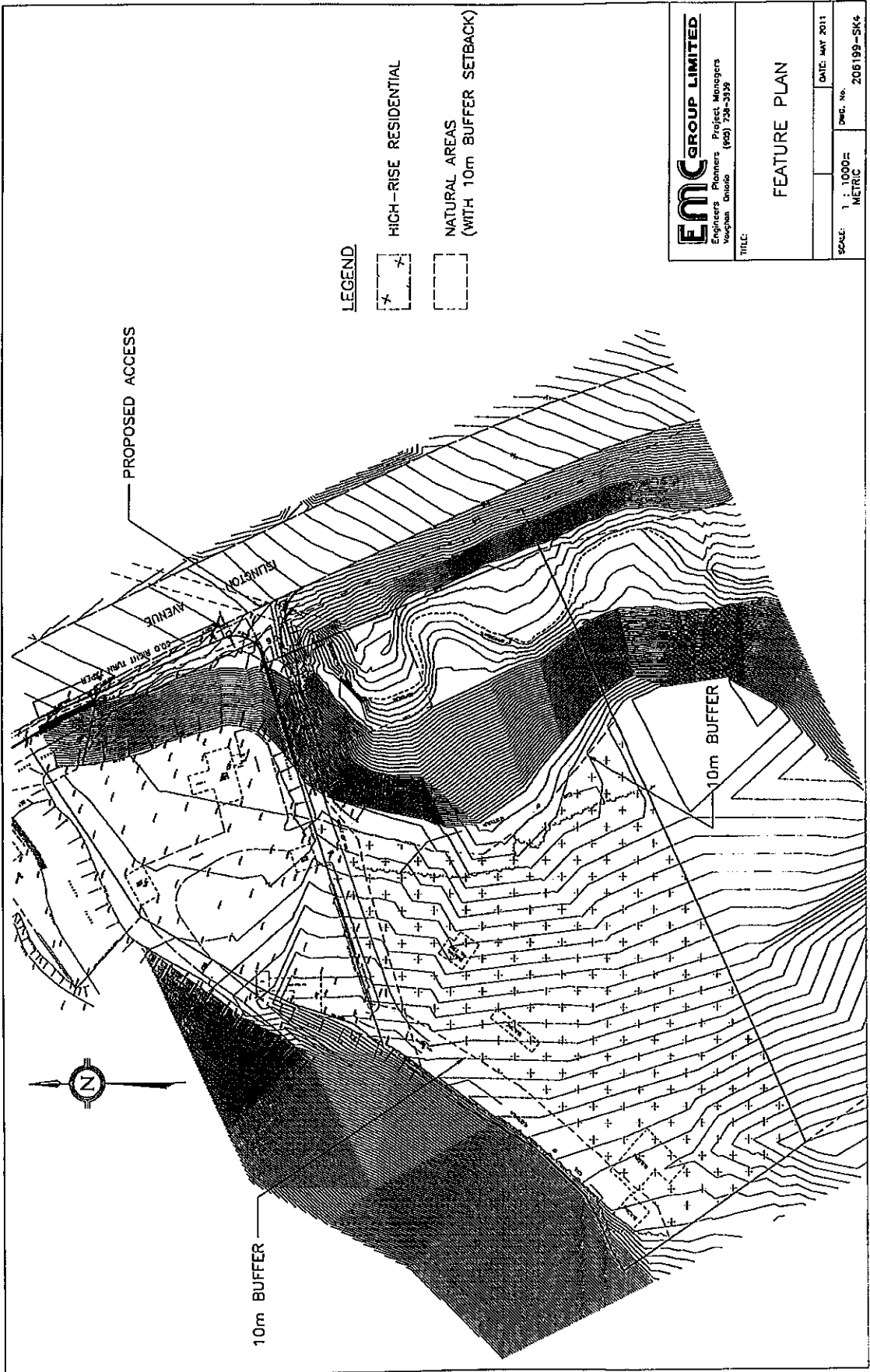






LEGEND

-  HIGH-RISE RESIDENTIAL
-  NATURAL AREAS
-  10m SETBACK BUFFER

| | |
|---|---------------------------------------|
| EMC GROUP LIMITED Engineers Planners Project Managers Vaughan Ontario (905) 706-3339 | |
| FILE: | |
| AERIAL MAP 7386 ISLINGTON AVENUE - CITY OF VAUGHAN | |
| SCALE: 1 : 1000± METRIC | DATE: MAY 2011 Dwg. No. 206199-SKS |



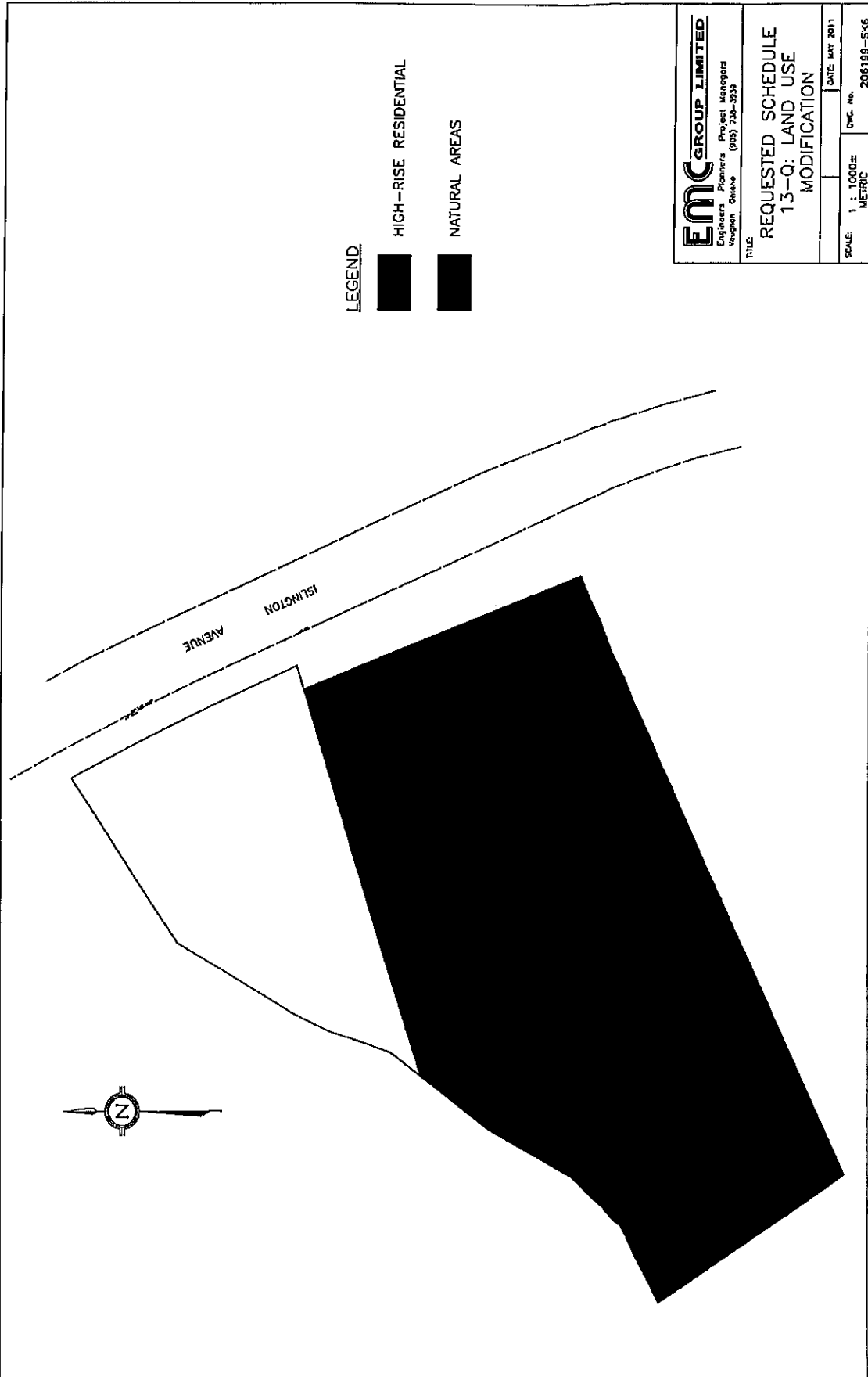
LEGEND

- 
 HIGH-RISE RESIDENTIAL
- 
 NATURAL AREAS
 (WITH 10m BUFFER SETBACK)

EMC GROUP LIMITED
 Engineers Planners Project Managers
 Vaughan Ontario (905) 738-3939

TITLE: **FEATURE PLAN**

SCALE: 1 : 1000 = METRIC
 DATE: MAY 2011
 DWS. No. 206199-5K4



LEGEND



HIGH-RISE RESIDENTIAL



NATURAL AREAS

EMC GROUP LIMITED
 Engineers Planners
 Vaughan Ontario (905) 738-9939

TITLE:

REQUESTED SCHEDULE
 13-Q: LAND USE
 MODIFICATION

| | |
|----------------------------|----------------|
| SCALE: 1 : 1000± METRIC | DATE: MAY 2011 |
| DWC. No. 206109-SK6 | |

151

EMC File No.: 206199-PL
June 17, 2011

Via Email and Mail (3 pages)

**Regional Municipality of York
Community Planning
Planning and Development Services Department
17250 Yonge Street
Newmarket, ON
L3Y 6Z1**

**Attention: Heather J. Konefat
Director, Community Planning**

Dear Madam:

**Re: City of Vaughan (2010) Official Plan
Modification Request
Anland Group Inc.
7386 Islington Avenue
Part of Lot 4, Registrar's Compiled Plan 9831
(north-west quadrant of Islington Avenue North and Highway 407)
Community of Woodbridge, City of Vaughan
Regional Municipality of York**

Thank you very much for convening the June 13th review meeting with Regional and City Planning staff with respect to our land use designation 'modification' request relative to the above-noted property. From our session, we understand that:

1. as the approval authority, York Region is considering requested 'modifications' as part of the overall review and approval process associated with the City of Vaughan Council 'adopted' (September 7, 2010) Official Plan document; and
2. that City Planning staff are anticipating reporting back to Committee of the Whole in September 2011 and subsequently to Council, while Regional Planning staff are scheduled to table a report with Planning & Economic Development Committee and subsequently with Regional Council sometimes during the Winter.

As now filed as part of the public record, we submitted Vaughan Official Plan ("VOP") review comments on behalf of the property owner dated May 24, 2011, which articulated various concerns with and objections to both the 'draft' and the 'adopted' Official Plan documents.

Simply stated, our comments were as follows:

1. the 'draft' VOP (April 2010) document designated the subject lands as "Low-Rise Mixed-Use" with associated height (H4) and density (D1.5) policy provisions, while the 'adopted' VOP (September 2010) changed the land use designation primarily to "Natural Areas" with a greatly reduced area designated as "Low-Rise Mixed-Use", and that the

latter revised designation and delineation was not indicative of the site's development potential nor reflective of existing physical and environmental constraints;

2. with respect to the above-noted change in the land use designation, we need to understand how and why the designation from the 'draft' VOP April 2010 document ("Low-Rise Mixed Use") was revised in the 'adopted' VOP (September 2010) document ("Natural Areas" and "Low-Rise Mixed-Use") -- in essence, what is the technical justification and support for such a change; and
3. questioning whether the "Low-Rise Mixed-Use" designation was appropriate, with a requested 'modification', based on and supported by a preliminary land use and policy planning justification, coupled with the property's locational attributes, to a more appropriate "High-Rise Residential (H16; D4)" designation.

While City staff appeared to indicate that the "Low-Rise Mixed-Use" designation -- given the 'mixed-use' suffix -- was perhaps inappropriate, and that a strictly 'residential' rather than combined 'residential and mixed-use' designation was most appropriate in such location, our position and 'modification' request remains that "High-Rise Residential" would be more appropriate than "Mid-Rise Residential" given the locational attributes of the subject lands..

As indicated during our session, a preliminary development opportunities review was undertaken with an assembled multi-disciplinary consulting team, and a formal review meeting was convened with City staff on April 9, 2008 for purposes of discussing the development concept, land use designation and policy provisions, as well as requisite technical analysis moving forward. Further associated work evolving from the initial City staff discussions however, was put on hold pending the completion of the City's Official Plan Review / Conformity Update initiative.

As an aside and as a point of clarification, the existing driveway access, as indicated in the text of our May 24th submission, is "to be retained" (along the north-side property limit and shared mutually with the adjacent property) rather than "to be removed" as indicated in error on the aerial photograph schematic. The location of the driveway access point was also subject to and supported by traffic engineering analysis, along with necessary submissions and discussions.

Regardless, the primary concern relative to our submission is with respect to establishing the most appropriate development land use designation under the new Official Plan document, coupled with delineation of the developable area (i.e. tableland in the order of 2.5 acres / 1.01 hectares -- subject to a formal stake-out as part of the regulatory approvals process), as well as the depiction of the extent of the "Natural Areas" designation constraints.

Until such time that land use designation is reconsidered and the requested modification is approved, coupled with a staff's explanation relative to the City-initiative land use designation changes, we continue to have concerns with and bring forward our objections to the September 7, 2010 'adopted' City of Vaughan Official Plan document.

EMC No.: 206199
York Planning
Anland Group
Page 3

Thank you very much for your attention to this matter and should further meetings and/or discussions need to be scheduled, we ask that you please advise accordingly.

Yours truly,

EMC GROUP LIMITED

Yurij Michael Peleoh, MA(Pl), MCIP, RPP
Senior Planner

c.c. Diana Birchall, Director Policy Planning / Urban Design, City of Vaughan
Augustine Ko, Senior Planner, York Region
Clement Chong, Senior Policy Planner, City of Vaughan

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EMC GROUP LIMITED

Attachment 1
Part A: Index of Correspondence for Part B

| | | | |
|----------------------------|--------------------|---|--|
| 491 | December 15, 2010 | Christine Hyde York Catholic District School Board | VMC Secondary Plan; Kleinburg-Nashville Secondary Plan |
| 491YR D06.2010.V.01.098 | March 23, 2011 | Christine Hyde York Catholic District School Board | Vaughan |
| 492YR D06.2010.V.01.095 | March 07, 2011 | May Luong Borden Ladner Gervais LLP FOR: MacMillan Farm | 9605 Dufferin Street |
| 494 | March 01, 2011 | TRCA | Highway 400 North Employment Lands Secondary Plan (OPA 637); Humber Watershed Plan |
| 495YR D06.2010.V.01.096 | March 08, 2011 | Lorenz Schmidt Balor Development Services Ltd. | 51 Babak Boulevard |
| 496 | February 17, 2011 | Maurice Stevens | 10340 Highway 27, Vaughan, ON |
| 498 | March 07, 2011 | Chief Keith Knott Curve Lake First Nation | Vaughan |
| 509 | September 01, 2010 | Paula Bustard Smart Centres | Weston Road and Major Mackenzie Drive |
| 510 | March 24, 2011 | Kregg Fordyce Kregg Fordyce Architect | 5309 Highway 7 |
| 522YR D06.2010.V.01.101 | May 24, 2011 | Yunj Michael Pelech EMC Group Limited | 7386 Islington Avenue |

Attachment 1
 Part A: Index of Correspondence for Part B

| | | | |
|----------------------------|---------------|--|--|
| 522YR D06.2010.V.01.109 | June 17, 2011 | Yurij Michael Pelech EMC Group Limited | 7386 Islington Avenue |
| 528YR | June 30, 2011 | Jordan Erasmus Infrastructure Ontario | Southeast corner of Keele Street and Highway 407 |
| 534 | July 15, 2011 | Rosemarie L. Humphries Humphries Planning Group | 7803 & 7815 Dufferin Street |

✓

Attachment 1
 Part E: Vaughan Official Plan 2010 (Volume 1) – Mapping and Recommended Changes (Public)

| | | Street | | |
|---------|-------|--------|--|---|
| 2, 13-G | 496 | | DATE: February 17, 2011 RESPONDENT: Maurice Stevens LOCATION: 10340 Highway 27, Vaughan, ON | It is recommended to: <ul style="list-style-type: none"> - modify the boundaries of the Core Features on Schedule 2 to align with the Regionally Significant Forests overlapping the parcel at 10340 Hwy 27; - modify the boundaries of the Natural Areas on Schedule 13-G to align with the Regionally Significant Forests overlapping the parcel at 10340 Hwy 27 - depict the balance of the parcel at 10340 Hwy 27 with a Low-Rise Residential designation. |
| 13-Q | 522YR | | DATE: May 24, 2011 D06.2010.V.01.101 June 17, 2011 D06.2010.V.01.109 RESPONDENT: Yurij Michael Pelech EMC Group Limited LOCATION: 7386 Islington Avenue | It is recommended that Schedule 13-Q of the VOP 2010 be revised to designate the subject lands as "Low-Rise Residential", retaining the current height maximum of 4 storeys and FSI maximum of 1.5. |

Attachment 1
Part B: Vaughan Official Plan 2010 (Volume 1) - Summary of Respondents Requests/Staff Comments and Recommendations

| | | | | |
|-------|--|---|--|---|
| 510 | <p>DATE: March 24, 2011</p> <p>RESPONDENT: Kregg Fardyce Kregg Fardyce Architect</p> <p>LOCATION: 5309 Highway 7</p> | <p>The respondent is objecting to the reduction in height from 10 storeys to 6 storeys and the reduction in density to 2.0 FSI to the subject property as was proposed by Council at the September 7, 2010 committee meeting.</p> | <p>The respondent objects to the Maximum height of 6 storey and 2.0 FSI as shown on Schedule 13-Q was previously subject to the policies of a "Transit Stop Centre" in OPA 661 which allows for a maximum 10 storeys and 3.0 FSI.</p> <p>By Council resolution on September 7, 2010, Item 1, Report No.39 of the Special Committee of the Whole, staff amended the VOPA 2010 as directed:</p> <p>"The section of road between Bruce Street and Woodstream Boulevard, along the north and south side of Highway 7, Woodbridge, be amended to permit a maximum building height of six storeys and FSI (Floor Space Index) of 2.0"</p> | <p>No change is recommended.</p> |
| 522YR | <p>DATE: May 24, 2011 D06.2010.V.01.101</p> <p>June 17, 2011 D06.2010.V.01.109</p> <p>RESPONDENT: Yunj Michael Pelech EMC Group Limited</p> <p>LOCATION: 7386 Islington Avenue</p> | <p>1. Requests a land use designation change for the developable portion of this parcel, from the current "Low-Rise Mixed-Use" (height provision of 4 storeys, density provision of 1.5), to "High-Rise Residential" (H16, D4).</p> <p>2. Suggests that current delineation between aforementioned developable zone and "Natural Areas" zone is misrepresented.</p> | <p>1. The subject lands are located in an isolated pocket of land, surrounded by parkway belt lands. As a result of the parcel's topography, the developable portion of the lands is not readily visible from Islington Avenue. In discussions between the proponent and City staff, it was agreed that the commercial component of the current designation is not viable and should therefore be re-considered.</p> <p>Further to the proponent's request for higher density residential; the "Where and How to Grow Report" completed to determine the appropriate areas of development intensification for the City's new Official Plan did not identify this</p> | <p>1. It is recommended that Schedule 13-Q of the VOP 2010 be revised to designate the subject lands as "Low-Rise Residential", retaining the current height maximum of 4 storeys and FSI maximum of 1.5.</p> <p>2. No change is recommended.</p> |

*but also argued that
"Mid-Rise Residential" was
more appropriate than
"Low-Rise Residential"*

**Attachment 1
Part B: Vaughan Official Plan 2010 (Volume 1) - Summary of Respondents Requests/Staff Comments and Recommendations**

| | | |
|--|--|--|
| | | |
| | <p>area for greater intensification. There is no justification to assign a greater density to the lands at this point in time.</p> <p>2. The lands are entirely in the Core Features according to Schedule 2. The lands are identified in the TRCA Terrestrial Natural Heritage System as existing meadow habitat and existing woodlands habitat. Regionally Significant Forests are identified at the eastern part of the property and the northwest part of the property.</p> <p>The available information does not provide a rationale for changing the Core Features boundaries on Schedule 2 and the Natural Areas boundaries on Schedule 13-Q. Appropriate studies associated with a development application would need to be submitted to support a change in the Core Features boundaries. Policy 3.2.3.10 reads, in part</p> <p>That minor modifications to the boundaries and alignment of Core Features, as identified on Schedule 2, may be considered if environmental studies, submitted as part of the development process to the satisfaction of the City and in consultation with the Toronto and Region Conservation Authority, provide appropriate rationale for such minor modifications and include measures to maintain overall habitat area and enhance ecosystem function. Minor</p> | |
| | | |

Attachment 1
 Part B: Vaughan Official Plan 2010 (Volume 1) - Summary of Respondents Requests/Staff Comments and Recommendations

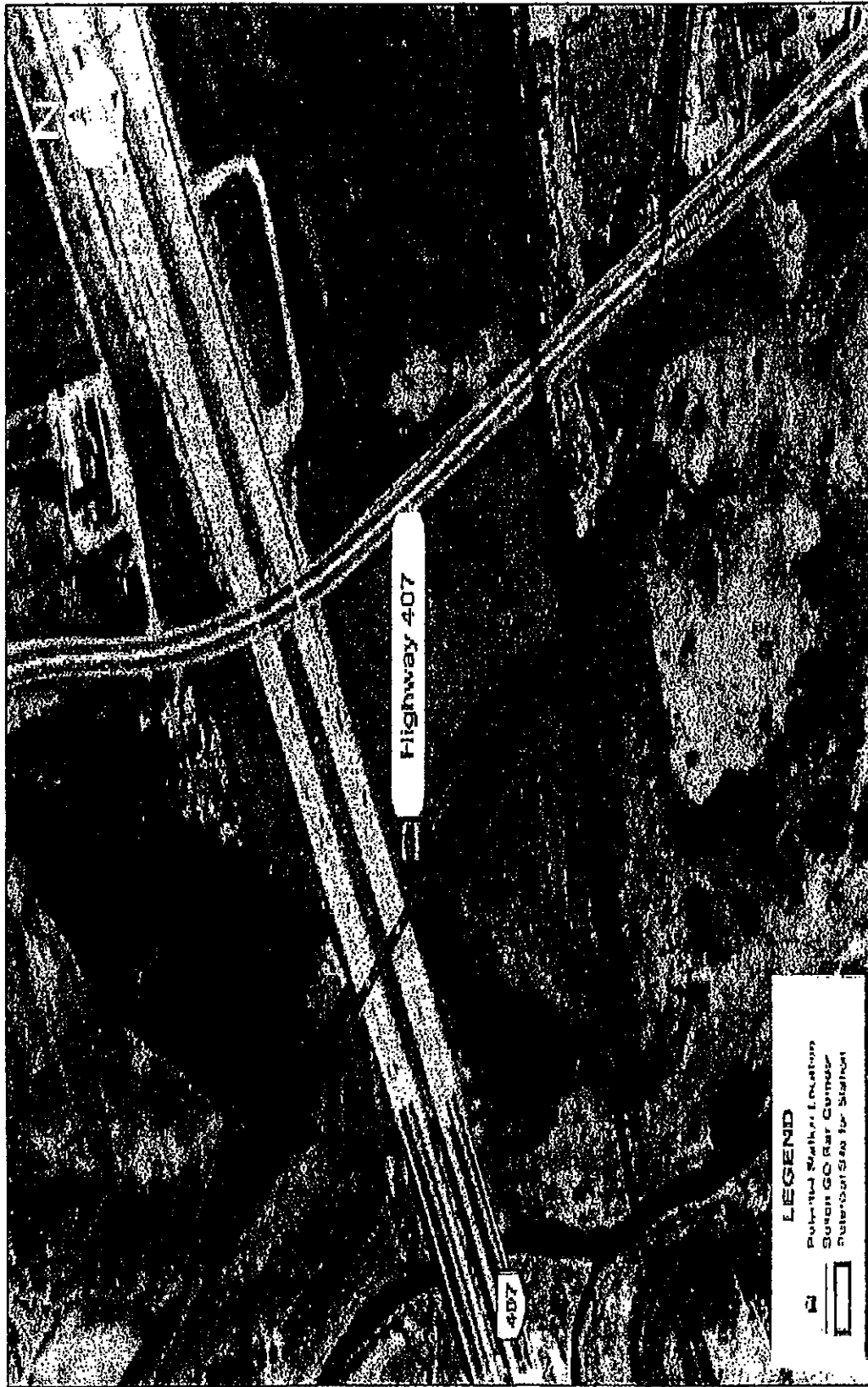
| | | | |
|-------|---|--|---|
| | | <p>EA was completed to identify preferred alignment for proposed Hwy 407 Transitway. Final EPR leaves approx. 10 acres of unencumbered land with potential development opportunities. Infrastructure Ontario has applied to MMAH to remove unencumbered lands from the Parkway Belt West Plan. Will be submitting OPA and rezoning application to City of Vaughan. Would like modification so subject lands are identified as "Employment Areas" on Schedule 1, and designated as "Prestige Employment" on Schedule 13 and 13-S.</p> | <p>modifications deemed acceptable by the City in consultation with the Toronto and Region Conservation Authority do not require amendment to this Plan.</p> |
| 528YR | <p>DATE: June 30, 2011 RESPONDENT: Jordan Erasmus Infrastructure Ontario LOCATION: Southeast corner of Keele Street and Highway 407</p> | <p>Lands fall within the Parkway Belt West Plan. OPA 450 provides an underlying designation of "Prestige Employment" designates lands as "Parkway Belt West Plan", and requires an OP amendment should lands be removed from PWBWP to any other designation. Removal from PWBWP approval pending from MMAH. The covering staff report also addresses this issue.</p> | <p>No change is recommended until removal from Parkway Belt Plan is confirmed. It is further recommended that once confirmation has been received, that VOP 2010 be modified by designating the subject lands "Employment Area" on Schedule 1 Urban Structure and "Prestige Employment" on Schedules 13 and 13-R Land Use.</p> |
| 534 | <p>DATE: July 15, 2011 RESPONDENT: Rosemarie L. Humphries Humphries Planning Group LOCATION: 7803 & 7815 Dufferin Street</p> | <p>1. The subject lands appear to have no land use designation on Schedule 13-T of the VOP 2010. 2. The proponent is requesting that the subject lands be designated "Low-Rise Mixed-Use", with a minimum height of 4 storeys and density of 1.5 FSI.</p> | <p>1. It is recommended that Schedule 13-T of the VOP 2010 be revised to reflect a "Low-Rise Residential" designation on the subject lands until such time as the Centre Street Gateway Study is completed, and the appropriate land use designation is determined.</p> |

Station Location - Woodbridge

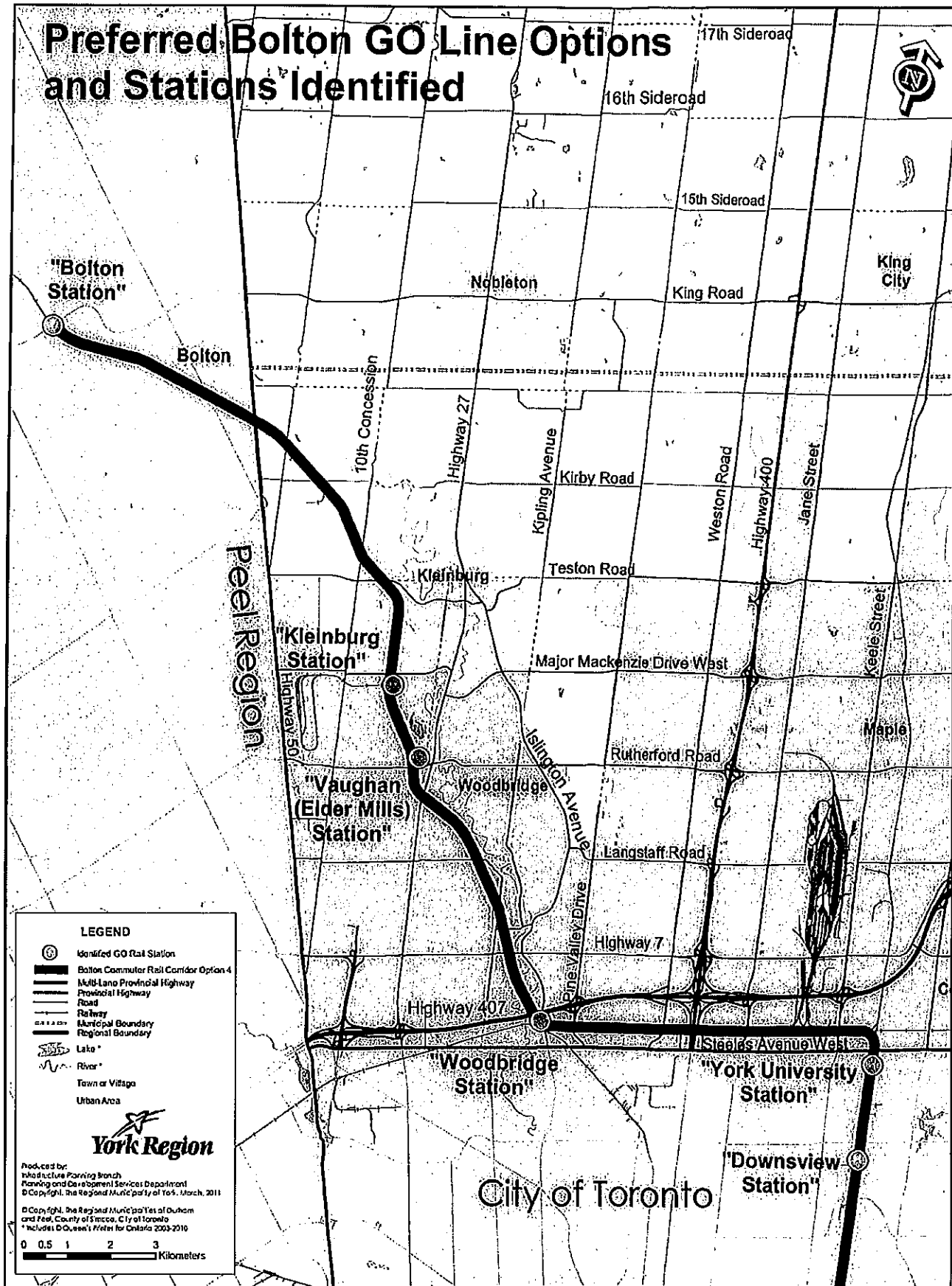
subject lands



Highway 407 Proposed Station Site



Preferred Bolton GO Line Options and Stations Identified



LEGEND

- Identified GO Rail Station
- Bolton Commuter Rail Corridor Option 4
- Multi-Lane Provincial Highway
- Provincial Highway
- Road
- Railway
- Municipal Boundary
- Regional Boundary
- Lake
- River
- Town or Village
- Urban Area

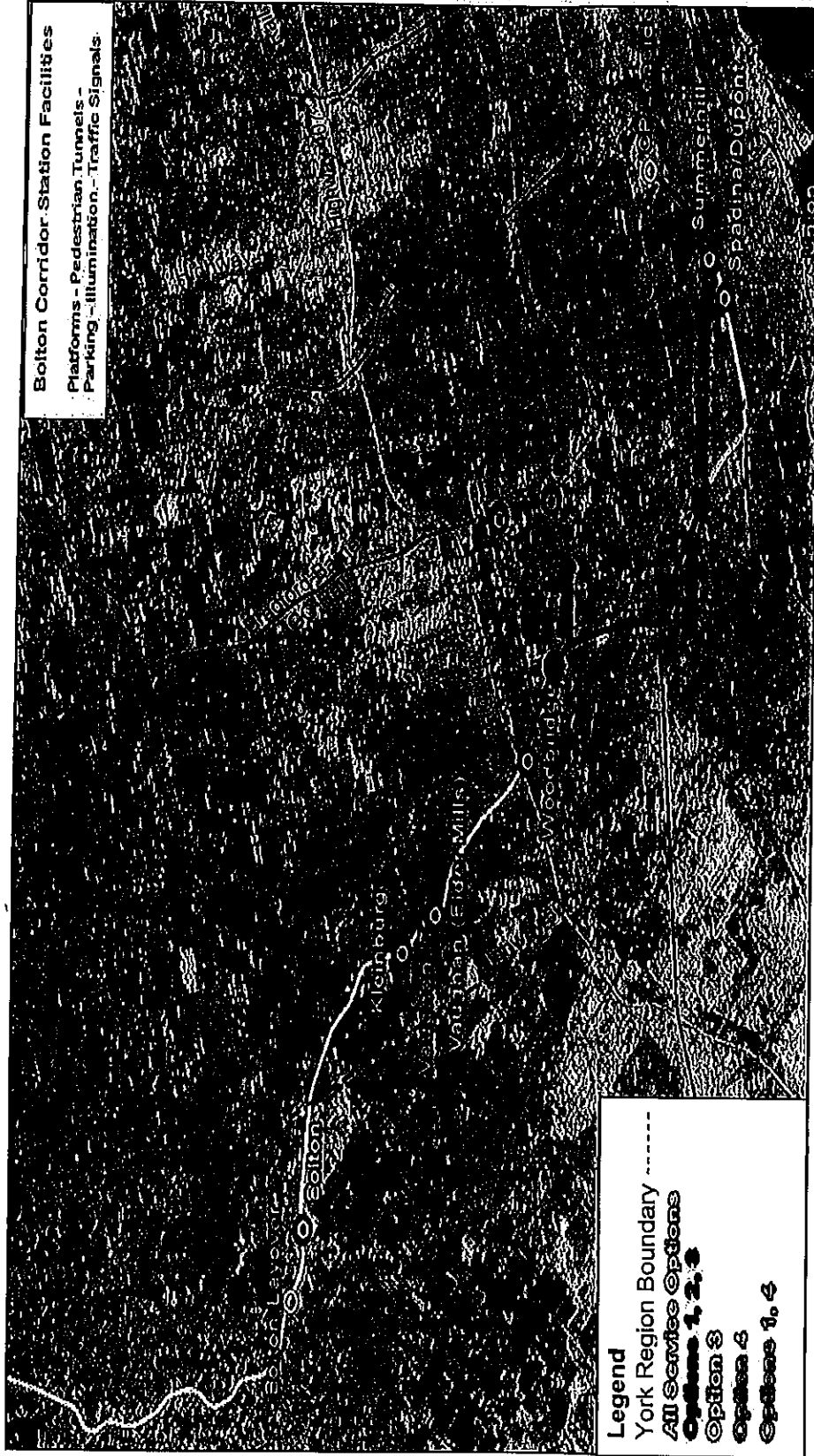


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 Infrastructure Planning Branch
 Planning and Development Services Department
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 * Includes O. Gossel's Plan for Ontario 2003-2010

0 0.5 1 2 3
 Kilometers

Bolton GO Commuter Line Route Options



Oversupply of Intensification Potential is Necessary

Most of the Priority Areas for intensification coincide with parts of the City that already have higher density development permissions and so the bulk of the intensification target can be met without significantly changing policies. However, unlike greenfield development where the total unit build out is known at the early planning stages, there is little such certainty when planning for redevelopment. For this reason a certain oversupply of intensification potential is necessary to allow for the market to select the most desirable of the priority areas. Factors which may impact the rate of intensification uptake include land owner willingness or interest to undertake redevelopment, market upswings/downturns, and ease of land assembly. The theoretical capacity is conservative and does not necessarily represent the maximum or minimum capacity of any given parcel.

From Opportunity Areas to Official Plan Designations

The identification of specific parcels as having intensification potential should not be construed to mean that the existing permissions for development on the lands have or will change. The intensification analysis provides theoretical comfort, based on realistic options, of the capacity of the built-up area to meet the minimum intensification target set by the Region. This analysis will be used to help establish which areas of the City should receive land use designations that are consistent with intensification. In the Official Plan, such designations may be applied to areas generally consistent with the parcels identified here for intensification but may include other similar parcels that were not previously identified as having immediate intensification potential. The designations will also sort the intensification areas and other centres into an appropriate hierarchy.

Additional Development Through Infill

In addition to the parcels identified through the preceding analysis, there may be other sites that over time, may meet the criteria for intensification. The Official Plan will need to include policies to help Council evaluate potential intensification areas as they come forward. Policies will also be developed to monitor the supply of intensification sites over the horizon of the Plan. *Places to Grow* requires that municipalities meet the minimum intensification target for residential growth by the year 2016 and every year thereafter. Coincident with every Provincially mandated five-year review of the Official Plan, the City should review the level of intensification being achieved and compare that to potential supply to ensure both needs and targets are being met.

For the purposes of meeting the spirit of the intensification policies of *Places to Grow*, York Region's prescribed intensification targets for the local municipalities do not include any single-detached or semi-detached units. There will, however, be a certain amount of low-density infill that occurs within the *built boundary* that contributes to meeting the overall demand for new housing units - approximately 100 units per year on average. These units also contribute to creating a more diversified mix of intensification typologies. They will be scattered throughout the built-up area.

It is estimated that approximately 2,000 low-density infill units will be built within the *built boundary*⁵.

Vaughan Tomorrow

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URBAN
STRATEGIES
INC

where & how to grow

Directions on future growth in
the City of Vaughan to 2031

June 2009

recreation, community gardens, other utilities and uses such as parking lots and outdoor storage that are accessory to adjacent land uses, shall be permitted in corridors where they are compatible with surrounding land uses and reviewed/approved by the utility provider.

- 9.2.1.11. Where there is a change in land use designation between lands in an **Employment Area** and any other designation, the existing neighbouring uses will be protected where necessary by the provision of landscaping, buffering or screening devices, and measures to reduce nuisances and, where necessary, by regulations for alleviating adverse effects included but not limited by lighting, noise and truck traffic. Such provisions and regulations shall be applied to the proposed development and, where feasible, shall also be extended to the existing use in order to improve its compatibility with the surrounding area; and/or, In all cases where a proposed development seriously affects the amenity of the surrounding area, consideration shall be given to the possibility of ameliorating such conditions, as a condition of approving an application, especially where public health and welfare are directly affected.

9.2.2 Land Use Designations

It is the policy of Council that:

Low-Rise Residential

- 9.2.2.1. In areas designated on Schedule 13 as **Low-Rise Residential**, the following policies apply:
- a. **Low-Rise Residential** areas be planned to consist of buildings in a low-rise form no greater than three *storeys*.
 - b. The following uses shall be permitted in areas designated as **Low-Rise Residential**, in addition to those uses permitted through policy 9.2.1.8:
 - i. Residential units;
 - ii. *Home Occupations*;
 - iii. Private home day care for a maximum five (5) children; and,
 - iv. *Small scale convenience retail*, provided the use is:
 - A. located on a corner lot where at least one of the sides is on a collector or arterial street as indicated on Schedule 9; and
 - B. a maximum of 185 square metres of gross floor area.

- c. The following Building Types are permitted in areas designated as **Low-Rise Residential**, pursuant to policies in Section 9.2.3 of this Plan:
 - i. Detached House;
 - ii. Semi-Detached House;
 - iii. Townhouse; and,
 - iv. Public and Private Institutional Buildings.

Low-Rise Mixed-Use

9.2.2.2. In areas designated on Schedule 13 as **Low-Rise Mixed-Use**, the following policies shall apply:

- a. **Low-Rise Mixed-Use** areas are generally located on arterial or collector streets. They will allow for an integrated mix of residential, community and small scale *retail* uses intended to serve the local population. These areas will be carefully designed with a high standard of architecture and public realm, and well integrated with adjacent areas.
- b. The following uses shall be permitted in areas designated as **Low-Rise Mixed-Use**, in addition to those uses permitted through policy 9.2.1.8:
 - i. Residential units;
 - ii. *Home Occupations*;
 - iii. Small scale *hotels*;
 - iv. *Retail* uses subject to the policies of Section 5.2.3; and,
 - v. Office uses.
- c. In areas designated as **Low-Rise Mixed-Use** and located in **Intensification Areas** identified on Schedule 1, the ground floor frontage of buildings facing arterial and collector streets shall predominantly consist of *retail* uses or other active uses that animate the street.
- d. In areas designated as **Low-Rise Mixed-Use** and located in **Intensification Areas** the zoning by-law shall require a minimum of 30% of the total gross floor area of all uses on the lot to consist of uses other than *retail* uses.

- e. In areas designated as **Low-Rise Mixed-Use** and located in **Community Areas** identified on Schedule 1, *retail* and office uses will be limited to a maximum of 500 square metres of gross floor area if located on a collector street as indicated on Schedule 9.
- f. The following Building Types are permitted in areas designated as **Low-Rise Mixed-Use**, pursuant to policies in Section 9.2.3 of this Plan:
 - i. Townhouses;
 - ii. Stacked Townhouses;
 - iii. Low-Rise Buildings; and
 - iv. Public and Private Institutional Buildings.

Mid-Rise Residential

9.2.2.3. In areas designated on Schedule 13 as **Mid-Rise Residential**, the following policies apply:

- a. **Mid-Rise Residential** areas are generally located in **Intensification Areas** and shall be planned to consist of primarily residential buildings. They will help achieve the City's population and *intensification* targets by establishing medium intensity housing forms. These areas will be carefully designed with a high standard of architecture and public realm, and well integrated with adjacent areas.
- b. The following uses shall be permitted in areas designated as **Mid-Rise Residential**, in addition to those uses permitted through policy 9.2.1.8:
 - i. Residential units;
 - ii. *Home Occupations*;
 - iii. *Small scale convenience retail*, provided the use is:
 - A. located on a corner lot where at least one of the sides is on a collector or arterial street as indicated on Schedule 9; and
 - B. a maximum of 185 square metres of gross floor area. and,
 - iv. *Community facilities*.
- c. The following Building Types are permitted in areas designated as **Mid-Rise Residential**, pursuant to policies in Section 9.2.3 of this Plan:

- i. Mid-Rise Buildings; and,
 - ii. Public and Private Institutional Buildings.
- d. Within 70 metres of an area designated as **Low-Rise Residential** or on streets that are not arterial streets or major collector streets, the following building types may be permitted, pursuant to policies in Section 9.2.3 of this Plan, in order to provide for an appropriate a transition to the **Low-Rise Residential** area:
- i. Townhouses;
 - ii. Stacked Townhouses; and,
 - iii. Low-Rise Buildings.

Mid-Rise Mixed-Use

- 9.2.2.4. In areas designated on Schedule 13 as **Mid-Rise Mixed-Use**, the following policies shall apply
- a. **Mid-Rise Mixed-Use** areas are generally located in **Intensification Areas** and provide for a mix of residential, *retail*, community and institutional uses. These areas will be carefully designed with a high standard of architecture and public realm, and well integrated with adjacent areas.
 - b. The following uses shall be permitted in areas designated as **Mid-Rise Mixed-Use**, in addition to those uses permitted through policy 9.2.1.8:
 - i. Residential units;
 - ii. *Home Occupations*;
 - iii. *Community facilities*;
 - iv. Cultural uses, including commercial galleries and theatres; and,
 - v. *Retail* uses subject to the policies of Section 5.2.3;
 - vi. Office uses up to a maximum of 7,500 square metres;
 - vii. Parking garage
 - viii. *Hotel*; and,
 - ix. Gas stations, subject to the following criteria:
 - A. the use is located on an arterial street as indicated on Schedule 9;
 - B. the use is limited to one gas station per intersection; and,
 - C. no gas stations shall be permitted at the intersection of two arterial streets as indicated on Schedule 9.

- c. In areas designated as **Mid-Rise Mixed-Use** the ground floor frontage of buildings facing arterial and collector streets shall predominantly consist of *retail* uses or other active uses that animate the street.
- d. In areas designated as **Mid-Rise Mixed-Use** and located in **Intensification Areas** identified on Schedule 1, *retail* uses shall not exceed 50% of the total gross floor area of all uses on the lot.
- e. In areas designated as **Mid-Rise Mixed-Use**, The following Building Types are permitted in areas designated as **Mid-Rise Mixed-Use**, pursuant to policies in Section 9.2.3 of this Plan:
 - i. Mid-Rise Buildings;
 - ii. Public and Private Institutional Buildings; and
 - iii. Gas Stations.
- f. Within 70 metres of an area designated as **Low-Rise Residential** or on streets that are not arterial streets or major collector streets, the following building types may be permitted, pursuant to policies in Section 9.2.3 of this Plan, in order to provide for an appropriate a transition to the **Low-Rise Residential** area:
 - i. Townhouses;
 - ii. Stacked Townhouses; and,
 - iii. Low-Rise Buildings

High-Rise Residential

9.2.2.5. In areas designated on Schedule 13 as **High-Rise Residential**, the following policies apply:

- a. **High-Rise Residential** areas are generally located in **Intensification Areas** and shall consist of primarily residential buildings. These areas will help achieve the City's population and *intensification* targets by establishing higher intensity housing forms. These areas will be carefully designed with a high standard of architecture and public realm, and well integrated with adjacent areas.

- b. The following uses are permitted in areas designated as **High-Rise Residential**, in addition to those uses permitted through policy 9.2.1.8:
 - i. Residential units;
 - ii. *Home Occupations*; and,
 - iii. *Community facilities*.

- c. The following Building Types are permitted in areas designated as **High-Rise Residential**, pursuant to policies in Section 9.2.3 of this Plan:
 - i. High-Rise Buildings;
 - ii. Mid-Rise Buildings; and,
 - iii. Public and Private Institutional Buildings.

- d. Within 70 metres of an area designated as **Low-Rise Residential** or on streets that are not arterial streets or major collector streets, the following building types may be permitted, pursuant to policies in Section 9.2.3 of this Plan, in order to provide for an appropriate a transition to the **Low-Rise Residential** area:
 - i. Townhouses;
 - ii. Stacked Townhouses; and,
 - iii. Low-Rise Buildings.

High-Rise Mixed-Use

9.2.2.6. In areas designated on Schedule 13 as **High-Rise Mixed-Use**, the following policies apply:

- a. **High-Rise Mixed-Use** areas are generally located in *Intensification Areas* and provide for a mix of residential, *retail*, community and institutional uses. These areas will be carefully designed with a high standard of architecture and public realm, and well integrated with adjacent areas.

- b. The following uses are permitted in areas designated as **High-Rise Mixed-Use**, in addition to those uses permitted through policy 9.2.1.8:
 - i. Residential units;
 - ii. *Home Occupations*;
 - iii. *Community facilities*;
 - iv. Cultural uses, including commercial galleries and theatres;

9.2.3 Building Types and Development Criteria

It is the policy of Council that:

Detached Houses and Semi-Detached Houses

9.2.3.1. The following policies and development criteria apply to Detached Houses and Semi-Detached Houses:

- a. A Detached House is a low-rise residential building, up to three storeys in height, situated on a single lot and not attached to any other residential building. A Semi-Detached House is a low-rise residential building, up to three storeys in height, situated on a single lot and attached to no more than one other residential building situated on a separate parcel.
- b. In **Community Areas** with existing development, the scale, massing, setback and orientation of Detached Houses and Semi-Detached Houses will respect and reinforce the scale, massing, setback and orientation of other built and approved Detached Houses and/or Semi-Detached Houses in the immediate area. Variations are permitted for the purposes of minimizing driveways.
- c. In areas of new development, the scale, massing, setback and orientation of Detached Houses and Semi-Detached Houses will be determined through the process of developing and approving Secondary Plans, Block Plans, Plans of Subdivision, Zoning By-laws, and/or urban design guidelines.

Townhouses

9.2.3.2. The following policies and development criteria apply to Townhouses:

- a. A Townhouse is a low-rise residential building, up to three storeys in height, situated on a single parcel and part of a row of at least three but no more than six attached residential units.
- b. In **Community Areas** with existing development, the scale, massing, setback and orientation of Townhouses will respect and reinforce the scale, massing, setback and orientation of other built and approved Townhouses in the immediate area. Variations are permitted for the purposes of minimizing driveways and having front entrances and porches located closer to the street than garages.

- c. In areas of new development, the scale, massing, setback and orientation of Townhouses will be determined through the process of developing and approving Secondary Plans, Block Plans, Plans of Subdivision, Zoning By-laws, and/or urban design guidelines.
- d. Townhouses shall generally front onto a public street. Townhouse blocks not fronting onto a public street are only permitted if the unit(s) flanking a public street provide(s) a front-yard and front-door entrance facing the public street.
- e. The facing distance between blocks of Townhouses that are not separated by a public street should generally be a minimum of 18 metres in order to maximize daylight, enhance landscaping treatments and provide privacy for individual units.

Stacked Townhouses

9.2.3.3. The following policies and development criteria apply to Stacked Townhouses:

- a. Stacked Townhouses are attached low-rise residential houseform buildings comprising of two to four separate residential units stacked on top of each other. Stacked Townhouse units are typically massed to resemble a traditional street Townhouse and each unit is provided direct access to ground level.
- b. Stacked Townhouses shall be a maximum of four storeys in height.
- c. A building containing a row of Stacked Townhouses shall not be longer than 50 metres.
- d. Stacked Townhouses shall generally be oriented to front onto a public street in order to provide front entrances on public streets.
- e. The facing distance between blocks of Stacked Townhouses that are not separated by a public street should generally be a minimum of 18 metres in order to maximize daylight, enhance landscaping treatments and provide privacy for individual units.

Low-Rise Buildings

9.2.3.4. The following policies and development criteria apply to Low-Rise Buildings:

- a. Low-Rise Buildings are generally buildings up to a maximum of five *storeys* in height, and subject to the maximum building height permitted through Policy 9.2.1.4 and Schedule 13.
- b. In order to provide appropriate privacy and daylight/sunlight conditions for any adjacent houseform buildings, Low-Rise Buildings on a lot that abuts the rear yards of a lot with a Detached House, Semi-Detached House or Townhouse shall generally be setback a minimum of 7.5 metres from the property line and shall be contained within a 45 degree angular plane measured from the property line abutting those houseform buildings.
- c. Surface parking is not permitted between the front or side of a Low-Rise Building and a public street. Surface parking elsewhere on a lot with a Low-Rise Building shall generally be setback from any property line by a minimum of three metres and shall be appropriately screened through landscaping. The minimum width of the landscaped area shall be established in the Zoning By-law. All surface parking areas must provide a high level of landscaping treatment and pedestrian pathways and it is encouraged that the grading and landscaping materials for surface parking lots be designed as part of the site's stormwater management system.
- d. The rooftop of Low-Rise Buildings should include landscaped green space, private outdoor amenity space or environmental features such as solar panels.

Mid-Rise Buildings

9.2.3.5. The following policies and development criteria apply to Mid-Rise Buildings:

- a. Mid-Rise Buildings are generally buildings over five *storeys* in height, up to a maximum of twelve *storeys* in height, depending on the height permitted through policy 9.2.1.4 and Schedule 13.
- b. Mid-Rise Buildings over six *storeys* in height shall be designed with a pedestrian-scaled podium. The podium shall generally be between three and six *storeys* in

height. Taller building elements shall generally be set back from the podium by a minimum of three metres along all public street frontages in order to provide an appropriate pedestrian environment and mitigate wind impacts at the street level.

- c. In order to provide appropriate privacy and daylight/sunlight conditions for any adjacent houseform buildings, Mid-Rise Buildings on a lot that abuts the rear yards of a lot with a Detached House, Semi-Detached House or Townhouse shall generally be setback a minimum of 7.5 metres from the property line and shall be contained within a 45 degree angular plane measured from the property line abutting those houseform buildings.
- d. Mid-Rise Buildings should be located and oriented in order to provide sufficient privacy and daylight conditions for the people living and working within them. Primary windows on a facade shall achieve a minimum window separation from other primary windows facades of approximately 20 metres.
- e. Surface parking is not permitted between the front or side of a Mid-Rise Building and a public street. Surface parking elsewhere on a lot with a Mid-Rise Building should be set back from any property line by a minimum of three metres and shall be appropriately screened through landscaping. The maximum width of the landscape buffer will be established in the Zoning By-law. All surface parking areas must provide a high level of landscaping treatment and pedestrian pathways and it is encouraged that the grading and landscaping materials for surface parking lots be designed as part of the site's stormwater management system.
- f. The rooftop of Mid-Rise Buildings should include landscaped green space, private outdoor amenity space or environmental features such as solar panels.

High-Rise Buildings

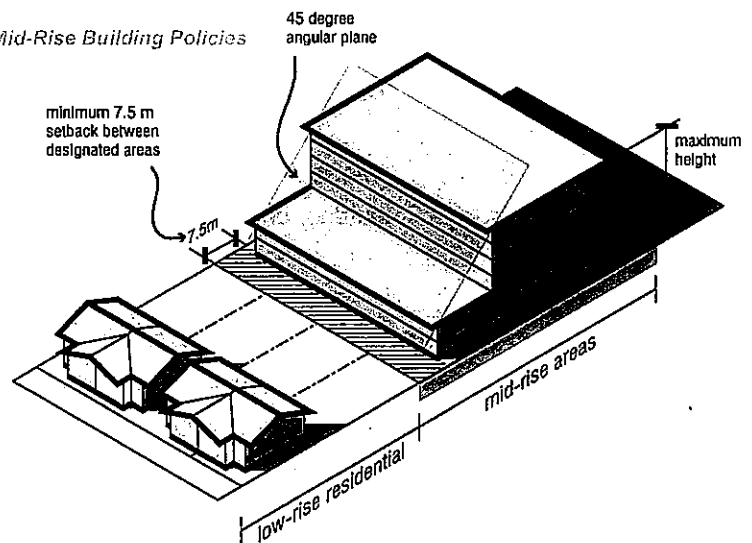
9.2.3.6. The following policies and development criteria apply to High-Rise Buildings:

- a. High-Rise Buildings are generally buildings over twelve *storeys* in height, up to a maximum height as permitted through policy 9.2.1.4 and Schedule 13.

- b. High-Rise Buildings shall be designed with a pedestrian-scaled podium. The podium should generally be between three and six *storeys* in height. Taller building elements should be set back from the podium by a minimum of three metres along all public street frontages in order to provide an appropriate pedestrian environment and mitigate wind impacts at the street level.
- c. In order to provide appropriate privacy and daylight/sunlight conditions for any adjacent houseform buildings, High-Rise Buildings on a lot that abuts the rear yards of a lot with a Detached House, Semi-Detached House or Townhouse shall be setback a minimum of 7.5 metres from the property line, and the first 12 *storeys* of which shall be contained within a 45 degree angular plane measured from the property line abutting those houseform buildings.
- d. In order to provide appropriate privacy and daylight conditions for people living and working within High-Rise Buildings, to minimize shadows created by High-Rise Buildings, and to contribute to overall excellence in the City's urban design, High-

▽ Figure 7

Illustration of Selected Mid-Rise Building Policies



Rise Buildings should be designed as slender towers and spaced appropriately through the following criteria:

- i. the floorplate, measured as the total area contained within the exterior face of a building excluding balconies, for portions of High-Rise Buildings above the twelfth storey generally shall be no greater than 850 square metres, except for High-Rise Buildings containing office uses above the twelfth storey;
 - ii. the portions of High-Rise Buildings above twelve storeys shall be setback a minimum of 15 metres from any property line; and,
 - iii. where more than one High-Rise Building is located on the same lot, the distance between any portions of the High-Rise Buildings above twelve storeys should generally be at least 30 metres.
- e. Surface parking is not permitted between the front or side of a High-Rise Buildings and a public street. Surface parking elsewhere on a lot with a High-Rise Building shall be setback from any property line by a minimum of three metres and shall be appropriately screened through landscaping. Surface parking areas are seen as temporary and therefore all high-rise buildings are required to accommodate a minimum amount of parking within the high-rise structure. A phasing plan to show how the surface parking is to be phased-out overtime, shall be provided. All surface parking areas must provide a high level of landscaping treatment and pedestrian pathways and it is encouraged that the grading and landscaping materials for surface parking lots be designed as part of the site's stormwater management system.
- f. The rooftop of High-Rise Buildings should include landscaped green space, private outdoor amenity space or environmental features such as solar panels. The roof itself should be designed to be of architectural interest and contribute to an interesting skyline and cityscape.

Employment/Industrial Buildings

9.2.3.7. The following policies and development criteria apply to Employment/Industrial Buildings:

- a. Employment/Industrial Buildings are buildings exclusively located within **Employment Areas** and are generally low-rise in form.

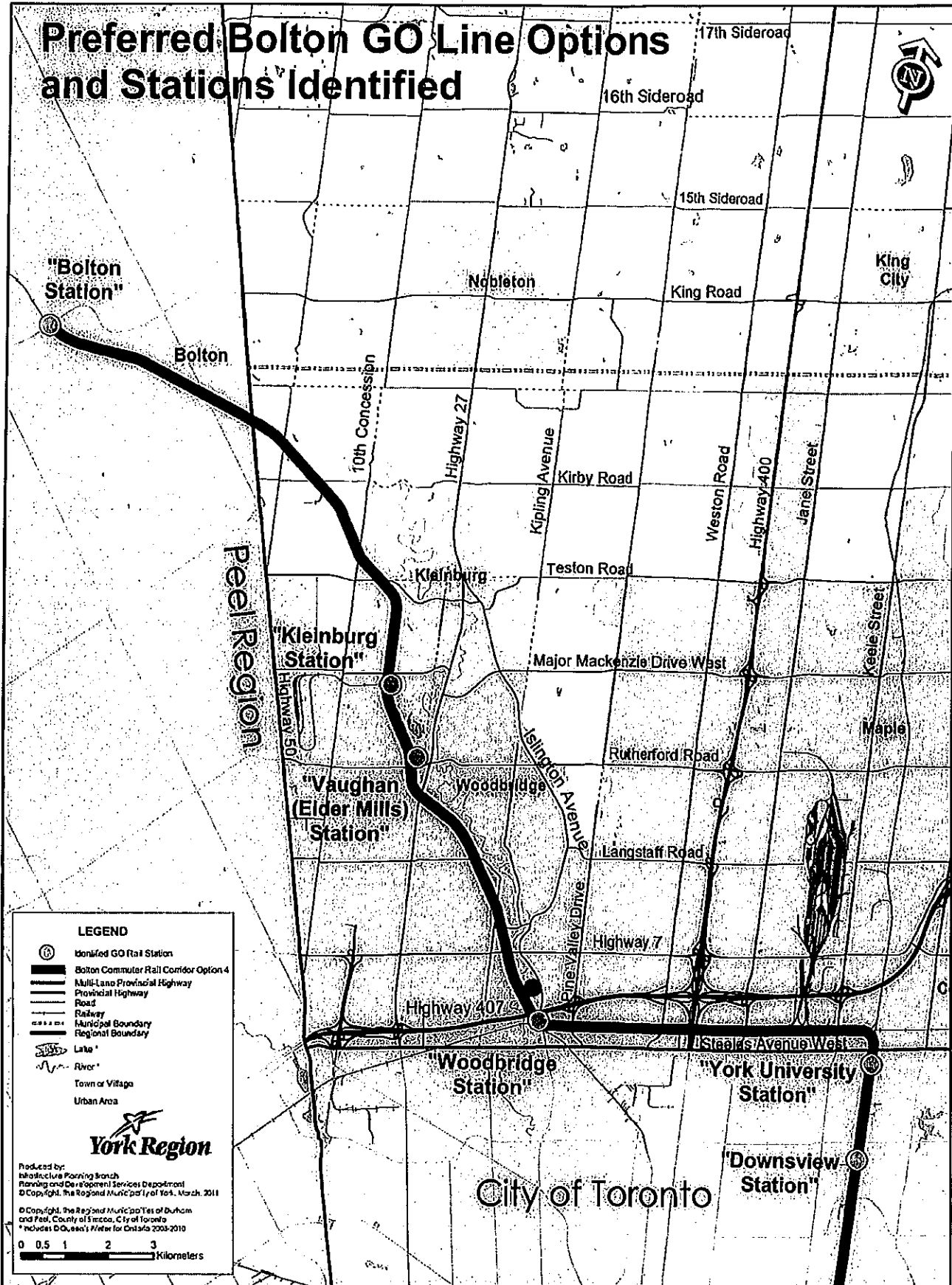
9.2 Land Use Designations and Permitted Buildings Types

9.2.1 General Land Use Policies

This Section includes the land use designations, building typologies and associated schedules that apply across the City. These form the primary mechanisms for achieving the growth management strategy set out in Chapter 2 and the various thematic policies set out in Chapters 3 through 8 of this Plan. They also provide specific direction on how to achieve the various public realm, built form, urban design and sustainable development policies set out in Section 9.1. Together, the policies and schedules in Section 9.2 describe which land uses are permitted in different parts of the City, which types of buildings are appropriate in different areas, set out general or, where indicated, specific height and density permissions and provide for specific development and built form criteria.

It is the policy of Council that:

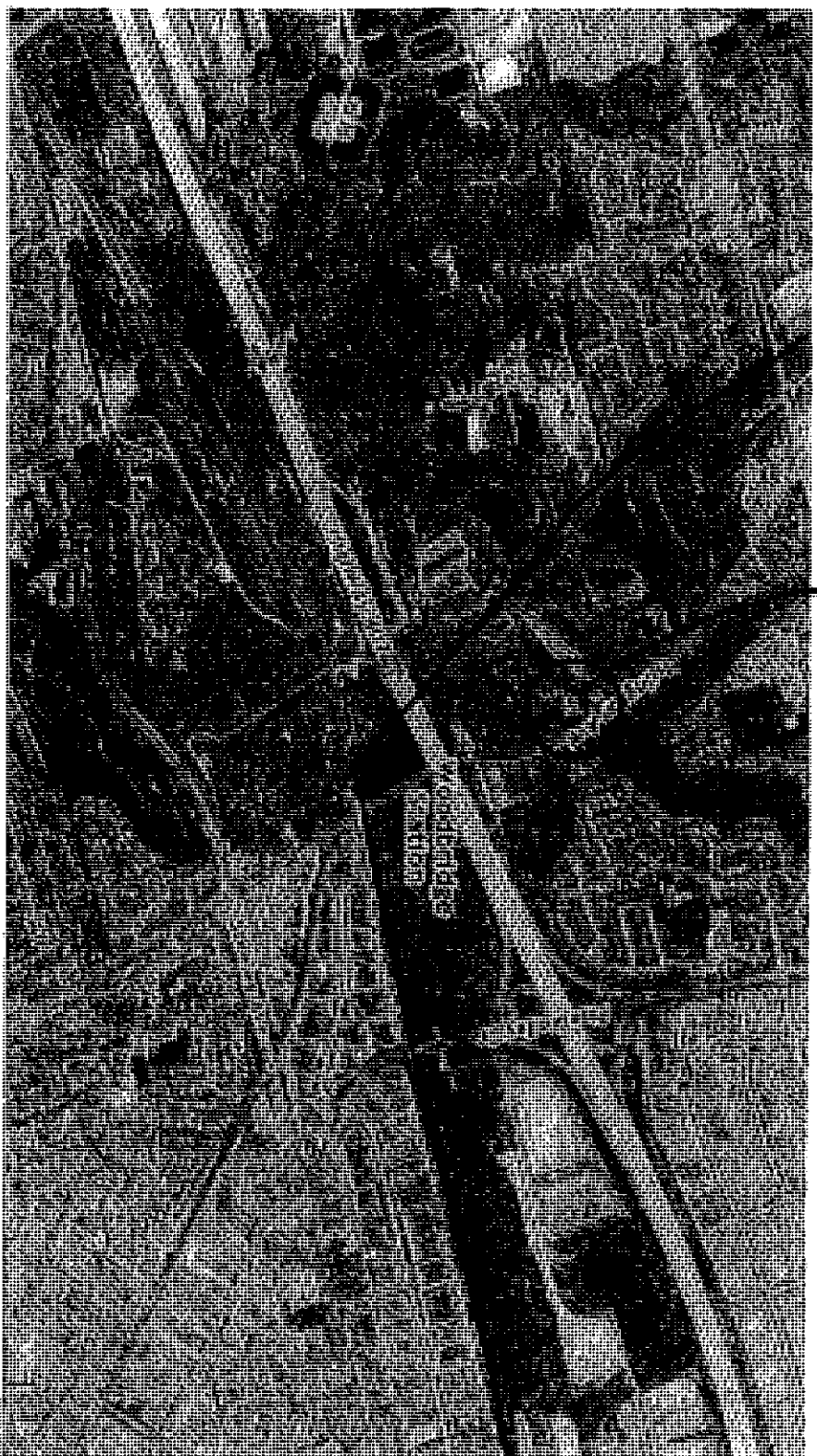
- 9.2.1.1. The use of land and the permitted building types on any property shall be those identified and described by the designations and their applicable policies set out in Section 9.2.2 and shown on Schedule 13. For the purposes of this Plan, references to Schedule 13 include Schedules 13-A through 13-T, inclusive.
- 9.2.1.2. The development criteria for various building types are set out in Section 9.2.3. Any variations from the policies in Section 9.2.3, shall, to the satisfaction of the City, be minor and shall respond to unique conditions or context of a site. Such variations, with the exception of variations to height and or density, will not require an amendment to this Plan provided that they are supported through an Urban Design Brief that has been prepared to the satisfaction of the City. Detailed development standards to implement the policies set out in Section 9.2.3 will be provided through the City's Zoning By-law.
- 9.2.1.3. Any lands shown on Schedule 3 as located within the boundary of the Provincial Oak Ridges Moraine Conservation Plan and Provincial Greenbelt Plan are also subject to the policies of the Provincial Oak Ridges Moraine Conservation Plan and Provincial Greenbelt Plan and, in all instances, the policies of those Plans shall prevail.
- 9.2.1.4. No building or structure shall exceed the height in storeys indicated on Schedule 13 by the number following the letter H.

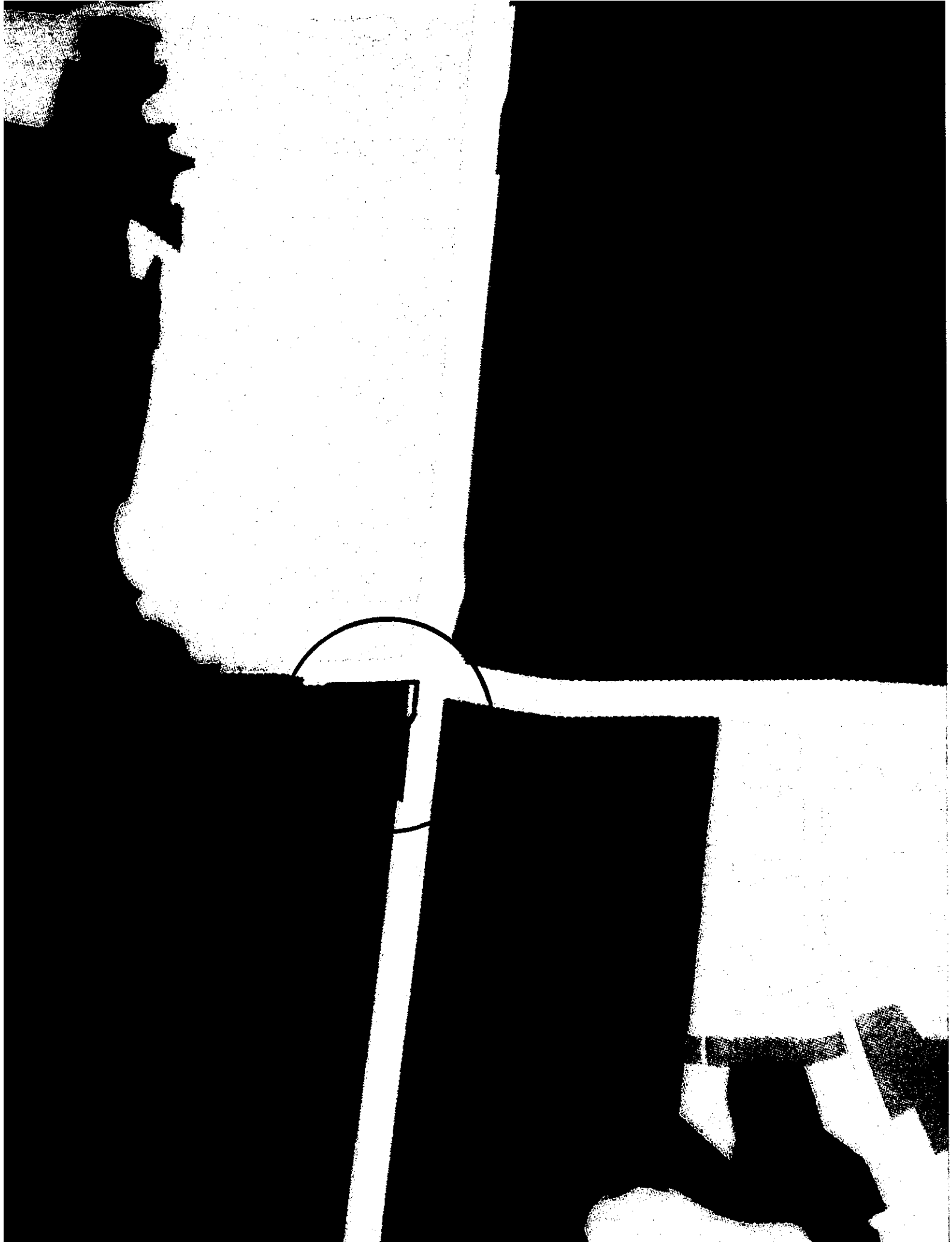


● subject Lands

Station Location - Woodbridge

Subject Lands





○ comparable example (geographic/vocational and policy context)



September 2010

Hardychuk, Gloria

From: Bonsignore, Connie on behalf of Abrams, Jeffrey
Sent: Monday, September 12, 2011 3:26 PM
To: Hardychuk, Gloria
Subject: FW: Proposed Modifications to Vaughan Official Plan (Volume One) File No. OP25.1 - Consideration by Special Committee of the Whole Meeting - September 12, 2011
Attachments: 2011-09-12 LPA letter to the Special Committee of the Whole Meeting on modifications to Official Plan (Volume 1).pdf

| | |
|-------------|----|
| C | 20 |
| Item # | 1 |
| Report No. | 39 |
| SPECIAL CW | |
| Sept. 12/11 | |

From: Victor Labreche [mailto:victor@lpplan.com]
Sent: Monday, September 12, 2011 3:18 PM
To: Bellisario, Adelina
Cc: MacKenzie, John; Birchall, Diana; Chong, Clement; Rossi, Melissa; McQuillin, Roy; Abrams, Jeffrey; 'Ko, Augustine'; Tony Elenis'; 'Brandy Giannetta'; dsim@aw.ca; paul.hewer@ca.mcd.com; smejkal_leslie@timhortons.com; rosales_susan@timhortons.com; Susan_Towle@Wendys.com; 'Polowin, Michael'; Sandy@lpplan.com
Subject: Proposed Modifications to Vaughan Official Plan (Volume One) File No. OP25.1 - Consideration by Special Committee of the Whole Meeting - September 12, 2011

Dear Ms. Bellisario,

Please accept the attached letter as our written submission comments on the above noted matter for consideration at the Special Committee of the Whole Meeting tonight on the above subject matter.

At your earliest opportunity, please confirm your receipt of this email and the attached letter.

Thank you,

Victor Labreche, MCIP, RPP
Senior Principal

Labreche Patterson & Associates Inc.
Professional Planners, Development Consultants, Project Managers
 330 Trillium Drive
 Unit A1
 Kitchener, Ontario
 N2E 3J2
 Phone - (519) 896-5955

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Labreche Patterson & Associates Inc.

Professional Planners, Development Consultants, Project Managers

VIA E-MAIL (adelina@bellisario@vaughan.ca)

Our File: P-375-09 L

September 12, 2011

Ms. Adelina Bellisario
Assistant City Clerk
City of Vaughan
Clerks Department
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

Dear Ms. Bellisario:

**Re: Modifications to the Vaughan Official Plan 2010 (Volume 1) Official Plan Review –
File Number OP.25.1**

We are responding to the City of Vaughan's notice of a Special Committee of the Whole Meeting to be held this evening at 7pm to consider the related Planning Department Recommendation Report containing recommendations to certain proposed modifications to the previously adopted new Official Plan (Volume 1) for the City of Vaughan following review of this document by the Region of Peel. Please accept this as our written submission on this matter and we would ask that you please provide this to the Committee of the Whole in advance of their meeting tonight for its consideration.

As noted in our previous written submissions and delegation comments on this subject, we represent A & W Food Services of Canada Inc., McDonald's Restaurants of Canada Ltd., the TDL Group Corp. (operators and licensors of Tim Hortons Restaurants), and Wendy's Restaurants of Canada Inc. as well as their industry group association being the Ontario Restaurant Hotel and Motel Association (ORHMA). We have provided three previous written submissions to the City of Vaughan leading up to the City's adoption of Volume One and Two of the adopted Official Plan as well as provided delegation comments to Committee and Council on two previous occasions prior to the adoption of the new Official Plan. Our previous letter of our primary comments on Volume One on behalf of our clients is attached hereto dated May 17, 2010 for your reference. We also met with senior planning staff on two previous occasions on February 18, 2010 and June 24, 2010 to discuss our concerns and objections to the draft Official Plan prior to its adoption.

As some background to this, we wish to note that the ORHMA is Canada's largest provincial hospitality industry association. Representing over 11,000 business establishments throughout Ontario, its members cover the full spectrum of food service and accommodation establishments and they work closely with its members in the quick service restaurant industry on matters related to drive-through review, regulations, and guidelines. Along with its members

and the assistance of Labreche Patterson & Associates Inc., the ORHMA has a strong record of working collaboratively with municipalities throughout the province to develop mutually satisfactory regulations and guidelines that are fair and balanced in its approach and implementation for new drive-through facilities (DTF) proposed within any given municipality. These planning based solutions are most often specific urban design guidelines for drive-through facilities and may include specific zoning by-law regulations that typically relate to minimum stacking/queuing requirements amongst other things and not Official Plan or Secondary Plan based prohibitions as the current Planning Department staff report is still suggesting.

Much of our previous written submission and delegation comments to the City on this matter centred on the fact that significant case law exists to indicate that any prohibition of uses, including DTF is not appropriate, justified or necessary at the level of an Official Plan. Please see the attached letter from Michael Polowin of Gowlings dated July 26, 2010 on this topic.

In addition to the significant case law, as we previously noted, on a planning basis, it is clearly a contradiction and not justified nor reasonable to prohibit DTF. DTF are not destination uses but rather rely on existing large volumes of vehicles already traveling on busy roads (often termed pass-by traffic) for the vast majority of their customers. Destination uses such as large format retail, plazas, and supermarkets, will otherwise be permitted by the Official Plan and not specifically prohibited in the Official Plan. These destination uses result in the vast majority of traffic, all with large required parking lots, **not drive-through facilities**. We question why these destination uses and their large parking lots remain unregulated, while DTF are to be prohibited in all Intensification Areas being the "Vaughan Metropolitan Centre", the "Primary Centres", the "Primary Intensification Corridors" and "Local Centres". In spite of our requests to be provided with them, neither specific nor appropriate study nor justification has been provided in the current or previous staff reports on the new Official Plan explaining the rationale for the prohibitions on drive-through development. To the best of our knowledge, we are not aware that any such studies has ever been completed which we have previously asked be provided to us.

Our previous May 17, 2011 letter objected to the wording of policies 5.2.3 and 5.2.3.7. It is proposed in the current staff recommendation report for modifications to Volume One of the new Official Plan that only one of the two policy sections we previously objected to be modified, being only policy 5.2.3.7. Both of these previously adopted sections, to which we objected, are attached for your reference. Based on our latest review of the modification recommendations, we still object to policy 5.2.3, specifically the comments in the last paragraph which contain unjustified comments that DTF can have "*significant impact on the urban fabric, streetscape and residential environmental quality of life*". Further, it states that DTF "*should not be permitted within areas where a pedestrian-friendly character needs to be protected and enhanced, such as the **Intensification Areas** and Heritage Conservation Districts.*" With regard to the first italicized comment above, again no appropriate study has been completed in Vaughan to the best of our knowledge to support and justify this comment. Regarding the second italicized comment, this is not acceptable as it basically prohibits DTF based in the noted areas at the level of the Official Plan which ignores our previous written and delegation comments and the case law on this matter.

With regard to the proposed modifications to policy 5.2.3.7, while we recognize that the specific reference to a prohibition of DTF in all Intensification Areas, except in Primary Intensification Corridors that are not Regional Corridors as Identified on Schedule 1, have been removed, the prohibition intent still remains in the modified policy 5.2.3.7. It clearly exists as this modified policy states that "*Secondary Plans (which have the same status as Official Plan documents),*

Heritage Conservation District Plans and implementing zoning by-laws shall provide policies, standards and restrictions to further regulate the use and development of auto-oriented uses." This wording clearly leaves it open to future prohibition of DTF at the level of the Official Plan/Secondary Plans which again disregards our previous submissions and the case law on this matter. Further, it is necessary to have the indented geographical areas of "restrictions" identified to us now in order for us to properly and fairly access the impact of this modified policy; however these geographic areas have not been identified.

With regard to the specific comments noted on pages 17 and 18 of the staff recommendation report, under the heading (p) "*Regulations of Automobile Oriented Uses: Gas Station and Drive-through Facilities*", most of the comments by staff are simply not correct, justified or based on facts. Within the first paragraph under this heading, it is stated that "*municipalities have legitimate concerns in regard to the siting and design of these uses as they can often conflict with other goals, particularly in Vaughan , which has a higher number of these uses compared to other municipalities.*" We question why the City is commenting on other municipalities or how this is relevant or fact based. Also, we know, in fact, that Vaughan does not have a proportionally higher number of these facilities compared to other similar sized municipalities.

The particular comment that DTF have the potential to conflict with the Places to Grow policy document of the province is simply wrong. In related OMB cases, it has been found that DTF are transit neutral and represent a more efficient and compact form of development than the alternative which are similar restaurants that rely solely on related parking lots for its customers and business. Further, the OMB has recognized reductions in parking requirements for restaurant locations in municipal Zoning By-laws when a DTF is present as an additional service option. This coupled with the ability to operate of more efficient and effective restaurant operation being able to serve more customers, permits the overall restaurant facility/building to be of a smaller size and required parking/asphalt areas to be reduced which cumulatively contribute to smaller sites being required being more compact and efficient in its operations. This directly supports the growth plan more than the alternative which again are restaurants relying only on parking areas for its business.

Based on the foregoing, we request that the Committee's consideration of the current suggested modifications to Volume One of the Official Plan be deferred to allow us an opportunity to meet with the City of Vaughan Planning staff to address our concerns and objections. The current suggested modifications still clearly suggest that an Official Plan/Secondary Plans based prohibition will be implemented in Vaughan, which again are not addressing or in keeping with our previous comments, and the related case law.

We thank the City for its consideration to our comments and look forward to working with City and Region of York staff over the coming weeks to mutually resolve our objections. Please continue to keep us on the notification list for this matter and please send us any notice of City of Vaughan Committee of the Whole and City Council decisions on this matter.

Yours truly,
Labreche Patterson & Associates Inc.


Victor Labreche, MCIP, RPP
Senior Principal

VL

Attach.

Copy: John MacKenzie, Commissioner of Planning, City of Vaughan
(via e-mail: john.mackenzie@vaughan.ca)

Diana Birchall, Director of Policy Planning, City of Vaughan
(via e-mail: diana.birchall@vaughan.ca)

Clement Chong, Policy Planner, City of Vaughan
(via e-mail: clement.chong@vaughan.ca)

Melissa Rossi, Policy Planner, City of Vaughan
(via e-mail: melissa.rossi@vaughan.ca)

Augustine Ko, Senior Planner, Region of York
(via e-mail: augustine.ko@york.ca)

Tony Elenis, President and CEO – ORHMA
(via e-mail: telenis@orhma.com)

Brandy Giannetta, ORHMA
(via e-mail: bgiannetta@orhma.com)

Darren Sim, A&W Food Services of Canada Inc.
(via e-mail: dsim@aw.com)

Paul Hewer, McDonald's Restaurants of Canada Limited
(via e-mail: paul.hewer@ca.mcd.com)

Leslie Smejkal, The TDL Group Corp.
(via e-mail: smejkal_leslie@timhortons.com)

Susan Rosales, The TDL Group Corp.
(via e-mail: rosales_susan@timhorton.com)

Susan Towle, Wendy's Restaurants of Canada, Inc.
(via e-mail: susan_towle@wendys.com)

Michael Polowin, Gowling Laffeur Henderson LLP
(via e-mail: michael.polowin@gowling.com)



Labreche Patterson & Associates Inc.

Professional Planners, Development Consultants, Project Managers

May 17, 2010

(E-mailed: rose.magnifico@vaughan.ca)

City of Vaughan
Clerks Department
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1
Attention: Rose Magnifico, Assistant City Clerk

Dear Ms. Magnifico:

Re: Vaughan's Proposed New Official Plan – file number OP.25.1- May 17, 2010, Report # P.2010.23

We are responding to the City of Vaughan's notice relative to the statutory public meeting for the above noted subject matter to be held on May 17, 2010 at 6:00 p.m., Council Chambers. Please accept this as our written submission on this matter and we would ask that you please provide this to the Committee of the Whole in advance of their meeting tonight for their consideration.

Please be advised that we represent the member brands being A & W Food Services of Canada Inc., McDonald's Restaurants of Canada Ltd., the TDL Group Corp. (operators and licensors of Tim Hortons Restaurants), and Wendy's Restaurants of Canada Inc. as well as their industry group association being the Ontario Restaurant Hotel and Motel Association (ORHMA). We are providing this written submission to you on behalf of our clients after having reviewed the proposed new draft official plan for the City of Vaughan and wish to note the following.

As some background to this, we wish to note that the ORHMA is Canada's largest provincial hospitality industry association. Representing over 11,000 business establishments throughout Ontario, its members cover the full spectrum of food service and accommodation establishments and they work closely with its members in the quick service restaurant industry on matters related to drive-through review, regulations, and guidelines. Along with its members and the assistance of Labreche Patterson & Associates Inc., the ORHMA has a strong record of working collaboratively with municipalities throughout the province to develop mutually satisfactory regulations and guidelines that are fair and balanced in its approach and implementation for new drive-through facilities proposed within any given municipality. These planning based solutions are most often specific urban design guidelines for drive-through facilities and may include specific zoning by-law regulations that typically relate to minimum stacking/queuing requirements amongst other things.

We together with the ORHMA and the noted brands above had one previous meeting with senior staff of the Planning Department this past February following their report to the Committee of the Whole in January. A representative from the ORHMA and Tim Hortons also provided delegation comments to the Committee of the Whole at its January 25, 2010 meeting. The previous report titled "City of

Vaughan Improvement and Potential Regulation of Drive-Through Facilities" (File 15.109) recommended certain proposed official plan amendments, proposed zoning by-law amendments, and draft design guidelines for drive-through facilities. The actual proposed official plan amendments is what we are commenting on in this letter as the actual amendments are now detailed in the above noted subject report. We understand that further consultation and review time will pertain to the actual proposed zoning regulations and design guidelines and we will continue to consult with planning staff on those items.

Regarding the specific recommended Official Plan based policies proposed by planning staff in report P.2010.23, the ORHMA and the noted member brands have recently requested that we review the proposed new official plan for the City of Vaughan to determine if any proposed amendments would apply to its existing drive-through facility locations as well as areas of the City.

Zoning based regulations and specific urban design guidelines for drive-through facilities are common throughout Ontario. It is important to note for your consideration that the implementation of Official Plan based policies that specifically prohibit drive-through facilities in areas that would otherwise permit service retail commercial uses, large format retail uses, plazas and supermarkets, which are considered destination oriented uses and accompanying expansive surface parking lots is **not a common or appropriate form of regulation applied to drive-through facilities in Ontario**. In fact, the Ontario Municipal Board has recently noted in a case regarding the new official plan for the City of Ottawa that *"the proper approach for controlling these is the one adopted by the City of Toronto, which prohibits these facilities through its zoning by-law and not in its Official Plan. Official Plans do not need to be prescriptive like zoning by-laws."* This is an approach repeated in almost every case, both at the Ontario Municipal Board and in the Courts, relative to Official Plan prohibitions on specific uses.

Further, based on the above comments, it would be a contradiction to prohibit a drive-through use, which is not a destination use but rather it relies on existing large volumes of vehicles already traveling on busy roads (often termed pass-by traffic) for the vast majority of its customers in the same areas that large format retail, plazas, and supermarkets, etc. would otherwise be permitted by the draft Official Plan. These destination uses contribute the vast majority of traffic, all with large required parking lots, **not drive-through facilities**. We question what is the difference between these destination uses and their large parking lots compared to drive-through facilities to the point that drive-throughs are to be prohibited in all Intensification Areas being the "Vaughan Metropolitan Centre", the "Primary Centres", the "Primary Intensification Corridors" and "Local Centres" but there is very little, if any, restrictions placed on these other noted permitted destination uses in the same areas. In this regard, we ask "what is the problem with drive-throughs that can't be addressed by the zoning by-law and by urban design guidelines specific to the use." No specific justification is provided in staff's report explaining the rationale for the restrictions on drive-through development.

Referring again to the Ottawa Official Plan decision, the Board in that case decided that:

"The Board agrees that the policy as it exists gives no consideration to the possibility of minimizing any possible effect on the pedestrian environment through design for the unique characteristics of specific locations and that there are a number of ways to develop drive-through facilities on "Traditional Mainstreets", while protecting and enhancing the pedestrian environment. The evidence proffered by the appellant shows that drive-through facilities in appropriate circumstances, can be designed to have minimal effect on traffic and the pedestrian environment."

The result of that decision was language in the OP that while discouraging drive-through facilities on Traditional Mainstreets, still allowed for their establishment if the policies of the OP that pertained to those streets could otherwise be maintained. This solution has now been followed in London, Kingston, and more recently in the downtown core of Ottawa. In other

words, it may be appropriate to have additional specific policies for drive-through facilities for certain areas of a city but outright prohibition in areas where otherwise very similar uses are permitted are not justified. We are aware of other related case law on this matter and we will send you these case references under separate cover letter.

Based on the above-noted commentary, it is our submission that official plan prohibition policies for drive-through facilities are not appropriate or necessary at the level of an official plan. We believe that at the basis of these rulings is the fact that drive-throughs locate in existing areas of any City that are already designated for service, large format, and destination oriented retail commercial land uses all of which rely on vehicular and pedestrian access already coming to and accommodated in the area by associated parking lots. As such, the only unique feature of a drive-through in these pre-determined commercial areas is the drive-through stacking or queuing lane. The drive-through facility and stacking is a detail which can clearly be regulated through the zoning by-law and/or urban design guidelines and under the municipal powers of Site Plan Control. Therefore, prohibition based policies at the level of an official plan is not warranted.

We wish to note, contrary to many of the comments made in the previous staff report in January 2010, under the heading "Contributions to Sustainability" and also comments contained in the current report to be considered by Committee on May 17, 2010, drive-through facilities do contribute to sustainability goals of the "Green Directions Vaughan, the City's Sustainability and Environmental Masterplan" to a greater extent than the alternative which are parking lots. Based on our experience and related traffic and environmental impact studies of drive-through uses completed by others, the only other alternative to a drive-through for a restaurant use is larger parking lots to be able to accommodate the same number of vehicles coming to these restaurants that would otherwise be split between the parking lot service option or using the drive-through option. Larger parking lots are needed if the drive-through didn't exist which leads to more asphalt heating, larger storm water management facilities, larger buildings to accommodate more people internal to these buildings, and larger HVAC units for these larger buildings all equating to a larger demand on the energy/hydro grid system. Further, based on related traffic studies and again in the City of Ottawa, the Ottawa Zoning By-law provides for a 20% reduction in the required number of parking spaces that applies to a restaurant when a drive-through service option is available with the restaurant. We are also aware that the City of Winnipeg provides for up to a 50% reduction in the same situation.

Furthermore, drive-throughs continue to be an ancillary use to the restaurant. In other words, the restaurant must be present in order for a drive-through to exist. Adding a drive-through is complementary to the restaurant use by lowering in-store demand which in turn helps in-store service and overall operating efficiencies of the restaurant.

In addition, and as previously supplied to planning staff, a study was completed by RWDI Environmental Inc. on behalf of The TDL Group which compares the related emissions generated by vehicles that use the parking lot with those that use the combined drive-through service lane/parking lot during peak times in the morning rush hours. It was found that vehicles choosing the combined drive-through/parking lot services within the study period did not create more overall emissions than vehicles that would use the parking lot and often the overall emissions were less for vehicles using the combined drive-through/parking option. As a result of start up emissions, the parked car scenario creates somewhat higher overall emissions than if that car was to otherwise use the drive-through for service. It is important to note that the RWDI study has been peer reviewed and accepted by Dr. Deniz Karman, PHD, P.Eng, Professor of Environmental Engineering, Carlton University.

Further, we also wish to note that of the existing 38 locations of the above noted brands, 23 are currently located within the identified "Intensification Areas" that propose to not permit a drive-through as a permitted use per the current draft of the new Official Plan. We object to these designations and we would object to these locations becoming Legal Non-conforming within in any future zoning by-law

amendment pertaining to these existing locations as a result of any future approval of an implementing Zoning By-law for these locations. It is important to note that the vast majority of these existing locations are located on designated "Arterial Streets" which are identified as carrying large volumes of traffic. Arterial Streets are one street network category below "Provincial Highways" in the draft Official Plan.

In addition to our above noted concerns and objections to various comments and recommendations for the proposed new Official Plan, we wish to note the following specific objections to certain proposed policies of the Official Plan:


Policy 5.2.3 – "Supporting and Transforming the Retail Sector" – last paragraph of this policy: Firstly we object to the first sentence in this paragraph that states "*The issue of drive-through retail uses has undergone considerable study in Vaughan*". We are not aware of any specific study that the city has done relative to drive-through uses, and if there is one completed in Vaughan, we request that it be provided to us as soon as possible. We are aware of previous city staff reports related to drive-throughs, namely a report presented to the Committee of the Whole on January 25, 2010 – File 15.109. This report contains only personal opinion and anecdotal statements about drive-throughs that are not substantiated by any appropriate level of study to justify the comments contained in that previous report. Also, there is a chart contained in that report titled "Table 1: Drive-through Policies of Other Cities in the Greater Toronto Area and Beyond". We previously noted to city staff that this table/chart comparison contains many errors and therefore, cannot be relied on. In addition, to simply compare what other cities may have in place for drive-through regulations does not constitute a study.

Policy 5.2.3.7: We request that the second sentence in this policy referencing the prohibition of drive-through facilities in Intensification Areas and Heritage Districts be deleted. In lieu of a specific noted prohibition in the Intensification Area and Heritage Districts and in keeping with the above noted OMB decision in Ottawa, specific "performance standard" type policies should be considered to achieve certain urban design objectives pertaining to specific required built form policies. The policy framework for drive-throughs should be similar to policies that apply to surface parking lots in "Intensification Areas" and "Heritage Areas" as noted in policy 9.1.2.5 (f) "ensuring any surface parking areas are buffered and screened from all property lines through the use of setbacks and landscaping."

We understand that five focused area secondary plans are proposed to go forward to a Public Hearing on June 14, 2010. We would like to note that this process should be delayed if they contain similar policies with respect to drive-through facilities to that of the overall Official Plan so that the related items are considered comprehensively.

Based on the foregoing, we request an opportunity to meet with the appropriate planning staff at their earliest opportunity to discuss our objections to the current draft of the official plan and its specific prohibition of drive-through facilities. We thank the city for its consideration to our comments and look forward to working with city staff over the coming weeks to mutually resolve concerns.

Yours truly,
Labreche Patterson & Associates Inc.


Victor Labreche, MCIP, RPP
Senior Principal

VL/sl

Copy: Tony Elenis (via e-mail: telenis@orhma.com)
President and CEO – ORHMA

Peter Adams (via e-mail: padams@orhma.com)
ORHMA

Michelle Saunders (via e-mail: msaunders@orhma.com)
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Maurice Luchich (via e-mail: luchich@timhorton.com)
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Susan Towle (via e-mail: susan_towle@wendys.com)
Wendy's Restaurants of Canada, Inc.

Michael Polowin (via e-mail: michael.polowin@gowlings.com)
Gowling Lafleur Henderson LLP

John Zipay (via e-mail: john.zipay@vaughan.ca)
Commissioner of Planning, City of Vaughan

Diana Birchall (via e-mail: diana.birchall@vaughan.ca)
Director of Policy Planning



montréal • ottawa • toronto • hamilton • waterloo region • calgary • vancouver • moscow • london

July 26, 2010

VIA E-MAIL

City of Vaughan
2141 Major MacKenzie Drive
Vaughan, ON
L6A 1T1

Michael S. Polowin
Direct 813-786-0168
Direct Fax 813-786-3485
michael.polowin@gowlings.com

Attention: Mayor Linda D. Jackson

Dear Mayor Jackson:

**Re: City of Vaughan Proposed New Official Plan Volumes 1 and 2, and existing
Secondary Plan policies and Site and Area Specific Policies**

We are the solicitors for A&W Food Services of Canada Inc., McDonald's Restaurants of Canada Limited, the TDL Group Corp. (operators and licensors of Tim Horton Restaurants) and Wendy's Restaurants of Canada, as well as their industry association, Ontario Restaurant Hotel & Motel Association (ORHMA). We write to you today in advance of the Committee of the Whole Public Meeting on this subject, to be held on July 28, 2010.

As outlined in letters to Vaughan staff from the planning firm of Labreche Patterson, dated May 17, 2010, June 14, 2010, and July 8, 2010, our clients have concerns about the new Official Plan of the City of Vaughan and some associated planning documents, including the existing Secondary Plans, to the extent that they seek to prohibit drive-through facilities ("DTF") as a use in areas of the City. We do acknowledge that with the recent report of staff prepared for the July 28 meeting, that the position on this issue recommended to Council has improved somewhat, but it is our client's view that the current recommendations do not accord with the law, the facts, or the science of DTF.

We acknowledge and support the concepts of community sustainability that underpin Green Directions Vaughan, and indeed underpin the Provincial Policy Statement and much of your proposed Official Plan. It is simply that facts and science do not support the conclusions reached, or indeed leapt to, about DTF.

We have recently provided studies to staff that prove that DTF are more environmentally sustainable in terms of air quality than are the alternative, being restaurants only with parking lots. Additionally, we have provided staff with a study demonstrating how DTF can promote intensification of land use and reduction of sprawl, as compared to the same alternative. These studies have now been accepted in cities such as Ottawa, Kingston, Whitchurch-Stouffville and London, all resulting in changes to proposed Official Plans and/or zoning bylaws.

gowlings

We have also long-since provided to staff decisions of the Board that acknowledge, contrary to the latest staff report, that DTF are transit-neutral, and that DTF do not promote automobile use. The evidence, accepted repeatedly by the Board, is that DTF rely for business on pass-by traffic, and effectively create little or no destination traffic. As such, DTF do not put people in cars or take them out of mass transit or other forms of non-automobile transit, such as foot or bicycle traffic. The same cannot be said, interestingly, for restaurants with parking lots alone.

In a similar case in Ottawa, dealing with OP level prohibitions of DTF, the Board said:

"that drive-through trips are not typically destination trips, but rather, are drawn from pass by traffic that is already on the road such as driving to a commuter transit station irrespective of the drive-through use being there, hence, drive-throughs do not promote auto dependency, and furthermore, that drive-through facilities reduce the parking requirements for a quick service restaurant."

In terms of the law, we have long since provided to staff decisions ranging from the Ontario Municipal Board, to and including the Supreme Court of Canada going to the point that Official Plans are not to be used to prohibit uses. In addition, there is a plethora of case law that goes to the point that to accomplish prohibitions of this kind, that there is a duty upon municipalities to engage in a fulsome study of the issues surrounding the use. No such study has taken place in Vaughan.

The Committee of the Whole Report, "City of Vaughan Improvement and Potential Regulation of Drive-Through Facilities", dated January 25, 2010, does not nearly rise to the standard expected either by the Ontario Municipal Board, or the Courts.

The recommendations of staff are internally contradictory, in that they allow gas stations and car washes in areas where DTF are prohibited. Surely, these uses are at least as much automobile related uses as is a DTF, and we would argue, much more so. In addition, gasoline stations bring with them environmental issues never raised by DTF.

In summary then, it is our client's view that DTF, as compared to parking lots (which are not proposed to be stringently regulated under the proposed OP), are more consistent with the aims of both the proposed new Official Plan (Vols. 1 and 2 and existing Secondary Plans), and the Provincial Policy Statement ("PPS"), in that among other things, they promote environmental sustainability, and maximize the efficient use of land, and are neutral with respect to establishing alternatives to automobile use, and promoting transit use, whereas parking lots have a negative effect on all of these aims.

We therefore urge Committee and Council to refrain from passing those portions of the OP that seek to prohibit DTF. Further, we strongly suggest that any and all existing prohibitions that exists in existing Secondary Plans, site and area specific policies, which are proposed to be amended as part of "Volume 2" of the proposed new Official Plan be removed. The

gowlings

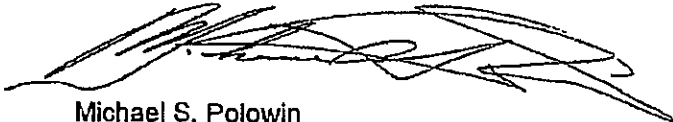
removal of the existing DT prohibition would be more in keeping with the PPS and other policies of the draft OP related to intensity of land uses and environmental sustainability than would the alternative being larger parking lots in the same areas DT are prohibited. As you may be aware, the OMB has recently ruled that in a statutory 5 year review of Official Plans, there is a duty to bring them into accord with the PPS. To the extent our arguments on compliance, as outlined above are accepted, there will be a duty to amend the Secondary Plans and area specific policies accordingly.

Therefore, we urge you to set these items aside, and to deal with them outside of the full OP review at some point in the future, and in the interim, our clients would be pleased to arrange a session with our air quality and transportation consultants, so that we might demonstrate directly to you, that which staff is already aware of, but has dismissed – that DTF are not in fact the problem they are suggested to be, but that instead, DTF are more supportive of the City's aims than the alternative.

The only alternative to such a continuation of discussion on the topic is to do so in a more formalized context, which we would prefer to avoid.

Thank you for your attention to this matter.

Yours very truly,



Michael S. Polowin
Partner

MSP:abh

cc: Members of Council
Janice Atwood-Petkovski
Diana Birchall
John Zipay
Tony Elenis (President and CEO, Ontario Restaurant Hotel and Motel Association)
Michelle Saunders (ORHMA)
Victor Labreche

OTT_LAW\ 2531872\2

last set of policies on DTF, prior to
the suggested modifications on Sept. 12/11.

V. L.

5.2.3 Supporting and Transforming the Retail Sector

See below

~~4/11~~

Vaughan is committed to supporting the retail sector and ensuring that there is an appropriate amount of *retail* activities in suitable locations. *Retail* uses are key components of mixed-use communities. Well-designed and appropriately located *retail* uses allow residents and employees to purchase goods and services by walking, cycling or taking public transit.

Vaughan's existing retail sector is large and an important component of the overall Urban Structure and local economy. Most *retail* development is currently in the form of stand-alone shopping centres, ranging from neighbourhood plazas to big box centres and also including two major indoor shopping malls. The largest concentrations of *retail* are found in the **Vaughan Metropolitan Centre**, the Vaughan Mills Mall, Weston Road & Highway 7 and the Promenade Mall, all of which are regional or super-regional retail centres serving a market area that extends well beyond Vaughan.

Despite the predominance of stand-alone *retail* uses, Vaughan continues to nurture several existing and successful main street and mixed-use *retail* areas. Primarily located in the historic Villages of Kleinburg, Woodbridge, Maple and Thornhill, main street retail provides opportunities for small-scale commercial activities that are built to the street, accommodate residential or office/service uses above grade and allow for a diverse pedestrian-oriented *retail* experience. Vaughan will support these existing *retail* areas and seek to create new main street retail environments.

Creating a sustainable City will require the leveraging of Vaughan's strong retail sector to help create and strengthen mixed-use communities throughout Vaughan. Existing stand-alone shopping centres will be permitted to transform into mixed-use buildings and districts that incorporate residential, office and institutional uses. New *retail* uses within **Intensification Areas** will be developed as part of mixed-use centres and corridors, will be transit-oriented and will be integrated with their surrounding communities.

Major retail uses – *retail* uses over 10,000 square metres – will be designed and located to serve the needs of residents and support the growth management strategy of this Plan, as set out in Chapter 2. As such, **major retail** uses will not be permitted in **Employment Areas** and will be required to undergo further study prior to development within **Intensification Areas**.



Drive-through *retail* uses are an established retailing practice for certain types of commercial uses and service providers, and as such, can have a significant impact on the urban fabric, streetscape and residential environmental quality of life. To support pedestrianization and transit use, all new drive-through facilities shall adhere to specific design guidelines, as developed by the City, and should not be permitted within areas where a pedestrian-friendly character needs to be protected and enhanced, such as ***Intensification Areas*** and Heritage Conservation Districts.

It is the policy of Council:

- 5.2.3.1. To support the continued development of a diverse retail sector that provides:
 - a. a broad range of shopping opportunities for local residents and employees;
 - b. specialty shopping that will attract tourists and Greater Golden Horseshoe residents;
 - c. a range of opportunities for employment and entrepreneurship; and,
 - d. transit-oriented and walkable retail environments within ***Intensification Areas***.

- 5.2.3.2. To require that new *retail* be designed to be walkable, transit-supportive, and integrated into communities and pedestrian and cycling networks, with high-quality urban design.

- 5.2.3.3. To protect the economic vitality of small-scale main street retail in Vaughan's historic villages of Nashville/Kleinburg, Woodbridge, Maple and Thornhill and to support the development of business associations in these areas as a means to enhance *retail* opportunities and attract visitors.

- 5.2.3.4. That the primary location for new *retail* uses is planned to be ***Intensification Areas***, where they will benefit from transit service and help build mixed-use communities. *Retail* developments within ***Intensification Areas*** will support the general objectives and policies for these areas through the following:
 - a. *retail* uses will be provided as part of an overall mixed-use development;
 - b. *retail* uses will be sited and oriented to support walking, cycling and transit use;
 - c. building scale and orientation should provide extensive sunlight penetration onto pedestrian areas;

- d. a mix of *retail* spaces is encouraged, including both larger format stores that can act as commercial anchors for the street and smaller stores and services that can create a diversity of *retail* experiences;
- e. accommodating large food stores, including supermarkets, which are essential to serve the day-to-day shopping within communities and help to attract residential development to an area; and,
- f. where feasible, on-street parking should be available to provide added market support and exposure for street-front retailing.

5.2.3.5. To support *retail* uses, at appropriate locations, within **Community Areas**. These *retail* uses must be designed to support walking, cycling and transit use. They must be sensitive to and compatible with the character and form of the surrounding context.

5.2.3.6. *Major retail* uses (those *retail* uses over 10,000 square metres on any single lot) are not permitted in **Employment Areas**. These uses are permitted in the **Vaughan Metropolitan Centre** and **Primary Centres**. *Major retail* uses are also permitted through a Zoning By-law Amendment, in **Local Centres**, and **Primary Intensification Corridors** subject to the following criteria:

- a. there will continue to be sufficient market demand to allow *Intensification Areas* to attract *retail* opportunities and that such opportunities are not diminished by the proposed *major retail* use;
- b. the minimum trade area population required to service the proposed *major retail* use exists or will exist when the facility is constructed;
- c. the local and surrounding street network is not adversely impacted by traffic;
- d. sufficient water, sewer and stormwater capacity exists;
- e. the development is sited and oriented to support walking, cycling and transit use; and,
- f. urban design guidelines are established for *major retail* development to promote a high-quality public realm and high-quality built form.

5.2.3.7. Drive-throughs facilities are a complement to general *retail* activity and shall only be located such that the use does not adversely affect the goals of *intensification*, pedestrianization, attractive streetscapes, transit supportiveness, or have an adverse impact on residential neighbourhoods. In addition to and in recognition of *Intensification Areas* and Heritage Conservation Districts, which are already subject

to a prohibition of drive-through facilities, it is intended that the prohibition shall also pertain to all **Intensification Areas** except **Primary Intensification Corridors** that are not **Regional Corridors** as identified on Schedule 1. Where permitted, drive-through uses should be designed to achieve the following urban design objectives:

- a. provide for pedestrian safety, scale and comfort;
- b. be buffered from adjacent uses or the public street through appropriate landscaping;
- c. complement other surrounding uses;
- d. be compatible with existing and planned uses in the surrounding area;
- e. contribute to attractive streetscapes, views and sightlines;
- f. be oriented such that buildings are located close to the public street with direct pedestrian access from the public sidewalk; and,
- g. be separated from sensitive uses such as *schools* and residential areas with appropriate setbacks.

5.2.4 Building a Medical Health Sector

The planned hospital at Highway 400 and Major Mackenzie Drive will have positive impacts on the local economy, but can also be leveraged to create a significant medical health cluster at this location. The hospital investment represents only a portion of the employment and economic potential of the Jane Street & Major Mackenzie Centre. Medical and paramedical clinics, research and supporting uses will be encouraged to locate at this site to create a critical mass of activity and economic growth.

It is the policy of Council:

- 5.2.4.1. To support the development of a new hospital in the Jane Street & Major Mackenzie **Primary Centre**.
- 5.2.4.2. To attract investment to the Jane Street & Major Mackenzie **Primary Centre** in order to form a cluster of medical health industries and a wide variety of jobs in health care, health research, health education, medical laboratory and other related industries. New medical and health related industries are encouraged to locate at the Jane Street & Major Mackenzie **Primary Centre**, provided they are compatible with adjacent uses.

FROM THE OFFICE OF Chris Barnett
DIRECT LINE 416.365.3502
DIRECT FAX 416.777.7407
E-MAIL cbarnett@davis.ca

FILE NUMBER 82966-00001

September 12, 2011

DELIVERED BY FAX

Clement Chong
Policy Planner
City of Vaughan
2141 Major Mackenzie Drive
Vaughan
L6A 1T1

| |
|---------------|
| C 21 |
| Item # 1 |
| Report No. 39 |
| SPECIAL CW |
| Sept. 12/11 |

Dear Mr. Chong:

Re: City of Vaughan Official Plan

We have been retained by Cathy Campione, and Maria, Joseph, Yolanda and Laurie Pandolfo, who own or have an interest in 10390 Pine Valley Drive in the City of Vaughan to advise them with respect to the draft City of Vaughan Official Plan. Our clients' property is designated for urban residential uses in both the Regional Official Plan and OPA 600 to the City of Vaughan Official Plan.

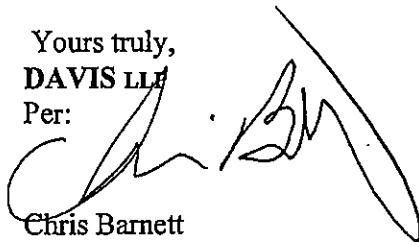
We have reviewed the material that is being considered by Committee of the Whole at its meeting on September 12, 2011. From our review of the land use schedules, it appears that the majority of our clients' property has been designated "Agricultural". This is inappropriate, and inconsistent with the designation for urban uses in OPA 600, the existing Region of York Official Plan and the adopted Region of York Official Plan. We request that the schedules be amended to show the entire property as "Low Density Residential".

We have also reviewed the August 31, 2010, letter addressed to George Karakokkinos (copied to City legal staff) from Davies Howe Partners, that is attached to a letter dated September 10, 2010, from Mr. Karakokkinos to Mr. John Zipay. Our clients are members of the Block 40/47 landowners group. We agree with the analysis of the applicability of the Greenbelt Plan to our clients' lands, and urge the City to ensure the policies and schedules of the draft Vaughan Official Plan properly reflect our clients' rights under the existing policy regime and pursuant to the transition provisions of the Greenbelt Plan.

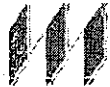
Please do not hesitate to contact us if you require further information, and continue to provide us with notice of any steps taken by the City or Region regarding the approval of the draft Official Plan.

Yours truly,
DAVIS LLP

Per:

A handwritten signature in black ink, appearing to read 'Chris Barnett', written over the printed name below.

Chris Barnett
CMB/s



WESTON CONSULTING GROUP INC.

'Land Use Planning Through Experience and Innovation'

September 12, 2011
File No. 3559

City Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

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|-------------|----|
| C | 22 |
| Item # | 1 |
| Report No. | 39 |
| SPECIAL CLW | |
| Sept. 12/11 | |

Dear Sir:

Re: Vaughan Official Plan – 2010 (Modifications to Volume 1)
7290 Major Mackenzie Drive
Amar Transport Inc.
File No. OP.04.019

Weston Consulting Group Inc. (WCGI) is the planning consultant for the owner of the property municipally known as 7290 Major Mackenzie Drive in the City of Vaughan. WCGI made submissions to the City of Vaughan and Region of York in relation to the new Vaughan Official Plan prior to its adoption by Council.

The following comments are provided in relation to Special Committee of the Whole – September 12 Report and the proposed Volume 1 modifications. We have also had discussions with City Staff and Regional Staff in relation to the adopted Official Plan.

We acknowledge and support the modifications proposed that would remove the land use details and designations from the Volume 1 Schedules in favour of a reference to Volume 2 Schedules.

We acknowledge the changes to the interpretation of the boundary between 'General Employment' and 'Prestige Employment' designations; however, we request confirmation from City staff that the subject property would be interpreted within the 'General Employment' designation, which is our client's desire.

Based on the response by City Staff to our submissions with regard to the policies concerning outside storage, we request that a site specific policy for the subject property be introduced and provided in Volume 2. This site specific policy would acknowledge permissions for outside storage on the subject property. This request is based on the proposed road pattern currently envisioned in the Secondary Plan.

We would be pleased to discuss these matters further with Staff as required. For further information, please contact the undersigned or Christina Sgro at extension 288.

Since
1981

Main Office: 201 Millway Avenue, Unit 19,
Vaughan, Ontario, L4K 5K8
Tel. 905-738-8080

Oakville Office: 1600 North Service Road East, Suite 114,
Oakville, Ontario, L6H 7G3
Tel. 905-844-8749

Yours truly,
Weston Consulting Group Inc.

Per:



Ryan Guetter, BES, MCIP, RPP
Vice President

- cc. J. MacKenzie, City of Vaughan
D. Birchall, City of Vaughan
R. McQuillin, City of Vaughan
G. Uyeyama, City of Vaughan
A. Ko, Region of York
A. Deol, Amar Transport Inc.



PLANNING PARTNERS INC.

File: P-2207

64 Jardin Drive, Unit 1B
Concord, Ontario
L4K 3P3
T. 905.669.4055
F. 905.669.0097
klmplanning.com

September 12, 2011

Mr. John Mackenzie, Commissioner of Planning
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

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|-------------|----|
| C | 23 |
| Item # | 1 |
| Report No. | 39 |
| SPECIAL CW | |
| Sept. 12/11 | |

**Re: Special Committee of the Whole – September 12, 2011
Supplementary Report – Modifications to the Vaughan Official Plan – 2010 (VOP 2010)
York Major Holdings Inc.**

Dear Sir:

KLM Planning Partners Inc. represents York Major Holdings Inc. which owns lands at the northwest corner of Dufferin Street and Major MacKenzie Drive including Eagles Nest Golf Course.

We are in receipt of the Special Committee of the Whole Supplementary Staff Report regarding modifications to the Vaughan Official Plan (VOP 2010) being considered at tonight's Committee of the Whole Meeting. We understand the purpose of the meeting is to consider both overall and site-specific modifications to the VOP 2010 to allow the Region to proceed towards final approval. This report resulted from the Region of York asking for the position of City of Vaughan Staff regarding the requested modifications received by Regional staff and to also consider further analysis of the various sites proposed for employment land conversion, which includes lands owned by our client.

In our letter to Mr. Dennis Kelly, Regional Clerk dated April 4, 2011 (attached), we requested a modification to the City of Vaughan Official Plan for lands north of Major Mackenzie Drive, west and south of McNaughton Road and directly adjacent to the Maple Go Station to redesignate the lands from "Commercial Mixed-Use" to "Mid-Rise Mixed Use" and "Low Rise Mixed-Use". The purpose of this request was to facilitate development that would encourage more intensive residential and retail densities in close proximity to the Maple GO Station to support and better utilize the existing transit service and would allow for a greater mix of residential housing types to support the proposed intensification around the GO Station and to support the overall policies and objectives of VOP 2010.

We understand from reviewing the report that the City of Vaughan staff has found merit in our request and view the lands as an area appropriate for change to accommodate a wider range of uses, subject to a Secondary Plan dealing with among other issues, proposed land uses and urban design. We welcome the revised position of the City and generally have no concern with the detailed information requested through a Secondary Plan. We do however, have a concern with the approach as proposed in the recommendations of the report.

Recommendation #4 states the following:

“A Secondary Plan Study be undertaken to determine appropriate land use, and, urban design framework for the lands generally located north of Major Mackenzie Drive, south west of McNaughton Road and, adjacent to the Maple Go Station;”

This recommendation does not amend the existing adopted designation being “Commercial Mixed-Use”, on the basis that the required Secondary Plan will determine the most appropriate use of the lands. Our concern is that the City of Vaughan, through the recommendation of the Hemson Report is recommending that VOP 2010 be amended to consider “Commercial Mixed-Use” designations as ‘employment lands’ in addition to the existing “Prestige Employment” and “General Employment” lands in accordance with the Provincial Policy Statement and the Places to Grow Plan.

Our concern is that this new policy will prevent the re-designation of the lands through the proposed Secondary Plan process with an underlying “Commercial Mixed-Use” designation, without a ‘Municipal Comprehensive Review’. The findings in the Hemson Report, which constitutes the required ‘Municipal Comprehensive Review’, confirms that the lands are not required for the long term employment needs of the City of Vaughan and as such can be converted from employment uses.

Alternatively, we request that the lands be identified as “Special Study Area” (with no land use designation), subject to the preparation of a Secondary Plan to review among other things, proposed land uses and urban design.

We would request that Recommendation#4, be modified as follows:

“THAT the lands generally located north of Major Mackenzie Drive, southwest of McNaughton Road and, adjacent to the Maple GO Station be identified as a “Special Study Area”, which will require the preparation of a Secondary Plan to determine the appropriate land uses and urban design framework;”

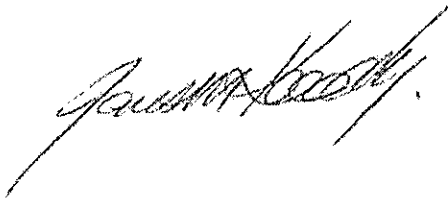
We would appreciate an opportunity to meet with you and your staff to discuss our request and to provide more information with respect to the requested modification to the City of Vaughan Official Plan 2010.

Please do not hesitate to contact the undersigned or Ryan Mino-Leahan at ext. 224 should you have any questions or comments with respect to our request.

I look forward to hearing from you in the near future.

Yours very truly,

KLM PLANNING PARTNERS INC.

A handwritten signature in black ink, appearing to read "James M. Kennedy". The signature is fluid and cursive, with a long horizontal stroke extending to the left.

James M. Kennedy, MCIP, RPP
President

JMK:rmf

c: Mr. Jeffrey A. Abrams, City Clerk, City of Vaughan
Ms. Diana Birchall, Director of Policy Planning, City of Vaughan
Mr. Roy McQuillan, Manager of Policy Planning, City of Vaughan
Mr. Duane Aubie – York Major Holdings Inc.



File: P-1631

April 4, 2011

Regional Municipality of York
Corporate Services Department
17250 Yonge Street, 4th Floor
Newmarket, Ontario,
L3Y 6Z1

**Attention: Mr. Denis Kelly,
Regional Clerk**

**Re: City of Vaughan Official Plan 2010
Notice of Adoption – By-law 235-2010
York Major Holdings Inc.**

Dear Sir:

KLM Planning Partners Inc. represents York Major Holdings Inc. which owns lands at the northwest corner of Dufferin Street and Major MacKenzie Drive including Eagles Nest Golf Course.

In accordance with the Notice of Adoption issued on September 22, 2010 from the City of Vaughan with respect to the new City of Vaughan Official Plan, we hereby request notice of the proposed decision. Additionally, please advise me of the date when the City of Vaughan Official Plan will be considered by Regional Council.

At this time, we request a modification to the new City of Vaughan Official Plan with respect to the adopted land use designations, specifically with regard to the lands north of Hill Street, east of the Maple Go Station Commuter Parking Lot, south of McNaughton Road and west of the Walmart currently under construction. This parcel of land is approximately 8.14 Hectares (20.13 acres) in size and described as Blocks 1, 2, 3 and 6 on Registered Plan 65M-4061.

These lands are currently designated "Prestige Area" by the City of Vaughan OPA #332, as amended by OPA #535 and are currently zoned M1 – Restricted Industrial Zone by Zoning By-law 1-88, subject to exception 9(1097). The current designation and zoning would only allow industrial uses to occur on the subject lands, with additional limited retail uses up to a maximum of 25,000m².

The lands are proposed to be designated "Commercial Mixed-Use" under policy 9.2.1 of the new City of Vaughan Official Plan with a maximum height of 4 stories and a density of 1.5 FSI (Floor Space Index), which permits a range of commercial and office uses. The lands are also subject to Section 12.3 -- "Area Specific Policies, Keele Valley Landfill Area" in Volume 2 of the Official Plan, which further restricts the type of uses and amount of retail permitted on the subject lands.

Given the proximity of this site to the existing Maple GO Transit Station, and the proposed transit improvements along this line and throughout York Region, the proposed land use designation would result in an underutilization of these lands for transit oriented, and pedestrian friendly densities contemplated in Section 4.2.2 of the City of Vaughan Official Plan. Additionally the southerly limit of the lands are identified as a Intensification Corridor, and accordingly development should be focused to support the existing and planned infrastructure in the local Maple area including the existing GO Transit station and line.

It is our opinion that a mix of "Mid-Rise Mixed Use" and a "Low Rise Mixed Use" designations on the site would be a more appropriate land use to support the existing and planned transit infrastructure and to support the existing and potential employment and retail uses adjacent to the site and within the Maple Core area. These designations would encourage more intensive residential and retail densities in close proximity to the Maple GO Station to support and better utilize the existing transit service and would allow for a greater mix of residential housing types to support the proposed intensification around the GO Station.

Furthermore, the "Where and How to Grow Plan" prepared by Urban Strategies Inc. and released in June 2009 was a document which was prepared to provide direction to the ongoing preparation of Vaughan's new Official Plan. This document concluded that the Maple GO Area (lands adjacent to the Maple GO Station) was an appropriate area for intensification and which could accommodate up to 3,437 new residents to support the existing and planned transit infrastructure. The proposed mixed-use commercial land use designation will not provide the level intensification required to better utilize the existing transit infrastructure. This forms the initial basis for our request to redesignate the lands to a more appropriate mixed used designation as noted above.

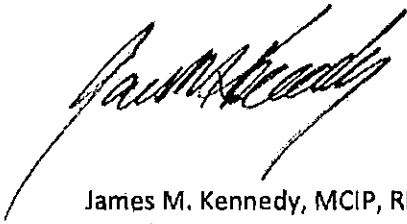
We would appreciate an opportunity to meet with you and your staff to discuss our request and to provide more information with respect to the requested modification to the City of Vaughan Official Plan 2010.

Please do not hesitate to contact the undersigned or Ryan Mino-Leahan at ext. 224 should you have any questions or comments with respect to our request.

I look forward to hearing from you in the near future.

Yours very truly,

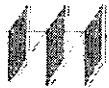
KLM PLANNING PARTNERS INC.

A handwritten signature in black ink, appearing to read "James M. Kennedy", written in a cursive style.

James M. Kennedy, MCIP, RPP
President

JMK:rml

- c: Mr. Bryan Tuckey, Planning and Development Services Commissioner
- Ms. Heather Konefat – Director Community Planning Branch
- Mr. Augustine Ko, Senior Planner
- Mr. Duane Aubie – York Major Holdings Inc.



September 12, 2011
File No. 5120

City Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

ATTENTION: City Clerk

**Re: Vaughan Official Plan – 2010 (Modifications to Volume 1)
Part 1, 64R-3136, Lot 16, Concession 9
Rutherford Road and Regional Road 27
City of Vaughan**

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| C | 24 |
| Item # | 1 |
| Report No. | 39 |
| SPECIAL CW | |
| Sept. 12/11 | |

Weston Consulting Group Inc. (WCGI) is the planning consultant for 1233389 Ontario Inc., the owner of a property located on the north side of Rutherford Road, west of Highway 27 in the City of Vaughan. In relation to the Staff Report that is to proceed to the Special Committee of the Whole – September 12, 2011, we offer the following comments.

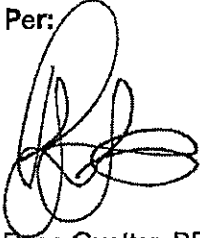
We acknowledge that Attachment 1 includes a response to WCGI's submission regarding a request for a revision to the Natural Areas mapping based on the TRCA approved Top of Bank Staking. While it is recognized that there may be further refinements based on an EIS, it would still be appropriate to revise the mapping at this time based on what was provided. We support the flexibility in the policies that permit adjustments to the boundaries and the Natural Areas designation.

We also acknowledge Staff's proposed modifications concerning additional flexibility in the application of the block plan process. We would like to acknowledge our support for these modifications as they provide flexibility in the Official Plan and would ensure that an appropriate and comprehensive planning process is followed without resulting in a duplication of process or redundancies in the analysis of planning issues. We understand from these modifications that a block plan process could be undertaken outside of a Secondary Plan process, which we support insofar as the flexibility it provides.

For further information related to this submission please contact the undersigned or Jane McFarlane at extension 225.

Yours truly,
Weston Consulting Group Inc.

Per:

A handwritten signature in black ink, appearing to be 'R. Guetter', written over a circular stamp or seal.

Ryan Guetter, BES, MCIP, RPP
Vice President

Cc: S. Iacobucci, 1233389 Ontario Inc.
J. Mackenzie, City of Vaughan
D. Birchall, City of Vaughan
R. McQuillin, City of Vaughan
A. Ko, Region of York



WESTON CONSULTING GROUP INC.

'Land Use Planning Through Experience and Innovation'

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|--------------------|---------------|
| September 12, 2011 | 25 |
| Item # | File No. 5518 |
| Report No. | 39 |
| SPECIAL CW | |
| -Sept. 12/11 | |

City Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

Dear Sir:

**Re: Vaughan Official Plan – 2010 (Modifications to Volume 1)
Lands on the north side of Centre Street between Vaughan Boulevard and New
Westminster Drive
1020, 1054, 1118, 1136, and 1152 Centre Street
City of Vaughan**

Weston Consulting Group Inc. (WCGI) is the planning consultant for a group of landowners who own the majority of lands on the north side of Centre Street between Vaughan Boulevard and New Westminster Drive in the City of Vaughan. WCGI is acting on behalf of the owners of 1152 Centre St. (Perls Incorporated), 1136 Centre St. (Centre Street Properties Inc.), 1118 Centre St. (Vogue Investments Limited), 1054 and 1020 Centre St. (Rio Centre Thornhill). References below to the "subject lands" include the aforementioned properties. WCGI has participated in the City's land use study for the Centre Street corridor on behalf of the above noted owners and have made submissions in relation to the City's Official Plan on behalf of certain landowners.

The Staff Report that is to proceed to the Special Committee of the Whole – September 12, 2011 meeting and associated Attachments contain various proposed modifications to the Vaughan Official Plan – 2010 (Volume 1). In relation to this Staff Report and Attachments, we offer the following comments.

Regional Corridors

The Region of York has requested that the Vaughan Official Plan identify "Regional Corridors", in both the mapping and the text, separately from Primary Intensification Corridors. We understand that it is the City's recommendation to revise Schedule 1 to identify these corridors and add the appropriate policies to the text of the plan. Given that the subject lands are a Regional Corridor according to the adopted Region of York Official Plan, we request confirmation that the Centre Street Corridor between Vaughan Boulevard and New Westminster Drive will be identified as a "Regional Corridor" and indicated so in Volume 1 of the plan.

Since
1981

Main Office: 201 Millway Avenue, Unit 19,
Vaughan, Ontario, L4K 5K8
Tel. 905-738-8080

Oakville Office: 1660 North Service Road East, Suite 114,
Oakville, Ontario, L6H 7G3
Tel. 905-844-8749

The proposed policy modifications relating to Regional Corridors do not indicate planned density targets for these areas. In our opinion, density targets should be applied to Regional Corridors in the Vaughan Official Plan. In our opinion, it would be appropriate to provide a density target of 2.5 FSI for the Regional Corridor that contains the subject lands.

Key Development Areas

The Region of York has also requested that the Vaughan Official Plan identify Key Development Areas in their plan. The City has recommended that the Official Plan not identify specific sites and provide the opportunity to identify Key Development Areas through a secondary planning process.

It is recognized that a secondary plan is not required for the subject lands based on the land use study that is in process for the Centre Street Corridor. However, given the proposed policies in the Staff Report concerning Key Development Areas, we request confirmation that a secondary plan will not be required for the subject lands. It is our opinion, that the land use study currently underway for the subject lands will provide an appropriate and comprehensive basis to set out a policy framework for the subject lands in Volume 2 of the plan.

We also suggest that the proposed policy modifications for Key Development Areas be altered to provide the opportunity to identify Key Development Areas through the Area Specific Policies as identified on Schedule 14-B. The policy framework for the subject lands is identified in Volume 2 of the plan as an Area Specific Policy area that is not subject to a secondary plan.

We request that the subject lands be identified as a Key Development Area through either Volume 1 or 2 of the plan.

Land Use Schedules

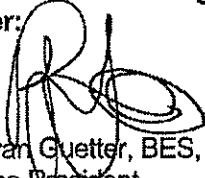
It is our understanding that Staff have proposed to modify the land use schedules in Volume 1 to remove specific land use designation information if the area is subject to Volume 2 policies. While we support this approach in principle, given that the land use designation for the subject lands will be determined following the completion of the land use study and will be identified within Area Specific Area 9 – Centre Street Corridor on Schedule 14-B, we nevertheless request the 'Regional Corridor' designation be maintained for these lands.

We request that the above comments be considered by Staff and Council in relation to the proposed Volume 1 modifications. We thank you for the opportunity to provide these comments.

For further information related to this submission please contact the undersigned or Jane McFarlane at extension 225.

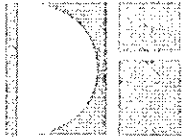
Yours truly,
Weston Consulting Group Inc.

Per:

A handwritten signature in black ink, appearing to be 'R. Guetter', written over the 'Per:' label.

Ryan Guetter, BES, MCIP, RPP
Vice President

Cc: J. Mackenzie, City of Vaughan
D. Birchall, City of Vaughan
R. McQuillin, City of Vaughan
A. Ko, Region of York
P. Edward, Perls Incorporated
E. Reichman, Perls Incorporated
L. Greenbaum, The Vogue Development Group Inc.
S. Wisniowski, RioCan Management Inc.
P. Weston, WCGI



Davies
Howe
Partners
LLP

Lawyers

The Fifth Floor
99 Spadina Ave
Toronto, Ontario
M5V 3P8

T 416.977.7088
F 416.977.3931
davieshowe.com

Please refer to: **Michael Melling**
e-mail: michaelm@davieshowe.com

September 12, 2011

By E-Mail Only to jeffrey.abrams@vaughan.ca

Mr. Jeffrey A. Abrams
City Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

| | |
|-------------|----|
| C | 26 |
| Item # | 1 |
| Report No. | 39 |
| SPECIAL CW | |
| Sept. 12/11 | |

Dear Sir:

**Re: Special Committee of the Whole Meeting
Proposed City of Vaughan Official Plan Part 1**

I write on behalf of our client, 1668872 Ontario Inc., regarding the above-referenced matter. My client has been an active participant in the Official Plan approval process, and has made prior submissions. My client's primary concern is development of its holdings at 9909 Pine Valley Drive and 9939 Pine Valley Drive.

Given the volume of materials and its very recent release, it has not been possible for my clients, its advisors or our office to compile a detailed analysis. I would therefore request that this matter be referred to another public meeting sufficient time in the future to permit that to happen.

Another reason for postponement is that tonight's meeting conflicts with a long-standing BILD event. Our firm and numerous of our clients and their consultants have booked and paid for tickets, and are hosting guests.

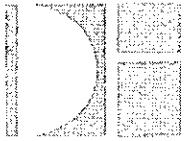
I look forward to notice of a deferred meeting.

Yours sincerely,
DAVIES HOWE PARTNERS LLP

ra

Michael Melling
MWM:jc

copy: Mr. Jim Kennedy, R.P.P.
Client



Please refer to: **Michael Melling**
e-mail: michaelm@davieshowe.com

Davies
Howe
Partners
LLP

September 12, 2011

By E-Mail Only to *jeffrey.abrams@vaughan.ca*

Lawyers

The Fifth Floor
99 Spadina Ave
Toronto, Ontario
M5V 3P8

Mr. Jeffrey A. Abrams
City Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

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F 416.977.8931
davieshowe.com

| | |
|-------------|-----------|
| C | <u>27</u> |
| Item # | <u>1</u> |
| Report No. | <u>39</u> |
| SPECIAL CW | |
| Sept. 12/11 | |

Dear Sir:

**Re: Special Committee of the Whole Meeting
Proposed City of Vaughan Official Plan Part 1**

I write on behalf of our client, the Vaughan 400 North Landowners Group Inc., regarding the above-referenced matter. My client has been an active participant in the Official Plan approval process, and has made prior submissions. My client's primary interest is the implementation of the Board-approved OPA 637.

Given the volume of materials and its very recent release, it has not been possible for my clients, its advisors or our office to compile a detailed analysis. I would therefore request that this matter be referred to another public meeting sufficient time in the future to permit that to happen.

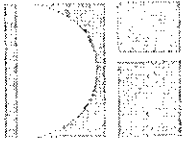
Another reason for postponement is that tonight's meeting conflicts with a long-standing BILD event. Our firm and numerous of our clients and their consultants have booked and paid for tickets, and are hosting guests.

I look forward to notice of a deferred meeting.

Yours sincerely,
DAVIES HOWE PARTNERS LLP

[Signature]
Michael Melling
MWM:jc

copy: Ms. Rosemarie Humphries, Humphries Planning Group Inc.
Client



Davies
Howe
Partners
LLP

Lawyers

The Fifth Floor
99 Spadina Ave
Toronto, Ontario
M5V 3P8

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F 416.977.8931
davieshowe.com

Please refer to: **Michael Melling**
e-mail: michaelm@davieshowe.com

September 12, 2011

By E-Mail Only to jeffrey.abrams@vaughan.ca

Mr. Jeffrey A. Abrams
City Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

| | |
|-------------|----|
| C | 28 |
| Item # | 1 |
| Report No. | 39 |
| SPECIAL CW | |
| Sept. 12/11 | |

Dear Sir:

**Re: Special Committee of the Whole Meeting
Proposed City of Vaughan Official Plan Part 1**

I write on behalf of our client, the Block 27 Landowners Group Inc., regarding the above-referenced matter. My client has been an active participant in the Official Plan approval process, and has made prior submissions. I commend them to you. Our client's primary concern is ensuring the inclusion of Blocks 27 in the urban area, with appropriate policies for the development.

Given the volume of materials and its very recent release, it has not been possible for my clients, its advisors or our office to compile a detailed analysis. I would therefore request that this matter be referred to another public meeting sufficient time in the future to permit that to happen.

Another reason for postponement is that tonight's meeting conflicts with a long-standing BILD event. Our firm and numerous of our clients and their consultants have booked and paid for tickets, and are hosting guests.

I look forward to notice of a deferred meeting.

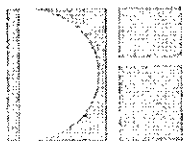
Yours sincerely,
DAVIES HOWE PARTNERS LLP

per Michael Melling

Michael Melling

MWM:jc

Copy: Mr. Gerry Lynch, P. Eng., Cole Engineering
Clients



Davies
Howe
Partners
LLP

Lawyers

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M5V 3P8

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F 416.977.8931
davieshowe.com

Please refer to: **Michael Melling**
e-mail: michaelm@davieshowe.com

September 12, 2011

By E-Mail Only to jeffrey.abrams@vaughan.ca

Mr. Jeffrey A. Abrams
City Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

| | |
|-------------|----|
| C | 29 |
| Item # | 1 |
| Report No. | 39 |
| SPECIAL CW | |
| Sept. 12/11 | |

Dear Sir:

**Re: Special Committee of the Whole Meeting
Proposed City of Vaughan Official Plan Part 1**

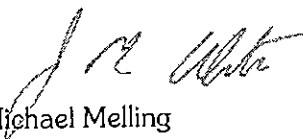
I write on behalf of our client, Trinistar Corporation, regarding the above-referenced matter. My client has been an active participant in the Official Plan approval process, and has made prior submissions. As Council is aware our client's primary concern is protecting the development and redevelopment potential of its numerous properties in the City. In particular, our client is worried that the Plan as drafted may restrict or eliminate existing permissions, and inhibit future redevelopment.

Given the volume of materials and its very recent release, it has not been possible for my clients, its advisors or our office to compile a detailed analysis. I would therefore request that this matter be referred to another public meeting sufficient time in the future to permit that to happen.

Another reason for postponement is that tonight's meeting conflicts with a long-standing BILD event. Our firm and numerous of our clients and their consultants have booked and paid for tickets, and are hosting guests.

I look forward to notice of a deferred meeting.

Yours sincerely,
DAVIES HOWE PARTNERS LLP

per 
Michael Melling

MWM:jc

copy: Client



WESTON CONSULTING GROUP INC.

'Land Use Planning Through Experience and Innovation'

September 12, 2011

File No. 5030

City Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

| | |
|-------------|-----------|
| C | <u>30</u> |
| Item # | <u>1</u> |
| Report No. | <u>39</u> |
| SPECIAL CCW | |
| Sept. 12/11 | |

Dear Sir:

**Re: City of Vaughan Official Plan – September 7, 2010
1260, 1272, 1282, 1294, 1304 and 1314 Centre Street
North Side of Centre Street between Concord Road and Vaughan Blvd
1096818 Ontario Inc. and Arthur Fisch
City of Vaughan**

Weston Consulting Group Inc. is the planning consultant for 1096818 Ontario Limited c/o Arthur Fisch and Arthur Fisch, the registered owners of 1314, 1304, 1282, and 1260 Centre Street, and 1272 and 1294 Centre Street, respectively, in the Community of Thornhill in the City of Vaughan.

The subject properties municipally known as 1260, 1272, 1282, 1294, 1304 and 1314 Centre Street are located on the north side of Centre Street, between Concord Road and Vaughan Boulevard.

At this time, we wish to thank Council and Staff for their efforts to address our concerns expressed in our submission letters and deputations. We are very pleased that our request for modifications to the Vaughan Official Plan will be addressed through the site specific land use study for the Thornhill Centre Street Area. This study was given direction to proceed on March 8, 2011 and is currently in progress. Our client has been participating in the various workshops and has had discussions with City staff regarding his vision for residential/mixed use redevelopment. It is our understanding that upon the completion of the study, modifications to the Official Plan will proceed to a future Committee of the Whole meeting under Volume 2.

Notwithstanding the above, we have one particular concern that we feel has not been adequately addressed. We have reviewed the Committee of the Whole Staff Report, dated September 12, 2011 and note that Staff has not recommended any modifications regarding the recognition of existing and approved land uses (i.e. Official Plan Amendments, Zoning By-law Amendments, and/or Ontario Municipal Board approvals) prior to the adoption of the VOP 2010.

Since
1981

Vaughan Office: 201 Millway Avenue, Unit 19,
Vaughan, Ontario, L4K 5K8
Tel. 905-738-8080

Oakville Office: 1660 North Service Road East, Suite 114,
Oakville, Ontario, L6H 7G3
Tel. 905-844-8749

Our client has existing OMB approvals for the properties at 1260 and 1272 Centre Street, and for 1304 Centre Street.

A C1 zoning for 1260 and 1272 Centre Street was put in place by By-law 103-2008 which was approved by the Ontario Municipal Board on April 27, 2009. This by-law permits a 2-storey business and professional office building at a density of 0.56 FSI. The site plan application was approved but clearance of conditions has not been completed.

In May 2002, Applications were submitted to amend the Official Plan and Zoning By-law to permit a 2-storey, 32-bedroom senior citizens' residence at 1304 Centre Street. These applications were subsequently appealed to the Ontario Municipal Board. The Board granted the appeals, and issued its decision in December 2005 to permit the senior citizens' residence subject to the execution of a site plan agreement between the applicant and the City, and receipt of the amendments to the Official Plan and Zoning By-law. This work has not been completed.

At this time, we request that a modification be made to the Vaughan Official Plan 2010 (Volume 1) to address transitional matters to recognize legally existing and approved land uses.

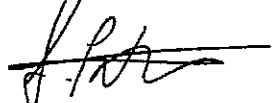
Accordingly, we request that the existing site-specific approvals obtained on 1260 and 1272 Centre Street, and for 1304 Centre Street be recognized and be deemed to conform to the Official Plan.

We request that consideration be given to modifications to the City Official Plan Volume 1 to address the above issue. We also reserve the right to make comments on Volume 2 modifications.

Yours truly,

Weston Consulting Group Inc.

Per:



Sandra K. Patano, MES, MCIP, RPP
Senior Planner

Cc: Dr. Arthur Fisch
Councillor Alan Shefman, City of Vaughan
John Mackenzie, City of Vaughan
Diana Birchall, City of Vaughan
Anna Sicilia, City of Vaughan
Augustine Ko, York Region

September 12, 2011

City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Attention: Mayor Maurizio Bevilacqua
Members of Council
John Mackenzie, Commissioner of Planning

| | |
|------------|--------------------|
| C | <u>31</u> |
| Item # | <u>1</u> |
| Report No. | <u>39</u> |
| | <u>Special CW</u> |
| | <u>Sept. 12/11</u> |

Dear Sir(s) and Madam(s),

Re: Modifications to the Vaughan Official Plan – 2010 (Volume 1)
4800 Highway 7, Woodbridge, ON

On September 7, 2010, at a Council meeting, a motion was made to require “the section of road between Bruce Street and Woodstream Boulevard, along the north and south side of Highway 7, be amended to permit a maximum building height of six stories and FSI of 2.0”. Furthermore at a Council Meeting on January 25, 2011, Council resolved that the reference to Woodstream Boulevard be replaced with Rainbow Creek.

As you know the need for Highway 7 to continue to evolve is apparent – York Region is aggressively pursuing a higher order of transit improvements through “VIVAnext Highway 7 Rapidway” which will eventually extend to Helen Street.

The Highway 7 Corridor is an area intended to be developed with a higher density, pedestrian-friendly mix of uses in a more compact form which is consistent with the policies expressed in the Places To Grow Act and the Growth Plan for the Greater Golden Horseshoe. Section 2.1 of the Growth Plan outlines opportunity to make better use of land. The Plan envisions increasing intensification of the existing built-up area, with a focus on intensification corridors, major transit station areas, brownfield sites and greyfield sites.

OPA #661 (The Avenue Seven Land Use Futures Study Plan) which was challenged and approved by the Ontario Municipal Board designates the lands at Helen Street and Highway 7 to “Prestige Areas – Centres and Avenue Seven Corridor” designation. The intersection is also identified as a “Transit Stop Centre”. And the policies for Transit Stop Centres is an overall density target of 3.0 FSI and the building height of any building shall be 10 storeys.



Based on the Places To Grow Act, the Growth Plan for the Greater Golden Horseshoe and the City of Vaughan's OPA #661, I strongly urge that the City of Vaughan conform and be consistent with OPA #661 as approved by the Ontario Municipal Board for the section of road between Bruce Street and Rainbow Creek on the north and south side of Highway 7.

Respectfully yours,

A handwritten signature in black ink, appearing to read 'Gino Nave', is written over a horizontal line.

Gino Nave
Director
DeNave Developments Inc.

EMBEE

PROPERTIES LIMITED

88 Sheppard Avenue W, Suite 200
Toronto ON M2N 1M5
tel 416.250.5858
fax 416.250.5860

September 12, 2011

DELIVERED BY HAND

Clerk's Department
City of Vaughan
2141 Major Mackenzie Drive
Vaughan ON L6A 1T1

| | |
|--------------------|-----------|
| C | <u>32</u> |
| Item # | <u>1</u> |
| Report No. | <u>39</u> |
| Special CW | |
| <u>Sept. 12/11</u> | |

Re: OP.25.1

Embee Properties Limited is the registered owner of certain lands in the City of Vaughan; namely: 9771-9799 Jane Street; and, 9930-9980 Dufferin Street.

We were an active participant in the original VOP process, but were not advised that drive-through policies were being re-visited by staff after Council's approval September 7, 2010.

Council approved policy 5.2.3.7. which, in part, clarifies that any drive-through prohibition excludes primary Intensification Corridors that are not Regional Corridors.

The latest staff report recommends replacing approved policy 5.2.3.7. with a new policy that no longer includes this clarification, pushing the matter off to subsequent documentation without the current exclusion. We prefer existing policy 5.2.3.7. as approved by Council.

For these reasons, we object to the staff recommendation to replace approved policy 5.2.3.7.

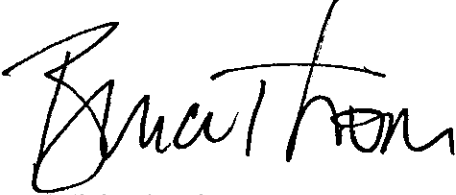
We will attend the Committee of the Whole meeting on September 12, 2011.

We would welcome the opportunity to review our concerns with staff during the ongoing Official Plan process.

We request that we receive written notice of any and all further actions by the City with regard to this file.

Respectfully submitted.

EMBEE PROPERTIES LIMITED


for: Michael Baker
Director

MB:bk

Special Committee of the Whole – Monday September 12, 2011

MODIFICATIONS TO THE VAUGHAN OFFICIAL PLAN – 2010 (VOLUME 1)

Submissions by Alan Young, Senior Associate, Weston Consulting Group Inc.

1. **Woodbridge Farmers Co. Ltd., 1510904 Ontario Ltd. and 1510905 Ontario Ltd.,**
7835 Highway 50
East side of Highway 50 north of Highway 7
Attachment 1 – Item 69YR2 – p. 35 of 94

Zoning: M1

VOP Designation: Commercial Mixed Use/Prestige Employment

VOP 2010 Changes Recommended by Staff:

| | |
|------------|--------------------|
| C | <u>33</u> |
| Item # | <u>1</u> |
| Report No. | <u>39</u> |
| | <u>Special CW</u> |
| | <u>Sept. 12/11</u> |

1. *That the following policy be added to Policy 12.13 Huntington Business Park of Volume 2:*

"Notwithstanding policy 10.2.1.5, in the block on the north side of Highway 7 between Highway 50 and Huntington Road, the Commercial Mixed use designation will be interpreted as having a depth of approximately 200 metres from Highway 7, and accordingly will have a depth of more than one lot from Highway 7."



2. *That Volume 2 be amended to relocate the Service node on Map 12.13.A to the north, to the boundary between the two subject lands. The proposed location will be a future signalized intersection, which has been approved by the Regions of Peel and York and factored into the Highway 50 reconstruction program. The current location of the service node cannot be signalized because of inadequate separation from Highway 7.*

Client's Position: Our client is pleased with the staff recommendations and requests no changes. We accordingly request that the Committee adopt these recommendations.



WESTON CONSULTING GROUP INC.

LEGEND

-  Subject Lands
-  Approved Future Signalized Entrance

0 100 500 meters
Scale

Source of Air Photograph: Google Earth Pro
Date of Photograph: August 31, 2009

AIR PHOTOGRAPH

WOODBRIDGE FARMERS CO. LTD.,
1510904 ONTARIO LTD. & 1510905 ONTARIO LTD.

CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK



| | |
|-------------|---------------|
| File No: | 5190-2 |
| Date Drawn: | May 17, 2010 |
| Drawn By: | M.H |
| Planner: | S.P |
| Scale: | See Scale Bar |

- 2. **Ahmadiyya Muslim Jama'at Canada Inc.**
 10610 Jane Street
 West side of Jane St. south of Teston Road
Attachment 1 - Item 21YR – p. 9 of 94

Zoning: Agricultural (H)(By-law 181-2009)

VOP 2010 Designation: Low-Rise Residential

VOP 2010 Modified Designation Recommended by Staff: Major Institutional

VOP 2010 Site-Specific Policy Recommended by Staff:

"3. The following policies be added to Section 13.1.1 of Volume 2:

Notwithstanding the policies of Section 9.2.2.11 "Major Institutional" the following uses shall be permitted on lands shown as "Ahmadiyya Campus" on Schedule 14 C.

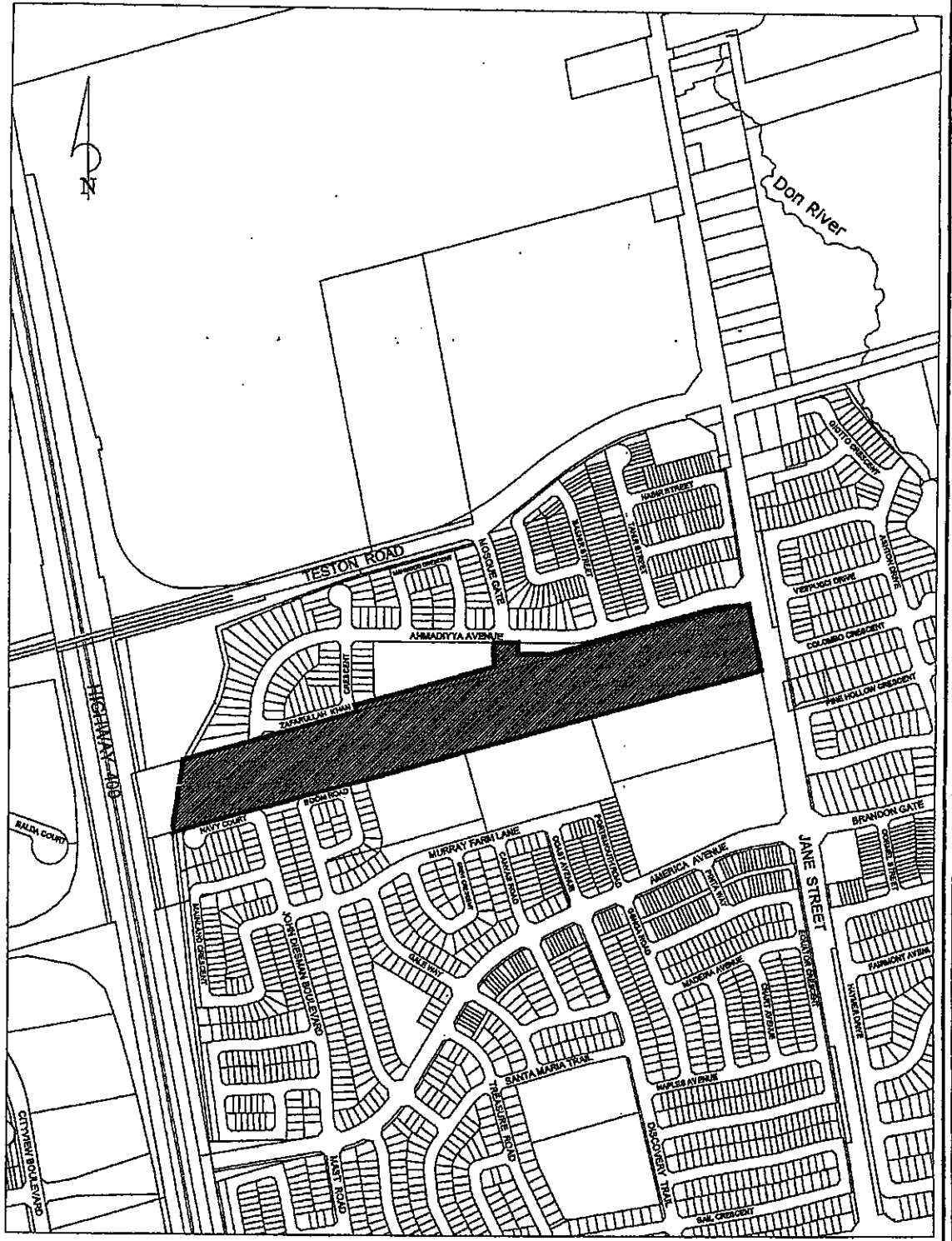
- a) A "Technology and Education Centre" for the purposes of technical, communications and educational activities, including communications production for television broadcasting and programming and a lecture/meeting hall;*
- b) A security building;*
- c) A Guest Residence;*
- d) Up to four townhouse blocks totalling 20 units;*
- e) A "Hospitality Hall" for the purposes of providing food and/or drink for consumption within or outside the building for functions associated with the place of worship, on the same lot, and shall not be for commercial purposes;*
- f) A building housing a "Community Hall and Offices" meaning a building with multi-purpose halls/auditoriums that is used for functions associated with the place of worship, on the same lot and shall not be used for commercial purposes;*

- g) A Library;
- h) A Place of Worship;
- i) An Office Building;
- j) A Residential Apartment Building of a maximum of 80 units;
- k) Portable buildings for temporary use of offices accessory to a place of worship and teaching classrooms pending construction of permanent buildings;
- l) The zoning standards shall be provided for in the implementing zoning by-law."

Concern: The recommended Major Institutional designation is satisfactory, but the above text contains many zoning details. Some additional flexibility is requested, for example to allow a dormitory for students at the school, and a nursing home and retirement home to allow aging members of the community to remain in place.

Request: Amend Site-Specific Policy to read: "Notwithstanding the policies of Section 9.2.2.11 "Major Institutional" the following uses shall be permitted on lands shown as "Ahmadiyya Campus" on Schedule 14C:


- a) a Place of Worship
- b) Schools and other Educational Facilities including lecture halls and meeting rooms
- c) Libraries
- d) Cultural Facilities including a community hall
- e) Community Centres
- f) Recreational Facilities
- g) Day Care
- h) Media, Broadcasting and Communications Facilities
- i) non-commercial Hospitality Facilities
- j) Residential Units or other Residential Accommodation for Students, Staff, Volunteers and Visitors
- k) Offices
- l) an Apartment Building
- m) a Nursing Home and a Retirement Home
- n) portable buildings for temporary use for offices and classrooms".

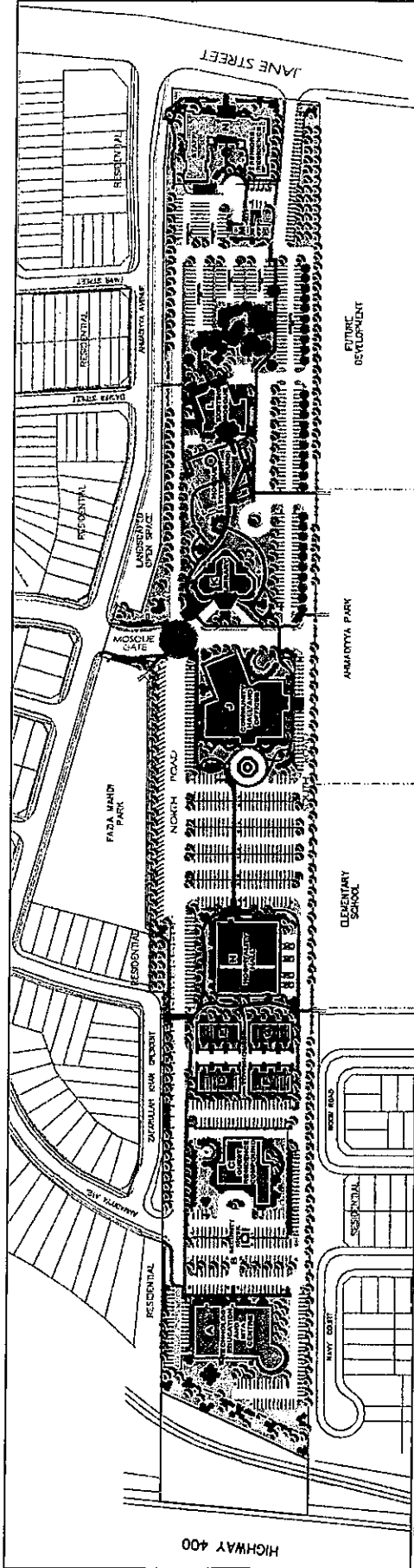


NOT TO SCALE

LOCATION MAP TO BY-LAW 181 - 2009

FILE No. Z.05.010
 LOCATION: Part of Lot 25, Concession 5
 APPLICANT: AHMADIYYA MUSLIM JAMA'AT CANADA INC.
 CITY OF VAUGHAN


 SUBJECT LANDS



| | |
|-------------|---------------|
| DATE | FEBRUARY 2008 |
| SCALE | 1:4000 |
| DRAWN BY | JF |
| CHECKED BY | PM |
| PROJECT NO. | 05-140 |
| DRAWING NO. | L-1 |

**AHMADIYYA MOSQUE, City of Vaughan
LANDSCAPE MASTER PLAN**

terraplan
Landscape Architects Inc.
Landscape Architecture
1000 Sheppard Avenue East, Suite 100
North York, Ontario M2N 6L1
Tel: (416) 491-7777
Fax: (416) 491-7778
www.terraplan.ca



3. 2157160 Ontario Inc. (Sagar Aggarwal)

10901 Highway 50

East side of Highway 50 and west side of Cold Creek Road, north of Nashville Road and south of Mayfield Road

Attachment 1 – Item 70YR – p. 35 of 94

Zoning: C2(H) (By-law 265-2002).

VOP 2010 Designation: Agricultural

VOP 2010 Site-Specific Policy Recommended by Staff:

“Notwithstanding Policy 9.2.1.1 of the Official Plan, the following uses shall be permitted on the lands identified on Map 13.x.A:

- a) one Motor Vehicle Sales Establishment;*
- b) one Eating Establishment, Convenience or one Eating Establishment, Convenience with Drive-Through, however, food preparation shall not be permitted;*
- c) one Truck Refuelling Station. For the purpose of this site-specific policy, a truck refuelling station means a building or place where fuel is kept for sale and delivery directly to commercial or transport trucks.*

The lands shall be developed in accordance with the following policies:

- a) The maximum building height of the motor vehicle sales establishment shall be 1-storey;*
- b) The motor vehicle sales establishment shall have no more than 10 service bays, with a service bay being an identifiable area within the building and used solely for the maintenance, servicing or repairing of vehicles.*
- c) The maximum gross floor area of the office/administration/sales portion of the motor vehicle sales*

8

establishment shall be 1,230 sq.m.

Consistent with Ontario Municipal Board Decision Order 2103, issued July 6, 2006, the permitted uses are subject to a Holding provision which will have the effect of allowing the development to proceed, subject to the determination that the proposed development on the site will not impact any potential municipal road alignment options in the vicinity of the site."

Concern: Our client is pleased that staff have recommended a site-specific policy, but is concerned that importing the site-specific zoning requirements into the Official Plan provides no flexibility. In our opinion, the level of detail is inappropriate for an Official Plan.

Request: Site-Specific Policy to read: *"Notwithstanding the policies of Section 9.2.2.17, this Official Plan recognizes the uses permitted by By-law 265-2002 on the lands located at 10901 Highway 50. The uses permitted by By-law 265-2002 shall be deemed to conform to this Plan."*




WESTON CONSULTING GROUP INC.



| | |
|-------------|--------------|
| File No: | 5182 |
| Date Drawn: | May 7, 2010 |
| Drawn By: | sb |
| Planner: | ay |
| Scale: | not to scale |

CAD FILE: 5182/air photo/google.dgn

LEGEND

 SUBJECT LANDS

Air Photograph from Google Earth Pro.
Date of photography: August 2009

AIR PHOTOGRAPH

10901 HIGHWAY 50
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK

- 4. **1693143 Ontario Inc. and 1693144 Ontario Inc.**
8151 Highway 50
East side of Highway 50, south of future Ebenezer Road extension
Attachment 1 – Item 124YR – p. 49 of 94

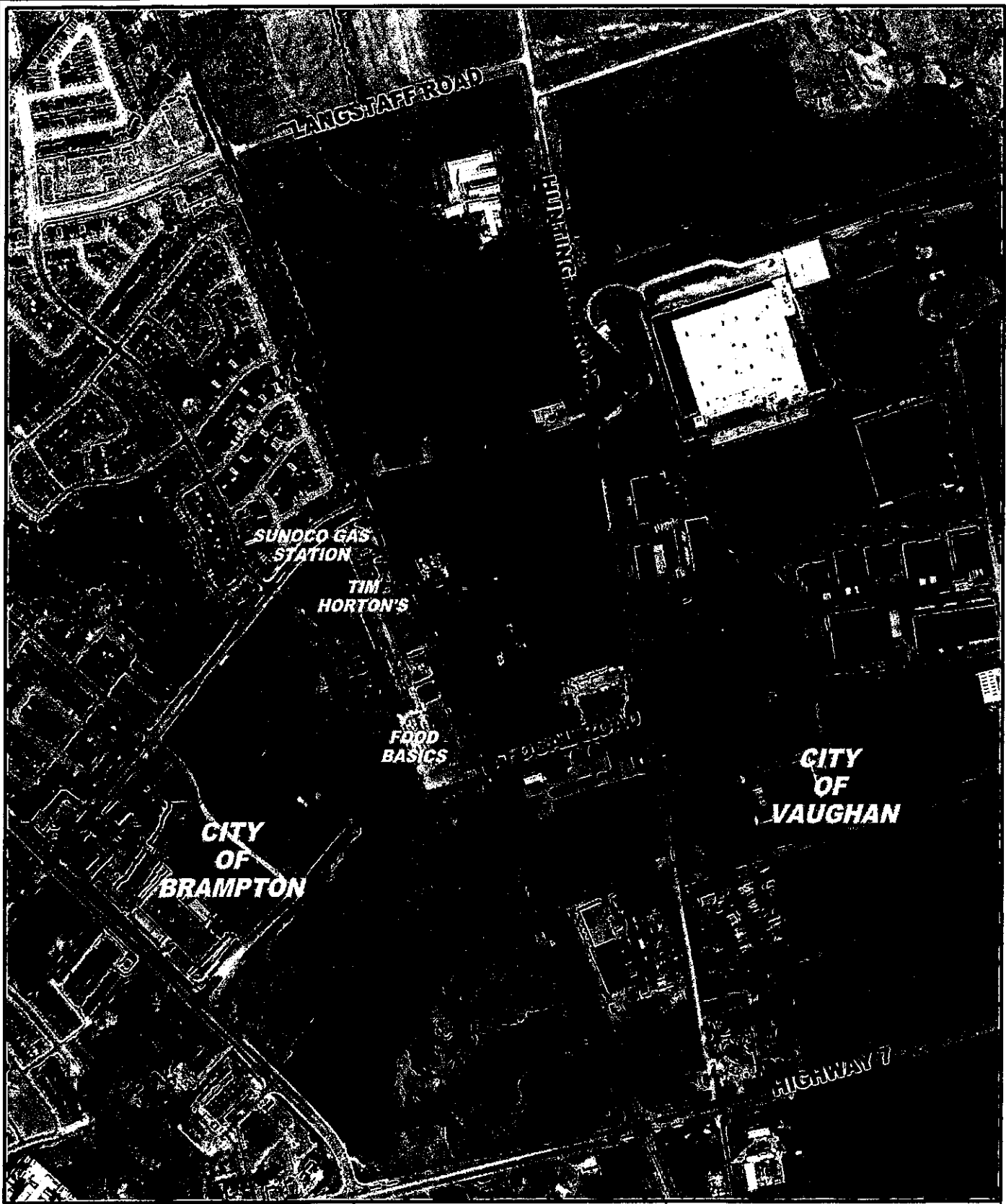
Zoning: EM2 and EM3 (By-law 171-2010)

VOP 2010 Designation: Prestige Employment

Concern with VOP 2010: No recognition is provided for recently approved commercial uses (EM3 lands). Owner is not certain of development timeframe and lands could be downzoned as part of a future comprehensive zoning by-law review.

Request: Site-Specific Policy to read: *Notwithstanding the policies of Section 9.2.2.10, this Official Plan recognizes the commercial, retail warehouse and other uses permitted by By-law 171-2010 on the lands located at 8151 Highway 50. The uses permitted by By-law 171-2010 shall be deemed to conform to this Plan.*

11



WESTON CONSULTING GROUP INC.



File No: 3975
 Date Drawn: Sep 12, 2011
 Drawn By: mh
 Planner: AY
 Scale: not to scale

CAD FILE:3975/airphoto Sep 12_11.dgn

LEGEND

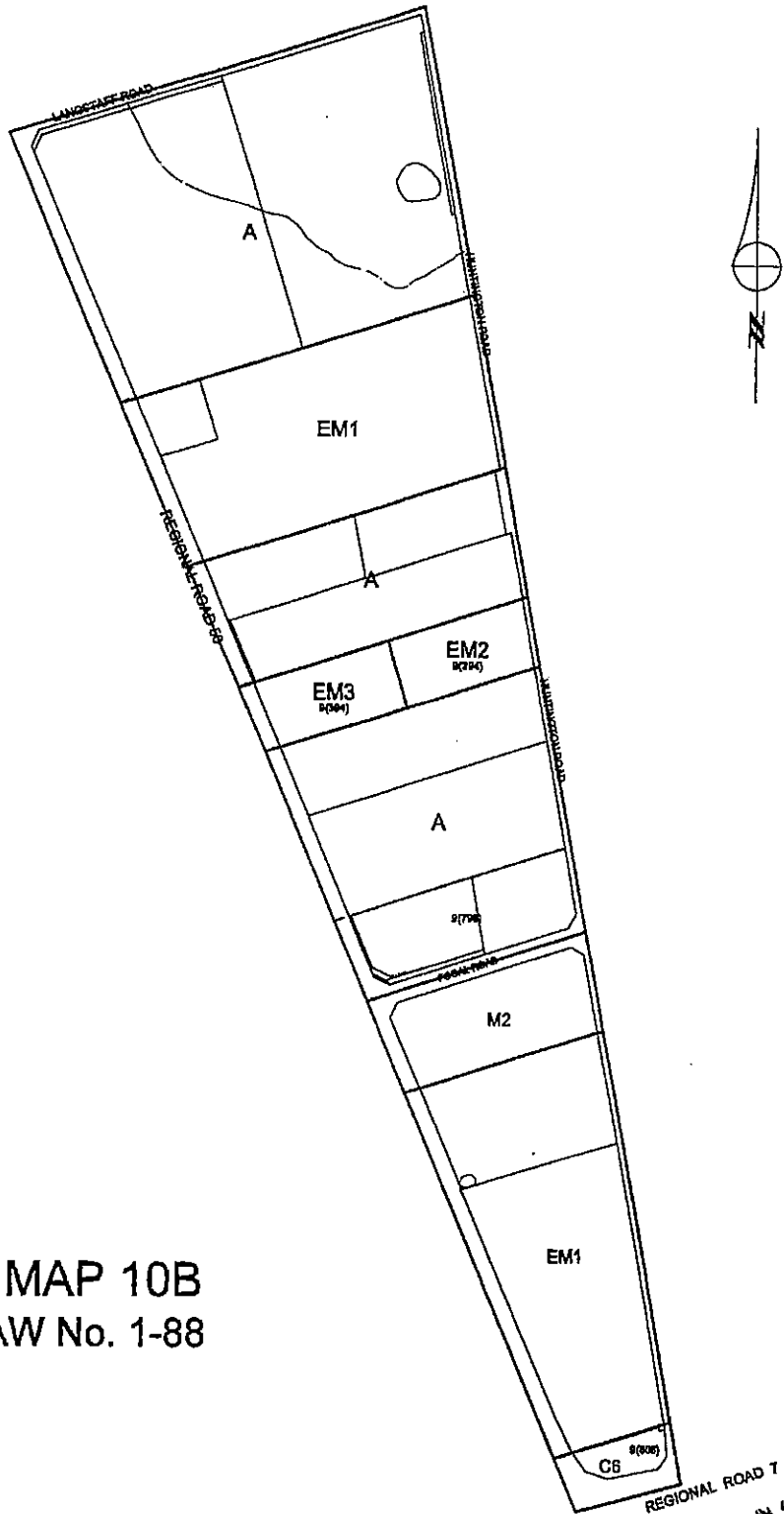


SUBJECT LANDS

Air Photograph from First Base Solutions WMS.
 Date of photography: 2009

AIR PHOTOGRAPH

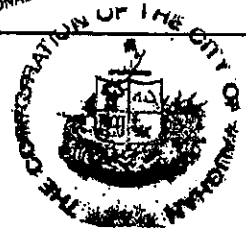
8151 HIGHWAY 50
 CITY OF VAUGHAN
 REGIONAL MUNICIPALITY OF YORK



KEY MAP 10B
 BY-LAW No. 1-88

NOT TO SCALE

THIS IS SCHEDULE '2'
 TO BY-LAW 171 - 2010
 PASSED THE 29th DAY OF JUNE, 2010



FILE No. Z.07.041
 LOCATION: PART OF LOT 8, CONCESSION 10
 APPLICANT: 1693143 ONTARIO INC. & 1693144 ONTARIO INC.
 CITY OF VAUGHAN

SIGNING OFFICERS
 "Linda D. Jackson" MAYOR
 "Jeffrey A. Abrams" CLERK

5. Casertano Development Corporation and Sandra Mammone
(see attached letter)



September 12, 2011
File No. 4742

City Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

Dear Sir:

Re: City of Vaughan Official Plan - September 2010
Casertano Development Corporation ("Casertano") and Sandra Mammone "Mammone"
Vaughan Mills Secondary Plan Area
File 25.1
D06.2010.V.01.048 – Attachment 1, Item 7YR, page 1 of 94

In response to our clients' concerns regarding the new Official Plan's built form and urban design regulations, the Planning Department has stated that "matters pertaining to the detailed nature of the development within the Vaughan Mills Centre Secondary Plan Area will be addressed comprehensively in the Secondary Plan Study".

On this basis, and to ensure that the approach to built form and urban design is not pre-determined by Volume 1 of the Official Plan, we would request that the Official Plan be modified to include the following policy:

"The built form and urban design regulations in Sections 9.2.3 and 9.2.2.6 do not apply to the Vaughan Mills secondary plan area. Guidelines relating to these matters will be established through the secondary plan process."


Thank you for your consideration of the foregoing.

Yours truly,
Weston Consulting Group Inc.
Per:

Alan Young, BES MSc MCIP RPP
Senior Associate

Cc Ted Wine and Joe DiGiuseppe, Casertano
Sandra Mammone
Mary Flynn-Guglietti, McMillan LLP
John Mackenzie, Commissioner of Planning
Diana Birchall, Director of Policy Planning
Roy McQuillin, Manager of Policy

City of Vaughan – Special Committee of the Whole
September 12th, 2011



| | |
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| C | 34 |
| Item # | 1 |
| Report No. | 39 |
| Special CW | |
| Sept. 12/11 | |

LAND SUPPLY ANALYSIS OF VAUGHAN

Remaining Capacity of Designated Community Greenfields and
Timing of New Secondary Plan Areas

2006 BUILT BOUNDARY



2,100 ha of
Community
Area
Greenfields
in 2006



MALONE GIVEN PARSONS LTD. 140 Renfrew Drive, Suite 201, Markham, Ontario Tel 1.905.513.0170 www.mgp.ca

GREENFIELD SUPPLY IN 2011



46% or 960
ha consumed
between
2006-2011

54% or 1,140
ha remaining
in 2011



MALONE GIVEN PARSONS LTD. 140 Renfrew Drive, Suite 201, Markham, Ontario Tel 1.905.513.0170 www.mgp.ca

2010 OFFICIAL PLAN DESIGNATIONS



MALONE GIVEN PARSONS LTD. 140 Renfrew Drive, Suite 201, Markham, Ontario Tel 1.905.513.0170 www.mgp.ca

SUMMARY OF GREENFIELD SUPPLY



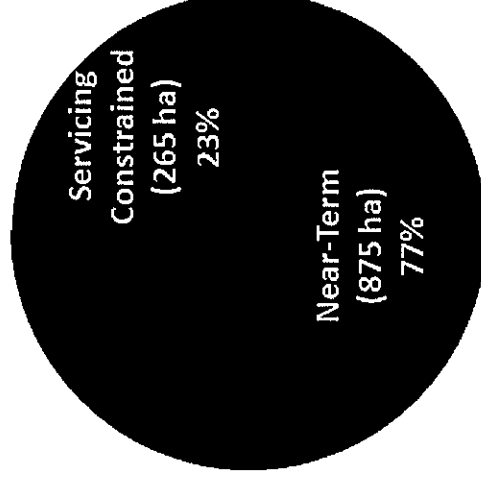
Nearly 50% of Greenfield supply consumed in 5 years.

At consumption rate of approx. 200 ha/year the remaining 1,140 designated Community Area Greenfields represent a supply of almost 6 years.

Analyzing the Remaining Greenfield Supply:

- 77% (ha) of Community Area Greenfields are near-term (can develop prior to 2016) providing a supply of 4.5 years.

Vaughan Community Area Greenfield Supply (1,140 ha in 2011)

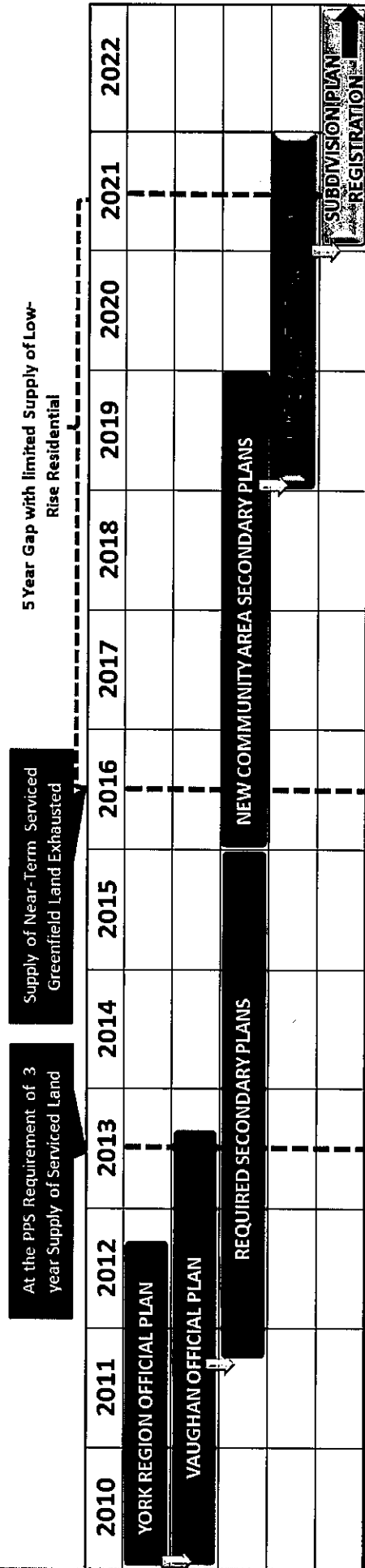


GREENFIELD SUPPLY IN 2011



MALONE GIVEN PARSONS LTD. 140 Renfrew Drive, Suite 201, Markham, Ontario Tel 1.905.513.0170 www.mgp.ca

TIMING FOR NEW SECONDARY PLAN AREAS AS PER CITY COUNCIL (JAN'11)



MGP RECOMMENDED TIMING FOR NEW SECONDARY PLAN AREAS



At the PPS Requirement of 3
year Supply of Serviced Land

Supply of Near-Term Serviced
Greenfield Land Exhausted

2 Year Gap with limited Supply of
Low-Rise Residential

| | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 |
|------------------------------------|------|------|------|------|------|------|------|------|------|------|------|
| YORK REGION OFFICIAL PLAN | | | | | | | | | | | |
| VAUGHAN OFFICIAL PLAN | | | | | | | | | | | |
| NEW COMMUNITY AREA SECONDARY PLANS | | | | | | | | | | | |
| BLOCK/TERTIARY PLAN(S) | | | | | | | | | | | |
| SUBDIVISION PLAN REGISTRATION | | | | | | | | | | | |



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|------------|-------------|
| C | 35 |
| Item # | 1 |
| Report No. | 39 |
| | Special CW |
| | Sept. 12/11 |

June 11, 2010

By Email: *rose.magnifico@vaughan.ca*

Clerk's Department
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario, L6A 1T1

Regarding: *The West Vaughan Employment Area Secondary Plan Draft*
File # WVEP - 25.5.19

To Whom It May Concern:

Rice Commercial Group Limited together with Hwy 27 & Langstaff Limited Partnership would like to provide comments on the West Vaughan Employment Area Secondary Plan Draft found on the Vaughan Tomorrow's website.

Hwy 27 & Langstaff Limited Partnership owns land located at 8682 Highway 27 just north of Langstaff Road. We are also active members of the Block 59 Landowners Group. Block 59 Landowners Group owns land in the area that is delimited by Rutherford Road to the North, Langstaff Road to the South, Highway 27 to the East and Huntington Road to the West.

First of all, I would like to commend you on your efforts through this significant undertaking. We are writing to you with regards to the following policy concerns we have in the draft Secondary Plan.

Concern One
Proposed Parkland

In Schedule 3 the proposed Parkland is schematically shown on our Highway 27 frontage. It has been noted in Part 1.7 under Parks that the District Park size should be approximately 10 hectares (24.7 acres) however, our property is currently 32.3 hectares (80 acres) and the proposed location and size of the Parkland would take up a significant portion of our property; approximately 30%.

RICE COMMERCIAL GROUP LIMITED

15 Gormley Industrial Avenue, Box 215, Gormley, Ontario L0H 1G0
Phone: 905.888.1277 Fax: 905.888.1440 Web: ricegroup.ca

In Part 2.4.2 it notes that the Landowners initiate an agreement to secure a location of the Park. The landowners in the WVEA have had no discussion to secure the location of the Parkland. We understand the need for the Parkland but feel that it should not be schematically shown on Schedule 3 until the landowners and the City decide on a mutually agreed upon location.

We feel the location of the Parkland should not be located on such a prestigious and valuable piece of employment land located on Highway 27 and are confident that the Secondary Plan area has an abundance of Natural Heritage space that could easily accommodate this Park.

If the Parkland is required to act as a buffer between the employment and the residential on Sanremo Court as the uses are not compatible with each other. We would recommend adding a buffer with compatible use such as retail in the location shown as Parkland.

Concern Two Transportation

The new proposed local street network with the north-south and east-west patterns shown on Schedule 3 do not create the large development parcels noted through Plan. The north-south road shown on the far west side of our site does not create a large parcel of land. Our site features one of the largest Highway 427 frontages amongst landowners in the Secondary Plan area. This proposed road could potentially hinder our marketing efforts to attract large-scale users to our property.

In Schedule 3 the road pattern has shown us relying on our adjacent neighbors to develop before we could have access our property. Our site would be landlocked and not provide direct access on our frontage on Highway 27. We would not like our site access to be restricted if we needed to move forward ahead of the landowners group. We feel that an appropriate access to the to the Secondary Plan area would be located across from Sanremo Court on the east side of Highway 27.

Concern Three Restricting Major Office

In Section 2.1.4 the policy notes that Major Office is restricted from the Secondary Plan area. We feel that Major Office should be included in this Secondary Plan area.

Concern Four
District Energy

In Section 2.3.9.b the Plan notes the promotion of District Energy. District Energy is a great to create sustainable development; however we feel that it would not be beneficial in a low density employment area. District Energy would be more successful in a higher density area.

Concern Five
Minimum Landscaped Area

In Section 2.5.7.a & b, 20% and 30% landscape coverage of the lot area is not acceptable with the value of land. In Section 2.5.8.e. the landscaping requirements can be added to roofs. This would cause an increase in building cost and would not help to minimize the retention of stormwater on-site.

Please accept this letter as our official comments to The West Vaughan Employment Area Secondary Plan Draft. Thank you for the opportunity to provide comments. We look forward to working with you to resolve our issues. Please note that the foregoing submissions are not intended to be exhaustive and may be augmented in the future.

If you have any questions or concerns please feel free to contact me at any time.

Sincerely,

Michael Mendes
Project Coordinator
E: mmendes@ricegroup.ca
C: 416.899.5877



64 Jardin Drive, Unit 1B
Concord, Ontario
L4K 3P3
T. 905.669.4055
F. 905.669.0097
klmplanning.com

June 8, 2010

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|--------------------|-----------|
| C | <u>36</u> |
| Item # | <u>1</u> |
| Report No. | <u>39</u> |
| <u>Special CW</u> | |
| <u>Sept. 12/11</u> | |

City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Attention: Mr. J Zipay
Commissioner of Planning

Dear Sir:

Re: Comments on City of Vaughan Draft Official Plan
Block 59 Landowners Group
Lots 11-15, Concession 9
City of Vaughan

The Block 59 Landowners Group owns land in the area bounded to the north by Rutherford Road, to the south by Langstaff Road, to the east by Regional Road 27 (formerly Highway 27), and to the west by Huntington Road.

The subject lands, which are within the designated area of ROPA 19, are included in the proposed West Vaughan Secondary Plan Area.

My clients have concern with the extent of the Natural Areas designation shown on Schedule 13-L to the draft Official Plan. My clients have completed environmental work identifying the natural features and provided that information to the City as part of the Official Plan review process. It doesn't appear that this information was taken into consideration. While it is understood that the precise limits of the features will be determined through the secondary plan process we have concerns with the draft OP policies requiring studies to be undertaken on lands within 120 metres of identified features, which may take the Study outside of the Block 59 area. My clients' do not believe that it is reasonable to require work to be undertaken outside of Block 59 or on lands that they do not control. Please provide us with the work that you relied upon to determine the limits of the natural features.

There are areas of land adjacent to the Highway 427 corridor that have excellent exposure to Highway 427 and will have easy access to Highway 427 via Langstaff Road or Rutherford Road and, as such, should be designated Prestige Employment rather than General Employment. A good example is a somewhat isolated parcel that is located immediately south of Rutherford Road and immediately east of Highway No. 427.

It should be noted that Schedule 3 - Land Use to the West Vaughan Secondary Plan does show some lands along the Highway 427 corridor as Prestige Employment which is not consistent with schedule 13-L, but is closer to what my clients are seeking.

My clients have concerns with the limitations on free standing office space as well as office space accessory to a permitted employment use. While we can understand the desire to support the Vaughan Metropolitan Centre (VMC) it must be recognized that not all head office users will want to locate in the VMC or in an intensification corridor. Often head office users have images that they want to project that require certain settings and locations. It would be a mistake to reject these users simply because they have too much floor space for the Prestige Employment land use category. You can be assured that a neighbouring municipality will be waiting for these users with open arms. Based upon discussions to date we expect some very large users (+400,000 square feet) to locate in the West Vaughan Employment Area, given the proximity to the CP Intermodal Facility. It should be noted that although these users' primary business is industrial in nature, they may require accessory office space that is very substantial and may exceed the office space policies that are proposed in the draft Official Plan. It is recommended that the accessory office space provision undergo further review.

My clients have concerns with the restriction imposed upon retail use in the employment area. The floor area restrictions are considered to be onerous, as are the locational restrictions. Please provide us with the background material used in determining these restrictions.

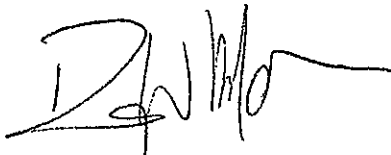
My clients are concerned that the land use restrictions within the West Vaughan Secondary Plan Area will put them at a competitive disadvantage with employment areas in neighbouring municipalities, and even with neighbouring employment blocks within the City of Vaughan that already have Secondary Plan approval, Block Plan approval, and approved zoning by-laws which have more flexible land use permissions.

The revisions to the draft OP that are requested by my clients could impact the proposed West Vaughan Secondary Plan, and as such we would like to reserve the opportunity to provide further comments on the proposed secondary plan. However, one specific point of interest is the proposed District Park designation adjacent to Regional Road 27. First of all we question why you would pick such a prominent and valuable employment location for a park when employment lands are considered to be a valuable commodity to the City and other levels of government in terms of generating jobs and taxes. If a park is to be provided in the West Vaughan Employment Area why not locate it on land that is

less useful for employment use? The park would be better located on land situated between Highway 427 and the Hydro Corridor, adjacent to the Community Multi-Use Recreational Pathway extending through the Hydro Corridor.

My clients look forward to working with you to resolve our issues. Thank you for the opportunity to provide comments on the draft Official Plan document.

Yours truly
KLM Planning Partners Inc.



Roy Mason

cc: Councillor P. Meffe, Chairman Official Plan Review
Councillor T. Carella, Ward 2
Ms. Diana Birchall, Director of Policy Planning
Mr. P. Di Mascio, Urban Strategies Inc.
Mr. T. Miele, Di Poce Management
Mr. M. Rice, Rice Group
Mr. J McGovern, Rice Group
Mr. M. Pozzebon, Metrus Developments
Mr. G. Simone
Mr. J. Simone
Mr. R. Mikkola
Mr. D Carreiro
Mr. R. Kartavicius, Eden Oak Homes
Mr. S. Wallace, Ayleswoth LLP, Barrister and Solicitors
Mr. R. DeAngelis, Condeland Engineering
Mr. D. Speller, Tarandus Environmental