

COMMITTEE OF THE WHOLE JUNE 4, 2001

**AMENDMENT TO ZONING BY-LAW FILE Z.00.096
DRAFT PLAN OF SUBDIVISION FILE 19T-00V21
653099 ONTARIO LIMITED, C/O FRANK CARINCI
REPORT #P. 2001.11**

Recommendation

The Commissioner of Planning & Urban Design recommends:

1. THAT Draft Plan of Subdivision 19T-00V21 (653099 Ontario Limited, c/o Frank Carinci), dated October 26, 2000, BE DRAFT APPROVED, as red-lined on June 4, 2001, and subject to the conditions of draft approval included on Attachment No. 1, and any further or revised conditions on the red-lined plan.
2. THAT Zoning By-law Amendment Application Z.00.096 (653099 Ontario Limited, c/o Frank Carinci), to implement the Draft Plan of Subdivision, as red-lined, BE APPROVED, and that the implementing by-law:
 - i) rezone Blocks 1 and 2 to C9 (H) Corporate Centre Zone, with a Holding Symbol (H), to be lifted upon the submission of an Urban Design Guideline Report, a Master Landscape Plan, a Functional Servicing Report, a Traffic Study and a comprehensive development plan for each block, to the satisfaction of the City of Vaughan;
 - ii) rezone part Block 3 to OS2 Open Space Park Zone; and,
 - iii) require that all eating establishment types in a free-standing format not be permitted within 100m from Regional Road 7.
3. THAT Council pass the following resolution with respect to the allocation of water and sewage servicing capacity to 653099 Ontario Limited, c/o Frank Carinci, File 19T-00V21:

“NOW THEREFORE BE AND IT IS HEREBY RESOLVED THAT the Draft Plan of Subdivision 19T-00V21 is allocated sewage capacity from the York/Durham Servicing Scheme, and water capacity from Pressure District No. 6 of the Region Water Supply System.”
4. THAT the subdivision agreement shall contain a provision that parkland shall be dedicated and/or cash-in-lieu paid, for the plan, and conform to the approved “Cash-in-Lieu of Parkland Policy”. The Owner shall submit an approved appraisal prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division and the approved appraisal shall form the basis of the cash-in lieu payment.
5. THAT Legal Counsel, Staff and resources as deemed necessary attend the Ontario Municipal Board Hearing in support of the approval of the revised plan (Attachment No. 5).
6. THAT Legal Counsel BE AUTHORIZED to consent to changes to the revised plan as a result of any further settlement negotiations with the appellant and parties, provided that such changes are minor and remain consistent with the intent of the revised plan illustrated in Attachment No. 5.

Purpose

On October 20, 2000, the Owner submitted a draft plan of subdivision, and a corresponding application to amend the Zoning By-law to rezone the subject lands to C9 Corporate Centre Zone. Revised plans were submitted on November 7, 2000.

The draft plan, which has a total area of 3.47 ha, consists of 7 mixed use blocks and a portion of the planned corporate centre ring road.

Background - Analysis and Options

Location

- North side of Regional Road 7, between Jane Street and Creditstone Road
- Lot 6, Concession 4, City of Vaughan

Public Hearing

On December 22, 2000, a notice of Public Hearing was mailed to all property owners within 120m of the subject lands. One response was received from the landowner of the adjacent development to the north (Barnes Court Business Park Inc.) indicating concerns regarding the loss of parking spaces on their lands as a result of extending Barnes Court.

The recommendation of the Committee to receive the Public Hearing of January 22, 2001, and forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Council on January 29, 2001.

Ontario Municipal Board (OMB)

On March 6, 2001, the Owner submitted to the City, a Notice of Appeal to the Ontario Municipal Board (OMB) with respect to the draft plan and zoning applications. The subject lands had been the subject of an appeal to OPA #528 as part of the Phase 1 hearing process pertaining to the Corporate Centre, which concluded earlier this year. Phase 2 will deal with the site specific applications submitted within the Corporate Centre, including the subject applications. The hearing is to commence on June 20, 2001 and the Carinci applications are scheduled for one week, beginning July 9, 2001.

Site Description

- a 3.47 ha site, with 201m frontage on Regional Road 7 and 165m depth
- flat with no significant vegetation
- the surrounding land uses are:

North - employment (EM1 Prestige Employment Area Zone)

South - Regional Road 7; employment (EM1 Zone)

East - banquet hall (C7 Service Commercial Zone)

West - vacant, (A Agricultural Zone), stormwater channel (OS1 Open Space Zone)

OPA #500 (The Vaughan Corporate Centre Study Secondary Plan)

The subject lands are designated “Corporate Centre Node” by OPA #500, which applies to an area of approximately 600 ha along Regional Road 7 as shown on Attachment #3. The Secondary Plan Area establishes a focal point of major commercial development and is comprised of two main components, being the “Corporate Centre Node”, which includes those lands east of Highway #400, straddling Regional Road 7, and the “Corporate Centre District”, which surrounds the Node and includes lands east and west of Highway #400, and north and south of Regional Road 7. The area is one of four Regional Centres in the Region of York.

The “Corporate Centre Node” is intended to become an “urban centre” with a mix of commercial, residential and institutional uses and facilities. The Secondary Plan allows the Node to evolve as the market forces dictate over a long period of time, including provision for interim development that is not prejudicial to the long-term goals and built-form objectives intended by the Plan.

The Node can accommodate between 5.5 and 6.5 million square feet of gross floor area, which will provide for a substantive urban centre sufficient to set it apart from other areas in the City of Vaughan.

The future intersection of the ring road at Regional Road 7 is recognized as a “Gateway Site”, where highrise landmark buildings are encouraged to be located with no height restrictions.

Single use and mixed use developments, characterized by high design standards, are intended for the Node. Permitted uses within the “Corporate Centre Node” are:

- office commercial
- hotels, which may include ancillary convention centres and banquet halls
- institutional, civic and cultural uses including libraries, theatres, government offices, research and training facilities and public or private schools
- sports, health and fitness and recreational uses
- retail uses of all types, excluding retail uses and retail warehouses with Gross Floor Areas exceeding 9,290 square metres (100,000 square feet) in a single unit or building
- banks and financial institutions
- service uses, restaurants, night clubs and entertainment uses
- medium and high density residential uses including townhouse complexes, stacked townhouses and dwelling units in apartment buildings, and
- community facilities such as parks, urban squares, open space and pedestrian linkages, day care centres and places of worship

The Owner proposes a C9 Zone that would implement the “Corporate Centre Node” policies of OPA #500, permitting a mix of office, commercial and residential uses.

OPA #528

OPA #528 identified specific improvements to the road network serving the Vaughan Corporate Centre Secondary Plan Area (OPA #500). The draft plan provides a portion of the ring road and the westerly extension of Barnes Court, generally in accordance with the Official Plan, as shown on Attachment No. 3. An additional road (Street ‘C’), which extends east of the ring road and ends in a cul-de-sac, is included in the draft plan.

A number of concerns have been raised with respect to the proposed road network on the draft plan which are discussed in detail in the Transportation section of this report. The Vaughan

Engineering Department requires a traffic study and approval, and have indicated operational concerns with respect to Street 'C' and the intersection design at the ring road and Street 'B'/ Barnes Court. Consult, the City's Transportation Consultant retained for the Corporate Centre road network, identified concerns with respect to road geometrics and suggested that alternative road designs be explored. The owner of the adjacent lands to the north (Barnes Court Business Park Inc.) objects to a straight westerly extension of Barnes Court, resulting in a loss of on-site parking spaces. They have prepared a plan showing the Barnes Court extension alignment further south. The Region of York indicated they have no objections to the proposal subject to conditions, including the review and approval of a detailed traffic impact study.

Zoning

The subject lands are zoned A Agricultural Zone by By-law 1-88, which does not permit the proposed mixed uses using the C9 Corporate Centre Zone.

The uses permitted in a C9 Corporate Centre Zone are as follows:

Office Building
LCBO Outlet
Brewers' Retail Outlet
Business & Professional Office
Hotel, Motel, Convention Centre
Banquet Hall, including an eating establishment provided it does not exceed 20% of the GFA of the banquet hall
Car Rental Service
Club or Health Care
Eating Establishment with or without Outdoor Patio
Eating Establishment, Convenience with or without Outdoor Patio
Eating Establishment, Take-out
Tavern
Bank or Financial Institution
Mixed Use Development
Personal Service Shop
Photography Studio
Print Shop
Place of Entertainment including a multi-screen cinema complex
Retail Store with a gross floor area of less than 9290 sq.m
Supermarket with a gross floor area of less than 9290 sq.m
Apartment Dwelling
Block Townhouse Dwelling
Place of Amusement
Technical and Commercial School
Video Store
Veterinary Clinic
Recreational Uses as defined in Section 2
Service or Repair Shop with a maximum gross floor area of 600 sq.m or less
Office and Stationary Supply, Sales, Service and Rental

Provided that where a building is constructed fronting onto Regional Road 7 (formerly Highway 7), a maximum of 60% of the gross floor area at the ground level shall be composed of commercial uses which provide individual, external, at-grade pedestrian access to such use.

By-law 1-88 defines Mixed Use Development as follows:

- a) In which at least 70% of the gross floor area is used for business and professional offices and within which at least one of the following uses is found: bank or financial institution, personal service shop, retail store, eating establishment convenience; eating establishment, take-out; eating establishment, convenience; and health centre; or
- b) Used for a retail store or retail warehouse containing business and professional office space; or
- c) Containing business and professional offices; retail store or retail warehouse; and residential uses in combination.

By-law 1-88 requires a minimum lot area of 5000 sq.m (0.5 ha), Blocks 1, 3 and 4 on the draft plan of have lesser areas of 0.226 ha, 0.4 ha and 0.29 ha respectively. If Barnes Court were re-aligned further south, the area of Blocks would be further reduced. In particular, Block 1 is significantly substandard in size and, together with its triangular configuration, could present development challenges.

The proposed Block 7 is shown as a mixed use block. However, the City's approved Urban Design Guidelines shows this block to be part of a planned "City Park" associated with the Black Creek valley land. Therefore, the appropriate zone category for this block is a OS2 Open Space Park Zone.

Implementing Zoning By-law

Planning Staff have prepared a draft Zoning By-law to implement the red-lined subdivision plan. Revised Blocks 1 and 2 are zoned C9(H) Corporate Centre Zone, with a Holding Provision. Part Block 3 would be zoned OS2 Open Space Park Zone, to be combined with adjacent lands to the west to comprise the planned City Park. By-law 1-88 contains a number of provisions that regulate development within the Corporate Centre.

A Holding Symbol (H) has been placed on the development blocks to ensure that the goals and objectives of the Corporate Centre Plan and the City's approved Urban Design Guidelines for the Corporate Centre are achieved. The (H) would be lifted at such time as the Owner submits supporting documentation to the satisfaction of the City of Vaughan, including an Urban Design Guideline Report and Master Landscape Plan, a Functional Servicing Report and a Traffic Study, and a comprehensive development plan for Blocks 1 and 2. Further the implementing by-law includes a provision requiring that all eating establishment types in a free standing format not be permitted within a minimum 100m from Regional Road 7.

A draft implementing by-law for the subject lands is included in Attachment No. 6, which would be enacted as a condition of draft plan approval of the subdivision.

Subdivision Design

The proposed draft plan, as shown on Attachment #4, consists of 7 mixed use blocks and a portion of the planned corporate center ring road. The red-lined plan, as shown on Attachment #5, eliminates Street 'C', resulting in two large development blocks - one on each side of the ring road (Street 'A'), and one part Block to be combined with lands to the west for park purposes in accordance with the City's approved Urban Design Guidelines.

Combining Blocks 1 and 2 on the applicant's proposed subdivision plan, results in an area of 0.77 ha, and by combining Blocks 3 to 6, and the deleted Street 'C', results in an area of approximately 2.0 ha. The larger blocks would allow flexibility within the plan in terms of providing opportunity for the Barnes Court extension to be re-aligned further south if required, together with the

intersection at the ring road, and allowing a wide range of building types, sizes and forms. In order to avoid piecemeal development, Council approval of a comprehensive development plan for adjacent lands each block is required prior to site plan approval. As part of the comprehensive plan process, the Owner will be required to explore the opportunity to incorporate, or at least recognize, the west of the subject lands, into the development of Block 1. Development of the blocks will be subject to site plan approval. Future severance of the larger blocks could be considered at the time specific developments are brought forward.

Servicing

The Owner has not submitted a Functional Servicing Report, which is required as a condition of draft plan approval. The following represents general information taken from the Vaughan Engineering Department's review of the proposed subdivision plan:

In December 1987, the City approved the engineering construction drawings prepared by Paul Theil Associates Limited for the construction of Barnes Court, which generally identifies how the subject lands are to be serviced. A Functional Servicing Report is required to provide a detailed breakdown on how the subject lands are to be serviced, and must address the following:

- a) roads
- b) sanitary servicing
- c) storm sewer servicing
- d) stormwater management
- e) water supply
- f) streetlighting
- g) external servicing

The Engineering Department has provided the following preliminary comments:

Water Supply

The subject lands are in the area serviced by Pressure District No. 6 of the York Region Water supply system. Water supply to the subject lands can be obtained by connecting into the existing watermain located at the end of Barnes Court. The proposed water system should be looped with the existing network. Any required easements are to be secured by the Owner for dedication.

Sanitary Sewers

The subject lands are within the Jane Sanitary Trunk Sewer System. The Functional Servicing Report shall identify that the existing local sewer main can accommodate the proposed land use on the subject lands. In the event that the existing local sewer main cannot accommodate the subject lands, the report shall provide design alternatives on how to service the subject lands to the satisfaction of the City. Any easements required are to be secured by the Owner for dedication.

Storm Sewers & Stormwater Management

The subject lands are within the watershed that is tributary to the West Black Creek. The drainage area for the subject lands has been included in the design and construction of the downstream storm pond. The Functional Servicing Report needs to identify that the pond can accommodate the flows from the subdivision. Any easements required are to be secured by the Owner for dedication.

Prior to the initiation of any grading, a detailed storm drainage report for the subject lands is required, explaining the following:

- a) Stormwater management techniques required to control the minor and major stormwater flows;
- b) Runoff rates in excess of the design capacity of the storm sewer system shall be conveyed via the streets in the plan to an acceptable outlet. The combination of overland flow and storm sewer system shall be designed to satisfy general constraints established by the City during various storm events relating to depth of ponding and structural drainage to private property;
- c) Proposed methods for minimizing and controlling erosion and siltation on and off the site during and after construction, and;
- d) Quality and quantity control techniques required to control the minor and major stormwater flows.

Lot Grading

The Owner's engineering consultant needs to use the approved construction drawings to coordinate the grades with existing developments to ensure that no drainage conflicts are created. Prior to construction, sedimentation and erosion controls must be installed and maintained for all grading and building activities. Lot grading must be completed as per the City's Design Criteria and the Site Plan Criteria Guide.

Streetlighting

Streetlighting is required on municipal roads as per City criteria.

Road Network

The draft plan includes a portion of the ring road (Street 'A') and the westerly extension of Barnes Court, through the ring road as shown in the Vaughan Corporate Centre. A number of concerns have been identified upon the circulation of the proposed plan for review.

The Vaughan Engineering Department recommends that the draft plan be revised showing:

- a) the Street 'A' and Street 'B' intersection with all the required 0.3 metre reserves and daylighting triangles;
- b) the Street 'A' and Street 'B' intersection conforming to City standards;
- c) the road network in accordance with OPA #528, and;
- d) all easements and conveyances required according to OPA #528, if required.

The horizontal and vertical road alignments of the proposed streets aligning with the existing roads and the adjacent developments.

The Vaughan Transportation Section offers the following comments:

- a) a Traffic Study is required to address: the impact on Street 'A'; will Street 'C' operate at a satisfactory level; impact of individual Blocks related to access; if Street 'C' is connected to Barnes Court, will signals be required at Street 'A'/Street 'B' intersection?; impact of accesses onto Regional Road 7 (Regional concern);
- b) Street 'C' is below the City's standard for an industrial road;
- c) Street 'C' may be affected operationally due to the closeness to Regional Road 7 (to be addressed in the traffic study and Regional comments);

- d) overall review of potential site accesses to all Blocks is required;
- e) recommended to align Street 'C' to Barnes Court, and not at present location;
- f) with the centre medians located on Street 'A', accesses from Street 'A' would operate as right-in/right out only;
- g) the design of Street 'A' and Regional Road 7 to be designed to regional requirements; and
- h) the intersection of Street 'A', Street 'B' and Barnes Court to be reviewed to achieve 90 degrees, possible turn lanes and sight triangles are provided.

Cansult, the City's Transportation Consultant retained for the Corporate Centre road network, offers the following comments, on the assumption that a fully functioning roundabout will be provided at the intersection of the ring road (Street 'A') and Regional Road 7:

- a) The rights-of-way proposed in the draft plan do not correspond to those that have been proposed as part of the VCC road network. The most significant difference is the curvature of the ring road (Street 'A'). For the draft plan, an inside radius of 106 m (inside edge of pavement) has been employed; a smaller radius of 90 m was used in our study which results in a tighter curvature, better suited to accommodate the tight grid system of streets. The larger radius also increases the skew angle at the intersection of the ring road with Barnes Court.
- b) Although the right-of-way for the ring road is correct at 26 m, additional right-of-way will be required upon approach to the roundabout (assuming protection for the ultimate development of the roundabout) in order to accommodate a third southbound lane. Note that the roundabout configuration as originally proposed in the Vaughan Corporate Centre Transportation/Transit Planning Study included an exclusive channelized right turn lane (westbound to northbound), which has subsequently been recommended for removal in order to minimize the property requirements and impacts. However, it would be prudent to provide for building setbacks in the event that the exclusive channelized right turn lane is ultimately required.
- c) Given the skewed configuration of the intersection of the ring road at Barnes Court/Street 'B', it is recommended that only right-in/right-out moves be permitted to and from the ring road. Alternatively, should full moves be desired, the intersection would likely have to be signalized and reconfigured such that it is closer to 90 degrees. Consideration would also have to be given to its proximity to the planned signalized intersection of Jane Street and the ring road (approximately 200 m apart).
- d) Should the moves at the ring road/Barnes Court/Street 'B' be limited to right-in/right-out, full moves access, as shown in the draft plan, could be provided at Street 'C' provided that the necessary turn lanes are constructed – a southbound left turn lane and the northbound right turn lane (the latter of which would require additional right-of-way). Both turn lanes are recommended in order to ensure that vehicles entering and exiting the roundabout are not impeded. Signalization is not recommended at this location given its proximity to the roundabout (approximately 130 m) and the potential impacts on its operations. Alternatively, if full moves are provided at the ring road/Barnes Court/Street 'B' intersection, right-in/right-out control is recommended for Street 'C'.
- e) It is recommended that Street 'C' be extended easterly to the adjacent property limits and then proceed northerly to connect with Barnes Court. This will ensure adequate vehicular access to all of the adjacent land parcels, including improved access to the existing commercial development to the east. In the interim, the roundabout is likely to be constructed as a right-in/right-out control feature and thus the extension of Street 'C' to

Barnes Court will be essential to providing adequate vehicular access (recognizing that only one of the two intersections with the ring road should provide full moves). Otherwise access to/from Barnes Court in particular will be severely restricted.

OPA #528 provides for the westerly extension of Barnes Court to access to the ring road. To ensure safe operation at intersections, only right-in/right-out moves are permitted. This serves to improve the connectivity of the ring road by promoting its use as an alternative to Regional Road 7.

The owner of the lands immediately north of the subject plan (Barnes Court Business Park Inc.) objects to the proposed alignment of the Barnes Court extension. A straight westerly extension would eliminate approximately 41 parking spaces along their south property line and directly in front of two industrial buildings. In response to this concern, a plan was prepared showing Barnes Court curving south approximately 9 m, onto the subject lands running parallel to the extension shown on the plan of subdivision. The parking area that is affected and the alternative alignment are shown on Attachment No. 4.

Planning Staff question the need for Street 'C' as a public road, and the need to add this intersection with the ring road. As an alternative, full driveway accesses could be provided from the Barnes Court extension, together with right-in/right-out accesses from the ring road (Street 'A'), to one large block. The number and location of the access driveways and whether they need to be shared in the future can be determined at the comprehensive development plan/site plan stage. Eliminating Street 'C' would appear to address the traffic concerns that have been raised, and allow more land to be available for development. Larger development blocks could provide greater flexibility in the plan, particularly in terms of achieving urban design objectives.

Street 'B' could be held in a Reserve Block, to be constructed when the adjacent lands to the west have been assembled and determined for development.

A Traffic Study is required in support of any development proposal for the subject lands, and should include an operational analysis to demonstrate that the alternative alignment of the Barnes Court extension will be acceptable from a transportation perspective. Planning Staff has red-lined the plan of subdivision to accommodate a southerly alignment of the Barnes Court extension, if deemed appropriate by the City of Vaughan, upon review of supporting traffic analysis.

Region of York

The Region of York has no objection to the proposed draft plan, subject to the approval of a number of conditions, including a traffic study. They recommend that the City allocate water and sewer capacity to the subject lands concurrently with draft approval. The Region's red-lined comments have been incorporated into the City's red-lined plan.

Toronto & Region Conservation Authority (TRCA)

The subject lands is in close proximity to a tributary of the West Black Creek. TRCA has reviewed the proposed plan and advise that they do not require any conditions of approval and defer the stormwater management review to the City of Vaughan.

Cultural Services

An archaeological survey is not required. The Cultural Services Department advise that they have reviewed the proposed applications and offer the following comments:

1. Subdivision design is to be in accordance with the Urban Design Guidelines,

OPA 500 and other relevant Official Plans for the Corporate Centre. This includes, but is not limited to, addressing the provision of a city park west of Street B, in keeping with the report section of the Urban Design Guidelines.

2. Parkland dedication is required; form as cash in lieu or land dedication is to be determined.
3. A vegetation inventory and assessment will be required. In addition any potential impacts on the existing storm water management facility will need to be addressed.
4. An Urban Design Guideline and Master Landscape Plan shall be required.

Urban Design

The Department of Urban Design has provided detailed wording with respect to cash-in-lieu/dedication, as indicated in Recommendation #4 in this report. As part of the submission requirements, they require for review internal landscaping on all blocks within the plan, streetscaping within all roads, gateway features at Regional Road 7 and the ring road (Street 'A'), and landscaping associated with any stormwater management facility. Construction drawings will be required for the implementation of the streetscape and landscape elements as part of the submission blocks.

Canadian National Railway (CN)

CN objects to the proposed rezoning as it would permit residential development in proximity to their Railway Classification Yard to the east and that residential use is fundamentally incompatible with the nature of the operations at their facility. A noise report supporting the feasibility of the proposed residential rezoning and subdivision has not been provided. CN advises that should Council approve the applications, they will have no alternative but to request referral to the Ontario Municipal Board.

Planning Staff have determined that the nearest distance from the subject lands to the Classification Yard is approximately 670 m (2200 ft), which is substantial. CN did not object to OPA #500, which permits residential use in the Node, nor has CN participated in any subsequent Board proceedings

York Region District School Board

The School Board has no objections, but advise that there are no schools within walking distance and students would be bused out of their community to existing schools.

Canada Post

Canada Post has no objection to the proposed subdivision and offer the following comments:

“If this project consists of more than two adjoining units, sharing a common indoor entrance, the developer/owner must supply, install and maintain the mail equipment to Canada Post’s specifications.”

Planning Staff have also included Canada Post’s standard conditions relating to residential use, in the conditions of draft plan approval.

Conclusion

The proposed draft plan of subdivision presents an opportunity for the City to implement the goals and objectives of the Vaughan Corporate Centre Plan. The proposed mixed use development and C9 Zone would implement the "Corporate Centre Node" policies of OPA #500, permitting a mix of office, commercial and residential uses.

Extensive effort has already been conducted on policies related to the road network improvements serving the Corporate Centre Plan Area. The Owner is proposing a plan of subdivision that would implement a portion of the ring road, which is an essential component to the successful operation of the Plan. Also proposed, is the westerly extension of Barnes Court as another measure to increase connectivity, and lessen reliance on Regional Road 7 for east-west travel and by making Creditstone Road a more accessible alternative for north-south travel.

A number of concerns have been identified with respect to the proposed road network shown on the proposed subdivision plan. Operational concerns with respect to Street 'C' and the intersection design at the ring road and Street 'B'/ Barnes Court, together with its road geometrics have been identified. The straight westerly extension of Barnes Court would adversely impact the adjacent development to the north by eliminating approximately 41 parking spaces in front of two existing buildings. A plan showing an alternative alignment of the extension further south has been submitted and warrants further review. The Owner has not submitted a Traffic Study.

Accordingly, Planning Staff have red-lined the subdivision plan based on comments received to date. An additional area on the draft plan, along the south side of the Barnes Court extension, has been delineated to accommodate its re-alignment south, if required. Street 'C' and the four associated blocks it provides access to, have been deleted and replaced with one large block to be accessed by private driveways from Barnes Court and right-in/right-out moves accesses onto the ring road. The number and location of the driveways and whether they need to be shared in the future can be determined at comprehensive development plan/site plan stage. Street 'B' can be held as a Reserve Block, which would not be constructed until the adjacent lands to the west have been assembled and determined for development.

Proposed Blocks 1, 3 and 5 are undersized and do not meet the minimum area requirements of the Zoning By-law. Consolidation into larger blocks would allow greater flexibility within the plan in terms of providing opportunity for the Barnes Court extension to be re-aligned further south if required, together with the intersection at the ring road. Larger blocks can also provide greater opportunity to achieve urban design objectives by allowing a wide range of building types, sizes and forms.

To avoid piecemeal development, Council approval of a comprehensive development plan for each block is required prior to site plan approval. The Owner will be required to consider incorporating, or at least recognizing, the lands west of the subject lands into the development of Block 1. The implementing Zoning By-law would rezone Blocks 1 and 2 C9 Corporate Centre Zone with a Holding Symbol (H) and would include a provision requiring that all eating establishment types in a free standing format not be permitted within 100m of Regional Road 7. Part Block 3 would be rezoned to OS2 Open Space Park Zone, to be combined with adjacent lands to the west for City Park purposes.

OPA #500 requires the approval of a number of studies prior to approval of development applications. Staff have determined that a traffic study, urban design guidelines and master landscape plan, a functional servicing report, and Council approval of a comprehensive development plan, will be required as a condition of subdivision approval and as conditions required to be satisfied prior to removing the Holding Symbol (H) from the subject lands. Further conditions of subdivision approval and/or red-lining may be necessary pending the review of the required studies.

Staff have also included in the recommendation section of this report, a condition which gives authorization for Legal Counsel, Staff and resources, as deemed necessary, to attend the Ontario Municipal Board Hearing in support of the approval of the revised plan (Attachment No. 5). Further, it is recommended that Legal Counsel be authorized to consent to changes to the revised plan as a result of any further settlement negotiations with the appellant and parties, provided that such changes are minor and remain consistent with the intent of the revised plan illustrated in Attachment No. 5. Changes to the plan are likely, given the timing of the submission requirements (ie. Traffic study) prior to the commencement of the Hearing.

Should the Committee concur, Draft Plan of Subdivision 19T-00V21 can be draft approved, and the implementing zoning application approved, by adopting the Recommendation in this report.

Attachments

1. Conditions of Approval
2. Location Map
3. Corporate Centre Plan
4. Alternative Alignment For Barnes Court Extension
5. Red-Lined Draft Plan of Subdivision 19T-00V21
6. Draft Implementing Zoning By-law

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Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning & Urban Design

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ATTACHMENT NO. 1

CONDITIONS OF APPROVAL

THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF SUBDIVISION 19T-00V21, CITY OF VAUGHAN, ARE AS FOLLOWS:

City of Vaughan Conditions

1. Approval shall relate to the draft plan of subdivision, prepared by Weston Consulting Group Inc., dated October 26, 2000, as red-lined by the City of Vaughan to:
 - a) Consolidate Blocks 1 and 2 into one block, re-numbered as Block 1;
 - b) Delete Street 'C' and consolidate Blocks 3, 4, 5 and 6 into one block, re-numbered as Block 2;
 - c) Block 7 be re-numbered as Block 3;
 - d) Designate Street 'B' as a Reserve Block and re-align Street 'A' and Barnes Court, as required by the City of Vaughan;
 - e) Include road widenings, 0.3m reserves and daylighting triangles along Regional Road 7, as required by the Region of York;
2. The lands within this draft plan of subdivision shall be appropriately zoned by a zoning by-law, which has come into effect, in accordance with the provisions of the Planning Act. The Holding Symbol (H) of the By-law on Blocks 1 and 2 shall be removed pending the submission of an

Urban Design Guidelines Report, a Master Landscape Plan, a Functional Servicing Report, a Traffic Study, and a Comprehensive Development Plan to the satisfaction of the City.

3. Prior to final approval of the plan, the Owner agrees to pay any and all outstanding application fees to the Planning Department, in accordance with Tariff of Fees By-law 321-99.
4. Prior to final approval of the plan or a phase of the plan, the Owner shall submit a phasing plan(s), which provides details concerning the road pattern, stormwater management, the number of commercial buildings/units, and the number and type of dwelling units in the draft plan or each phase of the draft plan, to the satisfaction of the City.
5. The Owner shall enter into a subdivision agreement with the City to satisfy all conditions, financial or otherwise of the City, with regard to such matters as the City may consider necessary, including, payment of development levies, the provision of roads and municipal services, streetscaping, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.
6. The road allowances included within this draft plan of subdivision shall be dedicated as public highways without monetary consideration and free of all encumbrances.
7. That prior to commencing the subdivision agreement process:
 - a) the road allowances included within this draft plan of subdivision shall be named to the satisfaction of the City, in consultation with the Regional Planning Department; and,
 - b) the lots on the draft plan of subdivision shall be assigned municipal addresses by the City.
8. The road allowances included within this draft plan of subdivision shall be designed in accordance with the City's standards for road and intersection design, temporary turning circles, daylighting triangles, and 0.3 m reserves. The pattern of streets, and the layout of lots and blocks shall be designed to correspond and coincide with the pattern and layout of abutting developments.
9. Any dead end or open side of a road allowance created by this draft plan of subdivision shall be terminated in a 0.3 m reserve, to be conveyed to the City without monetary consideration and free of all encumbrances, to be held by the City until required for future road allowances or development of adjacent lands.
10. The Owner agrees that prior to final approval, final engineering design(s) may result in variation to the road and lotting pattern, number of lots, distribution of uses, and conditions of approval, subject to the satisfaction of the City and other relevant approval authorities.
11. The Owner shall agree in a subdivision agreement that construction access shall be provided only in a location approved by the City and the Region of York, if required.
12. Easements as may be required for utility, drainage or construction purposes shall be granted to the appropriate authority(ies), free of all charges and encumbrances.
13. Prior to final approval, the Owner shall prepare a soils report prepared for review and approval of the City, and shall agree in the subdivision agreement that the recommendations (including pavement design structure for ideal and non-ideal conditions) shall be carried out to the satisfaction of the City.

14. Prior to final approval, the Owner shall submit to the satisfaction of the City, environmental site assessment report(s) in accordance with the Ministry of Environment and Energy's Guideline for Use at Contaminated Sites in Ontario, June 1996, as amended.
15. Prior to final approval, the Owner shall reimburse the City for the cost of the City's peer review for the environmental site assessment reports.
16. Prior to final approval, should site remediation be required in order to meet the applicable soil and ground water criteria as set out in the Guideline for Use at Contaminated Sites in Ontario, June 1996, as amended, the Owner shall submit to the City, a copy of the Record of Site Condition, which has been acknowledged by a Provincial Officer of the Ministry of Environment and Energy.
17. The Owner shall agree in the subdivision agreement that the Owner covenants and agrees that all lands to be conveyed to the municipality meet the applicable soil and ground water criteria for the intended use as set out in the Guideline for Use at Contaminated Sites in Ontario, June 1996, as amended.
18. Prior to the initiation of grading, and prior to registration of this draft plan of subdivision or any phase thereof, the Owner shall submit to the City for approval the following:
 - a) A detailed engineering report that describes the storm drainage system for the proposed development within this draft plan of subdivision, which report shall include:
 - i) plans illustrating how this drainage system will tie into the surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, how external flows will be accommodated, and the design capacity of the receiving system;
 - ii) the location and description of all outlets and other facilities;
 - ii) stormwater management techniques which may be required to control minor and major flows; and,
 - iii) proposed methods of controlling or minimizing erosion and siltation on-site and in downstream areas during and after construction.

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

19. The Owner shall not apply for building permits and the City shall not issue building permits for those lots and/or blocks within the plan until the City is satisfied that the following services are available to service this proposed development or that arrangements have been made for their completion to the satisfaction of the City:
 - a) Provide access to a public street.
 - b) Provide municipal water supply.
 - c) Provide sanitary sewers and storm drainage facilities.
20. Prior to final approval of the plan, the Owner shall pay its proportionate share of the cost any external municipal services, temporary and/or permanent built or proposed that have been designed and oversized by others to accommodate the development of the plan.

21. Prior to final approval and prior to any works commencing on site, the Owner is required to provide lot grading, road grades and cross sections of each to the City's Engineering Department for review and approval.
22. Street 'A' shall be interconnected with Barnes Court to the north.
23.
 - a) prior to final approval, the Owner shall engage the services of a consultant to complete a noise study, recommending noise control features satisfactory to the City and the Region of York. The noise report shall include ultimate traffic volumes associated with the surrounding road network.
 - b) The Owner shall agree in the subdivision agreement that the noise control features recommended by the acoustical report, and approved by the City, shall be implemented as approved by the requirements of the subdivision agreement.
 - c) In the event that a slight noise level excess will remain, despite the implementation of the noise control features, the following warning clause shall be included in the registered portion of the subdivision agreement and in all offers of purchase and sale or lease for all lots and/or blocks affected:

"Purchasers and/or tenants are advised that despite the inclusion of noise control features within the development area and within the individual building units, noise levels may be of concern, occasionally interfering with some activities of the dwelling occupants."
24. The Owner shall agree in the subdivision agreement to include the following warning clause in all offers of purchase and sale or lease for all lots and/or blocks within the plan:

"Purchasers and/or tenants are advised that despite the inclusion of noise control features within the development area and within the individual units, noise levels from construction and building activities will continue to be of concern occasionally interfering with some activities of the building occupants for the duration of the subdivision construction."
25. Street 'B' shall be held as a reserve block and will not be constructed until such time as adjacent lands to the west have been assembled and determined for development.
26. The Owner is to design, purchase materials, and install a buried hydro distribution system and a street lighting system within the confines of the above noted plan of subdivision, and compatible with the existing and/or proposed systems, in surrounding plans of subdivision, all in accordance with Vaughan Hydro Inc. and City's standards and specifications, latest revisions. That prior to final approval, all requirements of Vaughan Hydro Inc. shall be satisfied.
27. The Owner shall agree in the subdivision agreement to pay the City, at the time of registration of the plan, payment at the rate of \$1000.00 per residential dwelling unit plus \$500.00 for each future residential dwelling unit contained on a part lot in the plan which is to be combined with the abutting part lot in an adjacent plan to form a building lot, as per Schedule "I", in accordance with the special area Woodlot Development Charge.
28. Prior to final approval, the Owner shall prepare a tree assessment study to the satisfaction of the City. The study shall include an inventory of all existing trees, assessment of significant trees to be preserved, and proposed methods of tree preservation/or remedial planting. The Owner shall agree not to remove trees, without written approval by the City.

29. Prior to final approval, the Owner shall submit an Urban Design Guidelines Report for the subdivision, to the satisfaction of the Department of Urban Design and the Community Planning Department. The said guidelines shall address all the urban design objectives contained in OPA #500 and the City of Vaughan Corporate Centre Urban Design Guidelines Report, dated January 1998. The report shall address, but not be limited to, the following matters:
 - a) height and massing of buildings;
 - b) distribution of uses and densities;
 - c) relationship between streets and buildings;
 - d) integration of development with transit services;
 - e) pedestrian and vehicular circulation networks;
 - f) parks and open space system;
 - g) primary public entrances and gateways;
 - h) micro-climate conditions; and,
 - i) signage, streetscape amenity elements, boulevard trees, lighting and site furnishings.
30. Prior to final approval, the Owner shall submit to the satisfaction of the Department of Urban Design, a Master Landscape Plan for the subdivision, in accordance with OPA #500. The plan shall address, but not be limited to the following issues:
 - a) Internal landscaping on all of the blocks within the plan.
 - b) Streetscaping within all the roadways in the plan in accordance with the approved Urban Design Guidelines and OPA 500.
 - c) Gateway features at Avenue 7 and the Ring Road/Street A.
 - d) Landscaping associated with any storm water management facilities.
31. The Owner/Developer agrees to fulfill the following requirements of Canada Post:
 - a) Include in all offers of purchase and sale a statement which advises the prospective purchaser that mail delivery will be from a designated Community Mailbox.
 - b) Notify the purchasers of the exact Community Mailbox locations prior to the closings of any home sales.
 - c) Consult with Canada Post Corporation to determine suitable locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.
 - d) Provide the following for each Community Mailbox site and include these requirements on the appropriate servicing plans:
 - i) an appropriately sized sidewalk section (concrete pad), as per municipal and Canada Post standards, to place the Community Mailboxes on;

- ii) any required walkway across the boulevard, as per municipal standards; and,
 - iii) any required curb depressions for wheelchair access.
- e) Determine and provide a suitable temporary Community Mailbox location(s) which may be utilized by Canada Post until the curbs, sidewalks and final grading have been completed at the permanent Community Mailbox locations. This will enable Canada Post to provide mail service to new residences as soon as homes are occupied.
 - f) If a commercial building consists of more than two adjoining units, sharing a common indoor entrance, the Owner/Developer must supply, install and maintain the mail equipment to Canada Post's specifications.
32. Prior to final approval, the Owner shall submit for review and approval, a detailed Master Engineering Servicing Plan (MESP) for the proposal subdivision. The MESP shall include, but not be limited to, sanitary servicing, stormwater management servicing, water supply and street lighting, to the satisfaction of the City.

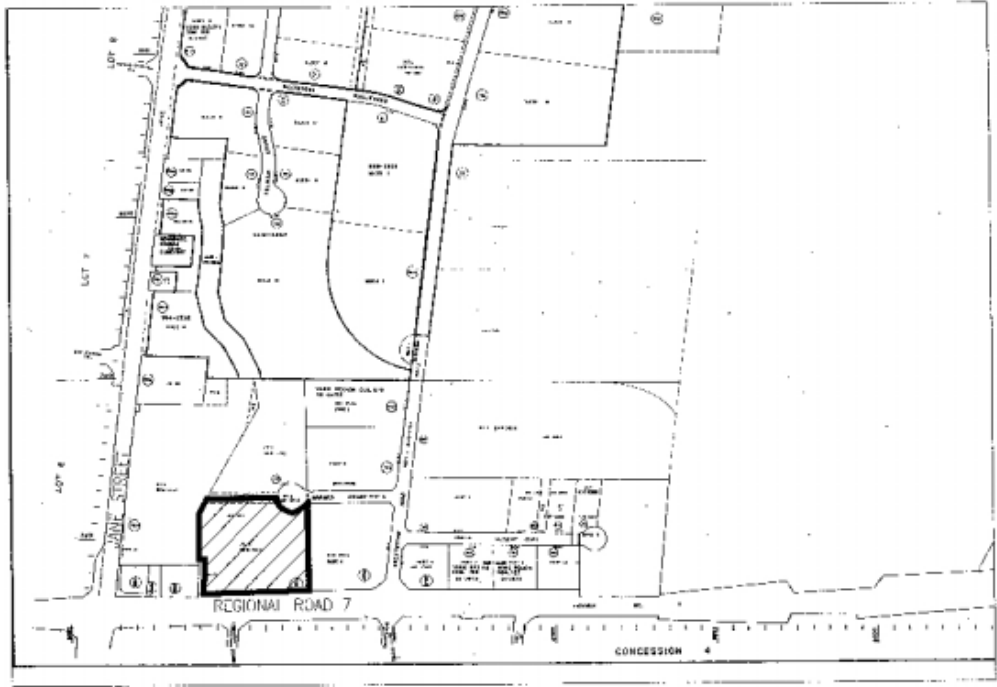
Region of York Conditions

33. Where final approval of this draft plan of subdivision, or any phase thereof, has not been given within three years after the original date of draft plan approval, the Region of York Transportation and Works Department, Water and Wastewater Branch shall confirm that adequate water supply and sewage treatment capacity continues to be available prior to final approval of any remaining portion of the plan, and continued capacity availability may require infrastructure additions or improvements.
34. A 0.3 metre reserve across the full frontage of the draft plan of subdivision where it abuts Highway 7 and adjacent to the Street 'A' daylighting triangles shall be conveyed to the Regional Municipality of York free of all costs and encumbrances.
35. 25.0 metre by 25.0 metre daylighting triangles at the Street 'A'/Highway 7 intersection shall be conveyed to the Regional Municipality of York for public highway purposes, free of all costs and encumbrances.
36. The Owner shall provide a set of engineering drawings for review and approval by the Region of York Transportation and Works Department which indicates the subdivision storm drainage system, site grading and servicing, plan and profile for proposed intersections, construction access and mud mat design, utility location plans, pavement markings, intersection signalization and illumination design, traffic control/construction staging plans and landscape plans.
37. Any existing driveways along the Highway 7 frontage of this subdivision shall be removed as part of the subdivision work unless documentation is provided to the Region to demonstrate that the existing access has previously been approved for the subject development.
38. The location and design of the construction access for the subdivision work shall be approved by the Region of York Transportation and Works Department.
39. A detailed traffic impact study, prepared by a qualified professional consultant, shall be submitted to the Regional Transportation and Works Department for review and approval.

40. The Street 'A'/Highway 7 intersection shall be designed and constructed to the satisfaction of the Regional Transportation and Works Department with any interim or permanent intersection work including turning lanes, centre medians, illumination and/or signalization as deemed necessary by the Regional Transportation and Works Department.
41. The Owner shall provide a Solicitor's Certificate of Title to the Region of York Corporate and Legal Services Department, to the satisfaction of the Regional Solicitor, at no cost to the Region, with respect to the conveyance of lands to The Regional Municipality of York.
42. The Region of York Planning Department shall advise that Conditions 34 to 42, inclusive, have been satisfied.

Other Conditions

43. Final approval for registration may be issued in phases provided that:
 - a) Phasing is proposed in an orderly progression, and;
 - b) All government agencies agree to registration by phases and provide clearances as required in Conditions 1 to 42 inclusive; clearances will be required for each phase proposed for registration by the Owner; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
44. The City shall advise that Conditions 1 to 32 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
45. The Regional of York shall advise that Conditions 33 to 42 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.



 Subject Lands

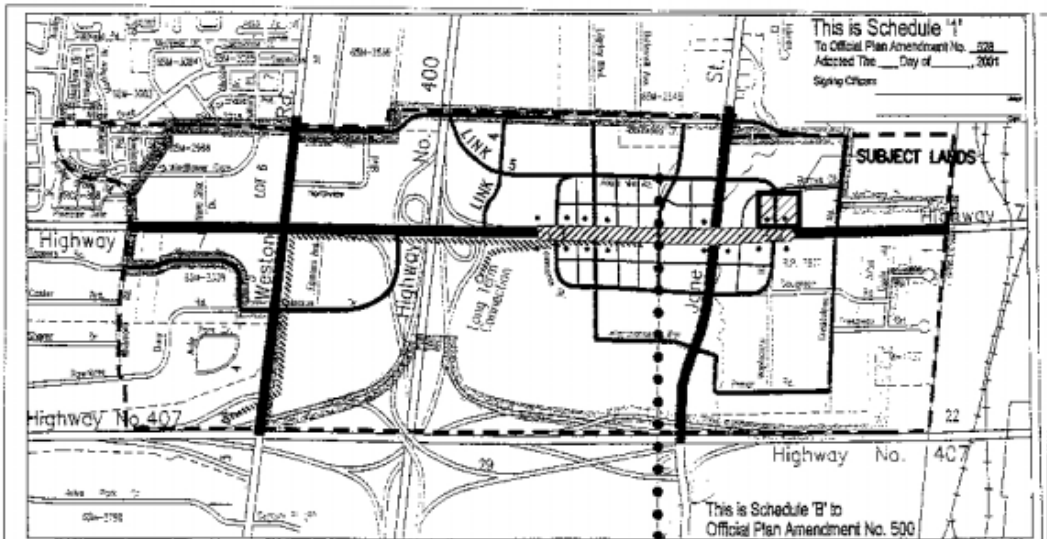
ATTACHMENT "2"
LOCATION MAP

FILE #
191-00921
2.00.096
REPORT #

LOCATION:
PT. LOTS 31,32 CONC. 4
00/11/17
NOT TO SCALE

653098 ONTARIO LTD. c/o Frank Carinci

CITY OF VAUGHAN PLANNING DEPARTMENT



This is Schedule '1'
To Official Plan Amendment No. 500
Adopted This ___ Day of ___, 2011
Signed: _____
City Clerk

**Vaughan Corporate Centre Secondary Plan
Amendment No. 500**

Schedule 'B' - Transportation Plan
See Schedule 'B1' For Implementing Road Width Plan

- Highway 7 / Avenue 7'
- Arterial Road
- Collector Road
- Local Road
- 23m Public Transit Right of Way
- Inter-Regional Transitway (Potential)
- Gateway Sites
- Traffic Control / Design Feature
- Vaughan Corporate Centre Secondary Plan Area Boundary
- Study Area Boundary



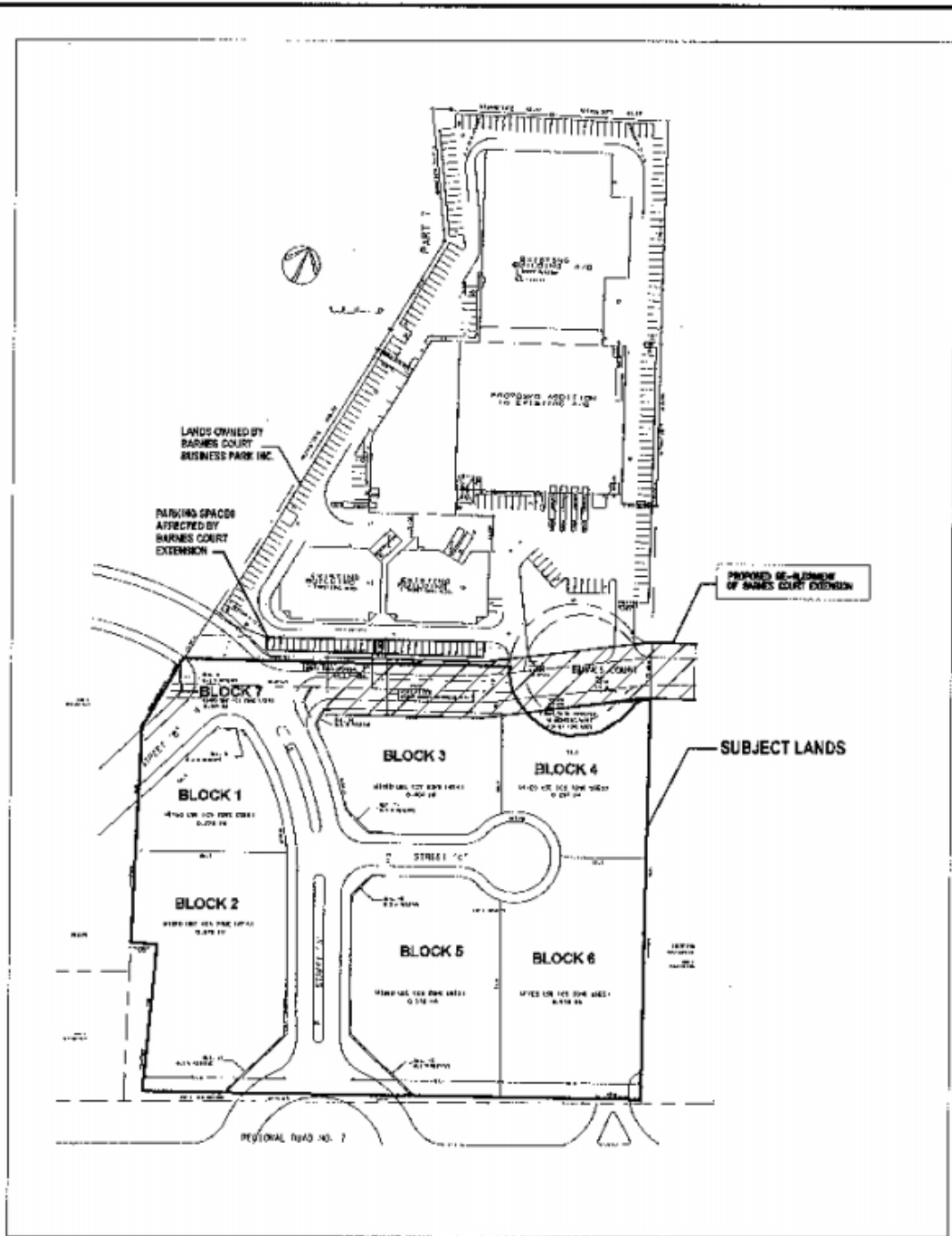
SUBJECT LANDS

653099 ONTARIO LTD. c/o Frank Corina

ATTACHMENT "3"
CORPORATE CENTRE PLAN
CITY OF VAUGHAN PLANNING DEPARTMENT

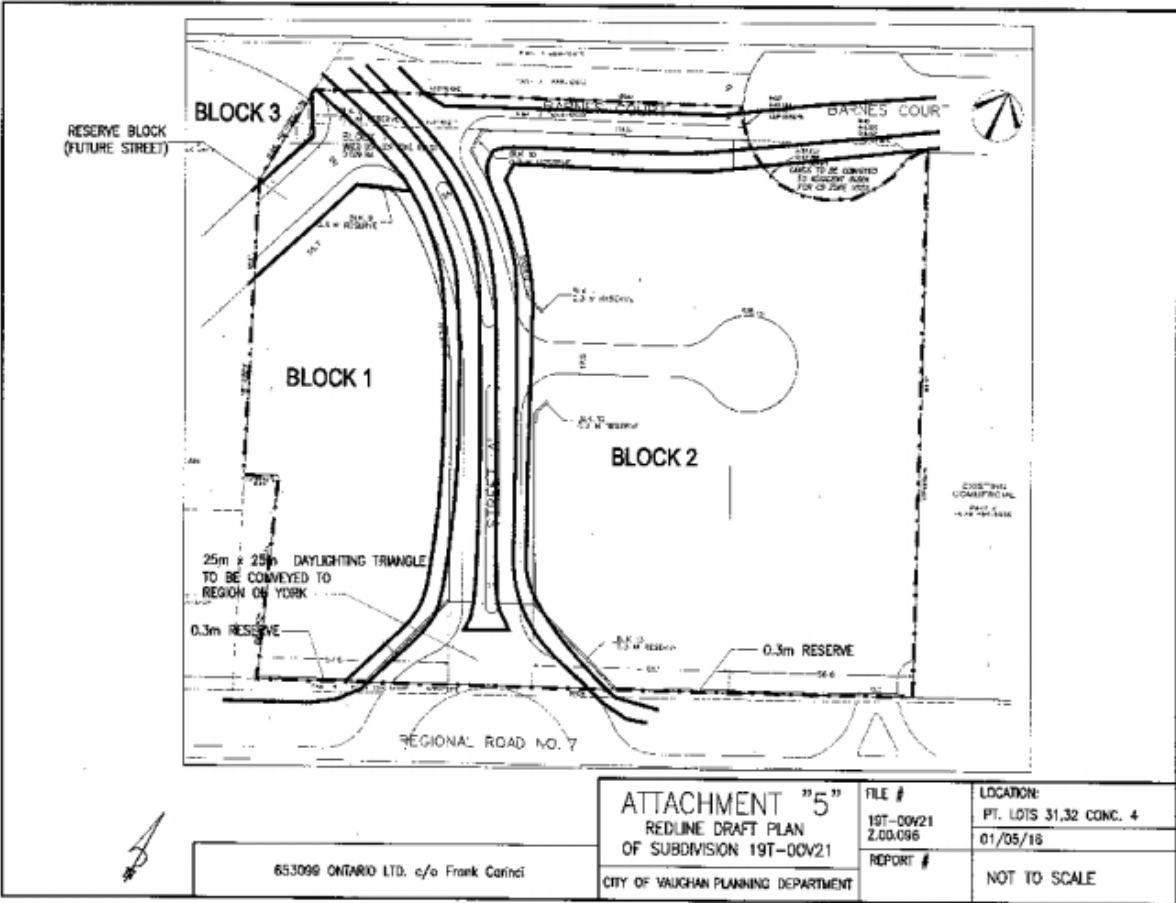
FILE #
19T-00V21
Z.00.096
REPORT #

LOCATION:
PT. LDTS 31.32 CONC. 4
01/05/16
NOT TO SCALE



ATTACHMENT "4" ALTERNATIVE ALIGNMENT FOR BARNES COURT EXTENSION CITY OF VAUGHAN PLANNING DEPARTMENT	FILE #	LOCATION:
	19T-00V21 Z.00.066	PT. LOTS 31,32 CONC. 4 01/05/18
REPORT #	NOT TO SCALE	

653096 ONTARIO LTD. c/o Frank Corinci

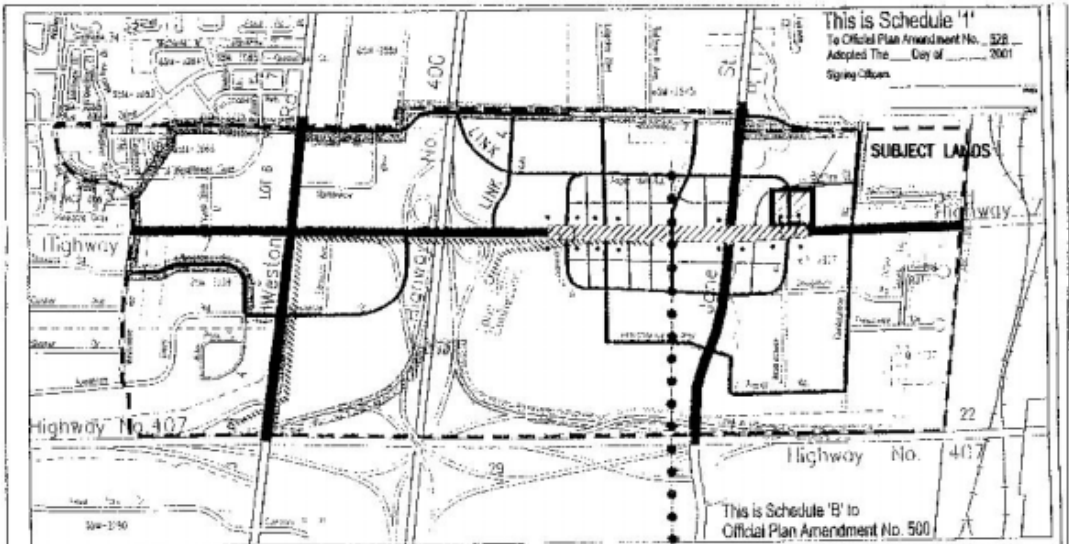


653098 ONTARIO LTD. c/o Frank Cornei

ATTACHMENT "5"
 REDLINE DRAFT PLAN
 OF SUBDIVISION 19T-00V21
 CITY OF VAUGHAN PLANNING DEPARTMENT

FILE #
 19T-00V21
 Z.00.036
 REPORT #

LOCATION:
 PT. LOTS 31,32 CONC. 4
 01/05/18
 NOT TO SCALE



**Vaughan Corporate Centre Secondary Plan
Amendment No. 500**

Schedule 'B' - Transportation Plan
See Schedule 'B1' For Implementing Road Width Plan

- Local Road
- Highway 7 / Avenue 7*
- Arterial Road
- Collector Road
- 23m Public Transit Right of Way
- Inter-Regional Transitway (Potential)
- Gateway Sites
- Traffic Control / Design Feature
- Vaughan Corporate Centre Secondary Plan Area Boundary
- Study Area Boundary

SUBJECT LANDS

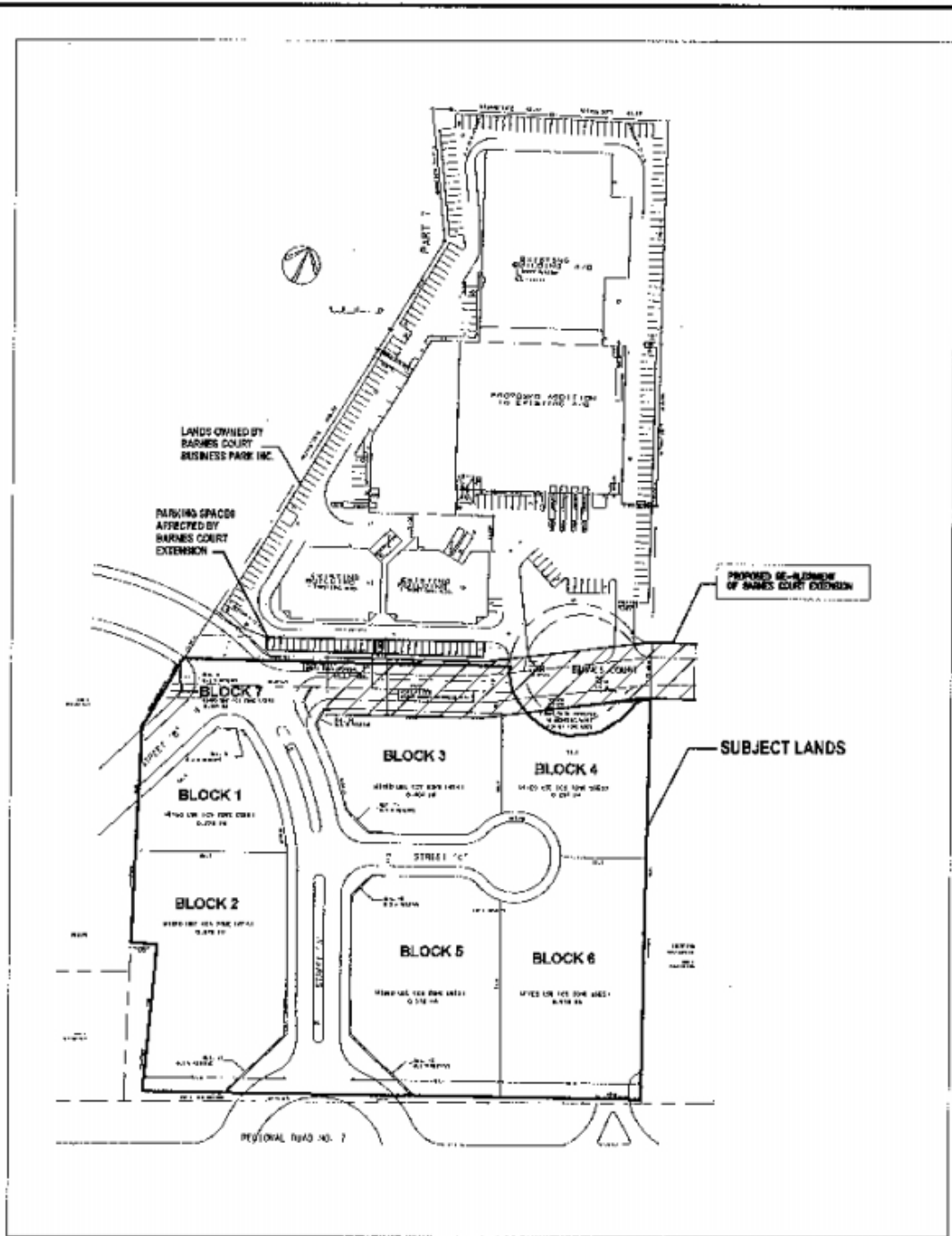


653099 ONTARIO 110. c/o Frank Connel

ATTACHMENT "3"
CORPORATE CENTRE PLAN
CITY OF VAUGHAN PLANNING DEPARTMENT

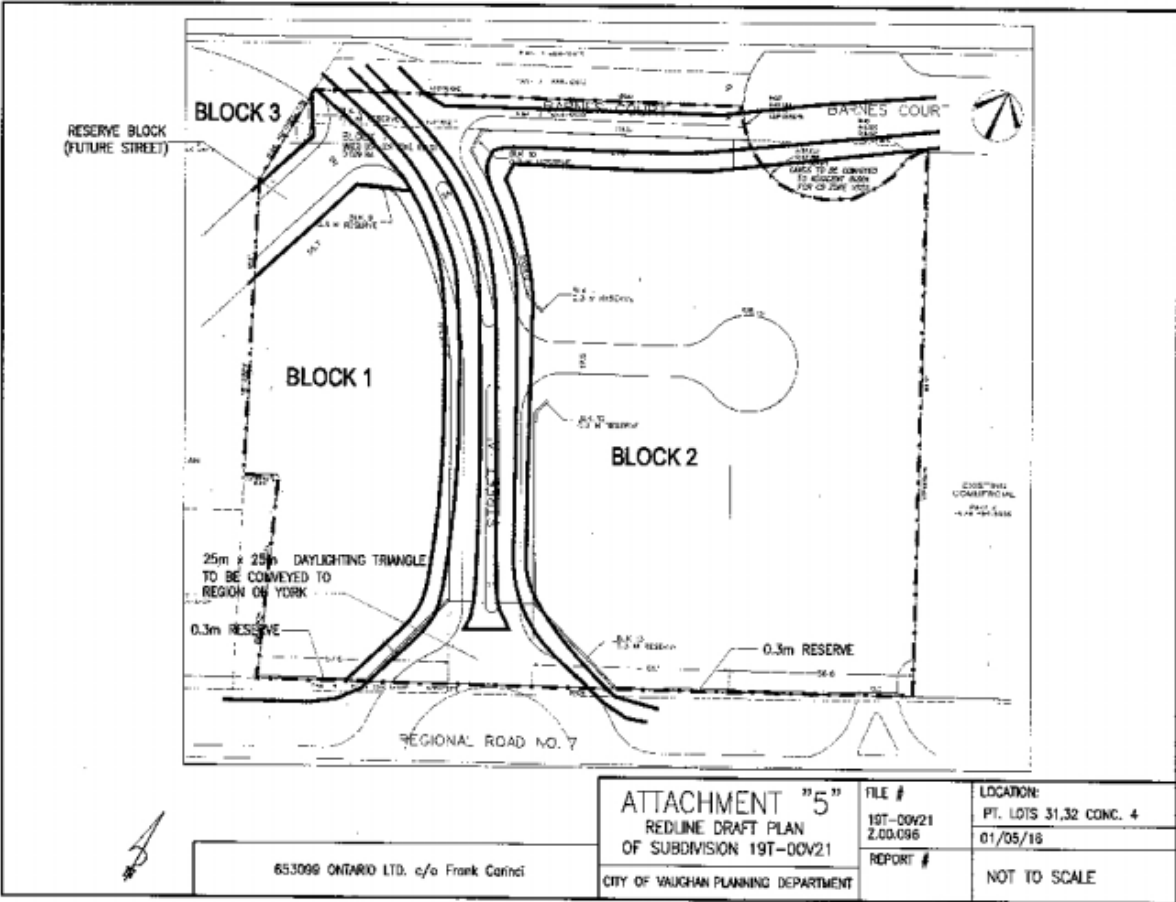
FILE #
191-00V21
2.00.096
REPORT #

LOCATION:
PT. LOTS 31,32 CONC. 4
01/05/18
NOT TO SCALE



ATTACHMENT "4" ALTERNATIVE ALIGNMENT FOR BARNES COURT EXTENSION CITY OF VAUGHAN PLANNING DEPARTMENT	FILE #	LOCATION:
	19T-00V21 Z.00.066	PT. LOTS 31,32 CONC. 4 01/05/18
	REPORT #	NOT TO SCALE

653096 ONTARIO LTD. c/o Frank Corinci



ATTACHMENT "5"
 REDLINE DRAFT PLAN
 OF SUBDIVISION 19T-00V21

FILE #
 19T-00V21
 Z.00.096
 REPORT #

LOCATION:
 PT. LOTS 31,32 CONC. 4
 01/05/16

653098 ONTARIO LTD. c/o Frank Carroll

CITY OF VAUGHAN PLANNING DEPARTMENT

NOT TO SCALE

ATTACHMENT NO. 6

BY-LAW NUMBER - 2001

A By-law to amend City of Vaughan By-law 1-88.

WHEREAS the matters herein set out are in conformity with the Official Plan of the Vaughan Planning Area, which is approved and in force at this time;

AND WHEREAS there has been no amendment to the Official Plan adopted by Council, and not approved at this time, with which the matters herein set out are not in conformity;

NOW THEREFORE the Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. That City of Vaughan By-law Number 1-88, as amended, be and it is hereby further amended by:
 - a) Rezoning the lands shown as "Subject Lands" on Schedule "1" attached hereto, from EM1 Prestige Employment Area Zone to C9 Corporate Centre Zone with the addition of a holding symbol (H) and OS2 Open Space Park Zone, in the manner shown on the said Schedule "1". The said Holding Symbol (H) shall be removed from the lands zoned C9 Corporate Centre Zone upon the City being satisfied that the following requirements have been met by the property Owner:
 - i) Urban Design Guidelines Report and Master Landscape Plan;
 - ii) Functional Servicing Report;
 - iii) Traffic Study; and,
 - iv) Comprehensive Development Plan.
 - b) Adding the following paragraph to Section 9 "EXCEPTIONS":

“() Notwithstanding the provisions of:

a) Subsection 5.10 respecting uses permitted in the C9 Corporate Centre Zone;

The following provisions shall apply to the lands shown as “Subject Lands” on Schedule “E- “:

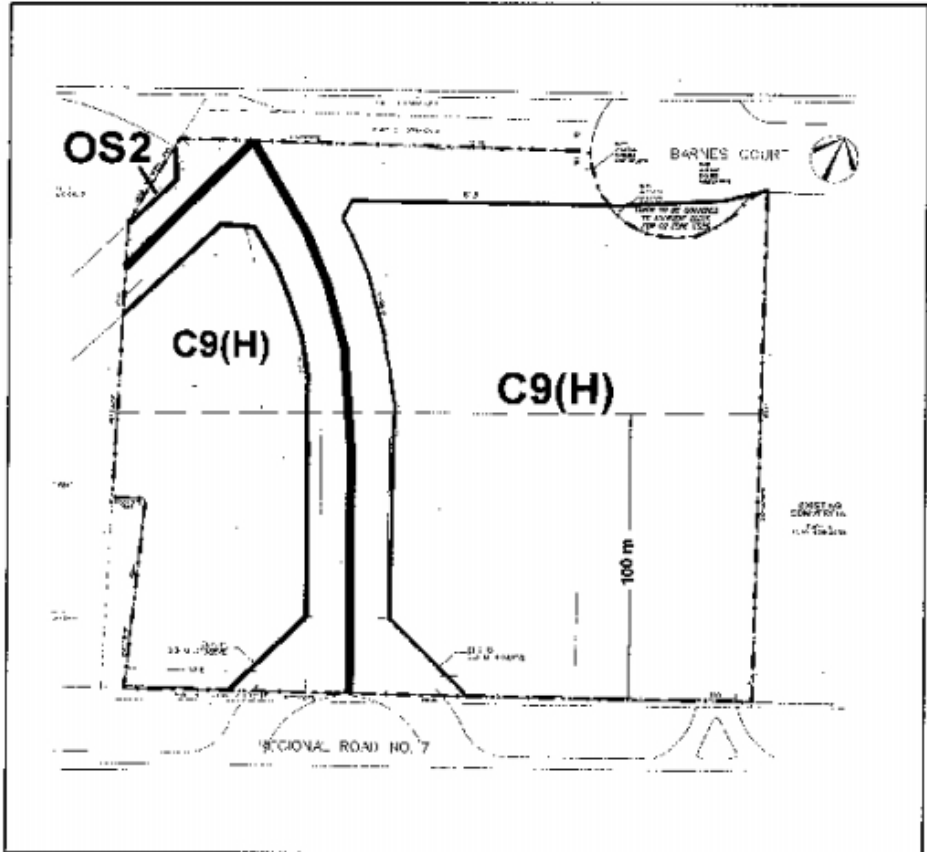
ai) The C9 Zone uses listed in Subsection 5.10 shall be permitted, subject to the following exception:

An Eating Establishment with or without Outdoor Patio; Eating Establishment, Convenience with or without Outdoor Patio; and, Eating Establishment, Take-Out, shall not be permitted to be located within 100m from the north limit of the Regional Road 7 right-of-way.”

c) Adding Schedule “E- “, attached hereto, as Schedule “1”.

d) Deleting Key Map 4B and substituting therefore with the Key Map 4B, attached hereto, as Schedule "2".

2. Schedules "1" and "2" shall be and hereby form part of this by-law.



THIS IS SCHEDULE 'E'
TO BY-LAW 1-88 SECTION 9 ()

THIS IS SCHEDULE '1'
TO BY-LAW _____ - 2001
PASSED THE ____ DAY OF _____, 2001

■■■■■■■■■■■■■■■■■■■■

SUBJECT LANDS

SIGNING OFFICERS

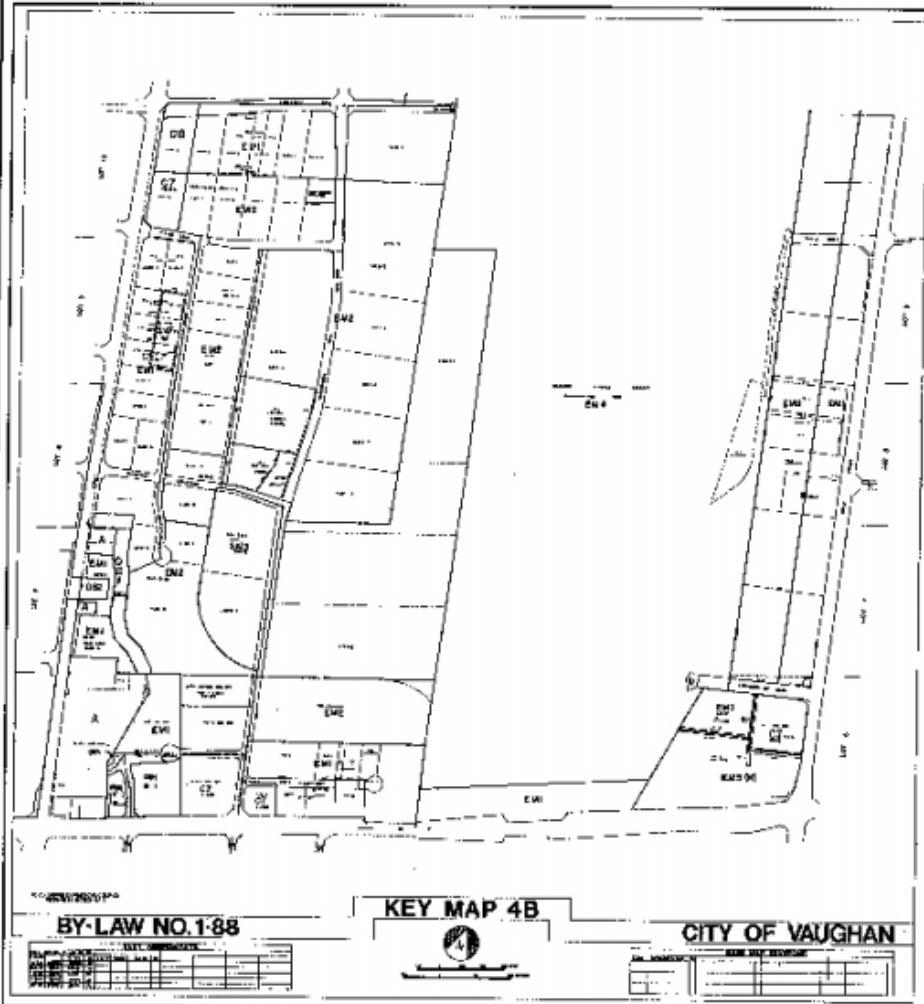
FILE No. Z.00.096

LOCATION: Part of Lot 6, Conc. 4

CITY OF VAUGHAN

_____ MAYOR

_____ CLERK



THIS IS SCHEDULE '2'
TO BY-LAW _____ - 2001
PASSED THE ____ DAY OF _____, 2001

CITY OF VAUGHAN

SIGNING OFFICERS

_____ MAYOR

_____ CLERK

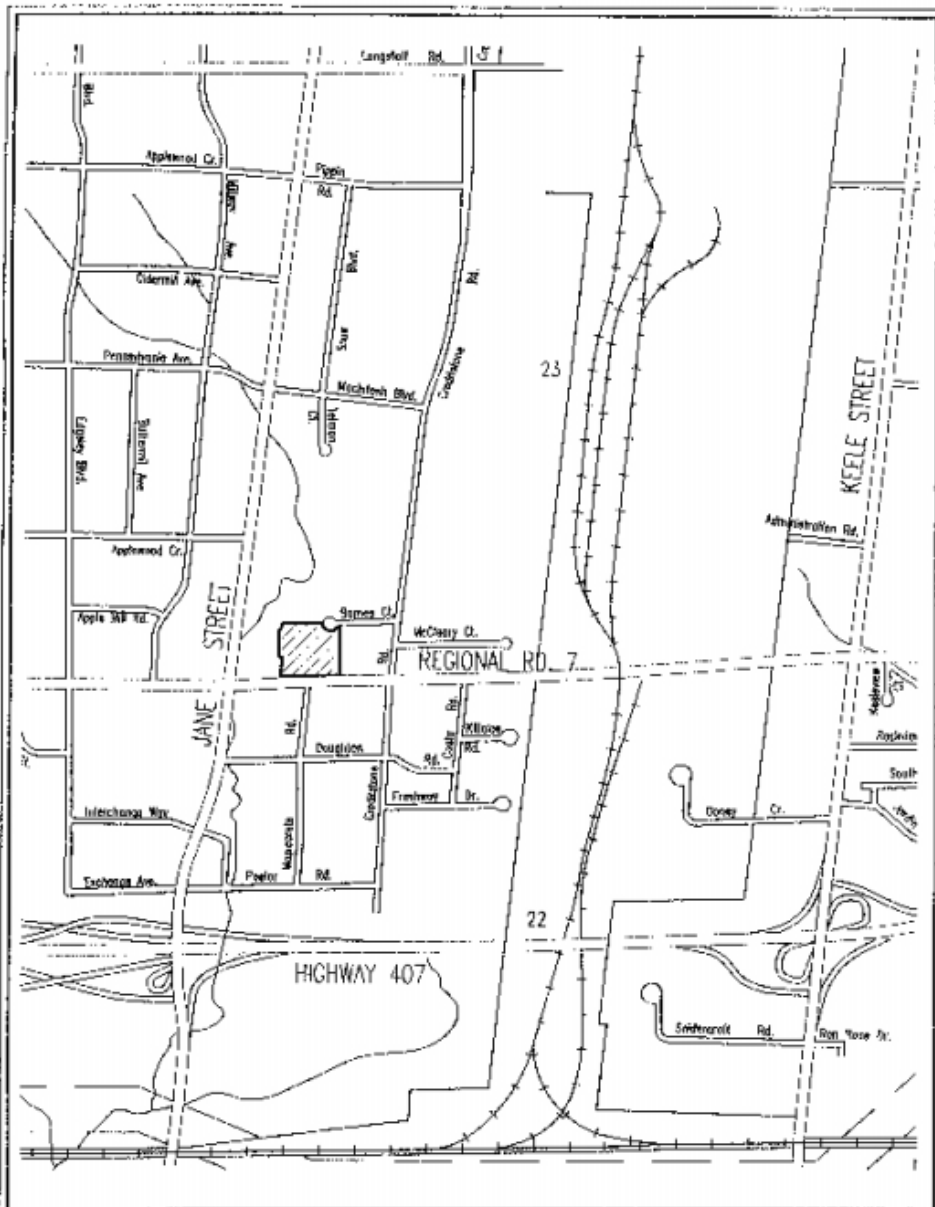
SUMMARY TO BY-LAW -2001

The lands subject to this By-law are located on the north side of Regional Road 7, between Jane Street and Creditstone Road, in Lot 6, Concession 4, City of Vaughan.

The purpose of this By-law is to rezone the subject lands to C9(H) Corporate Centre Zone, with the addition of a Holding Symbol, and to OS2 Open Space Park Zone, to facilitate the development of the property for Corporate Centre uses. The Holding Symbol shall be removed from the lands zoned C9 Corporate Centre Zone upon the City being satisfied that the following requirements have been met by the property Owner:

- a) Urban Design Guidelines Report and Master Landscape Plan;
- b) Functional Servicing report;
- c) Traffic Study; and
- d) Comprehensive Development Plan.

The by-law also restricts all Eating Establishment types in a free-standing format from locating within 100m from Regional Road 7, within the C9 Zone.



**LOCATION MAP
TO BY-LAW _____ - 2001**



SUBJECT LANDS

FILE No. Z.00.096

LOCATION: LOT 6, CONC. 4

CITY OF VAUGHAN PLANNING DEPT.