

**COMMITTEE OF THE WHOLE   MAY 29, 2006**

**OFFICIAL PLAN AMENDMENT FILE OP.05.002  
ZONING BY-LAW AMENDMENT FILE Z.05.007  
SITE DEVELOPMENT FILE DA.06.027  
SPRINGSIDE GARDENS ESTATES CORP.  
REPORT #P.2005.65**

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Recommendation 1 i) b) of Council's resolution of April 24, 2006 (Item 36, Report #18) respecting Official Plan Amendment File OP.05.002 (Springside Gardens Estates Corp.) BE AMENDED, to provide for a total of 125 residential units comprised of 96 units in three 3-storey buildings and 29 units located above ground floor commercial units.
2. THAT the Ontario Municipal Board BE ADVISED THAT COUNCIL ENDORSES the approval of Zoning By-law Amendment File Z.05.007 (Springside Gardens Estates Corp.).
3. That the implementing zoning by-law rezone the subject lands as shown on Attachment #2 from A Agricultural Zone to C4 Neighbourhood Commercial Zone, C4(H) Neighbourhood Commercial Zone with the addition of the Holding Symbol "H" and OS1 Open Space Conservation Zone, and provide the necessary zoning exceptions to implement the proposed site plan as discussed in this report.
4. THAT the Ontario Municipal Board BE ADVISED THAT COUNCIL ENDORSES the approval of Site Development File DA.06.027 (Springside Estates Gardens Corp.), subject to the following:
  - a) that prior to the execution of the site plan agreement:
    - i) the final site plan, building elevations, landscape plan and cost estimate shall be approved to the satisfaction of the Development Planning Department;
    - ii) the final development limits of the subject lands shall be established to the satisfaction of the Toronto and Region Conservation Authority and the City and the Owner shall satisfy all requirements of the Toronto and Region Conservation Authority;
    - iii) the Owner shall satisfy all requirements of the Region of York;
    - iv) the Owner shall satisfy all hydro requirements of PowerStream Inc.;
    - v) the Owner shall satisfy all requirements of the Fire Department;
    - vi) the final stormwater management, site grading and servicing plans, and traffic report shall be approved to the satisfaction of the Engineering Department;
    - vii) the Owner shall submit a parking study in support of the proposed parking standards and a parking allocation plan identifying how the parking spaces shall be allocated between the residential, visitor, office and commercial uses and the proposed method of enforcement to

ensure that parking spaces are available for each intended use to the satisfaction of the Engineering and Development Planning Departments;

- viii) the Owner shall provide a plan identifying the location of the community mailboxes to the satisfaction of Canada Post and the Development Planning Department;
- ix) the final landscape plan shall include the details respecting the valley edge restoration and amenity area for the City owned lands, to the satisfaction of the Development Planning Department;
- x) the Owner shall satisfy all the requirements of CN Rail as shown on Attachment #11, as may be amended; and
- xi) the site plan shall incorporate the future bicycle lane in accordance with the draft Pedestrian and Bicycle Master Plan Study to the satisfaction of the Parks Department.

b) that the site plan agreement include the following clauses:

- i) "The Owner shall pay to the City by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to a fixed rate prior to the issuance of a building permit in accordance with the Planning Act and the City's Cash-in-lieu Policy. In addition, 2% shall be paid for the commercial component in accordance with Section 42 of the Planning Act. The Owner shall submit an appraisal of the subject lands, for the commercial component 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."
- ii) "The Owner shall pay to the City prior to the issuance of a building permit their share of the applicable Special Area Development Charges based on the net area of 4.87 hectares."
- iii) "The Owner shall pay to the City all applicable development charges."
- iv) "The Owner shall undertake the necessary noise study(ies) required to recommend the materials and construction methods to be employed to meet the stationary noise source criteria in all areas of the proposed building.

Prior to the issuance of a building permit, the final noise impact assessment study shall be approved to the satisfaction of the City, in consultation with CN Rail.

The Owner shall agree to implement all of the recommendations of the final approved noise study and that prior to the issuance of a building permit, a qualified engineer shall certify that the building plans implement the recommendations of the approved noise study(ies)."

- v) "The Owner shall pay to the City a woodlot development charge at the rate of \$1,000.00 per residential dwelling unit in accordance with the Special Area Woodlot Development Charge By-law."
- vi) The relevant clauses as set out in CN Rail's Conditions of Approval on Attachment # 11, as may be amended;

- vii) A clause identifying that snow removal and garbage pick-up shall be privately administered and the responsibility of the Owner or Condominium Corporation.
- viii) A clause requiring that that the residential development shall proceed by way of a draft plan of condominium.

### **Economic Impact**

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

### **Purpose**

The Owner has submitted the following applications:

1. An Official Plan Amendment Application to redesignate the subject lands shown on Attachment #1 from "General Commercial (Special Policy)" under OPA #607 (adopted by Council and before the Ontario Municipal Board) to "Medium Density Residential – Commercial" and "General Commercial" as shown on Attachment #2, with the required site specific policies to implement the proposed plan.
2. A Zoning By-law Amendment Application (File Z.05.007) to rezone the subject lands shown on Attachment #2 from A Agricultural Zone to C4 Neighbourhood Commercial Zone with site-specific zoning exceptions required to implement the proposed plan.
3. A Site Development Application (File DA.06.027) to facilitate the development of the subject lands having a lot area of approximately 4.873ha with the following, as shown on Attachment #2:
  - a three-storey office/commercial building having a gross floor area of approximately 11,607m<sup>2</sup>;
  - three (3), three-storey residential buildings, with a fourth floor amenity space in the roof, totaling 96 units; and
  - three (3), two-storey, mixed-use buildings comprised of approximately 2697m<sup>2</sup> ground floor commercial uses and a total of 29 residential dwelling units on the second floor.

### **Background - Analysis and Options**

The 4.873ha site shown on Attachment #1 is located at the southeast corner of Jane Street and Springside Road, in Lot 17, Concession 4, City of Vaughan. The site is relatively flat and is currently undeveloped.

The Committee of the Whole, at a Public Hearing held on May 16, 2005, considered applications to amend the Official Plan and Zoning By-law to redesignate and rezone the subject lands to facilitate a development comprised of 3 eight-storey condominium buildings with approximately 450 units, and a three-storey mixed-use commercial/office building having a total gross floor area of approximately 13,500m<sup>2</sup>.

The Owner subsequently amended the applications to facilitate the development of the subject lands with the following, which were considered at a Public Hearing on December 5, 2005:

- six(6) two-storey, mixed-use buildings comprised of approximately 6,846m<sup>2</sup> ground floor commercial uses with a total of 59 residential dwelling units on the second floor; and

- a three-storey office/commercial building having a gross floor area of approximately 10,110m<sup>2</sup>.

On April 24, 2006 Council endorsed the Official Plan Amendment Application to facilitate the proposed development.

On May 5, 2006, the Owner further revised the applications to reflect the current proposal.

The surrounding land uses are:

- North - Springside Drive; stormwater management pond (OS1 Open Space Conservation Zone) and Maple High School (R4 Residential Zone)
- South - CN pullback track (M3 Transportation Industrial Zone) and vacant land (C1 – H General Commercial Zone with the Holding Symbol "(H)" and RA3 Apartment Residential Zone)
- East - valleyland (OS1 Open Space Conservation Zone) and townhouses (RM2 Multiple Residential Zone)
- West - Jane Street; automobile dealership (C1 Restricted Commercial Zone and C1(H) Restricted Commercial Zone with the Holding Symbol "(H)"), and Paramount Canada's Wonderland (TPC Theme Park Commercial Zone)

#### Public Hearing

On November 11, 2005, a Notice of Public Hearing was circulated to all property owners within 120 metres of the subject lands, and to the Maple Landing Ratepayers Association, Paramount Canada's Wonderland, CN Rail and those individuals on file having expressed interest in the applications. A letter was received from CN respecting their concerns about introducing residential uses in the proximity to the MacMillan Yard pullback track. However, since that time CN has provided conditions of approval discussed later in this report.

The Site Development Application was subsequently amended on May 5, 2006, to increase the number of residential units on the subject lands. The Owner on May 4, 2006 mailed a notice of the Ontario Municipal Board Prehearing scheduled for June 9, 2006 to all individuals notified of the original Public Hearing and having expressed interest in the file. This notice reflects the revised proposal.

On May 19, 2006, a notice of the Committee of the Whole meeting was mailed to those individuals having expressed interest in the application.

#### Ontario Municipal Board (OMB) Appeals

The Owner on March 17, 2006, appealed the Official Plan and Zoning By-law Amendment Applications (Files OP.05.002 and Z.05.007) to the Ontario Municipal Board (OMB). Subsequently, on April 18, 2006, the Owner appealed the Site Development Application to the OMB. All three applications will be consolidated and considered at one OMB hearing scheduled for June 9, 2006.

#### Planning Considerations

##### Official Plan

The subject lands are located within the Vaughan Centre Secondary Plan Area as defined by OPA #600, as amended by OPA #607. The subject lands are designated "General Commercial (Special Policy)" by OPA #607, which was adopted by both the City of Vaughan Council and the Region of York Council on June 28, 2004, and September 10, 2004, respectively. The Amendment was appealed to the Ontario Municipal Board (OMB) and is currently before the

Board for its' consideration. The Zoning By-law Amendment Application does not conform to OPA #607 as currently constituted.

On April 3, 2006, the Committee of the Whole considered a report from the Commissioner of Planning with respect to the Official Plan Amendment Application (File: OP.05.002) to redesignate the subject lands shown on Attachment #1 from "General Commercial (Special Policy)" under OPA #607 to "Medium Density Residential – Commercial" and "General Commercial" with site specific policies to implement the proposed plan. The report included the following recommendation (in part):

"THAT the Ontario Municipal Board BE ADVISED THAT COUNCIL ENDORSES replacing the balance of OPA #607 with a site-specific amendment, to implement Official Plan Amendment File OP.05.002 (Springside Gardens Estates Corp.)."

The Committee received the application and referred the matter to the Council meeting of April 10, 2006, to provide an opportunity for the applicant to meet with the Development Planning Department to resolve outstanding issues identified.

On April 10, 2006, Council considered a report from the Commissioner of Planning wherein a recommendation was included to refer further consideration of File OP.05.002 (Springside Gardens Estates Corp.) to the April 18, 2006 Committee of the Whole meeting, in order to allow the applicant and the Development Planning Department additional time to address the issues identified by the Committee of the Whole.

On April 18, 2006, the Committee of the Whole considered a subsequent report from the Commissioner of Planning, which included the following recommendation:

"That the recommendation in the report of the Commissioner of Planning for File OP.05.002 (Springside Gardens Estates Corp.), dated April 3, 2006 (Item 36, Report #18) be modified by deleting Condition 1. i) e) and that the provision of an ecological buffer be implemented as discussed in this memorandum and implemented through the zoning by-law and site development agreement."

The Committee of the Whole adopted this recommendation, which was ratified by Council on April 24, 2006.

The Official Plan Amendment Application was subsequently amended on May 5, 2006 to reflect the current proposal. The application to redesignate the subject lands shown on Attachment #1 from "General Commercial (Special Policy)" under OPA #607 to "Medium Density Residential – Commercial" and "General Commercial" as shown on Attachment #2, with site specific policies to implement the proposed plan remain the same. Only the specific details of the application have changed with respect to the number of residential units and commercial floor area. A condition of approval is included to amend the Recommendation 1. i) b) of Council's approval to reflect to current proposal.

### Zoning

The subject lands are zoned A Agricultural Zone by By-law 1-88, which does not permit the proposed development, and requires an amendment to the by-law. The proposed zoning categories and exceptions to implement the development are discussed later in this report.

## Policy Context

### i) OPA #607 and Ontario Municipal Board (OMB) Decision

In February 2004, the City initiated the "North East Jane Rutherford Study", a Secondary Plan Study for the portion of Vaughan Centre lying east of Jane Street as required by OPA #600. The study area was approximately 20.3ha in size and split into two halves by the CN pullback track.

Based on the Study recommendations, Council on June 28 2004 adopted OPA #607, and the Region of York on September 10, 2004, issued a Notice of Decision approving the Amendment. On September 23, 2004, Davis & Company, acting on behalf of Jane-Ruth Developments Inc. (lands on the south side of the CN pullback track) appealed OPA #607 to the Ontario Municipal Board stating that the Amendment is contrary to applications filed with the City respecting their lands. The Jane-Ruth applications proposed high-density residential uses on the portion of the OPA #607 lands lying south of the CN pullback track.

The Ontario Municipal Board issued Decision Order #1815 on November 23, 2004, following a lengthy hearing, which included evidence from three noise experts, three land use planners and other experts with respect to the appropriateness of high density residential uses on the Jane-Ruth lands. In its approval, the OMB concluded:

- there is no generally applicable planning principle, or characteristic inherent in the operation of a rail yard that renders all adjacent land uses subordinate to it in terms of planning;
- the high density residential and commercial uses proposed by Jane-Ruth conformed to the intent and vision of the Region of York Official Plan and Vaughan Official Plan;
- the high density residential uses on the Jane-Ruth lands are preferable to hotel or commercial uses proposed by OPA #607, in part because of the absence of residential uses which had developed in OPA #600 within Vaughan Centre;
- a maximum density of 2.7 times the lot area, 200 units per hectare, and a 16 storey building height is acceptable;
- that the Ministry of the Environment Guidelines are guidelines only, and are neither law, nor regulation, nor policy and should not be considered or treated as such;
- that the activities on the pullback track should be assessed independently of the rail yard;
- the minimum height for a commercial building adjacent to the pullback track should be 3-storeys and that a minimum 6m high berm and fence combination be constructed along the common property line;
- that a 150m separation distance between the residential uses and the pullback track is acceptable subject to the noise mitigation measures prescribed by the Board; and,
- that the Official Plan Amendment refer to Tables LU-131 of the Ministry of the Environment Guidelines, and that there will be no provision for a 5db (decibel) excess.

The OMB on April 19, 2005 issued an amending Decision Order (#0982) after hearing from the parties and one additional noise expert on behalf of the City, respecting certain matters requiring clarification. The amending OMB Order provides for the following:

- the 150m setback from the south rail of the CN pullback track applies to the residential buildings, not the residential zone boundary;
- that there must be a substantial intervening land use on the commercial lands and that development on the commercial lands must be configured so that the buildings can provide some shielding of the residential grounds from unacceptable levels of noise from the CN pullback track; and,
- the deletion of the requirement for a three-storey commercial building.

The Ontario Municipal Board, by approving OPA #626 and By-law 277-2005, has formally changed and substantially altered the land use regime proposed by OPA #607 for the entirety of the lands lying south of the CN pullback track. As a result of the OMB approval, the only remaining developable parcel of land within the OPA #607 plan boundary is the subject land owned by Springside Gardens Corp. The Official Plan Amendment application and related Zoning Amendment application would facilitate the development of the subject lands with primarily office and commercial uses and 125 residential units consistent with the noise policies and criteria imposed by the OMB in OPA #626 and By-law 277-2005 for the high density residential development located south of the pullback track.

The OMB's decision weakens key assumptions in the "North East Jane Rutherford Study", particularly as it relates to the minimum separation distance requirement between a residential use and the pullback track. In addition, the subject lands are not isolated from the existing residential community to the north and east, but instead represent a logical extension and completion of the community lying north of the pullback track and east of Jane Street and an intensification opportunity to respond to applicable Provincial and Regional policy.

In view of the considerable evidence considered by the OMB and its findings respecting the appropriateness of residential uses in the context of the pullback track, Provincial and Regional policy, and the surrounding land use context, which includes existing and approved residential development less than 300m from the pullback track, the Official Plan Amendment application to permit residential uses on the north side of the pullback track is considered appropriate subject to the implementing Amendment including the same noise policies as OPA #626 (identified above).

The residential component of these applications is less intense than that approved on the Jane-Ruth lands both from a density and building form perspective and only marginally increases the number of residential units already existing or approved within 300m of the pullback track. Furthermore, the Owner is proposing to construct a substantial intervening land use in the form of a three-storey office/commercial building.

ii) Regional and Provincial Policy Context

The review of existing provincial and regional policy context indicates that the proposed development form is appropriate in terms of location, form and density and responds to matters such as providing for a range/mix of residential uses and promoting transit supportive uses. The York Region Official Plan includes goals and policies that promote a mix of housing types, supports compact communities and establishes corridors to link urban centres. The proposed development will add to the mix of housing and assist to establish a compact and efficient community.

The Zoning Amendment Application was commenced January 24, 2005, and therefore, is subject to the Provincial Policy Statement (1997). The Provincial Policy Statement (PPS) encourages a mix of residential uses that promote cost-effective development standards to minimize land consumption. Development is to be directed to settlement areas, and land use patterns and densities that support public transit are promoted. The proposed development satisfies these policies.

iii) OPA #612 and Ontario Municipal Board (OMB) Decision

On May 24, 2004, the Ontario Municipal Board (OMB) issued Decision Order #0972 wherein, applications to amend the Official Plan and Zoning By-law and for Site Development Approval for the same mixed-use commercial/residential (32 units) development concept proposed for Buildings "E", "F" and "G" was approved at the southeast corner of Jane Street and Avro Road, approximately 700m north of the subject lands. The OMB concluded in its' decision that based on the evidence provided at the Hearing that the proposed Amendments and the site plan conformed to the applicable policies of the Provincial Policy Statement, the Regional Official Plan

and the Official Plan of the City of Vaughan as a whole. OPA #612 and By-law 216-2004 implemented the OMB's decision and the development has since been constructed.

### Land Use Context

The subject lands are bordered by a public road and storm pond to the north; a valley and existing residential uses to the east; the CN pullback track, commercially designated lands and high density residential uses to the south; and, Jane Street, Paramount Canada's Wonderland and a developing auto park to the west. The proposed development is considered compatible with the surrounding land use context from a use and built form perspective given the applicable planning policy and the recent OMB decision outlined above. The proposed uses are also compatible with land uses that characterize the Jane Street frontage.

As noted above, the OMB at a lengthy Hearing respecting the lands immediately south of the CN pullback track, wherein considerable noise evidence was provided, concluded that the appropriate separation distance between the CN pullback track (south rail) and a residential use is 150m. The OMB further approved site-specific policies included in the implementing Official Plan Amendment (OPA #626) and Zoning By-law 277-2005 to guide the approved residential development.

CN has provided the conditions of approval shown on Attachment #11 for inclusion in the appropriate implementing documents. The Owner's solicitor has advised the Development Planning Department that the wording of some of the conditions on Attachment #11 is being negotiated with CN and may be modified. The proposed development will not impact on the integrity of the pullback track to a greater degree than already exists, given the surrounding existing and approved land use context. Residential uses exist on Parktree Drive, Larissa Court and Hollybush Drive and a residential condominium development (Villa Giardino) was recently constructed all located within 300m of the pullback track, to the east of the subject lands. The balance of development along the pullback track includes a sports complex, police station, municipal administration building and works yard, and approved high density residential and commercial uses.

### Site Design

The proposed site plan for the overall development is shown on Attachment #2 and consists of seven buildings organized around the perimeter of the subject lands with an open space area in the centre of the site. Building "A" as shown on Attachment #2 is a three-storey office/commercial building having a total gross floor area of approximately 11,607m<sup>2</sup> and an underground parking garage. The building is setback 11m from the south property line and oriented in a manner parallel to the CN pullback track. It is noted that a loading space is proposed at the southwest corner of Building "A" between the building and Jane Street. This loading area should be relocated away from the visible Jane Street frontage.

Buildings "B" to "D" each consist of a three-storey, 32-unit residential building and include a fourth floor amenity space within the roofline. These buildings include underground parking and are oriented along the east property limit of the subject lands. Buildings "E" to "G" as shown on Attachment #2 are each two storeys in height and comprise of a total of 2697m<sup>2</sup> of ground floor commercial uses and 29 residential units above. The ground floor also includes a single car garage at grade level for the residential unit above, which faces the interior of the site. The buildings are oriented parallel to Jane Street and include one row of parking between the building and Jane Street to service the commercial visitors. The proposed buildings that include residential uses are located a minimum of 114.5m from the south property line and 150m from the centre line of the north rail of the pullback track.



The development statistics for each building are as follows:

Building "A" (Office/Commercial)

Ground Floor Commercial/Office -	4,335.16m <sup>2</sup>
Second Floor Office -	3,635.76m <sup>2</sup>
Third Floor Office -	3,635.76m <sup>2</sup>
<b>Total Gross Floor Area -</b>	<b>11,606.68m<sup>2</sup></b>

Buildings "B" to D"

Bldg	Number of Residential Units	Gross Floor Area (m <sup>2</sup> )
B	32	3,578.57
C	32	3,578.57
D	32	3,578.57
<b>Total</b>	<b>96</b>	<b>10,735.71</b>

Buildings "E" to "G" (Commercial / Residential)

Bldg	Number of Residential Units	Number of Commercial Units	Ground Floor Commercial & Garage Area (m <sup>2</sup> )	Second Floor Residential Area (m <sup>2</sup> )	Total Gross Floor Area (m <sup>2</sup> )
E	8	8	1,086.45	1,036	2,122.45
F	10	10	1,332.06	1,295	2,627.06
G	11	11	1,461.61	1,424.5	2,886.11
<b>Total</b>	<b>29</b>	<b>29</b>	<b>3,880.12</b>	<b>3,755.5</b>	<b>7,635.62</b>

The site is accessed from two driveways on Jane Street, the most southerly forming part of a proposed signalized intersection aligned opposite Auto Vaughan Drive. The southerly driveway facilitates access to the entire site and the underground parking garages for Buildings "A" and "B" to "D". The underground parking garage for Buildings "B" to "D" are connected by way of the access ramps located at either end. A driveway is provided around the east, south and west sides of Building "A" facilitating vehicle circulation on the site. Additional driveways are provided internal to the site to access the parking areas and the balance of the site. A second access from Jane Street is proposed approximately 118m south of Springside Road. A median is provided between the office building and mixed-use portion of the site to provide a physical vehicular circulation barrier between the two forms of development.

The main amenity area for the overall development is approximately 3381m<sup>2</sup> in size and is located in the centre of the site providing a focus for the residential uses located around it. A secondary amenity area is proposed at the corner of Jane Street and Springside Road in the form of a private parkette that is contiguous to the valley lands lying along the east boundary of the site. Balconies are provided in the second floor residential units facing Jane Street and Springside Road, thereby providing additional amenity areas for the occupants of these units.

The main pedestrian connection into the site is located between Buildings "G" and "F", with other secondary connections provided at the ends of each of the buildings facing Jane Street and through the parkette to Springside Road.

The Parks Department has advised that the draft network map for the Pedestrian and Bicycle Master Plan Study includes proposed bike lanes on Jane Street. The design of the subject lands is to provide for the future bicycle lane where the lands front onto Jane Street.

## Building Elevations

### i) Building "A" (Office-Commercial)

The proposed elevations for Building "A" are shown on Attachment #3. The building is three storeys and 13.45m in height. The exterior finishing materials consist primarily of clear and spandrel glass panels and architectural precast in earth tone colours. The north elevation includes the main entrances to the building and incorporates three 3-storey precast architectural elements. The ground floor of the building utilizes glass windows, insulated spandrel panels and an illuminated sign box typical of many commercial developments. The balance of the building is treated in a consistent architectural manner except for the south and east elevations, which are comprised of prefinished architectural panels at the ground floor level, with glazing in the form of clear and spandrel glass at the upper levels.

### ii) Buildings "B" to "D"

The proposed elevations for Buildings "B" to "D" are shown on Attachments #4 to #6. Each building utilizes a consistent architectural design and is three storeys and approximately 12m in height. The elevations consist of a combination of an arriscraft renaissance stone base, brick, stucco, thermal windows with french metal railings and arriscraft smooth quoining. The main entrance to each building faces the interior of the site. The roof is finished with chateau style asphalt shingles and a decorative metal railing. An exterior stucco cornice molding is proposed along the top edge of the building and quoining is used to accent the brick and stucco veneer.

### ii) Buildings "E" to "G"

The proposed elevations for Buildings "E" to "G" are shown on Attachments #7 to #9. Each building utilizes a consistent architectural design comprised of a two-storey residential facade facing the interior of the site and a mixed ground floor commercial and second floor residential design oriented towards Jane Street. The two-storey residential elevations consist of a stone base, brick veneer, glazing and entrance doors with stucco surrounds. An exterior stucco cornice molding is proposed along the top edge of the building and quoining is used to accent the brick veneer. The buildings are designed with a flat roof and a parapet, which is raised above the residential door entrances. A single garage is provided for each unit, which faces the interior of the site. Balconies are proposed for a majority of the units that overlook the central amenity area. A garbage room is located at the end of each building with a roll-up overhead door. The garbage room is intended for residential and commercial use.

The ground floor commercial elevations facing Jane Street consists of brick veneer, windows in aluminum frames, and entry doors. A canopy roof is provided along the commercial façade to protect patrons from the elements. The residential units on the second floor are finished with a brick veneer with intermittent raised stucco window surrounds and a crown molding.

The proposed elevations for Buildings "E", "F" and "G" facing Jane Street are repetitive. Given the high visibility of these buildings, it is recommended that the rooflines, materials and colours be more varied in order to animate these elevations. The final elevations for these buildings shall be to the satisfaction of the Development Planning Department.

## Parking

The site plan indicates that parking will be provided in the form of underground garages for Buildings "A", "B", "C" and "D"; in garages for the residential units in Buildings "E", "F" and "G"; and, in separate grade level parking areas for the various uses. The proposed C4 Neighbourhood Commercial Zone requires that the minimum parking standard for the subject lands be calculated on the basis of the shopping centre standard, which is 6 spaces/100m<sup>2</sup> of gross floor area as follows:

Building "A" (Office Building)

Office & Commercial Uses – 11,607m <sup>2</sup> @ 6 spaces/100m <sup>2</sup>	=	697 spaces
Outdoor Patio - 86m <sup>2</sup> @ 6 spaces/100m <sup>2</sup>	=	6 spaces

Buildings "B" to "G"

Residential Units – 125 units @ 1.5 spaces/unit	=	186 spaces
- 125units @ 0.25 spaces/visitor	=	32 spaces

<u>Commercial – 2,696.71m<sup>2</sup> @ 6 spaces / 100m<sup>2</sup></u>	=	<u>162 spaces</u>
Total Parking Required		1,083 spaces

The Owner is proposing that the minimum number of parking spaces for the proposed development be provided as follows:

Building "A" (Office Building)

Office & Commercial Uses – (190 surface + 288 underground)	=	478 spaces
--	---	------------

Buildings "B" to "G"

125 Residential Units + 2696m <sup>2</sup> Commercial Uses (97 underground, 29 garage, 177 surface)	=	303 spaces
Total Parking Proposed		781 spaces

Technically, a parking deficiency of 302 spaces is proposed relative to the minimum parking requirements of By-law 1-88. However, Building "A" contains 7270m<sup>2</sup> of office space, which if developed as a single office building would require 3.5 spaces/100m<sup>2</sup> of gross floor area under By-law 1-88. The C4 Neighbourhood Commercial Zone provisions of By-law 1-88 requires that the minimum parking requirement be calculated at 6 spaces/100m<sup>2</sup> for the entire building. Consequently, a technical parking deficiency is created for Building "A" of 182 parking spaces, resulting solely from the proposed C4 Neighbourhood Commercial Zone category. The actual parking deficiency is 120 spaces (302-182) resulting from two factors: the proposed reduced residential parking standard of 1.4 spaces per unit (1.15/residential unit + 0.25 spaces/visitor); and, the proposed commercial parking standard of 5.0 spaces/100m<sup>2</sup> of commercial floor area instead of 6 spaces/100m<sup>2</sup> of gross floor area.

The proposed residential parking standard of 1.4 spaces per unit is consistent with other residential development applications approved in the City. The proposed commercial parking standard of 5 spaces / 100m<sup>2</sup> of Commercial Floor Area was also approved for commercial developments around the Vaughan Mills Mall and for a mixed commercial development located at the southeast corner of Jane Street and Avro Road, north of the subject lands. However, prior to final approval, the Owner is required to submit a parking study for review and approval of the proposed standards by the Engineering Department. In addition, a plan shall be submitted that identifies how the parking spaces will be allocated between the residential, visitor, office and commercial uses and the proposed method of enforcement to ensure that adequate parking is available for each intended use, to the satisfaction of both the Engineering and Development Planning Departments.

Landscape Plan

The Owner has submitted a landscape plan as shown on Attachment #10. The plan consists of a mix of deciduous and coniferous plantings throughout the site. The Jane Street frontage includes a 6m wide landscaped strip with decorative fence panels and stone columns at each entrance

driveway. Additional plantings are proposed along the easterly limit of the site abutting the valley including two areas where the Owner is proposing valley restoration planting. A 3,381m<sup>2</sup> amenity area is provided at the centre of the site intended to serve the residential development. A private parkette is proposed at the north limit of the site contiguous to the valley and providing a connection to Springside Drive. The landscape treatment along the south boundary limit consists of a 3m wide sodded and landscaped berm.

Pedestrian connections consisting of unit pavers are provided throughout the site connecting the proposed buildings to each other, Jane Street, Springside Road and to the amenity areas. The office building includes a sidewalk located along the main façade of the building and connecting to Jane Street. The office building also includes an outdoor patio at the northwest corner of the building. The Owner is required to provide a final landscape cost estimate to the satisfaction of the Development Planning Department for the proposed landscape works. It is recommended that the landscape plan be revised to provide the Maple Streetscape themed lighting fixtures at key locations along Jane Street such as driveways and pedestrian entrance points into the site.

### Implementing Zoning

By-law 1-88 does not include a zoning category or development standards to implement a mixed-use development and therefore, a site-specific by-law is required to implement the proposed site plan. The Owner has requested that the subject lands be rezoned from A Agricultural Zone to C4 Neighbourhood Commercial Zone with the site specific zoning exceptions required to implement the final approved site plan. Under the C4 Neighbourhood Commercial Zone, the following zoning exceptions are required:

- i) permit residential uses on the subject lands comprised of a maximum of 125 residential units as follows:
  - 32 units in each of Buildings "B", "C" and "D";
  - 8 units in Building "E";
  - 10 units in Building "F"; and,
  - 11 units in Building "G";
- ii) permit an outdoor patio as a permitted use on the subject lands;
- iii) prohibit the following uses on the subject lands: brewers retail outlet; L.C.B.O. outlet, place of entertainment, and a supermarket;
- iv) restrict the use of the fourth floor of Buildings "B", "C" and "D" to amenity area for the residential units only;
- v) require a minimum 114.5m setback from the south property line, abutting the CN pullback track for all residential units;
- vi) require a minimum interior side yard setback of 8m from the easterly (valley land) property line for Buildings "B" to "D", whereas 9m is currently required;
- vii) require a minimum rear yard setback of 11m from the south property line, whereas 15m is currently required;
- viii) require a minimum building setback of 1.2m from an OS1 Open Space Conservation Zone, whereas 2.4m is currently required;
- ix) require a minimum setback to an underground parking garage (east lot line) of 1.2m, whereas 11m is currently required;

- x) permit a maximum gross floor area of 30,000m<sup>2</sup> in a C4 Neighbourhood Commercial Zone, whereas a maximum gross floor area of 7,000m<sup>2</sup> is currently permitted;
- xi) permit a maximum building height of:
- 3 storeys and 13.75m for Building "A";
  - 3 storeys and 12.5m (to the top of the roof) for Buildings "B" to "D"; and
  - 2 storeys and 10.5m for Buildings "E" to "G".
- (exclusive of accessory roof construction such as mechanical penthouses, elevators, antenna, parapet walls or roof top equipment), whereas 11m is currently permitted;
- xii) provide for the following parking standards, subject to approval of a parking study by the Engineering Department:
- residential units – 1.15 spaces per dwelling unit, whereas 1.5 spaces/unit is currently required
  - visitor parking for residential units – 0.25 spaces per dwelling unit (no change)
  - Building "A" – 3.5 spaces/100m<sup>2</sup> of gross floor area devoted to an office building comprising business and professional office uses (rather than the "shopping centre" standard of 6 spaces/100m<sup>2</sup> of GFA)
  - Building "A" – 5.0 spaces/100m<sup>2</sup> of commercial floor area (rather than 6 spaces/100m<sup>2</sup> of Gross Floor Area (GFA))
  - Buildings "E", "F" and "G" – Commercial Uses – 5 spaces/100m<sup>2</sup> of Commercial Floor Area (CFA) (rather than 6 spaces/100m<sup>2</sup> of Gross Floor Area (GFA))
  - a minimum of 781 parking spaces shall be provided on the subject lands, rather than 1,083 spaces as identified in the "Parking" section of this report;
- xii) provide an exception to the definition of a "lot" to consider the entire site as one lot for zoning purposes regardless of future conveyances, easements, etc. that may be undertaken on the property;
- xiii) permit a minimum driveway width of 12m and 9m whereas the maximum permitted driveway width of 7.5m is required; and
- xiv) permit any other zoning exceptions that may be required to implement the final approved site plan.

In addition, a minimum 114.5m setback from the south property line, abutting the CN pullback track for all residential units will be included in the implementing zoning by-law consistent with the OMB's decision respecting the lands to the south of the pullback track. The implementing by-law shall include a clause requiring that Building "A" be constructed prior to or in conjunction with any residential uses on the balance of the site. Building "A" contributes to the noise mitigation measures on the site and is required to be constructed. The implementing zoning by-law will also prohibit a brewers retail outlet, L.C.B.O. outlet, place of entertainment and supermarket uses on the subject lands. These uses are permitted as-of-right in the C4 Neighbourhood Commercial Zone, however, are incompatible with the mixed-use development concept being proposed.

The Engineering Department has advised that servicing for the residential component of the proposed development is not available at this time. Accordingly, it is recommended that the portion of the lands containing the residential uses be zoned with the Holding Symbol "(H)", which shall be lifted upon the identification and allocation of servicing for the proposed development.

The Holding provision will also indirectly restrict the commercial uses from developing on the property in Buildings "E", "F" and "G".

Many of the zoning exceptions identified above are technical in nature since By-law 1-88 does not include a mixed-use zone with minimum development standards, and the C4 Neighbourhood Commercial Zone was never intended to implement this form of development. The proposed development concept is considered to be an appropriate development of the lands and is compatible with the surrounding land uses. Accordingly, the Development Planning Department can support the zoning exceptions required to implement the proposed development.

#### Open Space

On February 13, 2006, Council adopted a recommendation from the Commissioner of Planning, which requires that all future official plan amendments provide a minimum 10m ecological buffer, to be outside of the development lot or block, adjoining a valley and stream corridor, and to form part of a public open space system.

The related Official Plan Amendment application (File OP.05.002) was submitted to the Development Planning Department on January 24, 2005, prior to Council's resolution. The subject lands abut valley lands, which were previously conveyed to the City (Block 1 – Plan 65M-3063), as a condition of draft plan of subdivision approval (19T-93008), as shown on Attachment #12. The Development limits for current applications are established utilizing the greater of the top-of-bank, stable slope or drip line, which has been delineated for the subject lands.

The limit of Block 1 abutting the subject lands is irregular and currently extends beyond the drip line as staked by the City and the Toronto and Region Conservation Authority (TRCA) at certain locations abutting the valley. A unique situation is created whereby the valley limits defined for this application is greater than the previously conveyed (Block 1) valley lands. Therefore, the buffer area abutting the valley varies from 2m at one location to greater than 25m in other locations, creating an irregular buffer along the valley edge.

The entire proposed buffer, which extends to the back edge of the proposed walkway as shown on Attachment #13, will be zoned OS1 Open Space Conservation Zone consistent with the previously conveyed valley lands, to ensure its long term ecological protection.

Should a 10m buffer be provided, in accordance with Council's resolution, the total lands within this buffer would be approximately 0.408ha. The total buffer proposed under the revised plan is approximately 0.417ha, slightly larger than the 0.394ha buffer area included on the original plan. In addition to the proposed buffer, the proponents are also providing tableland restoration areas totalling 0.0742ha and are amenable to providing restoration to the isolated 0.1226ha City owned tablelands at the southeast corner of the site to enhance the terrestrial vegetation cover. The total of the proposed buffer and the proposed restoration areas is 0.6138ha, rather than the 0.408ha, which would have been achieved with the application of the 10m buffer. In light of these factors, the Development Planning Department can support a variation from Council's resolution in this instance since there would be a net ecological gain to the valley corridor.

In view of the above, the Development Planning Department is satisfied that an appropriate overall level of protection is being afforded for the valley lands abutting the subject lands.

#### Toronto and Region Conservation Authority (TRCA)

The Toronto and Region Conservation Authority has advised that it has some outstanding concerns that may impact the development limits of the site, as follows:

- a geotechnical study was submitted by the Owner and reviewed by the TRCA and it is requested that the following information be shown and labeled on the plans: the physical

top of bank; the long-term stable top of bank; and, the contour lines and spot elevations down to the toe of slope, along the entire slope sector;

- updated hydrology information was provided to the Owner for this reach of the tributary of the Don River. The Regional Flood Plain elevation should be shown and labeled on the plans;
- a stormwater management report is required to identify how drainage to the site will be managed to the satisfaction of the TRCA; and,
- the most recent site plan still shows the apparent surveyed natural features adjacent to the top of bank line (unlabelled). The features were staked with the TRCA on March 4, 2005. This line must be properly identified on the site plan.

The Owner is required to satisfy all requirements of the TRCA.

#### City Owned Lands

A .1226ha parcel of City owned table lands is located abutting the southeast corner of the subject lands and forms part of the OS1 Open Space Conservation zoned lands as shown on Attachment #13. These lands were originally dedicated to the City as a condition of draft plan of subdivision approval (File 19T-93008) and forms Part of Block 1 on Registered Plan 65M-3063. The Owner has agreed to undertake some valley edge restoration on these lands and provide an amenity area at this location. The Owner shall submit a landscape plan identifying the exact nature of the proposed treatment of the lands, to the satisfaction of the Development Planning Department.

#### Traffic Study

The Owner has submitted a traffic study prepared by Sernas Trantech, dated January 2006 that concludes that at build out of the development, the traffic generated by the proposed residential, commercial and office uses would have minimal impact on traffic operations at key intersections within the study area. It is noted that the traffic study has not been updated to reflect the current proposal. A final updated traffic study is required and must be approved to the satisfaction of the Engineering Department and the Region of York Transportation Department prior to the execution of the site plan agreement.

#### Noise Study

The Owner has submitted a preliminary noise study prepared by Jade Acoustics, dated March 2, 2006 in support of the proposed development, which concludes that based on the preliminary analysis and taking into account the OMB decision for the residential development to the south of the pullback track, it is feasible to develop the subject lands for the intended uses. A series of noise mitigation measures including specific construction requirements, air conditioning, the requirement for enclosed balconies and warning clauses are recommended to mitigate noise and inform purchasers of the potential noise disturbance. To date, the noise study has not been updated to reflect the revised development concept. A final noise study must be submitted for the review and approval of the Engineering Department.

The Engineering Department has reviewed the preliminary Noise Study, and has provided the following comments to be addressed in the final noise report:

- The Owner shall satisfy all requirements with respect to noise attenuation and ensure that it is in accordance with the noise attenuation features recommended by the report.

- Mitigation measures are required for the noise exceedence at the north wall of Building "E" due to the existence of a Bell Canada switching hub air conditioning unit. Details shall be provided in the noise report based on the final plans.
- Warning clauses are to be registered on title and be included in the Offers of Purchase and Sale for designated lots.
- A detailed noise analysis shall be submitted for review and comment at the final site plan stage as part of the approval process.

The OMB's decision with respect to the Jane-Ruth development was implemented by OPA #626, which was adopted pursuant to the OMB Order on April 28, 2005. OPA #626 includes the following policies with respect to noise on the Jane-Ruth lands:

- "i) Residential buildings shall be setback a minimum of 115.5m, measured perpendicular from the northerly property line of the Amendment area, which is the equivalent of 150m from the south track of the CN pullback track. Residential buildings within the Amendment area shall be air-conditioned and contain a warning clause on Title indicating possible disturbance of outdoor activities, in accordance with the recommendations of a noise report.

Notwithstanding the foregoing, underground parking structures may be located within the 115.5m setback.

- ii) The proponent of development on the subject lands will be responsible for attenuating noise from the pullback track at residential receptors in the development.
- iii) Noise studies and design of noise attenuation measures shall be based on the noise criteria of MOE publication LU-131, "Noise Assessment Criteria in Land Use Planning", October 1997, including the Annex to LU-131, with the following supplementary clarifications:
  - i. the applicable noise criteria for Transportation Sources are contained in Section 3 of LU-131, including Tables 1, 2, 3 and 4;
  - ii. the applicable noise criteria for Stationary Sources are contained in Section 4 of LU-131, including Tables 5, 6 and 7;
  - iii. the pullback track shall be treated as a "Stationary Source";
  - iv. the 5dba flexibility suggested in LU-131 shall not be permitted in the calculation of noise levels at the plane of window.
- iv) Where needed, for compliance with the stationary noise source criteria set out in LU-131, the construction of the apartment buildings will incorporate balconies that are enclosed to act as a barrier to the sound experienced on the balconies and at adjacent living room and bedroom windows.

The analysis and design for the architectural details shall take into account the full frequency spectrum characteristics of the diesel locomotive sound sources, in accordance with good engineering practice and the noise guidelines."

The Owner is proposing to incorporate the same policies into the implementing documents for the proposed development, if approved. In addition, the implementing Official Plan Amendment will



not permit residential uses in Building "A" closest to the pullback track since the Owner is proposing to designate these lands "General Commercial".

#### Region of York

The Region of York Transportation and Works Department has advised that the Official Plan Amendment application has not been approved and therefore, it is premature to issue final comments on the site plan. The Region has provided several preliminary comments including the requirement for road widenings along Jane Street, which may impact on the proposed site plan. The Owner is required to illustrate the required road widenings on the site plan, to the satisfaction of the Region of York prior to final approval.

#### Servicing

The Engineering Department has advised that in accordance with the City's Servicing Capacity Distribution Protocol as adopted by Council on November 14, 2005, servicing allocation capacity for the residential units proposed in this development has not been committed nor assigned at this time and therefore, is not available to support the proposed development concept. The City intends to undertake an annual review of the status of the available and unused servicing capacity and related Distribution Protocol. The availability of servicing allocation capacity for this development proposal may be revisited at that time based on the status of the subject development applications. A Functional Servicing Report must be submitted for review and comment in support of the proposed Official Plan and Zoning Amendment applications. The report must address and ensure that the proposed development may be serviced in accordance with all City Engineering Design Standards and Criteria.

If approved, the subject lands will be zoned with the Holding Symbol "(H)", which will be lifted upon the allocation of servicing capacity for the residential component of the subject lands. The application of the Holding provision will also indirectly restrict the commercial uses in the mixed use Buildings "E", "F" and "G" from developing. It is noted, that serving capacity will be available for the office component of the development.

#### Services

Garbage and snow removal will be privately administered. The proposed development is to be fully serviced on the municipal system, including hydro, water, sanitary and storm sewers. The Owner is required to submit a stormwater management report, site servicing and grading plans for the review and approval of the City, Toronto and Region Conservation Authority and the Region of York. A condition of approval is included in this respect.

#### Finance Department

The Finance Department has advised that development charges and a \$1000.00 per unit woodlot charge are applicable.

#### Cash-in-lieu of Parkland

The Real Estate Division has advised that the Owner shall be required to pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to a fixed rate prior to the issuance of a building permit in accordance with the Planning Act and the City's cash-in-lieu Policy. In addition, 2% shall be paid for the commercial component in accordance with Section 42 of the Planning Act.

The Owner shall submit an appraisal of the subject lands, for the commercial component 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. The proposed private amenity area and parkette will not be considered as parkland dedication.

#### Departments and Agencies

The Fire Department, York Region District and Catholic School Boards, and the Conseil Scolaire de District Catholique have advised they have no objections to the application.

#### Canada Post

Canada post has advised that it is the Owner's responsibility to purchase and maintain centralized mailboxes for Building "A". With respect to Buildings "B" to "G", Canada Post has provided conditions of approval respecting the Owner's responsibility to provide the required community mailbox, and a suitable temporary community mailbox. The plan as currently designed does not appear to provide convenient locations for the required community mailboxes. Prior to final approval, the Owner shall submit a plan identifying where the community mailboxes will be located.

#### Relationship to Vaughan Vision 2007

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

#### Conclusion

The Development Planning Department has reviewed the Official Plan and Zoning By-law Amendment Applications and the Site Development Application to facilitate the development of the subject lands with mixed-use residential/commercial buildings and an office building. The subject lands are located within OPA #607, which is currently before the Ontario Municipal Board for final disposition. The Development Planning Department prepared a report respecting the related Official Plan Amendment application, which was considered and adopted by Council, wherein a recommendation was included advising the Ontario Municipal Board that Council endorses replacing the balance of OPA #607 with a site-specific Amendment, to implement Official Plan Amendment File OP.05.002 (Springside Gardens Estates Corp.). This recommendation is reiterated in the recommendation section of this report to reflect the current development concept. The related Zoning By-law Amendment and Site Development Applications are consistent with and would implement the site specific Official Plan Amendment.

The applications were reviewed in the context of applicable Provincial and Regional policies and are considered consistent with the overall policy objectives of each. The application is consistent with the Ontario Municipal Board decision, relating to the lands comprising the southerly portion of OPA #607 lying south of the pullback track, and the policies and standards included in the implementing documents (OPA #626 & By-law 277-2005) to address noise mitigation measures for the development. Finally, the application was considered in the context of the surrounding land uses and the proposed development is considered to be appropriate for the subject lands.

In light of the above, the Development Planning Department can support the approval of the Site Development Application subject to the conditions and comments in this report.

#### Attachments

1. Location Map
2. Proposed Site Plan
3. Proposed Elevations – Building "A"
4. Proposed Elevations – Building "B"
5. Proposed Elevations – Building "C"

6. Proposed Elevations – Building “D”
7. Proposed Elevations – Building “E”
8. Proposed Elevations – Building “F”
9. Proposed Elevations – Building “G”
10. Landscape Plan
11. CN Rail Conditions of Approval
12. Valleyland Block – Block 1 Plan 65M-3063
13. Proposed Open Space Zone

**Report prepared by:**

Mauro Peverini, Senior Planner, ext. 8407

Grant Uyeyama, Manager of Development Planning, ext. 8635

Respectfully submitted,

JOHN ZIPAY  
Commissioner of Planning

MARCO RAMUNNO  
Director of Development Planning

/LG

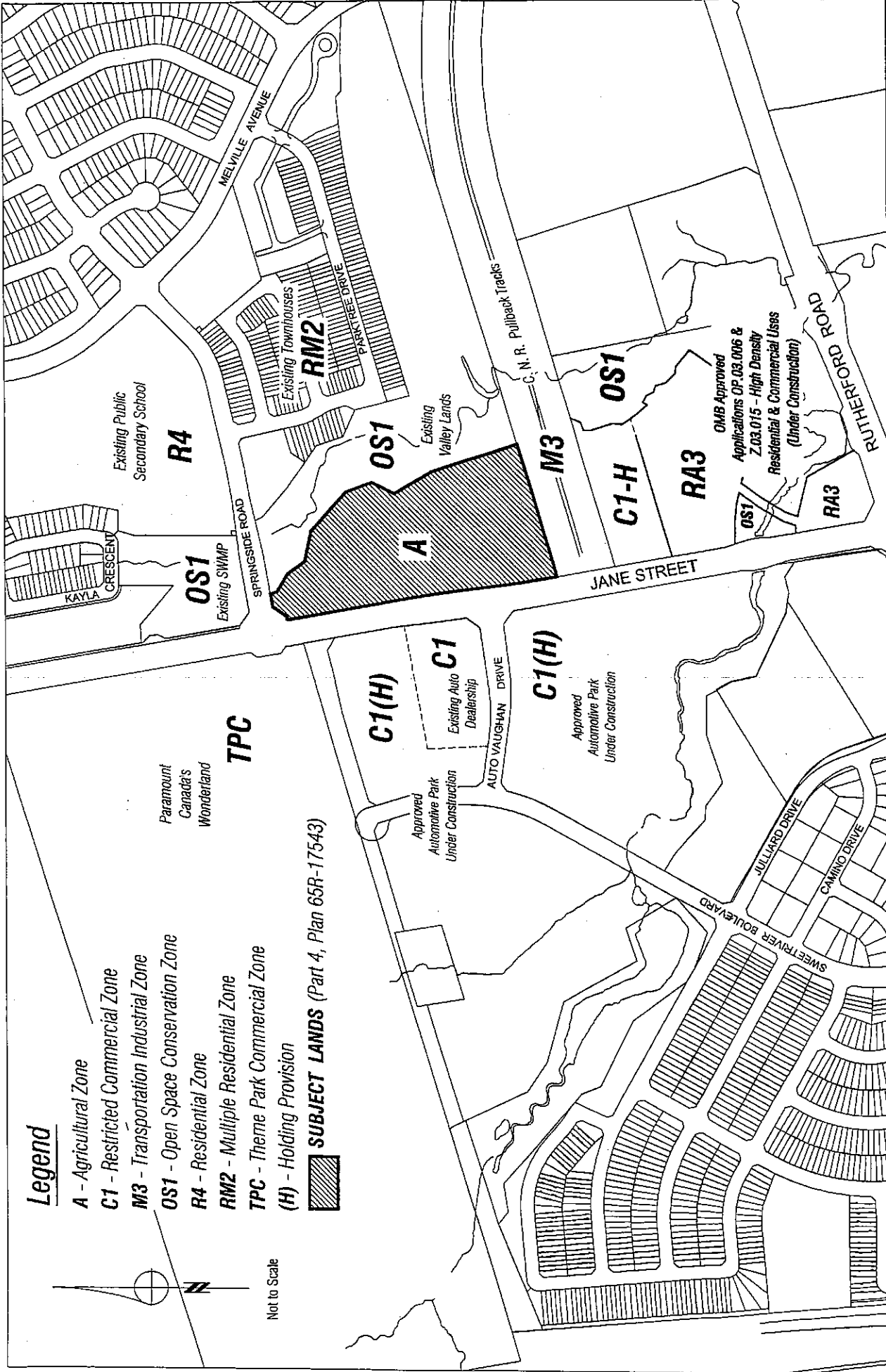
R:\SERWORKING\PEVERINM\Springside Gardens File OP-05-002 & Z-05-007\Springside Zoning-Site Plan-CW-May-29-06.doc

**Legend**

- A - Agricultural Zone
- C1 - Restricted Commercial Zone
- M3 - Transportation Industrial Zone
- OS1 - Open Space Conservation Zone
- R4 - Residential Zone
- RM2 - Multiple Residential Zone
- TPC - Theme Park Commercial Zone
- (H) - Holding Provision

**SUBJECT LANDS** (Part 4, Plan 65R-17543)

Not to Scale



**Location Map**

Part of Lot 17,  
Concession 4

APPLICANT:  
SPRINGSIDE GARDENS ESTATES CORP.

N:\0PT\1 ATTACHMENTS\0P\05.002

City of  
**Vaughan**

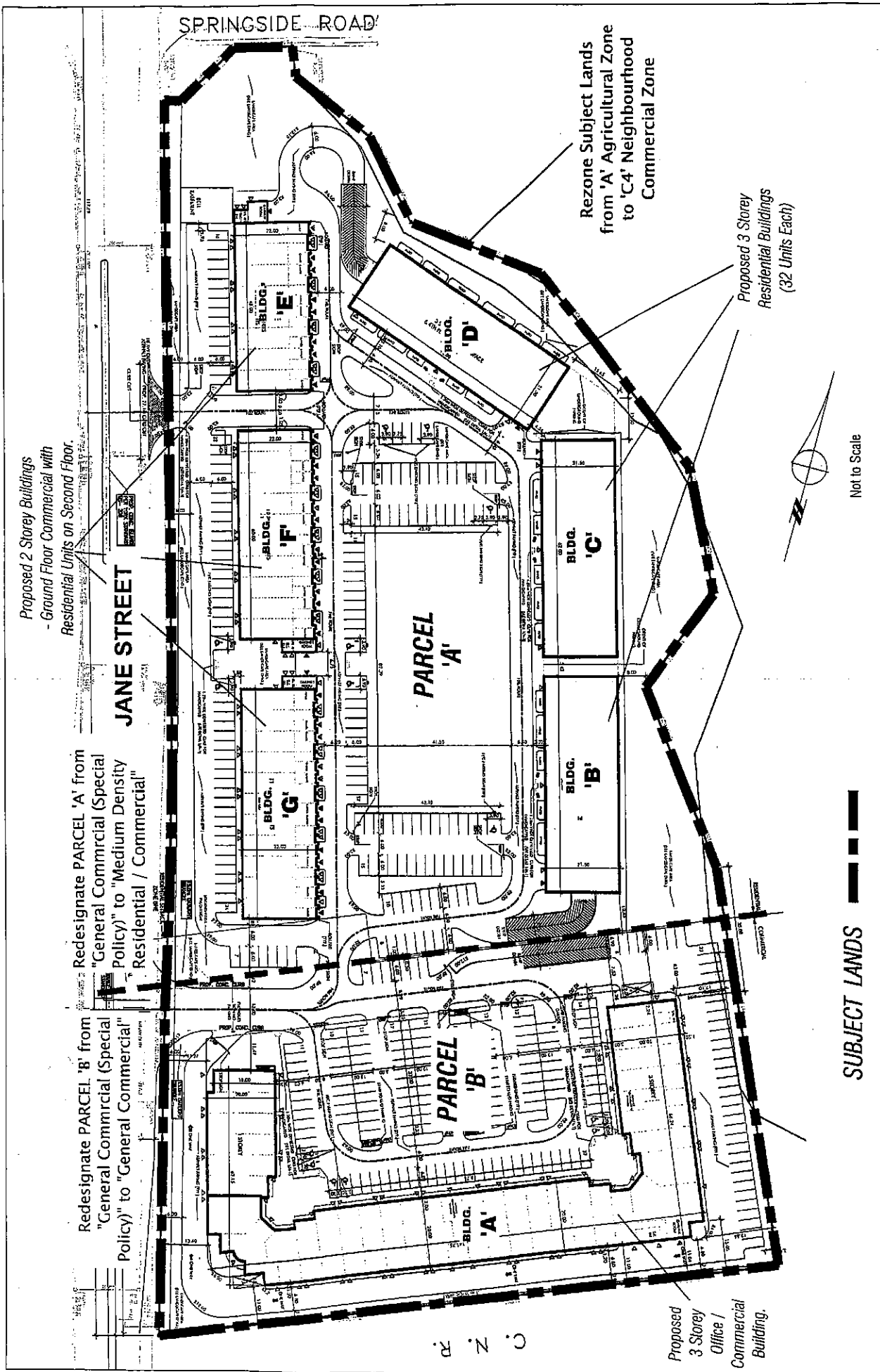
Development Planning Department

**Attachment**

FILE No.:  
OP.05.002,  
DA.06.027 & Z.05.007

May 19, 2006





# Attachment 2

FILE No.:  
DA.06.027,  
OP.05.002 & Z.05.007

May 19, 2006

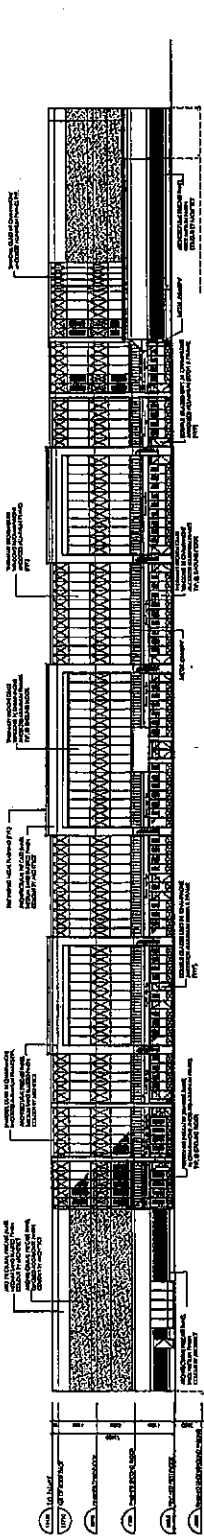
## City of Vaughan

Development Planning Department

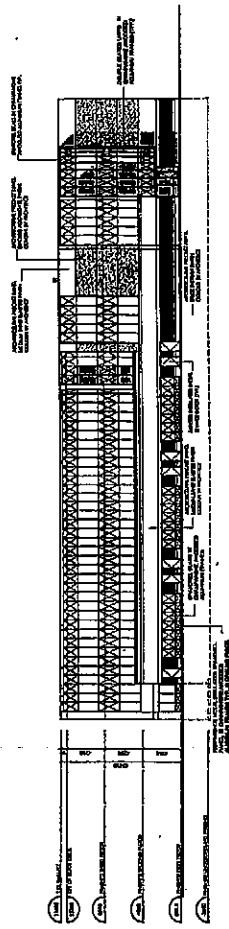
### Proposed Site Plan

Part of Lot 17,  
Concession 4  
APPLICANT:  
SPRINGSIDE GARDENS ESTATES CORP.

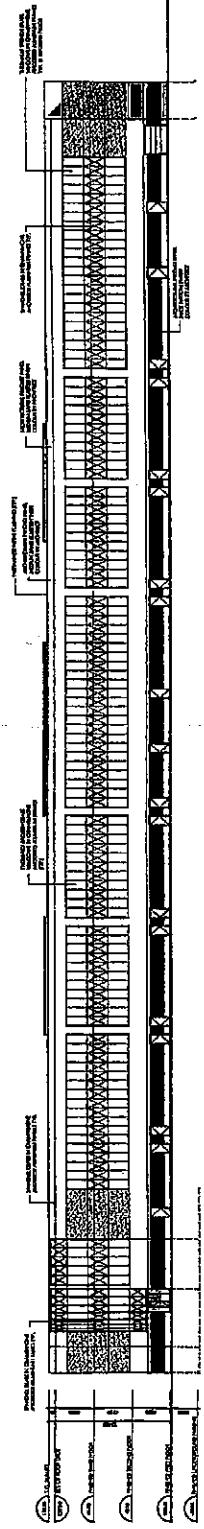
VA-DPT-1 ATTACHMENTS\VA\_06.06.027



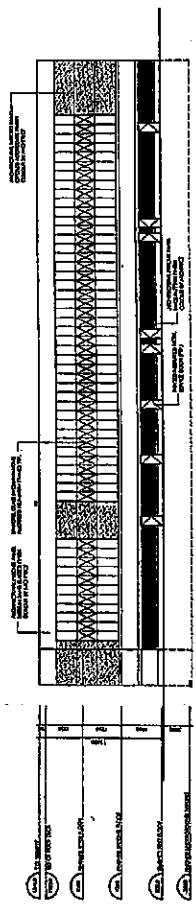
NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION

Not to Scale

**Proposed Elevations - Building 'A'**

APPLICANT: SPRINGSIDE GARDENS ESTATES CORP.

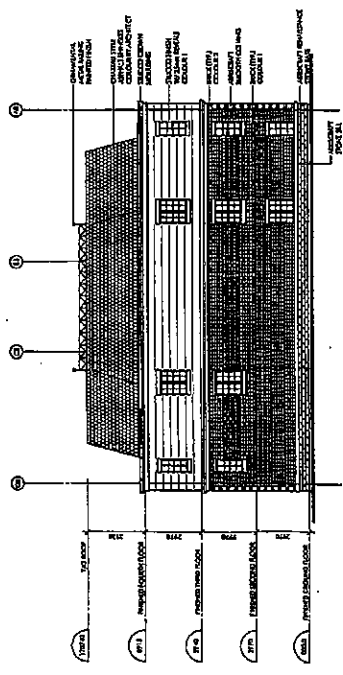
City of **Vaughan**  
Development Planning Department

**Attachment 3**

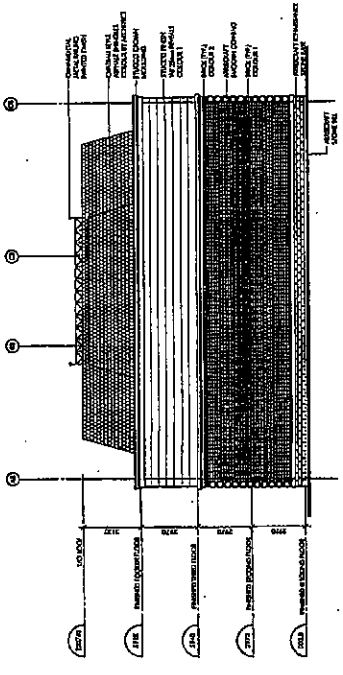
FILE No.: OP.05.002, DA.06.027 & Z.05.007

May 19, 2006

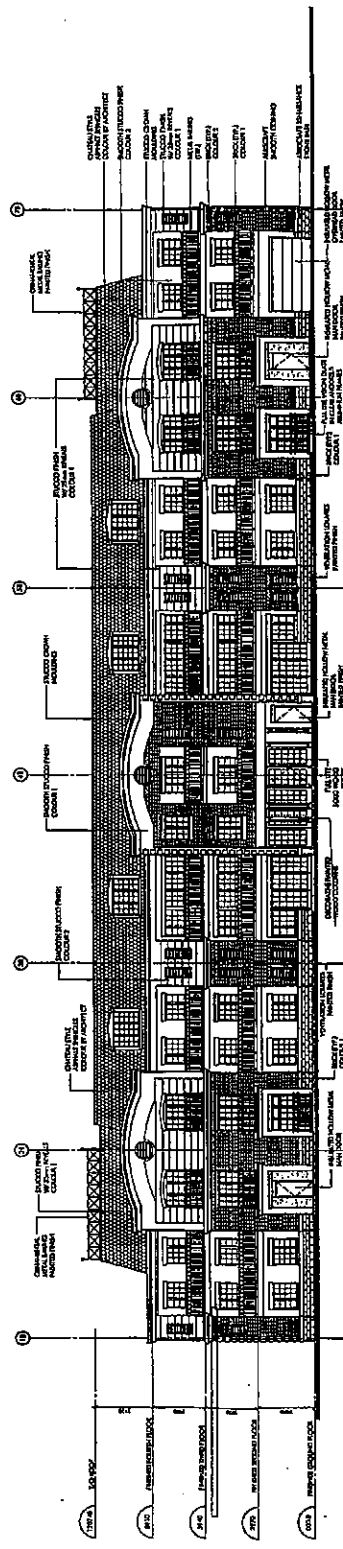
H:\DPT\1 ATTACHMENTS\Op.05.002



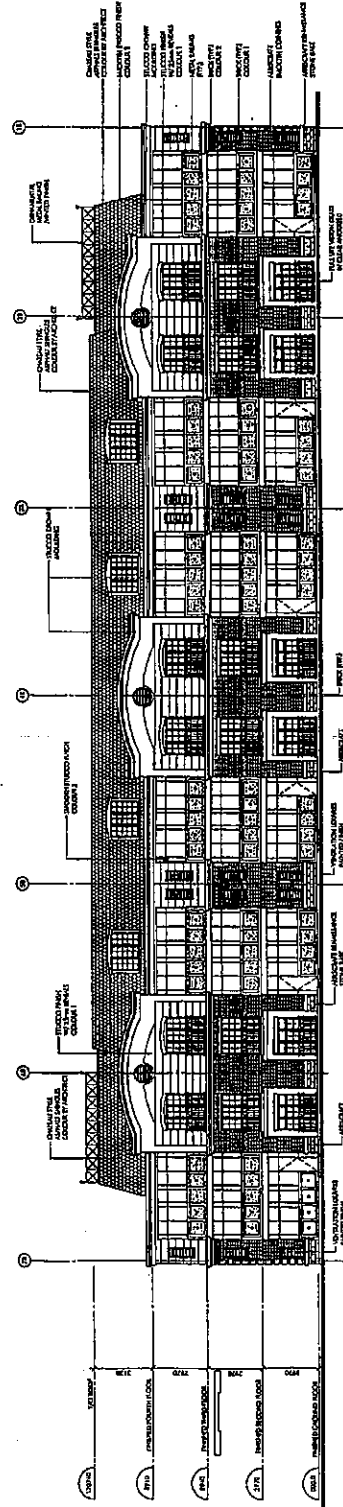
SOUTH ELEVATION



NORTH ELEVATION



WEST ELEVATION



EAST ELEVATION

Not to Scale

**Proposed Elevations -  
Building 'B'**

APPLICANT:  
SPRINGSIDE GARDENS  
ESTATES CORP.



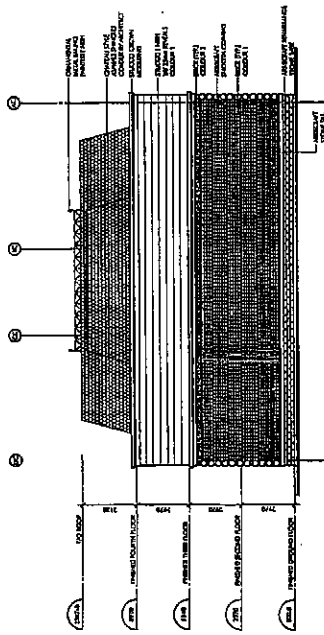
Development Planning Department

**Attachment  
4**

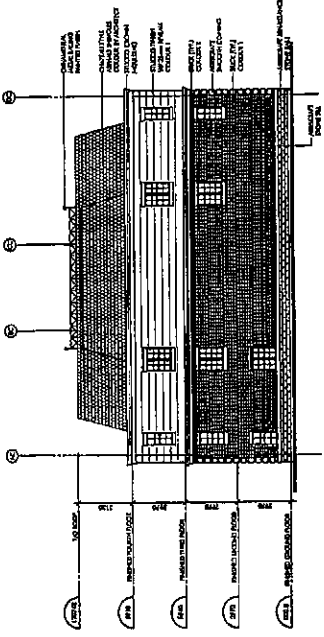
FILE No.:  
OP.05.002,  
DA.06.027 & Z.05.007

May 19, 2006

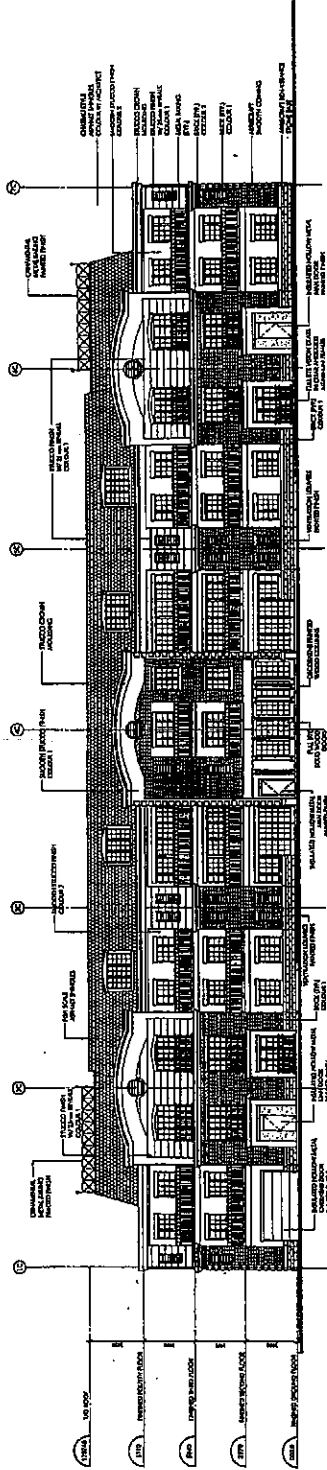
H:\P1\1 ATTACHMENTS\OP\_Vop\_05.002



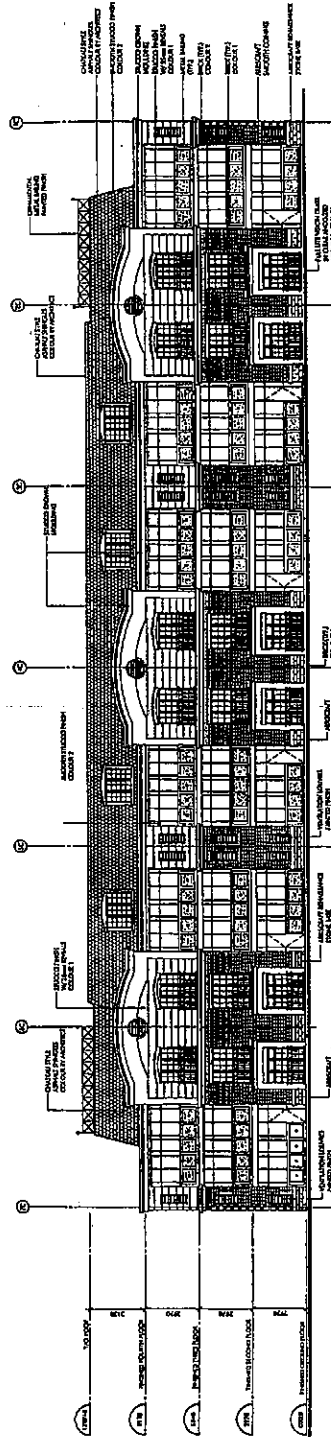
SOUTH ELEVATION



NORTH ELEVATION



WEST ELEVATION



EAST ELEVATION

Not to Scale

**Proposed Elevations - Building 'C'**

APPLICANT:  
SPRINGSIDE GARDENS  
ESTATES CORP.



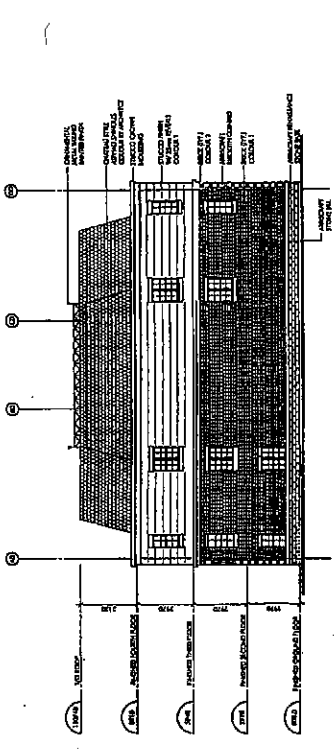
Development Planning Department

**Attachment 5**

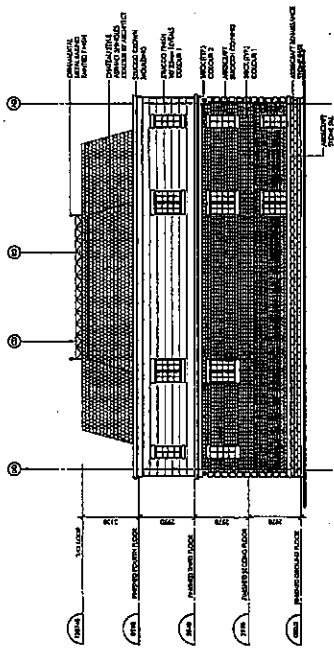
FILE No.:  
OP.05.002,  
DA.06.027 & Z.05.007

May 19, 2006

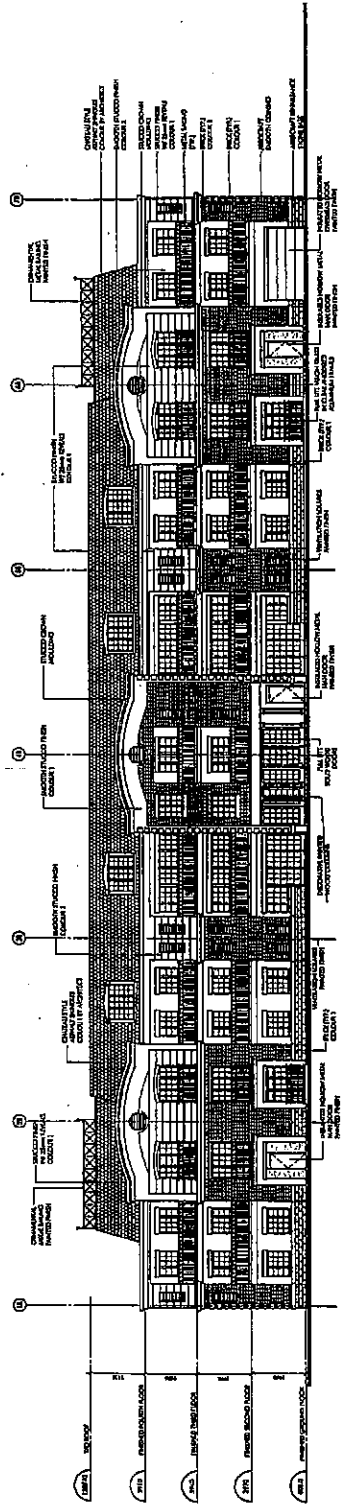




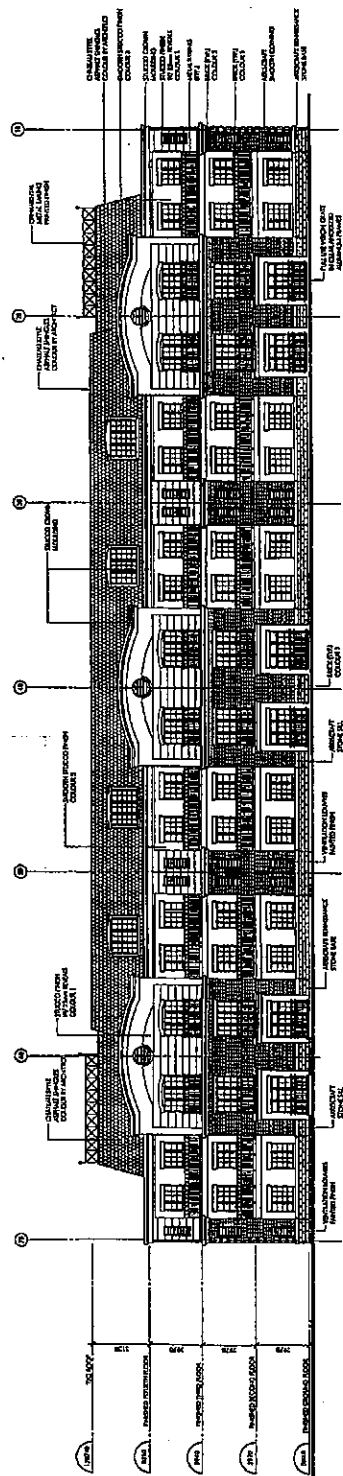
EAST ELEVATION



WEST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION

Not to Scale

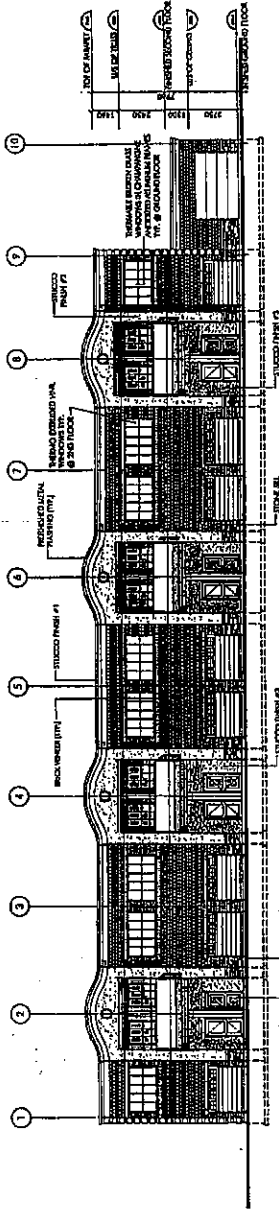
# Proposed Elevations - Building 'D'

APPLICANT: SPRINGSIDE GARDENS ESTATES CORP.  
Part of Lot 17, Concession 4

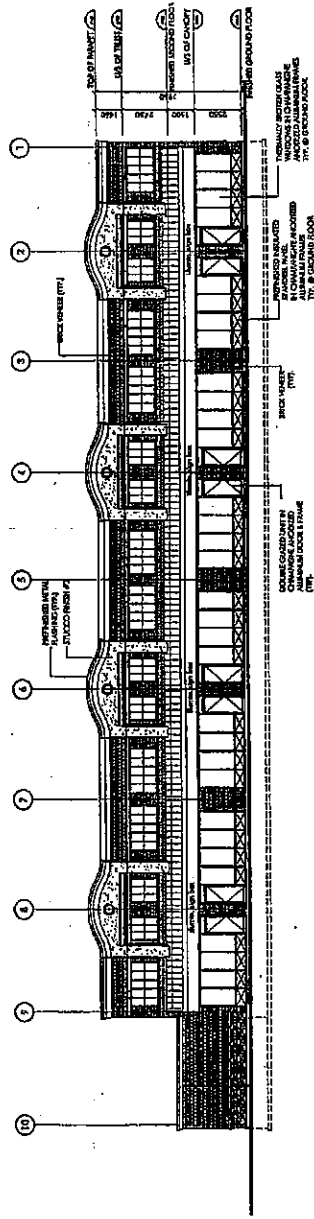


Development Planning Department

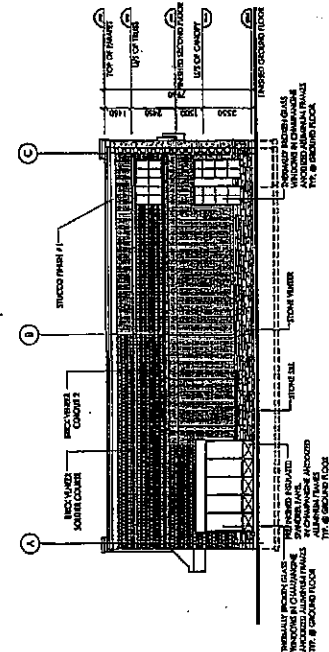
N:\DPT\1 ATTACHMENTS\OP\op\_05\_002



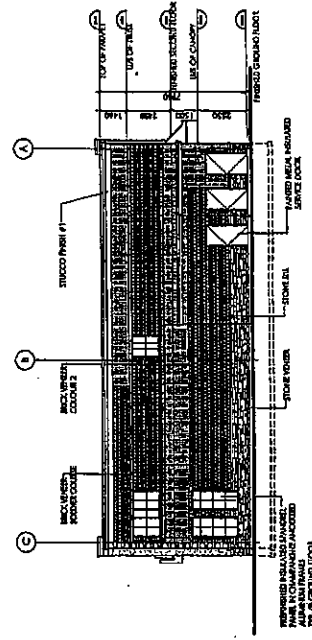
EAST ELEVATION



WEST ELEVATION (Jane Street)



(SOUTH ELEVATION)



NORTH ELEVATION

Not to Scale

# Proposed Elevations - Building 'E'

Part of Lot 17, Concession 4

APPLICANT:  
SPRINGSIDE GARDENS  
ESTATES CORP.  
M:\DFT\1 ATTACHMENTS\OP\05.002

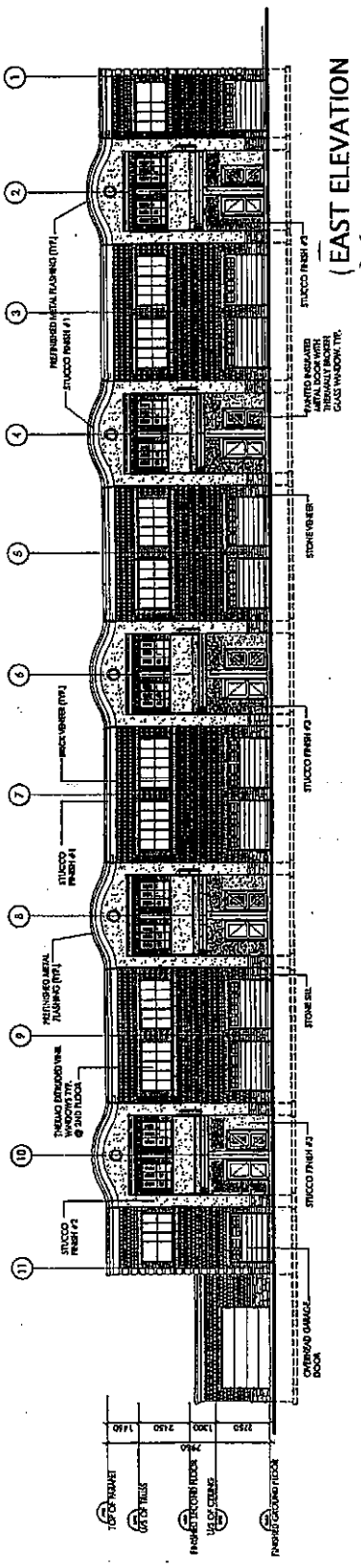
# Attachment 7

FILE No.:  
OP.05.002,  
D.A.06.027 & Z.05.007

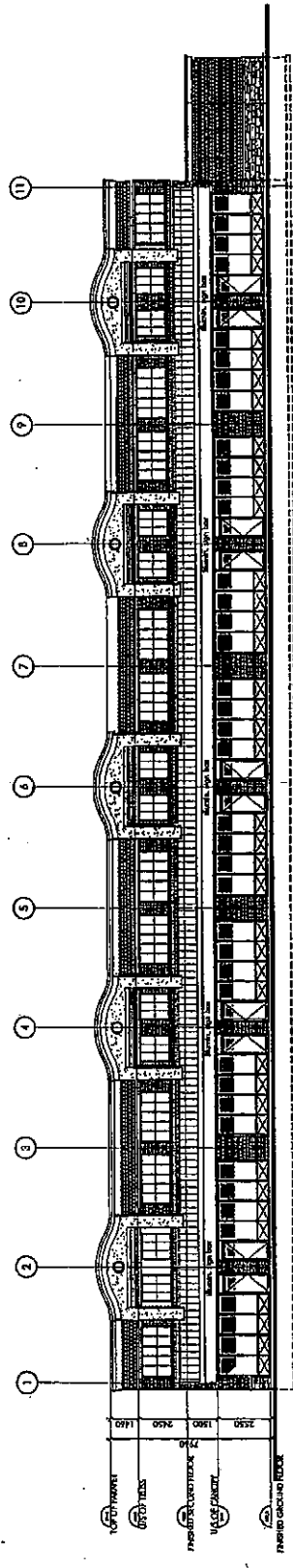
May 19, 2006

City of  
**Vaughan**

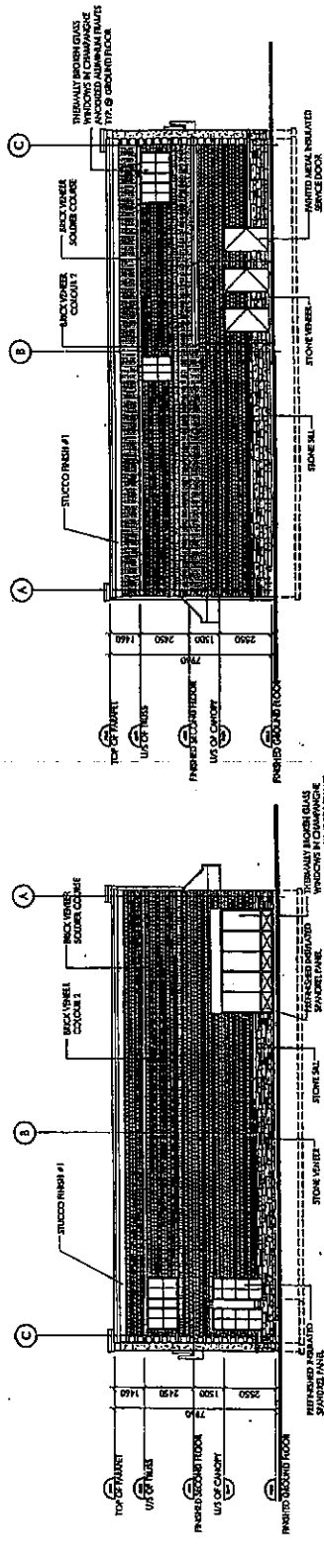
Development Planning Department



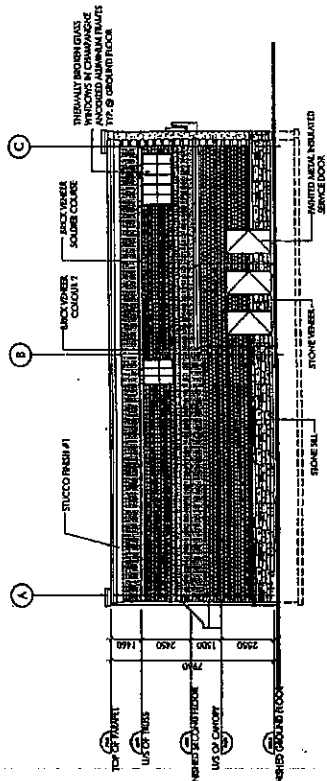
(EAST ELEVATION)



(WEST ELEVATION (Jane Street))



(NORTH ELEVATION)



(SOUTH ELEVATION)

Not to Scale

# Proposed Elevations - Building 'F'

APPLICANT:  
 SPRINGSIDE GARDENS  
 ESTATES CORP.  
 N:\A\PT\1 ATTACHMENTS\OP\05.002



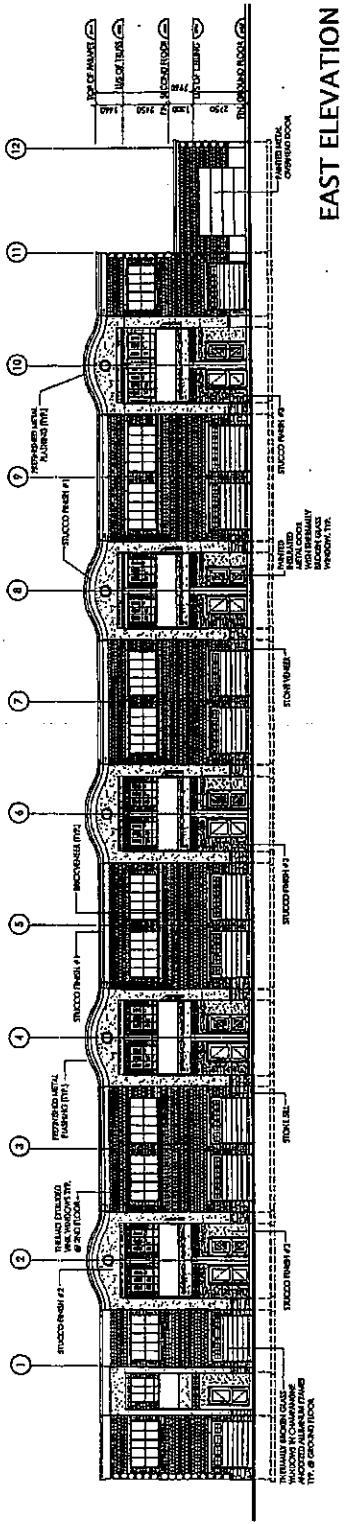
Development Planning Department

# Attachment 8

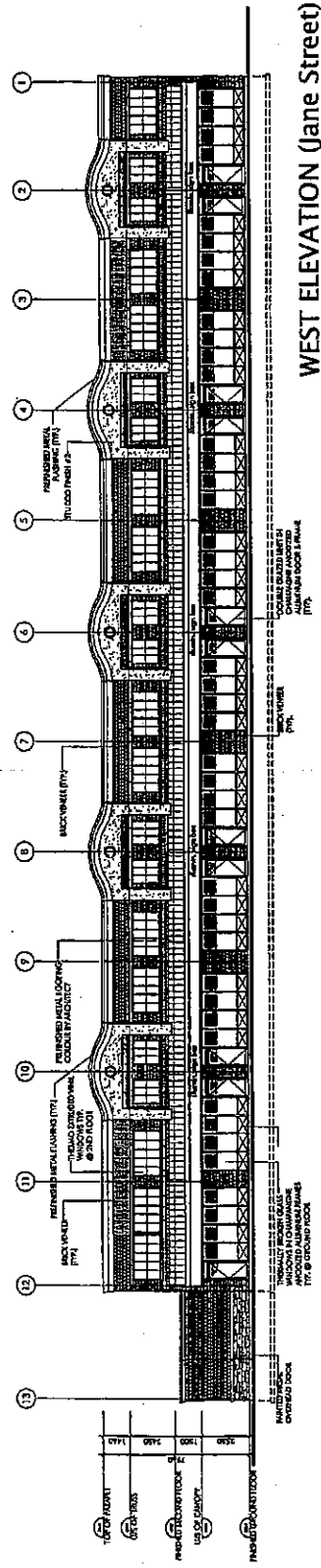
FILE No.:  
 OP.05.002,  
 DA.06.027 & Z.05.007

May 19, 2006

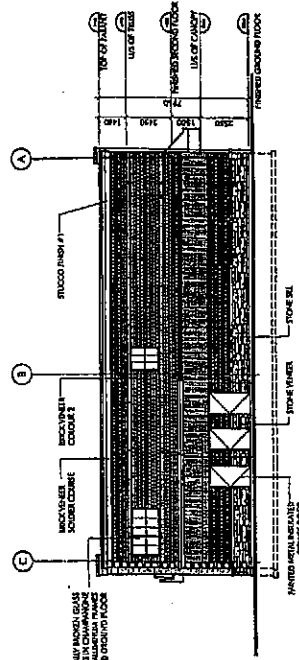
Part of Lot 17,  
 Concession 4



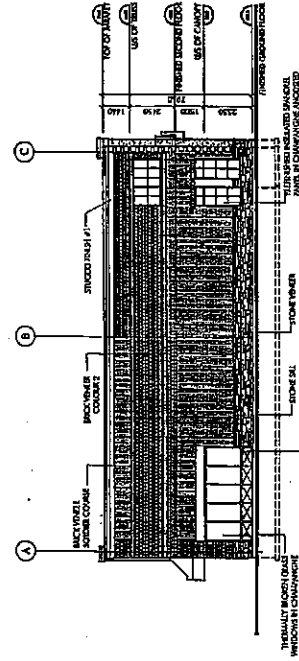
EAST ELEVATION



WEST ELEVATION (Jane Street)



(NORTH ELEVATION)



SOUTH ELEVATION

Not to Scale

# Attachment 9

FILE No.:  
OP.05.002,  
DA.06.027 & Z.05.007

May 19, 2006

## City of Vaughan

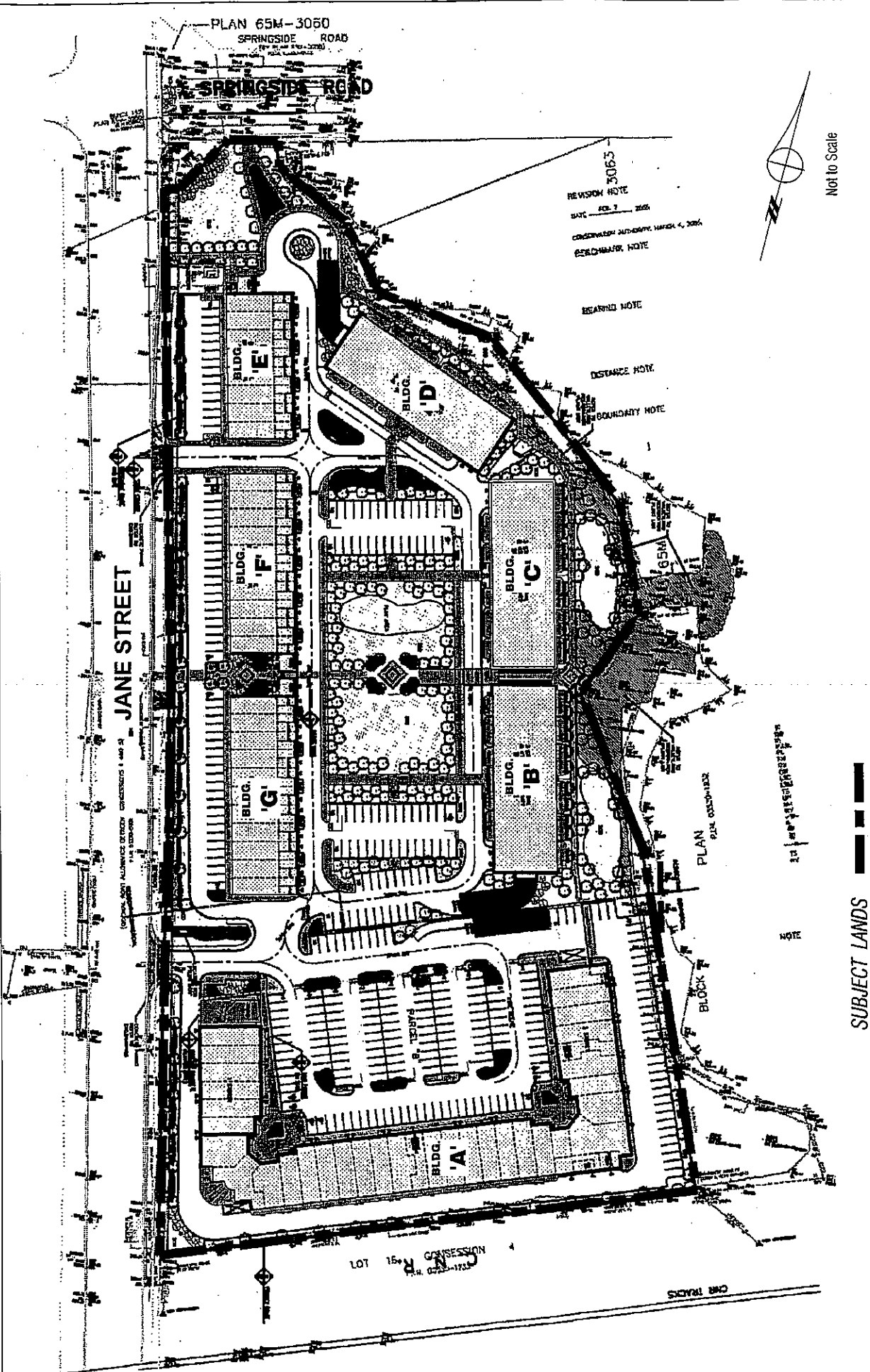
Development Planning Department

### Proposed Elevations - Building 'G'

Part of Lot 17,  
Concession 4

APPLICANT:  
SPRINGSIDE GARDENS  
ESTATES CORP.

N:\P1\1 ATTACHMENTS\OP\05.05.002



# Attachment 10

FILE No.:  
DA.06.027,  
CP.05.002 &  
Z.05.007  
May 19, 2006

## City of Vaughan

Development Planning Department

### Proposed Landscape Plan

Part of Lot 17,  
Concession 4  
APPLICANT:  
SPRINGSIDE GARDENS ESTATES CORP.

W:\OPT\1 ATTACHMENTS\04\06.06.027

1. The site plan agreement and ultimately the condominium agreement/declaration shall secure the requirement for the Owner to install and maintain at his own expense, a chain link fence of minimum 1.83 metre height along the mutual property line (located entirely on the subject property).
2. The site plan agreement and ultimately the condominium agreement/declaration shall secure the provision that any proposed alterations to the existing drainage pattern affecting Railway property must receive prior concurrence from the Railway and be substantiated by a drainage report to the satisfaction of the Railway.
3. The site plan agreement shall contain provisions to ensure that the proposed office building 'A' is constructed prior to or in conjunction with the proposed live work buildings, to ensure an appropriate intervening buffer is provided prior to occupation of the live work portion of the site.
4. The Owner is required to engage a consultant to undertake a final detailed analysis of noise in order to confirm the abatement measures necessary to achieve the maximum level limits set by the Ministry of Environment. Upon review and approval of the noise and vibration reports, all recommendations provided must be included in the site plan agreement and in the condominium agreement/declaration.
5. The applicant shall agree in the site plan agreement and ultimately in the condominium agreement/declaration to include in all offers or agreements of purchase and sale or lease, respecting lands proposed for residential uses within the plan the following warning clause (the "Warning Clause");

"All persons presently having or who may in the future acquire any interest in the lands which are the subject matter of this [Agreement/document] (the "Project Lands") are hereby notified as follows:

- (i) That Canadian National Railway Company ("CN") is the owner of certain lands known as its "MacMillan Rail Yard" (the "CN Lands"), portions of which are located within 300 meters of the Project Lands, and that the CN Lands are now and will continue to be used for the present and future railway facilities and operations of CN on a continuous basis (24 hours of each day in each year) including, without limitation, the operation and idling of diesel locomotives with the generation of diesel fumes and odours, artificial lighting of the CN Lands which may illuminate the sky, the loading,

**CN Rail Conditions  
of Approval**

Part of Lot 17,  
Concession 4

APPLICANT:  
SPRINGSIDE GARDENS ESTATES CORP.

H:\DPY1 ATTACHMENTS\04\06.06.027



Development Planning Department

**Attachment  
11**

FILE No.:  
DA.06.027,  
OP.05.002 &  
Z.05.007  
May 19, 2006

unloading and switching of rail cars containing bulk and other commodities including hazardous substances and/or goods containing the same, and the operation of various processes for the maintenance of rail equipment;

- (ii) That the use of such present and future railway facilities and operations may result in the discharge, emission, releasing or venting upon or other effect of the Project Lands at any time during the day or night of or by dust, smoke, fumes, odors and other gaseous and/or particulate matter, noise, vibration and other sounds, light, liquids, solids and other emissions of every nature and kind whatsoever (herein collectively called the "Operational Emissions"), any or all of which may be annoying, unpleasant, intrusive or otherwise adversely affect the use and enjoyment of the Project Lands or any part thereof notwithstanding the inclusion of features within the development of the Project Lands which are intended to attenuate, lessen or otherwise minimize or eliminate the impact of the Operational Emissions upon the use and enjoyment of the Project Lands;
- (iii) That CN and its customers will not be responsible for any complaints or claims by or on behalf of the owners and occupants of the Project Lands arising from or out of or in any way in connection with the Operational Emissions and any and all effects thereof upon the use and enjoyment of the Project Lands or any part thereof, and whether arising from the presently existing facilities and operations of CN upon the CN Lands or from any and all future renovations, additions, expansions and other changes to such facilities and/or future expansions, extensions, increases, enlargements and other changes to such operations which could include the acquisition of additional lands for the purpose of expanding the facilities and operations of the MacMillan Rail Yard.
- (iv) That CN shall not be required to change any of its facilities or operations upon the CN Lands as a result of or in response to any such complaints or claims;
- (v) That owners, tenants, employees, guests and all other occupants, invitees and users of the Project Lands or any part thereof may be required by governmental authorities having jurisdiction to evacuate the Project Lands by reason of a hazardous situation upon or an accidental release of hazardous substances from the CN Lands;

**CN Rail Conditions of  
Approval (Con't.)**

APPLICANT:  
SPRINGSIDE GARDENS  
ESTATES CORP.  
Part of Lot 17,  
Concession 4  
N:\07\1 ATTACHMENTS\06.05.027



Development Planning Department

**Attachment**  
**11**  
FILE No.:  
DA.06.027,  
OP.05.002 &  
Z.05.007  
May 19, 2006

6. The applicant shall agree in the site plan agreement and ultimately in the condominium agreement/declaration that the Warning Clause shall also be included in any residential condominium disclosure statement applicable to the applicant's lands or any portion thereof.
7. The applicant shall agree in the site plan agreement and ultimately in the condominium agreement/declaration that a large area plan shall be displayed in the sales pavilion(s), prominently identifying:
  - (i) that the units and blocks experience or may experience existing or potential noise, lighting and other environmental problems;
  - (ii) the type and location of fencing and noise attenuation features incorporated into the design of the units, the development and adjacent public lands; and
  - (iii) the location and identification of the CN MacMillan Rail Yard (identifying the hump and pull back track operations) .
8. The applicant shall agree in the site plan agreement and ultimately in the condominium agreement/declaration that a minimum distance of 150 metres of separation shall be maintained between the nearest live work building and the nearest CN pull back track.
9. The Owner is required to enter into an Agreement with CN, stipulating how CN's concerns will be resolved and will pay CN's reasonable costs in preparing and negotiating the agreement.

**CN Rail Conditions of Approval (Con't.)**

APPLICANT:  
 SPRINGSIDE GARDENS  
 ESTATES CORP.  
 Part of Lot 17,  
 Concession 4  
 H:\APPLY ATTACHMENTS\DA\06.06.027



Development Planning Department

**Attachment 11**  
 FILE No.:  
 DA.06.027,  
 OP.05.002 &  
 Z.05.007  
 May 19, 2006

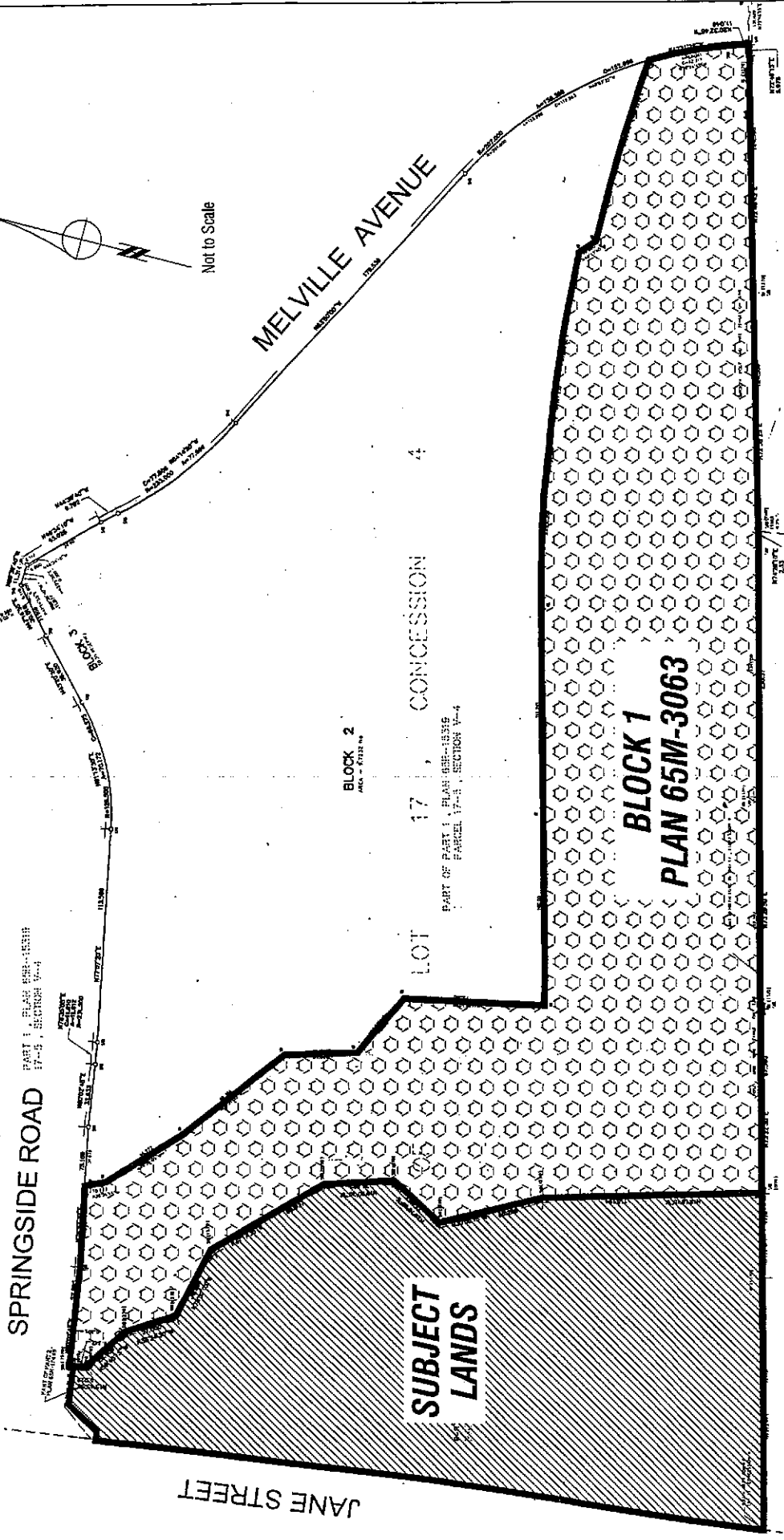




SPRINGSIDE ROAD

MELVILLE AVENUE

JANE STREET



**SUBJECT LANDS**

**BLOCK 1  
PLAN 65M-3063**

**BLOCK 2**  
REG. NO. 4332

**LOT 17, CONCESSION 4**

PART OF PART 1, PLAN 65M-18316  
PARCEL 17-4, SECTION 4-4

C. N. R.

REG. NO. 43074

REG. NO. 41876

REG. NO. 44402 (SEE MAP SHEET 5)

**Valleyland Block -  
Block 1, Plan 65M-3063**

APPLICANT:  
SPRINGSIDE GARDENS ESTATES CORP.

Part of Lot 17,  
Concession 4

MAP # 1 ATTACHMENT'S OP 05.002

**Attachment  
12**

FILE No.:  
OP.05.002,  
DA.06.027 & Z.05.007

May 19, 2006

**City of  
Vaughan**

Development Planning Department

SPRINGSIDE ROAD

AREA 1 (PARKED) - 1418.09 sqm

JANE STREET

# PROPOSED SITE PLAN

PARCEL 'A'

PARCEL 'B'

AREA 2 (PARKED) - 2700.00 sqm

EXISTING LIMIT OF OS1 ZONE

PROPERTY LINE

PROPOSED APPROXIMATE LIMIT OF BUFFER ZONE (OS1)

OS1 OPEN SPACE CONSERVATION ZONE

PROPOSED VALLEY RESTORATION AREA (0.0742 ha)

CITY OWNED TABLE LANDS (POTENTIAL RESTORATION AREA 0.122 ha)

C. N. R.

Not to Scale

# Attachment 13

FILE No.:  
OP.05.002,  
DA.06.027 & Z.05.007

May 19, 2006

## City of Vaughan

Development Planning Department

# Proposed Open Space Conservation Zone

Part of Lot 17,  
Concession 4

APPLICANT:  
SPRINGSIDE GARDENS ESTATES CORP.

NA\OPT\1 ATTACH\REVISED\OP\_05\_002