

COMMITTEE OF THE WHOLE MAY 5, 2008

**OFFICIAL PLAN AMENDMENT FILE OP.06.019
ZONING BY-LAW AMENDMENT FILE Z.06.051
DRAFT PLAN OF SUBDIVISION FILE 19T-00V21 (REVISED)
ROYAL EMPRESS GARDENS LTD.**

RECOMMENDATION

The Solicitor/Litigation, in consultation with the Commissioner of Planning, recommends that this report be received.

Economic Impact

There is no economic impact as a result of this report.

Communications Plan

N/A

Purpose

To advise Council of the upcoming Ontario Municipal Board Hearing scheduled to commence on May 26, 2008 and that a further report will be provided to Council on May 12, 2008.

Background - Analysis and Options

The subject lands are located on the north side of Regional Road 7, east of Jane Street, in Part of Lot 6, Concession 4 as shown on Attachment 1. The property consists of 3.47 hectares (8.6 acres) of vacant land and has a frontage of approximately 201 metres on Regional Road 7. An Official Plan Amendment application has been submitted which is applicable to both 2900 Regional Road 7 and 2938 Regional Road 7. The Zoning By-law Amendment and revised Draft Plan of Subdivision applications are applicable to the former property only.

The surrounding land uses are:

North - Storm pond (A Agricultural Zone), employment uses (EM1 Prestige Employment Area Zone)

South - Regional Road 7, commercial (C8 Office Commercial Zone), employment uses (EM1 Prestige Employment Area Zone)

East - Banquet hall (C7 Service Commercial Zone)

West - Vacant (A Agricultural Zone)

The subject lands are designated "Corporate Centre Node" within the Vaughan Corporate Centre Secondary Plan (OPA 500), as amended by OPA 662 (recently approved by City of Vaughan Council and awaiting Regional approval) and zoned C9 (H) Corporate Centre Zone with the Holding Symbol (H), subject to Exception 9(1248) and A Agricultural Zone pursuant to By-law 1-88.

APPLICATIONS

The Draft Plan of Subdivision, as revised, is for five high-rise residential buildings (four with ground floor commercial) in addition to park, buffer and road blocks. Pursuant to an OMB approval in 2001, the applicant already has approval for 1071 residential units. The current application seeks an increase of 864 units for a total of 1935 units.

To facilitate this development, a Zoning By-law Amendment application has been submitted to remove the (H) Holding Symbol, to rezone a portion of the Barnes Court extension that is to be eliminated to OS2 Open Space Park Zone to allow additional park land and to provide the following zoning exceptions to facilitate the conceptual site plan shown on Attachment 2:

- An increase of 864 residential units in the maximum permitted count from 1071 to 1935 units (4.98 FSI);
- An increase in the maximum permitted building height for non-landmark locations (i.e. Buildings "3" and "4" on Attachment 2) from 25 metres to unlimited height, to be consistent with the height permission for landmark locations (i.e. Buildings "1", "2" and "5" on Attachment 2); and
- A decrease of 1209 parking spaces (33.31% deficiency) in the minimum required parking on the site from 3629 to 2420 spaces.

In addition, the Owner submitted an application to amend Schedule B – Transportation Plan to OPA 500 (Corporate Centre Secondary Plan), as amended by OPA 528 and OPA 529, in order to delete the westerly extension of Barnes Court from the end of the existing turning circle to the ring road, southwest to Regional Road 7.

ONTARIO MUNICIPAL BOARD HEARING

These applications were received in June and July, 2006. A Public Hearing was held on September 5, 2006. The applicant filed an appeal with the Ontario Municipal Board on July 25, 2007, citing Council's failure to make a decision on the applications in accordance with the requirements of the *Planning Act*.

A pre-hearing was held on October 29, 2007 at which time the parties to the Hearing were identified to include the City, Royal Empress Gardens Ltd., the Region of York, C.N. Rail and Midvale Estates Ltd. (the landowner to the west of the subject site). Midvale Estates has since become a participant. At that time, the Board was advised that the parties were working towards narrowing and possibly resolving some or all of the issues. A further pre-hearing was set for March 28, 2008 and the Hearing was scheduled to commence on May 26, 2008.

The parties have met on numerous occasions to discuss the issues and the applicant has submitted further material to the City for review and comment. The most recent submission, which included a further revised Draft Plan of Subdivision, was received by the City on April 14, 2008. This submission was circulated for comments and a staff report is expected to be completed for the Council meeting of May 12, 2008.

In preparation for the OMB Hearing, witness statements are to be exchanged on May 14, 2008. A Council position for the Hearing will be required.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities previously set by Council.

Regional Implications

The Region is a party to the OMB hearing.

Conclusion

Staff are finalizing the technical report for the OMB Hearing which is set to commence on May 26, 2008. A Planning report on the applications will be coming forward to Council at its meeting on May 12, 2008 at which time Council's direction for the OMB Hearing will be sought.

Attachments

Attachment No. 1 – Location Map
Attachment No. 2 – Conceptual Site Plan

Report prepared by:

Claudia A. Storto
Heather Wilson

Respectfully submitted,

Claudia A. Storto
Solicitor/Litigation

Janice Atwood-Petkovski
Commissioner of Administrative Services & City Solicitor



Not to Scale

Legend

- A - AGRICULTURAL ZONE
- C7 - SERVICE COMMERCIAL ZONE
- C8(H) - OFFICE COMMERCIAL ZONE (WITH HOLDING PROVISION)
- C8(H) - CORPORATE CENTRE ZONE (WITH HOLDING PROVISION)
- EM1 - PRESTIGE EMPLOYMENT ZONE
- OS2 - OPEN SPACE PARK ZONE



Subject Lands

Location Map

Part Lot 6,
Concession 4

APPLICANT:
ROYAL EMPRESS GARDENS LTD.

MAP ATTACHMENT 1 (19T-00V21-01)



The City Above Toronto

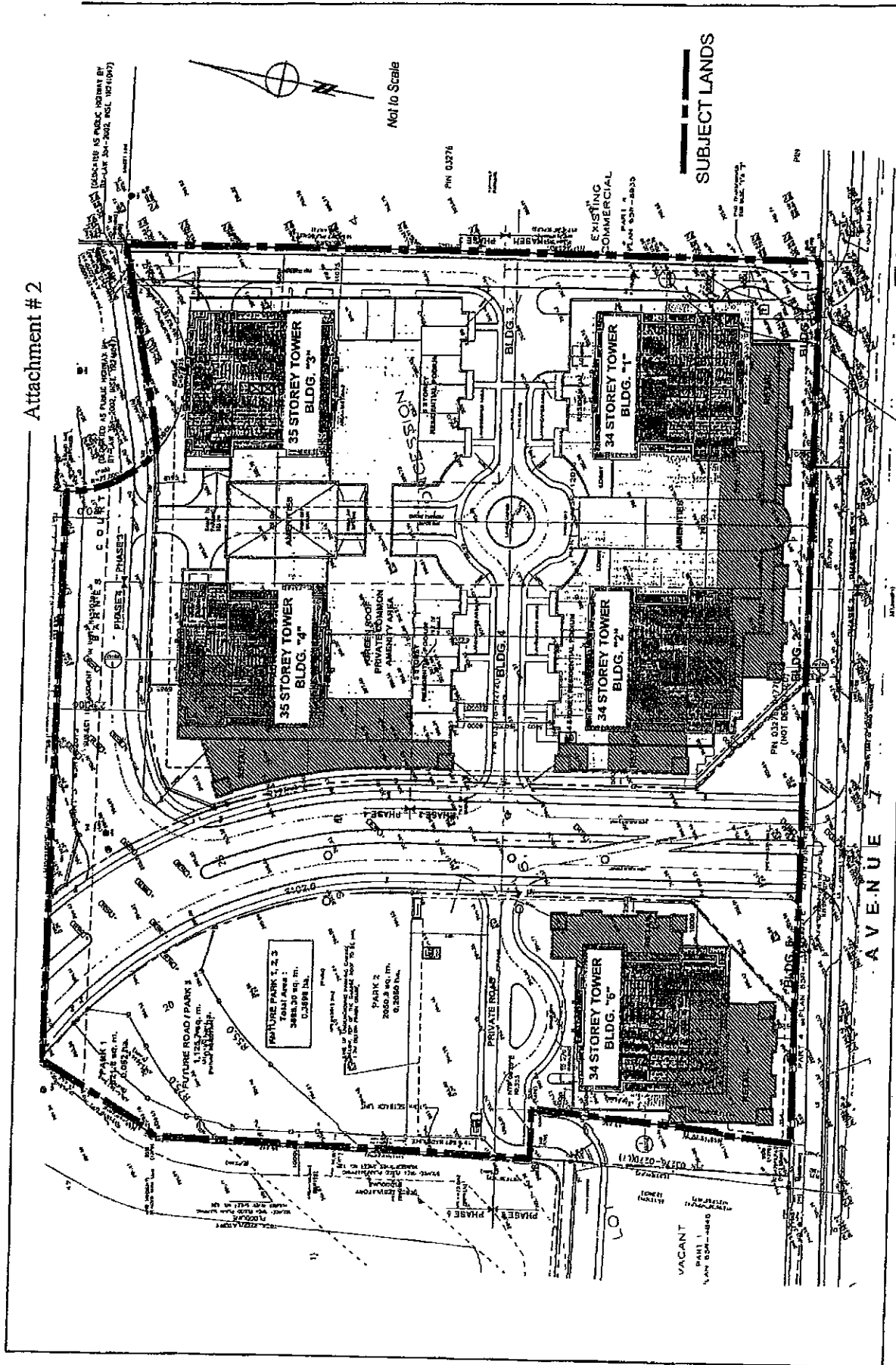
Development Planning Department

Attachment

FILE No.:
19T-00V21 (REVISED),
Z.06.051 & OP.06.019



April 29, 2008



Conceptual Site Plan

Part Lot 6,
Concession 4
APPLICANT:
ROYAL EMPRESS GARDENS LTD.
14879111/100-021000-00-00-20-00-01



The City Above Toronto

Development Planning Department

Attachment 2

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April 29, 2008